



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, July 21, 2026 ~ 9:00 AM
City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Randy Briley, Mayor
Bobby Watson, Mayor Pro-Tem
Tony Klein, Councilmember

Todd Eidson, Councilmember
Gary Neffendorf, Councilmember
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Tuesday, July 21, 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 recess 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 during 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 Randy Briley**
2. **INVOCATION - Pastor Michael Bell, Christ is King Church**
3. **PLEDGES OF ALLEGIANCE - Mayor Randy Briley**
4. **EMPLOYEE RECOGNITION - Introduction of Barbara Quirk, City Attorney**
5. **COUNCIL COMMENTS**

6. **CONSENT**

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

- A. Consider approval of City Council Minutes for the following meetings: Special Budget Council Meeting held June 15, 2026 and Regular City Council Meeting held June 16, 2026. (Leticia Vacek, City Secretary)
- B. Consider approval of a revised Interlocal Agreement with the Lower Colorado River Authority (LCRA) for Radio Services and Equipment (Garret Bonn, ACM)

7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**

- A. **Request Z-2610:** By County Express Food Mart to Consider the Following: (Cliff Cross, Director of Development Services)

A Conditional Use Permit (CUP), Per Sec. 3.200 and Sec. 6.110 for property located at 816 N. Milam Street to construct a 450 square foot addition and add 3 fuel islands to an existing legal nonconforming convenience store. *The Planning & Zoning Commission recommended Approval with a unanimous vote of 7-0 subject to the conditions identified within the agenda memo.*

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action - Approve Ordinance 2026-26 for the CUP

- B. **Request Dev-2026-37-ZC:** By Grant Gold for the following: (Cliff Cross, Director of Development Services)

A zoning change from Single Family Residential (R1) to Neighborhood Commercial (C1) for property legally described as Bonn Blk C Lot 26, 27-PT & 28-PT, includes BLK D Lot M- and commonly known as 207 East Mulberry Street, Fredericksburg, Texas. *The Planning & Zoning Commission recommended Denial with a unanimous vote of 9-0.*

- i Presentation by the Applicant
- ii Presentation by the Staff

- iii Hold Public Hearing
 - iv Take Action - Approve Ordinance 2026-27 for the Rezoning
- C. Consider approval of Ordinance 2026-28 to decrease the speed limit from 40 mph to 35 mph on RM 965 (North Milam St) in the City limits between West Mulberry Street and West Main Street on the basis of an Engineering and Traffic investigation performed by TxDOT. (Sibyl Deckard, Staff Engineer)

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and discuss a recommendation from the Gillespie Central Appraisal District (GCAD) related to the retention of a joint delinquent tax collections firm for all taxing entities, and take any appropriate action related to same (Scott Fair, GCAD - Chief Appraiser)
- B. Consider the approval of a street closure request for two "Warehouse Row Makers Market" events on S. Lincoln Street from the north side of the Barons Creek bridge to San Antonio Street beginning at 6:00 a.m. on Saturday, November 21, 2026, until 6:00 p.m. on Sunday, November 22, 2026, and again on Saturday, April 10, 2027, at 6:00 a.m., until Sunday, April 11, 2027, at 6:00 p.m. (Jill Elliott, Event Organizer)
- C. Consider and take action on appeal of the Director of Development Services denial of a STR-Unoccupied permit for 610 W. Travis (Ashley Nardiello) at 610 West Travis Street. (Cliff Cross, Director of Development Services)
- D. Discussion and potential motion directing staff to prepare and present proposed text amendments to the Planning & Zoning Commission for " Appendix B - Zoning Ordinance" regulating the establishment of permitted and conditional uses within the Central Business District (CBD). (Cliff Cross, Director of Development Services)

9. CITY MANAGER'S REPORT

- A. Presentation by Native Plant Society for Main Street. (Alan Kirchoff & Jonathan Watt)
- B. Quarterly Economic Development Update. (Tim Lehmberg, Gillespie County EDC Executive Director)

10. ITEMS FOR FUTURE AGENDA

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

11. EXECUTIVE SESSION

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

- A. Consideration of Board and Commission Applications and possible action of appointments to the following boards: Planning & Zoning Commission, Zoning Board of Adjustment, and Historic Review Board pursuant to Texas Government Code 551.074 (Personnel Matters). (Leticia Vacek, City Secretary)

- B. Legal Matters Update — Pursuant to Texas Government Code Section 551.071
(Attorney-Client Privilege)

12. ADJOURN

CERTIFICATION

This is to certify that I, Leticia Vacek, posted this agenda at 4:30 pm on July 15, 2026 on the bulletin board of the City of Fredericksburg City Hall, 2818 E. U.S. Hwy. 290, Fredericksburg, Texas.

Leticia Vacek

Leticia Vacek, TRMC/CMC/MMC
City Secretary



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Leticia Vacek, City Secretary

MEETING DATE: July 21, 2026

CATEGORY: CONSENT

CAPTION: Consider approval of City Council Minutes for the following meetings: Special Budget Council Meeting held June 15, 2026 and Regular City Council Meeting held June 16, 2026. (Leticia Vacek, City Secretary)

SUMMARY:

The minutes are presented to the City Council for approval, typically at the following Regular Meeting.

BACKGROUND:

In accordance with State Law, City Council Minutes are a permanent record of the city and shall be maintained and preserved by the City Secretary. The minutes are preserved digitally after their approved and fully executed within the City's Records Repository.

FUNDING SOURCE: n/a

FINANCIAL IMPACT:

n/a

STAFF RECOMMENDATION:

City Secretary Vacek recommends approval of the meeting minutes.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Special Council Meeting of June 15, 2026 Minutes LV Final
2. City Council Regular Meeting June 16, 2026 MinutesLV

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: July 07, 2026



William McKamie, City Attorney

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



City of Fredericksburg

City Council Special Meeting Minutes
Monday, June 15, 2026 ~ 9:00 AM
City Hall at East Campus
2818 E. U.S. Hwy 290
Fredericksburg, Texas 78624

City Council:

Randy Briley Mayor
Bobby Watson, Mayor Pro-Tem
Tony Klein, Councilmember
Todd Eidson, Councilmember
Gary Neffendorf, Councilmember

City Staff:

Clinton Bailey, City Manager
Garret Bonn, Asst. City Manager
Leticia Vacek, City Secretary
Cliff Cross, Director, Development Services
Kris Kneese, Director, Public Works/Utilities
Krista Wareham, Director, Finance
Brian Vorauer, Police Chief
Lynn Bizzell, Fire Chief
Tammie Loth, Director of Human Resources
Andrea Schmidt, Director, Parks/Recreation
Sean Doerre, Director, Communications/PIO
Aaron Anderegg, Director, IT
David Kellum, Finance Manager
Brandon Gold, Asst. Director IT
Laurie Cassidy, Deputy City Secretary
Tyler Hooper, Asst. Director, Finance
Cody Oris, IT Specialist
Alyssa Rivera, PD Outreach Specialist
McKenzie Moellering, Community Outreach Specialist

CALL TO ORDER

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

1. City Council Orientation. (Leticia Vacek, City Secretary/RMO)

City Manager Bailey kicked off the Council Orientation stating that this will be the second time providing an orientation after the election to the City Council which again will be presented by City Secretary Letty Vacek. Letty reviewed the Charter's Form of Government and Duties of the Council. In addition, she touched on the Ethics Ordinance and City Council Rules and Procedures. She noted that last year, the Council did not have any changes to the rules. She asked if there were any changes; said item would be placed on a Regular Council Agenda for approval. She also reviewed the Texas Open Meeting Act and Public Information Act noting that all Council Members' certificates of the required training had been properly filed with her. She covered the Recusal and CIS forms required to be completed and filed with her indicating the conflict of interest. She also covered the section of the Texas Open Meetings Act that provides for the City Secretary to post an Executive Session item.

Letty also presented the process for a Charter Amendment(s) Election and a brief discussion ensued regarding the Council Terms and extending same. The 5-year provision to review the City Charter was mentioned which will be undertaken in 2028. Lastly, Letty reminded the Council that under the Public Information Act, business emails, text, and instant messages on any platform are subject to the public information act.

Sean Doerre presented the Communications and Media Policy to be followed by staff and the City Council. He reviewed the media communications policy utilized in dealing with the media. On the Website and Social Media aspects, Sean stated that official platforms promote transparency. He added that personal social media accounts should avoid controversial or speculative content and to not share confidential city information. With regards to Branding and Logo Use, he mentioned that the logo reflects the City's heritage and identity and must be used consistently and professionally. He asked the Council to contact him for other guidance.

2. Discussion of Council Priorities (Clinton Bailey, City Manager)

City Manager Bailey reviewed the major projects and initiatives including Community Amenities: sidewalks and trails, public restrooms, little league ball fields, Public Works: new water reclamation facility, new water supply well, landfill transfer station, transportation bond projects, and Future Projects/Opportunities: Turner Hall, Hamm Property, Main Street initiatives, Expanded use of HOT.

City Council priorities are as follows:

Mayor Briley: Expand a third well field and be operating by May 2029. Implement a Conditional Use Permit process for the Historic District. Work with the Texas Hotel & Motel Lodging Association (THLA), Convention and Visitor's Bureau (CVB) to codify use of HOT Funds and establish clear rules and procedures to ensure HOT Funds are consistently followed by future Councils.

Mayor Pro-Tem Watson: Maintain and improve city infrastructure, Main Street Initiatives (i.e., Sidewalks, Street Sweeping, Historic Preservation-No chains on

Main Street CUP, Police presence). Creation of a Main Street Department, Transportation Projects, City Employee competitive wages/benefits, equipment needs and focus on involvement of young families/parks.

Councilmember Klein: Police & Fire/EMS and use of HOT Funds. Continued Water Resources. Phased in approach for Sports Complex, and Urgent Care expansion.

Councilmember Eidson: Re-engagement with the Commanche Nation. Turner Hall revitalization. Mobility/Transportation for roads and trails. Requirement of Irrigation licenses, and HOT Funds use in partnership with CVB & THLA.

Councilmember Neffendorf: Uses for Turner Hall & Hamm Property. Focus on Main Street and Strategic Planning.

Mayor Briley called for a five-minute break.

3. High-level Overview of 2027 Budget (Krista Wareham, Finance Director)

Krista Wareham reported on the General Fund and Enterprise Financial Trends showing that expenses are growing faster than revenues. She noted that on the expense side, 60% are recurring personnel costs. On the Property Tax Comparisons, she reported that for FY 25-26 the budgeted amount is \$8,054,133. Regarding the Property Tax Revenue Trend, growth from 2022-2026 has been \$3.7 Million. She referenced slides of the Sales Tax Trends and City/County Shared Information and the General Fund Trends for Revenues and Expenditures for the last 5 years. She showed a graph of the new city hall expenses. She added that Property Tax Revenue is \$3.7 million and \$4.2 million in Sales Tax.

She covered the Personnel Cost Trends and the growth per department. She noted that Public Safety remains the largest cost driver showing said recurring expenditures. Krista added that the Enterprise Fund Trends show their expenses growing faster than revenue and stated that rates support those funds. She added that the Enterprise Funds consist of the following departments: Electric, Water, EMS, Golf, Tourism, Stormwater, and Sanitation.

Krista showed the Property Tax Rate History slide and 2026 Outlook Slide which indicates that the values are estimated to be flat. Due to the decrease in new construction of 59% the taxable values are down, adding that there is a lost revenue in the amount of \$275K due to the decrease in new construction.

Lastly, Krista referenced a Comparison Property Tax History Slide showing the property tax rates for the cities of Boerne, Kerrville, Liberty Hills, and Marble Falls. She also showed the Tax Bill Slide showing the percentage for each dollar and what portion goes to each taxing entity. Lastly, she indicated that based on the current information available, the Voter Approval Tax Rate sits at 23 cents per one-hundred-dollar valuation.

Krista shared the Next Steps Slide showed the following:

Late June: Department Budget Review Meetings

Early July: Review & Refinement of Budget by Finance

Mid-July: Draft Version of FY 27 Proposed Budget sent to Council

**4. Discussion and possible action on Leaf/Brush Pickup Monthly Fee.
(Tabled March 17, 2026, by Council)**

Councilmember Eidson moved to remove Item 4 from the table for consideration. Mayor Pro-Tem Watson seconded the motion. Mayor Briley stated that he was not in favor of the monthly fee for leaf and brush pickup.

Councilmember Eidson stated that the \$10 is steep, but it keeps our town beautiful. Mayor Pro-Tem Watson stated that he was in favor of the fee as it provides for a much needed and important service. Councilmember Neffendorf noted that commercial landscapers would need to haul off leaves and brush and noted that there are some items that cannot be taken next to the recycling center. Kris Kneese reported on the amount of equipment associated with leaf pickup as well as the 4 months the crews are picking up same. City Manager Bailey noted that the equipment will need to be replaced at some point. Although a unique service that is provided to city residents, Kris stated that they do not plan to discontinue the leaf and brush pickup service.

Councilmember Klein moved to deny the proposed \$10 monthly fee for leaf and brush pickup service. Councilmember Neffendorf seconded the motion. The motion carried unanimously.

Councilmember Eidson moved to implement a \$5 monthly fee for leaf and brush pickup service. Mayor Pro-Tem Watson seconded the motion. The motion failed with a 3-2 vote.

ADJOURN

There being no further discussion, Mayor Briley adjourned the meeting at 11 am.

Randy Briley, Mayor

Attest:

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



City of Fredericksburg

City Council Regular Meeting Minutes
Tuesday, June 16, 2026 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

City Council:

Randy Briley Mayor
Bobby Watson, Mayor Pro-Tem
Tony Klein, Councilmember
Todd Eidson, Councilmember
Gary Neffendorf, Councilmember

City Staff:

Clinton Bailey, City Manager
Garret Bonn, Asst. City Manager
Leticia Vacek, City Secretary
Maria Garcia, Asst. City Attorney
Cliff Cross, Director, Development Services
Kris Kneese, Director, Public Works/Utilities
Krista Wareham, Director, Finance
Brian Vorauer, Police Chief
Lynn Bizzell, Fire Chief
Andrea Schmidt, Director, Parks/Recreation
Sean Doerre, Director, Communications/PIO
Aaron Anderegg, Director, IT
Ashley Morris, Emergency Mgmt Coordinator
Laurie Cassidy, Deputy City Secretary
Tyler Hooper, Asst. Director, Finance
Brandon Gold, Asst. Director, IT
Cody Oris, IT Specialist
Alyssa Rivera, PD Outreach Specialist
McKenzie Moellering, Community Outreach Specialist

1. CALL TO ORDER

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

2. INVOCATION

Jonathan Baethge, City Resident, delivered the invocation.

3. PLEDGES OF ALLEGIANCE

Mayor Briley led the Pledges.

4. CEREMONIAL MATTERS/EMPLOYEE RECOGNITION

- A. Four employees were honored with awards in the following categories:
- Dennis Durst (*d*) (Employee of the Year)
 - Margie Rivera (Customer Service Award)
 - Seth Moellering (Stephen Itz Award)
 - Garret Bonn (Supervisor of the Year)

City Manager Bailey recognized the 2026 employees honored at the Annual City Employee Picnic: Margie Rivera, Seth Moellering, Garret Bonn, and Dennis Durst (*d*). Mrs. Durst accepted the Employee of the Year Award on behalf of her late husband. City Manager Bailey mentioned that the Employee of the Year Award would be renamed after Dennis Durst.

5. COUNCIL COMMENTS

Mayor Pro-Tem Watson reported that he would be attending the Airport Board Meeting later today and would also attend the EDC Meeting on Friday. Additionally, he stated that he will be meeting with Lisa Oliveira, CEO/CVB. He congratulated the city employee awardees and stated that our city employees do an amazing job.

Councilmember Eidson reported that on June 4th he met with Lisa Oliveira, CEO/CVB and attended the Annual Employee Picnic. He thanked Fire/EMS for hosting and cooking the meal and congratulated the four employee awardees. He attended a Leadership Gillespie County Advisory Meeting June 8th and attended the Craft Beer Fest on June 13th. He congratulated the Rotary Club for once again putting on the great event.

Mayor Briley thanked Ashley Morris for attending today's meeting to present an update on the New World Screwworm. He reported attending a meeting with two Gillespie County Commissioners and Councilmember Klein who all met with new Fredericksburg ISD Superintendent, Dr. Calvin Bowers and FISD Board Chair, Matt Seidenberger. He added that the goal is to be able to build a stronger relationship among our FISD, County, and the City.

Councilmembers Neffendorf and Councilmember Klein did not have anything to add.

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 City Council Meeting of June 2, 2026. (Leticia Vacek, City Secretary/RMO)

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

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. **Request Z-2609:** By HFA on Behalf of Wal-Mart Real Estate Business Trust, Applicant, to Consider an Amendment to an existing "Planned Unit Development"

(PUD) for the property commonly known as 1435 E. Main Street. The applicant is requesting an amendment for the following: (Cliff Cross, Director of Development Services)

A. An Amendment to the Existing "Planned Unit Development" PUD to relocate the original fuel station and modify parking for the existing site.

The Planning & Zoning Commission recommended Approval with a unanimous vote of 9-0 subject to the conditions identified within the agenda memo.

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Hearing

iv Take Action - Approve Ordinance 2026-24 for the PUD Amendment

Cliff Cross, stated the request is for an amendment to the existing Planned Unit Development (PUD). The amendment is to the originally approved 2004 PUD that approved the retail store, accessory fuel island, and 746 onsite parking spaces with signage and associated landscaping for the development. The amendment does not address a use change but is requesting amendments to the original PUD Items 1 and 12 to allow for the relocation of the fuel station and modification to the existing parking requirements.

Wendy Wert with HFA-AE, Ltd., Civil Engineering gave a brief presentation on what Mr. Cross had provided.

Mr. Cross added that PUD Items 1 and 12 propose to move the gas pumps closer to Main Street where they will be more visible and will have six fuel pumps under one canopy. The City will ensure they are following the Dark Sky Ordinance. They will also be replacing the existing sign with a new monument sign with digital readers which meets the City Sign Ordinance.

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

Belinda McDonnell, Member of the Planning & Zoning Commission, stated that she would like to see the Dark Sky Ordinance, Landscape guidelines and the Sign Ordinance followed per the Planning and Zoning Commission.

Mayor Briley declared the Public Hearing closed.

Mayor Pro-Tem Watson moved to approve Ordinance 2026-24 Amendment to the Existing PUD to relocate the original fuel station and modify parking for the existing site with the stipulation that all current City Ordinances and Codes are followed. Councilmember Eidson seconded the motion. The motion carried unanimously.

B. **Request Z-2610:** By County Express Food Mart to Consider the Following: (Cliff Cross, Director of Development Services)

A. A Conditional Use Permit (CUP), Per Sec. 3.200 and Sec. 6.110 for property located at 816 N. Milam Street to construct a 450 square foot addition and add 3

fuel islands to an existing legal nonconforming convenience store. *(Item Tabled by Planning & Zoning - No Action at this Time)*

Mayor Briley announced that said item was tabled by the Planning & Zoning Commission and would not be addressed.

- C. **Request Z-2611:** By Lawrence Group (Edward Jones) 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 233, 235 & 237 W. Main Street. (Cliff Cross, Director of Development Services). *The Planning & Zoning Commission recommended Approval with a unanimous vote of 7-0 with two members recusing from the agenda item.*

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Hearing

iv Take Action - Approve Ordinance 2026-25 for the CUP

Jack Pounds shared they are requesting a Conditional Use Permit for Edwards Jones to expand its operations.

Cliff Cross added that this is a request for a Conditional Use Permit to operate a Standardized Business in the Historic Shopping District. Edward Jones has requested to expand its current operations at 233 W. Main into additional rear suites at 235 & 237 W. Main.

Mayor Briley declared the Public Hearing open and with no speakers registered, declared the Public Hearing closed.

Mayor Pro-Tem Watson moved to approve Ordinance 2026-25 (CUP) to establish and operate a Standardized Business in the Historic Shopping District Overlay. Councilmember Eidson seconded the motion. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and take possible action on appeal of Director of Development Services denial of a STR-Unoccupied Permit for Mayank Goel at 604 S. Creek Street. (Cliff Cross, Director of Development Services)

Mayank Goel requested his STR permit be reinstated. He stated that he had failed to renew his STR permit and that his property is not on the market for sale. He added that he has continued to stay current with the HOT payments. Lastly, he mentioned that he halted all bookings per city staff recommendation.

Mr. Cross confirmed Mr. Goel has continued to file HOT Taxes and has not been using the property as an STR after being notified.

Councilmember Eidson moved to deny request. Councilmember Klein seconded the motion. The motion carried unanimously.

- B. Consider and take possible action on request for street closures as part of *The Colonel Film* Permit Application. (Sean Doerre, Director of Communications)

Sean Doerre provided information regarding the street closures at 420 Plum Street and 815 Sunset Street for the film permit application featuring *The Colonel* which is scheduled to begin filming in June. Per the City Ordinances, Council approval is required for all street closures over two hours. The street closures have been reviewed and approved by Emergency Services and the Public Works Departments. Said production anticipates a local economic impact of approximately \$750,000.

Tim Williams, Director/Producer and Fredericksburg Resident addressed the Council. He provided an overview of the film. Chris Petro, Production Location Manager, mentioned that filming will take place at the Heritage School, and Fredericksburg ISD.

Councilmember Klein moved to approve the street closures as part of *The Colonel Film* Permit Application. Councilmember Eidson seconded the motion. The motion carried unanimously.

- C. Consider and approve an amendment to LCRA Wholesale Power Supply Agreement. (Kris Kneese, Director of Public Works/Utilities)

Mayor Briley announced that said item would be discussed in Executive Session and that action, if any, would be taken in open session. Refer to Item 11 for action taken.

- D. Consider and take possible action regarding the appointment of the position of City Attorney, including authorizing the City Manager to negotiate an agreement with the selected appointee. (Mayor and City Council)

Mayor Briley announced that said item would be discussed in Executive Session and that action, if any, would be taken in open session. Refer to Item 11 for action taken.

9. CITY MANAGER'S REPORT

- A. Update on the New World Screwworm in Gillespie County. (Ashley Morris, Emergency Management Coordinator)

Ashley Morris, provided an update on the New World Screwworm noting three state and federal agencies leading the containment efforts. She added local support is being provided by the City and County. She referenced the map's Yellow Zone which is Infested and the Blue Zone that is the adjacent Surveillance Zone. County Judge Daniel Jones issued the Disaster Declaration for Gillespie County which is important for funding support. She added that a Texas A&M team is in Fredericksburg to provide permits needed for transport of animals. Lastly, Emergency Management continues to alert residents. Text Screwworm to 38276 to receive updates or call the Gillespie County Inspection Line at 737-292-9983.

10. ITEMS FOR FUTURE AGENDA

- A. City Manager Bailey will review the Future Agenda Items and Upcoming Meetings List with the City Council. (Leticia Vacek, City Secretary)

City Manager Bailey reviewed the list referring to yesterday's City Council Budget Meeting. He reported that two more budget meetings are scheduled in the Council Chambers on July 14, 2026 at 9:00 am while the 1:30 pm budget meeting will be a Joint Meeting with the County Commissioners.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and convene in Executive Session pursuant to the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations Regarding Real Property), and 551.074 (Personnel Matters).

- A. Consideration of Board and Commission Applications and possible action of appointments to the following boards: Planning & Zoning Commission, Zoning Board of Adjustment, and Historic Review Board pursuant to Texas Government Code 551.074. (Leticia Vacek, City Secretary)
- B. Discuss appointment for the position of City Attorney pursuant to Texas Government Code Section 551.074.
- C. Discussion of LCRA Water Supply Purchase/Lease pursuant to Texas Government Code Section 551.072.

Mayor Briley announced the Council would recess into Executive Session at 10:15 am to discuss Items 11A through 11C.

Mayor Briley reconvened the meeting from Executive Session at 11:32 am.

With regards to Item 11A, Councilmember Eidson moved to re-appoint Jessica Mittel and Sharon Joseph to the Historic Review Commission. Councilmember Neffendorf seconded the motion. The motion carried unanimously.

Regarding Item 8C, Councilmember Eidson moved to approve the LCRA Wholesale Power Supply Amendment. Councilmember Klein seconded the motion. The motion carried unanimously.

Lastly, for Item 8D, Mayor Pro-Tem Watson moved to appoint Barbara Quirk to the position of City Attorney within the parameters of the City's Letter of Offer. Councilmember Neffendorf seconded the motion. The motion carried unanimously.

12. ADJOURN

There being no further discussion, Mayor Briley adjourned the meeting at 11:33 am.

Randy Briley, Mayor

Attest:

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



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: July 21, 2026

CATEGORY: CONSENT

CAPTION: Consider approval of a revised Interlocal Agreement with the Lower Colorado River Authority (LCRA) for Radio Services and Equipment (Garret Bonn, ACM)

SUMMARY:

Consideration of an updated Interlocal Agreement between LCRA and the City relating to LCRA's radio system, which is utilized by the City for public safety and other local government purposes.

BACKGROUND:

As part of its electric generation and transmission facilities, LCRA's system also includes a radio network which may be used for public safety, local government purposes, and other uses in compliance with applicable FCC statutes. In 1999, LCRA and the City entered into an agreement to provide communications equipment, facilities, and technical services required for the installation and operation of mobile radio equipment to benefit the City in deploying and maintaining radio communications for public safety operations, response to large-scale incidents or natural disasters, and radio communications coordination support for local, state, tribal, and federal agencies in the State (see attached).

LCRA has recently updated their standard terms which are included in the attached revised interlocal agreement. City staff, including the Fire Marshal and City Attorney's office, have reviewed the updated terms and have no objections to the changes.

FUNDING SOURCE: General Fund

FINANCIAL IMPACT:

No financial impact

STAFF RECOMMENDATION:

City staff recommends approval of the revised agreement, as presented.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. 1999 LCRA/City Interlocal Agreement

2. Revised LCRA/City Interlocal Agreement (for consideration)

APPROVAL/REVIEW:



Garret Bonn, Assistant City Manager

Date: July 01, 2026



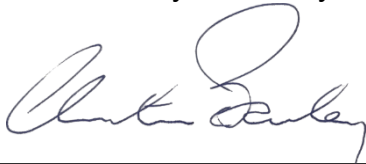
William McKamie, City Attorney

Date: July 01, 2026



Leticia Vacek, City Secretary

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026

ADDITIONAL INTERLOCAL PARTICIPANT AGREEMENT

This Additional Interlocal Participant Agreement ("Additional Participant Agreement") is entered into by the Lower Colorado River Authority (hereinafter "Provider"), acting for itself and the Participants in that certain Interlocal Agreement for telecommunication services dated the 15th day of January, 1997 (the "Interlocal Agreement") and the undersigned entity, (hereinafter designated "Additional Participant"), for the purposes of engaging Provider to provide land mobile radio services for the support of governmental functions and services within Additional Participant's service area.

WHEREAS, Provider has in place or is implementing a regional trunked 900 MHz radio system (the "Trunked Radio System") to serve Provider's needs for communication and public safety requirements;

WHEREAS, the Trunked Radio System has the capacity to serve the needs of Provider and others requiring a Trunked Radio System for public safety, local government purposes and other purposes in compliance with applicable Federal Communications Commission ("FCC") statutes, rules and licenses;

WHEREAS, the Trunked Radio System will, among other things, provide dispatchable public safety mobile radio services pursuant to statutes and applicable FCC rules enabling Provider to provide community assistance and economic development; and

WHEREAS, it would be of benefit to Provider to have other entities share the cost of its system which it is developing and installing for its use;

WHEREAS, it would be a benefit to Additional Participant to receive Trunked Radio System service on a non-profit, cost shared basis without investing the substantial capital cost required for a completely separate infrastructure and by sharing the cost of the existing and planned Trunked Radio System;

WHEREAS, Provider has secured Federal Communications Commission ("FCC") radio licenses and a waiver of Section 90.179 of the FCC's rules, 47 C.F.R. *90.179, in order to serve customers throughout its 58-county electric and water service territory; and

WHEREAS, the Trunked Radio System has the capability to provide interconnectivity and a key communications link between public safety entities throughout the central Texas region.

WHEREAS, Provider has entered into a certain Interlocal Agreement dated the 15th day of January, 1997, and Additional Participant desires to become a party to that Interlocal Agreement.

Our power is distributed to you through our partnership with the following cities and rural electric cooperatives:

City of Bastrop • Bandera Electric Cooperative, Inc. • Bluebonnet Electric Cooperative, Inc. • City of Burnet • City of Bellville • City of Boerne • City of Brenham • Central Texas Electric Cooperative, Inc. • City of Cuero • DeWitt Electric Cooperative, Inc. • Fayette Electric Cooperative, Inc. • City of Flatonia • City of Fredericksburg • City of Georgetown • City of Giddings • City of Goldthwaite • City of Gonzales • Guadalupe Valley Electric Cooperative, Inc. • City of Hallettsville • Hamilton County Electric Cooperative, Inc. • City of Hempstead • Kimble Electric Cooperative, Inc. • Kerrville Public Utility Board • City of La Grange • City of Lampasas • City of Lexington • City of Llano • City of Lockhart • City of Luling • City of Mason • McCulloch Electric Cooperative, Inc. • City of Moulton • New Braunfels Utilities • Pedernales Electric Cooperative • City of San Saba • San Bernard Electric Cooperative, Inc. • City of Schulenburg • City of Seguin • City of Shiner • San Marcos Electric Utility • City of Smithville • City of Waelder • City of Weimar • City of Yoakum

NOW, THEREFORE, in consideration of the foregoing and the mutual promises herein contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties covenant and agree as follows:

1. PARTY TO INTERLOCAL AGREEMENT.

1.1 Additional Participant hereby becomes a party to the Interlocal Agreement and agrees to be bound by all terms and conditions set out in the Interlocal Agreement, as modified and amended herein and in any other additional interlocal participant agreement (subject to the provisions of Section 4 herein). Additional Participant shall have all rights and duties as a Participant in the Interlocal Agreement. The Interlocal Agreement is attached hereto as Exhibit 1 and the terms and provisions of the Interlocal Agreement are incorporated in this Additional Participation Agreement.

2. TERM.

2.1 Additional Participant's rights and duties under the Interlocal Agreement shall commence on the effective date of this Additional Participant Agreement. Additional Participant agrees that the initial term of this agreement shall be ten years and that Section 21 of the Interlocal Agreement provides renewal provisions applicable to all Additional Participants.

3. SERVICES, SERVICE RATES, CHARGES AND FEES.

3.1 Pursuant to the Interlocal Agreement, Provider shall provide the services selected by Participant on the Community Link Mobile Service Agreement (Attachment A) at the rates and charges shown on the LCRA Mobile Radio Service Rate Table (Attachment B) during the initial term of this agreement. Provider shall provide maintenance in accordance with the Maintenance Charges Table (Attachment C). Additional Participant shall provide equipment (if any) described in the list attached as Attachment D. Additional Participant shall pay such fees and other charges as may be set out in this Additional Participant Agreement, the attachments hereto and the Interlocal Agreement. The terms used in this Additional Participant Agreement shall have the same meaning as those used in the Interlocal Agreement. Attachments A, B, C, and D shall apply only to Additional Participant and Attachments A, B, C, and D to the Interlocal Agreement shall not apply to Additional Participant.

4. RIGHT TO EXPAND.

4.1 As provided in the Interlocal Agreement, Provider may expand the services or the area for the Trunked Radio System by entering into agreements with Participant, Additional Participant or third parties. Such expansion shall not increase the cost of service to any Participant or Additional Participant during the initial three (3) year term of the Interlocal Agreement nor diminish the capability to use the Trunked Radio System as agreed to be provided by Provider in any agreement to provide such services.

5. DEFAULT, REMEDIES.

5.1 In the event of default by Additional Participant, as the term default is used in the Interlocal Agreement, Provider shall have the remedies provided in the Interlocal Agreement and shall also have the right to terminate Additional Participants participation in the

Interlocal Agreement or suspend Additional Participants participation in the Interlocal Agreement without terminating or otherwise affecting the Interlocal Agreement and the other parties to the Interlocal Agreement.

6. WARRANTY OF AUTHORITY AND DUE EXECUTION

6.1 Additional Participant warrants to Provider and other parties to the Interlocal Agreement and third parties using the Trunked Radio System that Additional Participant has the Authority to enter into this Additional Participant Agreement and the person executing this agreement is duly authorized on behalf of Additional Participant to enter into this Additional Participant Agreement and that Additional Participant has agreed to be bound by the Additional Participant Agreement, the Interlocal Agreement and the duties and obligations of Additional Participant set out in those agreements.

Dated to be effective this the 12 day of MAY, 1999.

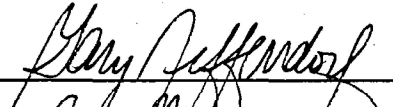
PROVIDER

Lower Colorado River Authority (LCRA) on
behalf of Parties to the Interlocal
Agreement for Telecommunication Service

By: 

Title: Executive Manager, Corporate Services

ADDITIONAL PARTICIPANT
City of Fredricksburg

By: 

Title: City Manager



COMMUNITY LINK

MOBILE RADIO SERVICE AGREEMENT

PARTICIPANT INFORMATION

AGENCY NAME (PLEASE PRINT)

City of Fredericksburg - Police Department

AGENCY ADDRESS

1601 East Main

CITY Fredericksburg	STATE TX	ZIP 78624	PHONE 830-997-7585	FAX 830-997-9541
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CONTACT NAME Chief Dennis Rhoten	PHONE	FAX
-------------------------------------	-------	-----

BILLING ADDRESS, IF DIFFERENT FROM ABOVE

CITY	STATE	ZIP	TAX EXEMPT YES NO	FEDERAL TAX ID
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PURCHASE ORDER	EFFECTIVE DATE
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Basic Service	No. of Sites	No. of Units	Cost per Unit Per Month Initial Rate	Cost per Unit Per Month 1/1/00	
Local Area	Up to 3	36.5	\$14.95	\$19.95	\$545.68
Extended Local Area	4 to 6		\$19.95	\$24.95	\$0.00
Regional area	7 to 9		\$24.95	\$29.95	\$0.00
Ext. Regional Area	10 to 15		\$34.95	\$39.95	\$0.00
Network Service Area	All sites		\$49.95	\$54.95	\$0.00
Link Radio Set	N/A	0.5		\$50.00	\$25.00
Volunteer Fire Dept.			\$5.00 .50 per minute up to \$14.95	\$5.00 .50 per minute up to \$19.95	\$0.00
Independent School Districts			\$9.95	\$9.95	\$0.00
Public Safety - 2nd radio		24	\$9.95	\$9.95	\$238.80

TOTAL BASIC SERVICE LEVEL FEES **\$809.48**

OPTIONS

I-CALL	21	\$5.00	\$105.00
DATA		\$10.00	\$0.00
T-Interconnect Initiate		\$10.00	\$0.00
T-Interconnect Receive Only		\$5.00	\$0.00
Interconnect Airtime (cost per minute)		\$0.95	\$0.00

TOTAL OPTION FEES **\$105.00**TOTAL MONTHLY FEES **\$914.48**

LCRA to review monthly use and adjust service fees accordingly.

I have read, understood and agreed to the terms and conditions of this agreement.

Customer Signature: *[Signature]*Date: 5/19/99LCRA Signature: *[Signature]*Date: MAY 19, 1999

Date Received:

Date Entered:

Entered by:



COMMUNITY LINK

MOBILE RADIO SERVICE AGREEMENT

PARTICIPANT INFORMATION

AGENCY NAME (PLEASE PRINT)

City of Fredericksburg - Utility Department

AGENCY ADDRESS

P.O. Box 111

CITY

Fredericksburg

STATE

TX

ZIP

78624

PHONE

830-997-7521

FAX

830-997-1861

CONTACT NAME

Gary Neffendorf

PHONE

FAX

BILLING ADDRESS, IF DIFFERENT FROM ABOVE

CITY

STATE

ZIP

TAX EXEMPT

YES NO

FEDERAL TAX ID

PURCHASE ORDER

EFFECTIVE DATE

Basic Service	No. of Sites	No. of Units	Cost per Unit Per Month Initial Rate	Cost per Unit Per Month 1/1/00	
Local Area	Up to 3	3	\$14.95	\$19.95	\$44.85
Extended Local Area	4 to 6		\$19.95	\$24.95	\$0.00
Regional area	7 to 9		\$24.95	\$29.95	\$0.00
Ext. Regional Area	10 to 15		\$34.95	\$39.95	\$0.00
Network Service Area	All sites		\$49.95	\$54.95	\$0.00
Link Radio Set	N/A			\$50.00	\$0.00
Volunteer Fire Dept.		2	\$5.00 .50 per minute up to \$14.95	\$5.00 .50 per minute up to \$19.95	\$10.00
Independent School Districts			\$9.95	\$9.95	\$0.00
Public Safety - 2nd radio			\$9.95	\$9.95	\$0.00

TOTAL BASIC SERVICE LEVEL FEES **\$54.85**

OPTIONS

I-CALL	1	\$5.00	\$5.00
DATA		\$10.00	\$0.00
T-Interconnect Initiate		\$10.00	\$0.00
T-Interconnect Receive Only		\$5.00	\$0.00
Interconnect Airtime (cost per minute)		\$0.95	\$0.00

TOTAL OPTION FEES **\$5.00**TOTAL MONTHLY FEES **\$59.85**

LCRA to review monthly use and adjust service fees accordingly.

I have read, understood and agreed to the terms and conditions of this agreement.

Customer Signature:

Date:

LCRA Signature:

Date:

Date Received:

Date Entered:

Entered by:

Attachment B
LCRA Mobile Radio Service Rate Table
Basic Service Rates
Effective 8/1/97

	Service Level/Coverage Area*	\$ Unit / Month Initial Rate	\$ Unit / Month Effective 1/1/00
1	Local Area - up to 3 sites	\$14.95	\$19.95
2	Extended Local Area 4-6 sites	\$19.95	\$24.95
3	Regional Area 7 - 9 sites	\$24.95	\$29.95
4	Extended Regional Area 10 - 15 sites	\$34.95	\$39.95
5	Network Service Area - all LCRA sites	\$49.95	\$54.95
6	Link Radio Set	\$50.00	\$50.00
7	Volunteer Fire Departments	\$5.00+\$.50 per minute up to max. Total of \$14.95	\$5.00+\$.50 per minute up to max. Total of \$19.95
8	Independent School Districts	\$9.95	\$9.95
9	Public Safety - 2nd Radio	\$9.95	\$9.95

Service Description

Basic Service Includes:

- 1) System Access - 24 hours per day, 7 days per week with unlimited air time
- 2) Telecommunications Operations Center (TOC) Support - 24 hours per day, 7 days per week
- 3) Emergency Call
- 4) Individual Call Receipt
- 5) Group Call

Optional Rates

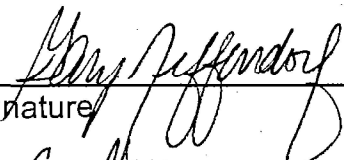
Feature	I-Call**	Data	Telephone Interconnect Receive only	Telephone Interconnect Initiate	Telephone Interconnect Airtime
\$/unit/ month	5.00	10.00	5.00	10.00	\$.95/min

*Coverage Area - LCRA to review monthly use and adjust service fees accordingly.

** Individual Call - Private radio to radio call

ATTACHMENT D
FREDERICKSBURG POLICE DEPARTMENT
ADDITIONAL EQUIPMENT PRICING
APRIL 6, 1999

Quantity	Description	Cost Each	Total Cost
10	Orion System Mobile Radios w/o emergency	\$1,254.00	\$12,540.00
11	LPE200 System Portable Radios w/emergency	\$1,398.00	\$15,378.00
14	Orion Scan Mobile Radios w/o emergency	\$1,100.00	\$15,400.00
22	LPE200 Scan Portable Radios w/ emergency	\$1,233.00	\$27,126.00
3	LPE200 Scan Portable Radios w/o emergency, includes Extended Feed Antenna	\$974.00	\$2,922.00
26	Speaker Microphones with Antenna	\$151.00	\$3,926.00
26	Spare Extra High Capacity Batteries	\$116.00	\$3,016.00
26	Leather Case, Belt Loop, and Swivel	\$46.00	\$1,196.00
INSTALLATION			
24	Mobile Installation (non split mount)	\$250.00	\$6,000.00
CONSOLES			
1	Control Station - Orion System - No Emergency	\$1,800.00	\$1,800.00
DISPATCH EQUIPMENT (shows one half of total cost)			
0.5	Zetron Two Position CRT Console	\$47,690.00	\$23,845.00
0.5	Battery Backup & Battery	\$553.00	\$276.50
1	Uninterruptible Power Supply For Consoles	\$332.00	\$332.00
2.5	Console Control Stations - Orion Scan Mobile Radios	\$1,600.00	\$4,000.00
0.5	Back to Back Link Radio	\$2,500.00	\$1,250.00
1	Mobile Command Post Control Stations - Orion System Mobile Radios	\$2,000.00	\$2,000.00
INSTALLATION			
0.5	Labor and Expenses	\$8,000.00	\$4,000.00
TOTAL COST OF EQUIPMENT			\$125,007.50



 Signature

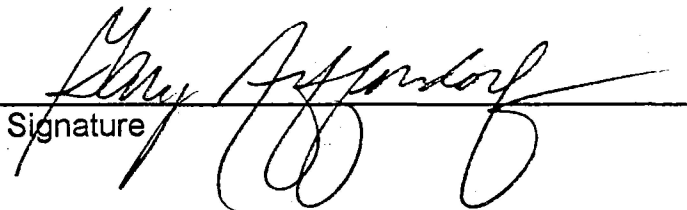

 Name

5/19/99

 Date

ATTACHMENT D
FREDERICKSBURG UTILITY DEPARTMENT
ADDITIONAL EQUIPMENT PRICING
MAY 11, 1999

Quantity	Description	Cost Each	Total Cost
4	LPE200 Scan Portable Radios w/o emergency, includes Extended Feed Antenna	\$974.00	\$3,896.00
1	LPE200 System Portable Radio w/o emergency, includes Extended Feed Antenna	\$1,102.00	\$1,102.00
5	Spare extra high capacity batteries	\$116.00	\$580.00
TOTAL COST OF EQUIPMENT			\$5,578.00


Signature

6/1/99
Date

GARY NEFFENDORP
Name

January 29, 2007

Chief Paul Oestrich
Fredericksburg Police Department
1601 East Main
Fredericksburg, Texas 78624

Dear Chief Oestrich,

It's that time again! Each year, we are asked to have the radio contract Attachment A's reviewed and re-signed so they are as current as possible. The Attachment A is the part of the radio contract that includes the number of radios your organization owns, the applications you use and the costs of the various services. Please review the enclosed Attachment A's for accuracy. Enclosed are two copies of the Attachment A's with the appropriate Lower Colorado River Authority (LCRA) signature.

Once the enclosed Attachment A's are reviewed, if there are no questions or concerns, please have them signed by the proper signatory and return one of the original signed copies. An envelope with our return address is included for your convenience.

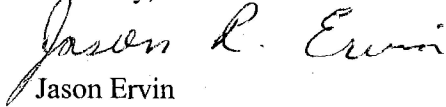
Please note that the numbers on the equipment include all of the equipment you have purchased. As you know, the LCRA does not charge for lost, stolen or spare radios that are not being used. The amount that appears on the bottom of the Attachment A is the maximum monthly amount LCRA may charge your organization until additional equipment, radio features or services are added.

If there are questions regarding this document, or discrepancies in the numbers you would like to discuss, please contact the Customer Service Representative, Renee Parker, directly at 512-356-6464 or rlast@lcra.org. Together, we can easily review our records and address any issues or concerns.

If there is no response to this inquiry, we will presume that there are no issues with the enclosed Attachment A's, and this document will replace the previous Attachment A in our records. If at all possible, we would prefer a signed Attachment A for our files.

Thank you for your assistance in continuing to keep the radio service records as current as possible!

Sincerely,



Jason Ervin
Operations Manager Telecommunications

Enclosures



Mobile Radio Service Agreement

Attachment A

PARTICIPANT INFORMATION

AGENCY NAME (PLEASE PRINT)					
Fredericksburg Police Department					
AGENCY ADDRESS					
1601 E. Main					
CITY	STATE	ZIP	PHONE	FAX	
Fredericksburg	TX	78130	830-997-7585	830-997-9541	
CONTACT NAME			PHONE	FAX	
Lt. Steve Wetz			Same		

BILLING ADDRESS, IF DIFFERENT FROM ABOVE

CITY	STATE	ZIP	TAX EXEMPT	FEDERAL TAX ID
	TX		YES NO	

PURCHASE ORDER

EFFECTIVE DATE 1/29/07

LCRA 900 MHz System	No. of Units	Cost per Unit Per Month	
BASIC SERVICE			
Mobiles *		\$19.95	\$0.00
Portables *	55	\$19.95	\$1,097.25
Conventional Interface	1	\$50.00	\$50.00
Public Safety 2nd Radio	24	\$9.95	\$238.80
Maestro Consoles		\$100.00	\$0.00
Desktop Control Station	2	\$19.95	\$39.90
Back-up Control Station		\$5.00	\$0.00
Host ID (data port on EDG)		\$19.95	\$0.00

* LCRA does not charge a monthly fee for spare radios not being utilized.

TOTAL BASIC SERVICE

\$1,425.95

OPTIONS

I-CALL		\$5.00	\$0.00
DATA - Status Messaging		\$10.00	\$0.00
DATA - AVL	15	\$10.00	\$150.00
T-1 Lease LCRA cost			

TOTAL OPTION FEES

\$150.00

TOTAL MONTHLY FEES

\$1,575.95

Please Note:

LCRA reserves the right to review monthly usage and new equipment purchases and adjust service fees accordingly.

Participant, by the approval of its authorized representative, agrees to the substitution of this Attachment A to the Additional Interlocal Participant Agreement to the Interlocal Agreement for Telecommunication Service dated January 15, 1997 and agrees to abide by its terms.

Participant Signature:

Date:

LCRA Signature:

Date:

Date Received:

**INTERLOCAL COOPERATION AGREEMENT
FOR RADIO SERVICES AND EQUIPMENT
BETWEEN CITY OF FREDERICKSBURG, TEXAS
AND LOWER COLORADO RIVER AUTHORITY**

This Interlocal Cooperation Agreement ("**Agreement**") is entered into by and between, as Parties, the Lower Colorado River Authority ("**LCRA**"), a local government, being a conservation and reclamation district of the State of Texas created pursuant to Article XVI, Section 59, of the Texas Constitution, and City of Fredericksburg, Texas ("**USER**"), a local government of the State of Texas, to be effective for all purposes as of _____, 2026 (the "**Effective Date**"). (LCRA and USER may also be referred to herein individually as a "**Party**" and collectively as the "**Parties.**")

RECITALS

WHEREAS, LCRA is authorized by law to own, operate and maintain electric generation and transmission facilities for the benefit of its customers and the general public;

WHEREAS, LCRA's electric system includes a communications network, including a regional, trunked radio system ("**Trunked Radio System**"), which has been installed for LCRA's use within LCRA's service area for purposes of communications to support its statutory purposes and in conjunction with providing electric power and energy in Texas, public safety, and emergency services;

WHEREAS, LCRA is authorized by law to license peace officers for the protection of property and the general public and the enforcement of state law and LCRA's rules and regulations;

WHEREAS, LCRA holds certain frequency licenses from the Federal Communications Commission ("**FCC**") for operation of the Trunked Radio System by mobile radio services for public safety and business purposes and pursuant to statutes and applicable FCC rules enabling LCRA to provide community assistance and economic development;

WHEREAS, USER is authorized by law to provide public services, including law enforcement, transportation services, and emergency services;

WHEREAS, the Trunked Radio System has the current capacity to serve the needs of LCRA and others requiring a Trunked Radio System for public safety, local government purposes, and other purposes in compliance with applicable FCC statutes, rules, and licenses and to provide a key communications link between public safety entities;

WHEREAS, USER and LCRA wish to establish this Agreement allowing LCRA to provide communications equipment, facilities, and technical services required for the installation and operation of dispatchable mobile radio equipment, as more specifically set

out herein, to assist USER with deploying and maintaining radio communications for public safety operations, interlocal response to catastrophic or large-scale incidents or natural disasters, and radio communications coordination support for local, state, tribal, and federal agencies in the State;

WHEREAS, it would be a benefit to USER to receive Radio Services (as defined below) on LCRA's Trunked Radio System on a non-profit, cost-shared basis without investing the substantial capital cost required for a completely separate infrastructure and by sharing the cost of the existing and planned Trunked Radio System;

WHEREAS, LCRA has secured FCC radio licenses and, under Section 90.179 of the FCC's rules, (47 C.F.R. § 90.179), is able to share stations in order to serve eligible users throughout its electric, transmission, and water service territory; and

WHEREAS, the Parties are authorized to enter into this Agreement under Chapter 791 of the Texas Government Code, commonly referred to as the Interlocal Cooperation Act, and more particularly Section 791.025, Texas Government Code.

AGREEMENT

NOW THEREFORE, in consideration of the mutual benefits received by both Parties and the public under the terms of this Agreement, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. ACCEPTANCE; USER'S ACCESS TO TRUNKED RADIO SYSTEM

1.1 This Agreement, including Attachments A and B, is a contract for LCRA to provide Services (as defined below) and equipment to USER when accepted in writing by an authorized representative of USER. It is agreed that the provision of Services is made only on the terms and conditions herein. LCRA shall not be bound by the terms and conditions in USER's purchase order or elsewhere unless expressly agreed to in writing. In the absence of written acceptance of these terms, acceptance of Services hereunder shall constitute an acceptance of these terms and conditions by USER.

1.2 Access to the Trunked Radio System consists of USER's right to use certain facilities and capabilities of the Trunked Radio System, as described in the Attachments ("**Radio Services**"), in consideration for USER's payment of the monthly service and usage fees as set out in the Radio System Pricing Schedule and Participant Information Sheet (Attachment A). Only the features and capabilities selected by USER shall be enabled. Changes or modifications to Radio Services provided hereunder may require modification of system parameters, which will be subject to Additional Service (as defined below) charges as set forth in a separate quote, proposal, or estimate. Upon the Effective Date of this Agreement, USER's equipment will be activated following: (i) registration of LCRA-authorized identification numbers of each USER unit, and (ii) LCRA's certification of the equipment installation and operator training.

1.3 USER expressly understands that LCRA, as an FCC licensee, will supervise USER's activities pursuant to this Agreement, and that LCRA will retain control over all aspects of the operation of the Trunked Radio System, as required of a licensee under the FCC's rules and regulations. USER expressly acknowledges that all shared transmitters must be subject to LCRA's control.

2. SERVICES; COST-SHARED BASIS FOR RADIO SERVICES

2.1 RADIO SERVICES. USER may select from the menu of Radio Services offered by LCRA which are set forth on the Radio System Pricing Schedule and Participant Information Sheet (Attachment A). The Radio System Pricing Schedule and Participant Information Sheet (Attachment A) may be amended from time to time upon mutual agreement of the Parties provided that such amendments are in writing and signed by authorized representatives of USER and LCRA. USER agrees to pay for the Radio Services and features indicated on the Radio System Pricing Schedule and Participant Information Sheet (Attachment A), on a non-profit, cost-shared basis in accordance with Section 90.179 of the rules of the FCC, 47 C.F.R § 90.179. USER shall be billed in accordance with Section 3 of this Agreement.

2.2 All Radio Service fees to be paid to LCRA by User are intended to recover a portion of the operation and maintenance expenses and capital expenditures associated with the Trunked Radio System.

2.3 ADDITIONAL SERVICES. In addition to the Radio Services described above, LCRA is able to procure equipment and provide installation, maintenance, and related services under this Agreement ("**Additional Services**") (Additional Services together with Radio Services, are referred to herein as the "**Service**" or "**Services**"). These Additional Services shall be performed either by LCRA's personnel or through independent contractors hired by LCRA. The cost of equipment User has agreed to purchase shall be set forth in the respective quote, proposal or estimate sent by LCRA to USER

3. SERVICE RATES, CHARGES AND TERMS

3.1 Radio Service

3.1.1 LCRA shall provide the Radio Services selected by USER on the Radio System Pricing Schedule and Participant Information Sheet (Attachment A) at the rates and charges shown therein. The Radio System Pricing Schedule and Participant Information Sheet (Attachment A) shall include: (i) USER's monthly Radio Service fee for use of the Trunked Radio System, and (ii) rates and charges for optional features. USER shall notify LCRA in writing within thirty (30) calendar days of any changes in the number of radios or equipment on which it is receiving Radio Service; such notice shall only be considered valid if provided to LCRA on the form attached hereto as Attachment B.

3.1.2 It is agreed that LCRA may at any time make reasonable modifications to the fees and rates included in the Radio System Pricing Schedule and Participant Information Sheet (Attachment A) by giving USER written notice of the modified amount at least sixty (60) days in advance of the date on which the modified fees are to become effective. However, during the Initial Term (as defined below), fees and costs for Radio Service in effect on the Effective Date of this Agreement shall not be increased except by mutual agreement of the Parties.

3.2 Additional Services

3.2.1 The charges, costs and fees for Additional Services shall be set out on separate quotes, proposals or estimates to be sent by LCRA to USER.

3.3 Invoicing. The monthly Radio Service fee associated with USER's access to the Trunked Radio System shall be invoiced at the end of each monthly billing cycle (the "**Monthly Radio Service Invoice**"). LCRA may also include on a Monthly Radio Service Invoice any fees, charges or costs for Additional Services provided by LCRA to USER. However, Additional Services may be invoiced separately from the Monthly Radio Service Invoice. Payment for any invoice sent by LCRA to USER under this Agreement (whether that is a Monthly Radio Service Invoice, a separate invoice for Additional Services, an invoice containing both, or other) shall be due within thirty (30) days of receipt of such invoice by USER. Late payments shall be subject to interest or reasonable service charges, as permitted by law. The USER acknowledges that any payments made under this Agreement are made from current revenues available to it as required by the Interlocal Cooperation Act. Any disputes related to invoiced amounts must be submitted by the USER to LCRA in writing within 30 days of receipt of the disputed invoice. Failure of LCRA to send or for USER to receive an invoice shall not relieve USER from payment of any fees due for services agreed upon by the Parties.

4. MAINTENANCE OF USER EQUIPMENT

4.1 FCC regulations and proper operation and maintenance of the Trunked Radio System require periodic equipment testing for certain components of the Trunked Radio System. USER agrees to allow LCRA access to USER's equipment for frequency and channel maintenance checks of Trunked Radio System units at any reasonable time and place as requested by LCRA upon advanced notice to USER. USER shall pay LCRA for such maintenance in accordance with such reasonable charges and costs to be determined at such time and to be set forth and agreed upon in a separate quote, proposal or estimate. At USER's option, USER shall have the right to engage other maintenance suppliers, subject to LCRA's approval, to maintain USER's equipment in accordance with the regulations of the FCC and the proper operation and maintenance of the Trunked Radio System. USER acknowledges that LCRA will supervise the technical aspects of USER's activities or other maintenance suppliers in accordance with Section 1.3.

5. EXPANSION OF TRUNKED RADIO SYSTEM

5.1 LCRA may, at its sole and exclusive discretion, provide Radio Services to other participants on the Trunked Radio System. The provision of Radio Services to other participants and expansion of the system will not diminish the capability of USER to use the Trunked Radio System as contemplated in this Agreement. USER acknowledges and agrees that LCRA has or will expand the area covered by its Trunked Radio System. The execution of agreements with other participants may, at the sole option of LCRA, expand the area covered by the Trunked Radio System and may also result in the availability of additional Radio Services to some or all participants. USER acknowledges that LCRA has previously entered into other Interlocal Cooperation Agreements for Mobile Radio Services and Equipment or similar agreements to provide Radio Services to certain governmental entities and other utilities and intends to expand the number of users by entering into new agreements in the future.

6. TERM - AUTOMATIC RENEWAL

6.1 The initial term of this Agreement shall commence on the Effective Date and shall terminate three (3) years after the Effective Date (the "Initial Term"), unless automatically extended as provided below. This Agreement shall automatically extend beyond the Initial Term under the terms and conditions, rates, and charges then in effect for successive one (1) year periods provided that either Party may terminate this Agreement: (i) at the end of the Initial Term of this Agreement by giving to the other party written notice at least ninety (90) days prior to the end of the Initial Term or (ii) by giving to the other party written notice at least ninety (90) days prior to the end of any one (1) year extension; and, provided further, that this Agreement shall terminate automatically if the frequency authorization(s) (which may be held by LCRA) under which USER then presently operates is (are) terminated or are revoked by the FCC or otherwise..

6.1.1 USER is tax exempt and shall not be subject to or pay for any charges for taxes under the Agreement. All payments by USER under the Agreement, including any provision in the Agreement relating to penalties, overages, interest, collections, or any other additional costs, shall be subject to and conditioned upon the annual appropriation of public funding budgeted for the specific purposes of the Agreement in accordance with the local and state law. USER shall make a good faith effort to appropriate funds in accordance with Texas law; however, in the event funds are not appropriated, the Agreement shall automatically terminate without regard for any renewal or other notice requirements in the Agreement.

6.2 The rates, charges, and fees due and payable by USER for any annual extension shall be the same as made during the preceding term unless LCRA notifies USER of any changes pursuant to the provisions of Section 3.1.2 for Radio Service.

6.3 Funding. If USER funds are utilized to fund any part of this Agreement, LCRA understands that those USER funds for the payment for Services provided by LCRA under this Agreement have been provided through USER's budget approved by its City Council (or other governing body) for the current fiscal year only. State statutes prohibit the obligation and expenditure of public funds beyond the fiscal year for which a budget has been approved. USER cannot guarantee the availability of funds, and enters into this

Agreement only to the extent such funds are made available. LCRA acknowledges and agrees that it will have no recourse against USER for its failure to appropriate funds for the purposes of this Agreement in any fiscal year other than the year in which this Agreement was executed.

7. SERVICE INTERRUPTIONS; INTERFERENCE

7.1 LCRA shall have the right, in cooperation with USER's needs, to plan and schedule system outages for purposes of system maintenance, equipment calibration, and similar necessities. Except for such planned outages, LCRA shall credit USER with one day of Radio Service for any Radio Service outage that exceeds four (4) hours in duration, provided that USER promptly notifies LCRA of the outage. If a Radio Service outage exceeds twenty-four (24) hours, LCRA shall credit USER a full day for each partial day of outage. Credit for outages, which shall be subject to LCRA's verification, shall appear on Customer's invoice within ninety (90) days after such outage.

7.2 In the event of an emergency, as declared by LCRA or LCRA's Trunked Radio System administrator, LCRA reserves the right to reallocate Radio Service priorities for the duration of the emergency.

7.3 USER agrees to refrain from any action, mode of operation, or equipment configuration that interferes with or causes signal degradation with the Trunked Radio System, and to notify LCRA of any conditions of which it is aware likely to cause interference.

8. ASSIGNMENT; SUBCONTRACT; NO THIRD-PARTY BENEFICIARIES

8.1 This Agreement is a privilege for the personal benefit of USER and may not be assigned in whole or in part by USER to any other person or entity without the prior written consent of LCRA, and provided that no such assignment of this Agreement shall be effective unless assignee shall assume in writing the obligations of the assignor under this Agreement or enters into a new written agreement with LCRA. LCRA reserves the right to assign this Agreement or subcontract any of its obligations hereunder. This Agreement is entered into for the sole benefit of the Parties. Nothing in this Agreement shall be construed as conferring any rights, benefits, remedies, or claim upon any person or entity not a Party to this Agreement. Any assignment entered into in violation of the provisions of this Section shall be void.

9. COVERAGE

9.1 USER acknowledges that one hundred percent (100%) radio signal coverage at all times for the areas covered by the Radio Services being provided under this Agreement is both improbable and impracticable. Testing and experience with actual field conditions indicate adverse radio wave propagation conditions, such as short-term unpredictable meteorological effects and sky wave interference from distant stations, can interrupt Radio Services at any time. USER agrees that such events are beyond the reasonable control of LCRA, and agrees that other causes beyond the reasonable control

of LCRA include, but are not limited to, motor ignition and other electrical noise that could be minimized by corrective devices at USER's expense. Satisfactory communication performance is generally viewed as intelligible reception over rolling terrain approximately ninety percent (90%) of the time. LCRA is under no obligation hereunder to provide such communication performance, but shall make reasonable effort to achieve it.

9.2 USER further acknowledges and agrees that LCRA is not providing a warranty of radio signal coverage and that the inability of LCRA to provide such radio signal coverage will be subject to the limitation of liability set forth in Sections 12, 13, and 14.

10. DEFAULT AND REMEDIES

10.1 If USER fails to timely make any payment of any sum due or fails to perform as required by any other provision hereunder, and continues in such failure for fifteen (15) days after written notice has been sent by LCRA to USER of such breach, USER shall be deemed in default under this Agreement. If a Party should be in default and if the other Party has performed all of its material obligations hereunder, the non-defaulting Party shall deliver written notice to the defaulting Party describing such default. If the default continues for more than one month after delivery of the notice (or such time as necessary to correct the default with due diligence), the non-defaulting Party may immediately terminate this Agreement and pursue its remedies as provided below or as otherwise provided at law or in equity.

10.2 Notwithstanding the above, LCRA shall have the right to immediately terminate USER's Service at any time for USER's failure to use the Trunked Radio System in accordance with rules and regulations of the FCC or USER's failure to use the Trunked Radio System in accordance with applicable laws and regulations. If LCRA terminates USER's Service under this Section 10.2, it shall notify USER as soon as reasonably practicable after LCRA makes such decision to terminate; except that LCRA shall not be required to provide prior written notice of such termination. In the event of termination as herein provided, all accrued and unpaid charges shall be due and payable immediately.

10.3 In the event LCRA has the right to immediately terminate either Service in its entirety or, as to USER, this Agreement, LCRA may retain all payments made hereunder, disconnect and deny USER any Service provided by the Trunked Radio System or equipment identified herein, and impose a separate charge for disconnect and a separate charge for any reconnect expenses. If disconnect takes place and the equipment requires reprogramming, USER will also be subjected to additional costs for reprogramming its equipment. Each and all of the rights and remedies of LCRA hereunder are cumulative to and not in lieu of each and every other such right and remedy and every other right and remedy afforded by law and equity.

11. WARRANTIES

11.1 LCRA warrants that its management and operation of the Trunked Radio System will comply with reasonable and standard industry practices. LCRA further

warrants that it will operate the Trunked Radio System in compliance with all applicable statutes, laws, ordinances, rules and regulations, including, but not limited to, those of the FCC (such as frequency and eligibility requirements).

11.2 USER agrees (a) to observe and abide by all applicable statutes, laws, ordinances, rules and regulations, including but not limited to those of the FCC (such as waiver and eligibility requirements), and (b) to operate the equipment so as not to cause undue interference with any other participants using the Trunked Radio System. LCRA will provide USER with copies of the relevant FCC rules and compliance information upon request. USER recognizes that applicable FCC rules and other statutes, laws, ordinances, rules and regulations may change from time to time and that, accordingly, LCRA in its sole discretion has the right without liability to modify this Agreement to comply with any such changes. USER further warrants to LCRA that it will operate the equipment for the purposes contemplated by this Agreement, and that USER shall not resell Radio Service, interconnect, nor patch any equipment with another radio user or another radio system without written consent of LCRA.

11.3 No other warranties, express or implied, are given by either Party.

12. DISCLAIMER OF WARRANTIES; LIMITATION OF REMEDIES

12.1 USER acknowledges and agrees that LCRA is not the manufacturer of equipment, and LCRA hereby disclaims all representations and warranties, direct or indirect, express or implied, written or oral, in connection with the equipment or Service (whether purchased or leased by USER from LCRA or another), including but not limited to any and all express and implied warranties of suitability, durability, merchantability, and fitness for a particular purpose. LCRA, to the extent permitted by law, assigns to USER any and all manufacturers' warranties relating to equipment purchased by LCRA, if any, and USER acknowledges receipt of any and all such manufacturers' warranties.

12.2 USER acknowledges and agrees that its sole and exclusive remedy in connection with any defects in any equipment, including manufacture or design, shall be against the manufacturer of the equipment under the manufacturers' warranties and that LCRA shall have no liability to USER in any event for any loss, damage, injury, or expense of any kind or nature related directly or indirectly to any equipment provided hereunder. Without limiting the above, LCRA shall have no liability or obligation to USER, in either contract or tort or otherwise, for special, incidental, indirect, punitive or consequential damages of any kind incurred by USER, such as, but not limited to, claims or damages for personal injury, wrongful death, loss of use, loss of anticipated profits, or other incidental or consequential damages or economic losses of any kind incurred by USER directly or indirectly resulting from or related to any equipment or Service described hereunder, whether or not caused by LCRA's negligence, to the full extent same may be disclaimed by law. Any references to equipment in this paragraph shall be deemed to apply to all equipment purchased by USER or leased by USER from LCRA, if any, or another lessor. Notwithstanding the above limitations, LCRA shall be liable for the cost of restoration, repair, or replacement of any USER-owned facilities to the extent such facilities are damaged or destroyed as a direct result of a grossly negligent or willful act of LCRA.

13. INTERRUPTION OF SERVICE; FORCE MAJEURE

13.1 Except as otherwise provided for in this Agreement, LCRA shall not be liable to USER or any other person for any loss or damage, regardless of cause. LCRA shall not be responsible or liable for any delay or failure in its performance under this Agreement to the extent such delay or failure is caused by conditions or events of Force Majeure. The term "Force Majeure" means causes or events beyond the reasonable control of, and without the fault or negligence of the party claiming Force Majeure, including (to the extent satisfying the foregoing requirements) (i) acts of God or sudden actions of the elements such as floods, earthquakes, hurricanes, tornadoes, ice storms, or wildfires; (ii) terrorism; war; riots; blockades; insurrection; strike at a regional level; a slow down or labor disruptions at a regional level (even if such difficulties could be resolved by conceding to the demands of a labor group); (iii) any action by a governmental or regulatory entity, including ERCOT or the PUCT; and (iv) pandemic, including the current Coronavirus Disease 2019 outbreak. In the event of any failure or delay attributable to the fault of LCRA or its subcontractors, USER's sole remedy shall be limited to a credit for Radio Service as is more fully described in Section 7.1.

14. LIMITATIONS OF LIABILITY; INDEMNIFICATION

14.1 USER understands that (a) alternative means of communication are available to USER; (b) occasional interruption or irregularities in the Service may occur; and (c) any potential harm from interruptions or irregularities in the Service is speculative in nature. LCRA cannot offer the Service at rates which reflect its value to each user, and LCRA assumes no responsibility other than that contained in this Agreement. Accordingly, USER agrees that, except as limited by law, LCRA's sole liability for loss or damage arising out of mistakes, omissions interruptions, delays, errors, or defects in the Service or transmission of Service provided by LCRA or any carrier, or for losses or damages arising out of the failure of LCRA or any carrier to maintain proper standards or maintenance and operation shall be a credit for Radio Service as set forth in Section 7.1. Notwithstanding any other provisions of this Agreement, *neither Party shall be liable to the other for any special, incidental, consequential, punitive or indirect damages or for any loss of use, revenue, or profit* suffered by the other Party, its successors or assigns, customers or affiliates in connection with any breach of obligation under this Agreement, nor as a result of premises defect, condition or use of real or personal property, interference, failure or unavailability of any equipment, facility or Service to be provided by LCRA under this Agreement, or under any other circumstance.

14.2 USER acknowledges that the Radio Service provided hereunder uses radio channels to transmit voice and data communications and that the Radio Service may not be completely private. LCRA is not liable to USER for any claims, loss, damages or cost which may result from lack of privacy on the system.

14.3 LCRA is not liable for any damage, accident, injury or the like occasioned by the use of Radio Service or the presence of equipment, including radio handsets and other

devices, facsimile units, and ancillary equipment of either Party except as provided herein. LCRA is not liable for any defacement or damage to USER's motor vehicles or any personal or real property resulting from the installation or presence of radio and ancillary equipment.

14.4 The liability of LCRA in connection with Services provided is subject to the foregoing limitations, and LCRA makes no warranties of any kind, expressed or implied, as to the provision of such Services.

14.5 Nothing in this Agreement is intended to waive any immunity from suit or liability to which a Party may be entitled by law, except for acts in violation of criminal laws.

15. NOTICES

15.1 Any notice or demand required or permitted to be made hereunder shall be made by certified or registered mail to the addresses given on the Radio System Pricing Schedule and Participant Information Sheet (Attachment A). Either Party may from time to time designate any other address for this purpose by written notice to the other Party. All notices or demands shall be effective upon receipt and shall be deemed to be received when actually delivered by hand delivery, facsimile transmission, overnight courier, or two days after deposit in a regularly maintained receptacle of the United States Mail, registered or certified, return receipt request, postage prepaid.

16. NO COMMON CARRIER OFFERING

16.1 With respect to Services contemplated by this Agreement, neither USER nor LCRA shall make, or hold itself out as making, a common-carrier offering of communication or telecommunication services.

17. TAX CODE CONSEQUENCES.

17.1 The relationship of the Parties shall not be treated as a partnership, joint enterprise, or other taxable entity for any purpose, including liability under the United States Internal Revenue Code (the "**Code**"). No provision of the Agreement shall be construed to create an association, joint venture, trust, or partnership with regard to the other Party. The Parties agree to take appropriate actions, including appropriate elections under Section 761 of the Code, to exclude the application of the partnership provisions of the Code.

17.2 Each Party shall be responsible for the payment of its own tax liabilities arising from this Agreement.

18. AMENDMENT; WAIVER; SEVERABILITY; GOVERNING LAW

18.1 Except for revisions of the Radio System Pricing Schedule and Participant Information Sheet (Attachment A), additions of additional participants and users or the expansion provisions set forth in Section 5, amendments to or modification of this Agreement shall be in writing and signed by authorized representatives of the Parties. Lack of enforcement of any right under this Agreement by either Party shall not constitute a waiver of that right or any other in the future. The terms and conditions of this Agreement supersede other agreements, written or oral, between the Parties regarding the subject of this Agreement. Should a court of competent jurisdiction find any part of this Agreement invalid or unlawful, the remainder of this Agreement shall remain in full force and effect, consistent with the original intent of the Parties. This Agreement shall be construed in accordance with and governed by the laws of the State of Texas.

19. NO ORAL AGREEMENTS.

19.1 The parties agree that this Agreement contains all representations, understandings, contracts and agreements between the Parties regarding the subject matter of this Agreement and any other writings, understandings, oral representations or contracts for Service, if any, shall be deemed to be terminated, void and ineffective from the Effective Date of this Agreement, except for charges and fees incurred and remaining unpaid under any previous agreement.

THE PARTIES HEREBY ACKNOWLEDGE AND AGREE THAT THE ADDITIONAL INTERLOCAL PARTICIPANT AGREEMENT, DATED AS OF MAY 12, 1999, BY AND BETWEEN LCRA AND CITY OF FREDERICKSBURG, INCLUDING ANY AMENDMENTS THERETO, SHALL TERMINATE EFFECTIVE AS OF THE EFFECTIVE DATE AND THAT THIS AGREEMENT SHALL SUPERSEDE AND REPLACE SUCH AGREEMENT IN ITS ENTIRETY. THE PARTIES ALSO ACKNOWLEDGE AND AGREE THAT THE INTERLOCAL AGREEMENT FOR TELECOMMUNICATIONS SERVICE DATED JANUARY 15, 1997 SHALL NO LONGER APPLY TO USER OR ANY OF USER'S AFFILIATES OR ENTITIES.

20. REVIEWS

20.1 The Parties agree to conduct periodic reviews at the request of either Party to coordinate operations and related administrative or management activities with regard to the Services provided under this Agreement. The Parties may loan equipment to each other in furtherance of this Agreement, but any such equipment shall remain the property of the loaning Party and must be returned after requested within a reasonable period of time to insure non-interruption of official duties and Services.

21. Confidentiality

21.1 To the extent permitted by law, the Parties agree that they and their employees have kept and will keep confidential any and all documents or information obtained from the other Party that is identified as confidential information ("**Confidential Information**"). Confidential Information shall include, but is not limited to, the pricing and competitive business provisions of this Agreement, as well as technical data, summaries, reports or information acquired or developed during the negotiations and performance of this Agreement. The Parties agree that they have not and will not (a) use the Confidential

Information for any purpose other than to perform their respective obligations under this Agreement or (b) reveal the Confidential Information to any persons not employed by the other receiving Party except (i) at the written direction of such the disclosing Party; (ii) in compliance with law including the Texas Public Information Act, in which event the Party required to disclose information shall promptly notify the other Party, if possible, prior to making any disclosure and shall seek lawful protection for the confidentiality of such information; (iii) as part of its normal reporting or review procedure to its parent company, auditors, regulators and attorneys; (iv) where such information is part of the public domain; (v) where such information was previously disclosed by the other disclosing Party without any confidentiality restrictions; or (vi) to potential investors, insurers or financing entities or their agents, representatives or consultants, provided that such persons agree to be bound by the provisions of this Section 21 or by an agreement containing confidentiality provisions substantially similar to those set forth herein. This confidentiality provision shall be effective for two years after termination of the Agreement; provided, however, that the receiving Party's obligations of confidentiality with respect to trade secrets disclosed by the disclosing Party shall last indefinitely to the extent that such length is permitted by law.

Notwithstanding anything to the contrary herein, if a separate non-disclosure agreement or confidentiality agreement ("**NDA**"), between the Parties exists and applies to confidential information related to or arising from this Agreement the provisions of such NDA shall govern with respect to the confidentiality obligations of the Parties.

22. INTERLOCAL CERTIFICATION

22.1 By execution of this Agreement, each Party represents to the other that:

- (a) In performing its duties and obligations hereunder, it will be carrying out one or more governmental functions or services which it is authorized to perform;
- (b) The undersigned officer or agent of the Party has been properly authorized by that Party's governing body to execute this Agreement and that any necessary resolutions extending such authority have been duly passed and are now in effect;
- (c) If applicable, any payments provided to be made hereunder by one Party to the other shall be such amounts as to fairly compensate the other Party for the services or functions performed hereunder.

23. CRITICAL INFRASTRUCTURE RESTRICTIONS

23.1 "**Critical Infrastructure**" means, for the purpose of this section only, any communications infrastructure system, cybersecurity system, electric grid and associated software and hardware, hazardous waste treatment system, or water treatment facility.

“Designated Country” means China, Iran, North Korea, Russia, or another country designated by the Governor of the State of Texas pursuant to Texas Acts 2021, 87th Leg., R.S., S.B. 2116.

“Restricted Entity” means an entity:

Owned by, or the majority of stock or other ownership interest is held or controlled by:

- Individuals who are citizens of a Designated Country;
- A company or other entity, including a governmental entity, that is owned or controlled by citizens of, or that is directly controlled by the government of, a Designated Country; or
- Headquartered in a Designated Country.

Pursuant to Texas Acts 2021, 87th Leg., R.S., S.B. 2116, LCRA is prohibited from entering into certain contracts that provide any Restricted Entity with remote or physical access to LCRA Critical Infrastructure. If any remote or physical access to LCRA Critical Infrastructure is within the scope of this Agreement, User represents and warrants that it is not a Restricted Entity.

24. GOVERNING LAW.

24.1 The Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas, without regard to conflict of law or choice of law principles of Texas, or of any other state or country.

Executed to be effective on the Effective Date set out in the first paragraph above.

Agreed by:

Lower Colorado River Authority:

By: _____

Name: _____

Title: _____

USER

City of Fredericksburg, Texas

By: _____

Name: _____

Title: _____



ATTACHMENT A

Radio System Pricing Schedule

PARTICIPANT INFORMATION

AGENCY NAME (PLEASE PRINT)

CITY OF FREDERICKSBURG

AGENCY ADDRESS

CITY

FREDERICKSBURG

STATE

TX

ZIP

PHONE

CONTACT NAME

GARRET BONN

PHONE

830-990-2020

BILLING ADDRESS, IF DIFFERENT FROM ABOVE

EMAIL ADDRESS FOR INVOICING

CITY

FREDERICKSBURG

STATE

TX

ZIP

TAX EXEMPT? (Y/N)

YES

FEDERAL TAX ID

PURCHASE ORDER

EFFECTIVE DATE

7/1/2026

**LCRA Radio System
Pricing Schedule**

**Cost per Unit
Per Month**

**Customer
Elections**

Mobiles

\$20.00

X

Portables

\$20.00

X

Desktop Control Station

\$20.00

X

Dispatch Console

\$100.00

Conventional Interface

\$50.00

BeOn Monthly Service

\$10.00

BeOn Activation (One-time per device)

\$300.00

Data Modem

\$10.00

Emergency Communication Unit Radios

\$5.00

OPTIONS

I-CALL

\$5.00

DATA - Status Messaging

\$10.00

DATA - AVL

\$10.00

Please Note:

LCRA reserves the right to review monthly usage and new equipment purchases and adjust service fees accordingly.

Only the features and capabilities selected by customer under Customer Elections shall be enabled.

Specifics of services provided hereunder (including quantities) is subject to modification based on customer needs.

The disconnect and reprogramming charges noted in section 10.3 of the Agreement, are estimated as of June 2026 to be \$15,000. Pricing is subject to change in the future.

For Notification Purposes as per section 15.1 of the agreement, LCRA's address is:

Telecom Business Development Manager, Mailstop T099

3505 Montopolis Drive

Austin, TX 78744

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Attachment B
Lower Colorado River Authority
CHANGE OF RADIO STATUS

As set forth in Section 3.1.1 of the Agreement, this form shall be used when USER needs to notify LCRA of a change in the number of radios or equipment on which it is receiving Radio Service. Section 3.1.1 of the Agreement states that “USER shall notify LCRA in writing within thirty (30) calendar days of any changes in the number of radios or equipment on which it is receiving Radio Service; such notice shall only be considered valid if provided to LCRA on the form attached hereto as Attachment B.”

User shall complete and return this form to their LCRA customer service representative within thirty (30) calendar days of any change in the number of radios or equipment on which it is receiving Radio Services. Failure to timely notify LCRA of any changes in the number of radios or equipment on which it is receiving Radio Service may negatively impact a reimbursement or refund request or could result in denial of reimbursement or refund request.

Customer Name: _____

Radio UID *(please complete another form if more space is needed for multiple UIDs):*

Status Change Cause Description: *(stolen, lost, end of life, etc.)* _____

Date of Status Change: _____

Name of Person Requesting Status Change: _____

Telephone Number: _____

Email: _____

Date of Form Submittal: _____



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: July 21, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Request Z-2610: By County Express Food Mart to Consider the Following: (Cliff Cross, Director of Development Services)

A Conditional Use Permit (CUP), Per Sec. 3.200 and Sec. 6.110 for property located at 816 N. Milam Street to construct a 450 square foot addition and add 3 fuel islands to an existing legal nonconforming convenience store. *The Planning & Zoning Commission recommended Approval with a unanimous vote of 7-0 subject to the conditions identified within the agenda memo.*

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action - Approve Ordinance 2026-26 for the CUP

SUMMARY:

A Site Plan, Conditional Use Permit (CUP) and Entry Corridor application has been submitted to accommodate the proposed renovation, addition and construction of 3 fuel islands to the existing legal nonconforming Convenience Store at 816 N. Milam Street. The operation of the existing Convenience Store has been identified as a legal nonconforming use and requires the issuance of a Conditional Use permit to expand upon the current business operation.

The proposed development would include a 450 sq ft addition to the existing 1,800 square foot renovated convenience store. The total final project will result in a newly renovated convenience store totaling approximately 2,250 square feet that will also include 3 fuel islands located at the front of the lot. The newly renovated site proposes to be served by 6 onsite parking spaces.

BACKGROUND: **Site Area:** Approximately .37 Acres OR 16,828 sq ft

Zoning: C1, Neighborhood Commercial **Sec. 3.200**, Entry Corridor **Sec. 3.600**

Building Coverage: 13% (2,250 sq ft) Proposed / 11% Existing (50% Maximum) **Sec. 3.200**

Impervious Coverage: 85% Proposed / 65% Existing (70% Maximum) **Sec. 3.200**

Heights: Approx. 18 Ft. (3 Stories / 38 Ft Maximum) **Sec. 3.200**

Sidewalk: A sidewalk will need to be constructed in accordance to Engineering comments provided.

Access: The access ingress and egress points would be via Milam Street and approved by TxDOT prior to permitting.

Parking: 1 parking space per 300 sq ft is required for the 2,250 square foot Convenience Store area plus one per pump requiring a total of 11 onsite parking spaces to serve the interior sales area and pumps. In evaluating the proposed development, the applicant has identified 6 onsite parking spaces in addition to the 4 loading spaces for the fuel islands.

Landscape and Screening: Plans are required per **Sec. 7.920** and should include One (1) tree per 75 LF required. Off-street parking shall have ten (10) sq ft interior landscaping for each parking space. A strip of land at least five (5) ft in depth located between the abutting right-of-way and the off-street parking areas or other vehicular area which is exposed to an abutting right-of-way shall be landscaped and include one (1) tree for each fifty (50) LF. In addition, a hedge wall, or other durable landscape barrier, of at least two (2) feet in height, shall be placed along the perimeter. Screening along the perimeter of the property is not required per **Sec. 7.940**, however, screening of the dumpster is required per **Sec. 7.980**.

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

Public Hearing Notices: As part of the Public Hearing process, Staff must notify property owners that own property within 200 ft of the subject property. As of 07/14/2026, two protest and two approval responses have been received.

Staff has reviewed the renderings and provided the application feedback regarding the design on May 26, 2026. Please see Staffs review of the proposed design.

Entry Corridor Design Guidelines and Standards Review Comments

1. Provide color palette of proposed exterior walls

Planning Review Comments

1. Label the location and dimensions of boundary lines, easements, and required yards and setbacks of all existing and proposed buildings and land improvements on the site plan
2. Provide the proposed exterior lighting, including fixture type.
3. Provide the exact location, size, and species of existing trees on site, square footage of existing and propose landscape areas
4. Update the zoning summary to include percentages of impervious coverage and building coverage.
5. In the C-1 zoning district, you are only permitted one wall sign not to exceed 50 square feet.
6. Please provide exact dimensions of proposed signage.

Engineering Review Comments

1. Need to show existing utilities and connections and show if anything is changing
2. Need to construct curbing and sidewalks on N Milam St
3. Coordinate with TxDOT on the access off N Milam St (RR 965)? Right now, it's open and I'd imagine they would want some sort of controlled access/improved driveway. Need to provide TxDOT approval of their proposed frontage improvements and access.

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

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 the 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.

Sec. 5.471 - Conditions — The Planning and Zoning Commission, in considering and determining its recommendation on any request for a Conditional Use Permit, may require from the applicant's plans, information, operation data, and expert evaluation concerning the location, function and characteristics of any buildings or uses proposed. The Commission may recommend reasonable conditions which will ensure the intent and purposes of the Zoning Regulations and avoid the creation or detrimental effects upon abutting properties which may include, but not limited to, the following:

Duration of Use	Time Period in which the proposed use shall be developed or constructed	Fences, hedges and walls
Surfacing of parking areas	Regulation of noise, vibration, odors, etc	Regulation of use or uses
Special yards, spaces and buffers	Requiring street, service road or alley dedications and improvements or appropriate bonds	Regulation of locations of vehicular ingress and egress

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

FUNDING SOURCE:

NA

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION: The application was reviewed for conformity with all applicable regulations, including **Sec. 7.131**, **Sec. 5.460**, **Sec. 3.200** and review by the Development Review Committee (DRC), Staff had the following recommendations:

Staff recommended approval of the Site Plan, Conditional Use Permit and Entry Corridor application conditioned upon the following:

- Addressing Planning, Entry Corridor and Engineering Comments identified within the May 26, 2026 DRC Review Comments.

The Planning and Zoning Committee considered the request on June 3, 2026 and July 1, 2026 and recommended approval of the Conditional Use Permit and further granted Site Plan and entry corridor approval as presented subject to the following conditions:

1. Reduce to 2 (two) pumps
2. Quiet no digital pumps
3. Hours of operation to 7am to 10pm
4. Non-Lighted Canopy
5. Screening between property and neighbors to the rear
6. Ensure that parking requirements are met, staff to verify

The Planning & Zoning Commission recommended Approval with a unanimous vote of 7-0, with two members recusing, subject to the conditions identified above.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. 816 N Milam Notification Map
2. 816 N Milam Land Use
3. 816 N Milam Place Type
4. 816 N Milam Zoning
5. DEV-2026-30-country express boundary survey
6. UPDATED SITE PLAN ACCORDING TO CHANGES
7. SUNSET VILLAGE REMODEL
8. DEV-2026-30-CUP-Dev-2026-27-SP EC _ Combined Review Comments
9. TX DOT LETTER
10. DEV-2026-30-sunset village plans
11. DEV-2026-30-current site plan
12. PROTEST _BERTRAND _ 901 N Milam Protest - 816 N MILAM_Redacted
13. Protest Letter - Melnyk_ Case Z2610 _DEV -2026-CUP30_Redacted
14. Approval Oestrich
15. APPROVAL _FELLER-DEV-2026-30-CUP_Redacted
16. Ordinance 2026-26 CUP For 816 N Milam For CC

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: July 15, 2026



William McKamie, City Attorney

Date: July 15, 2026



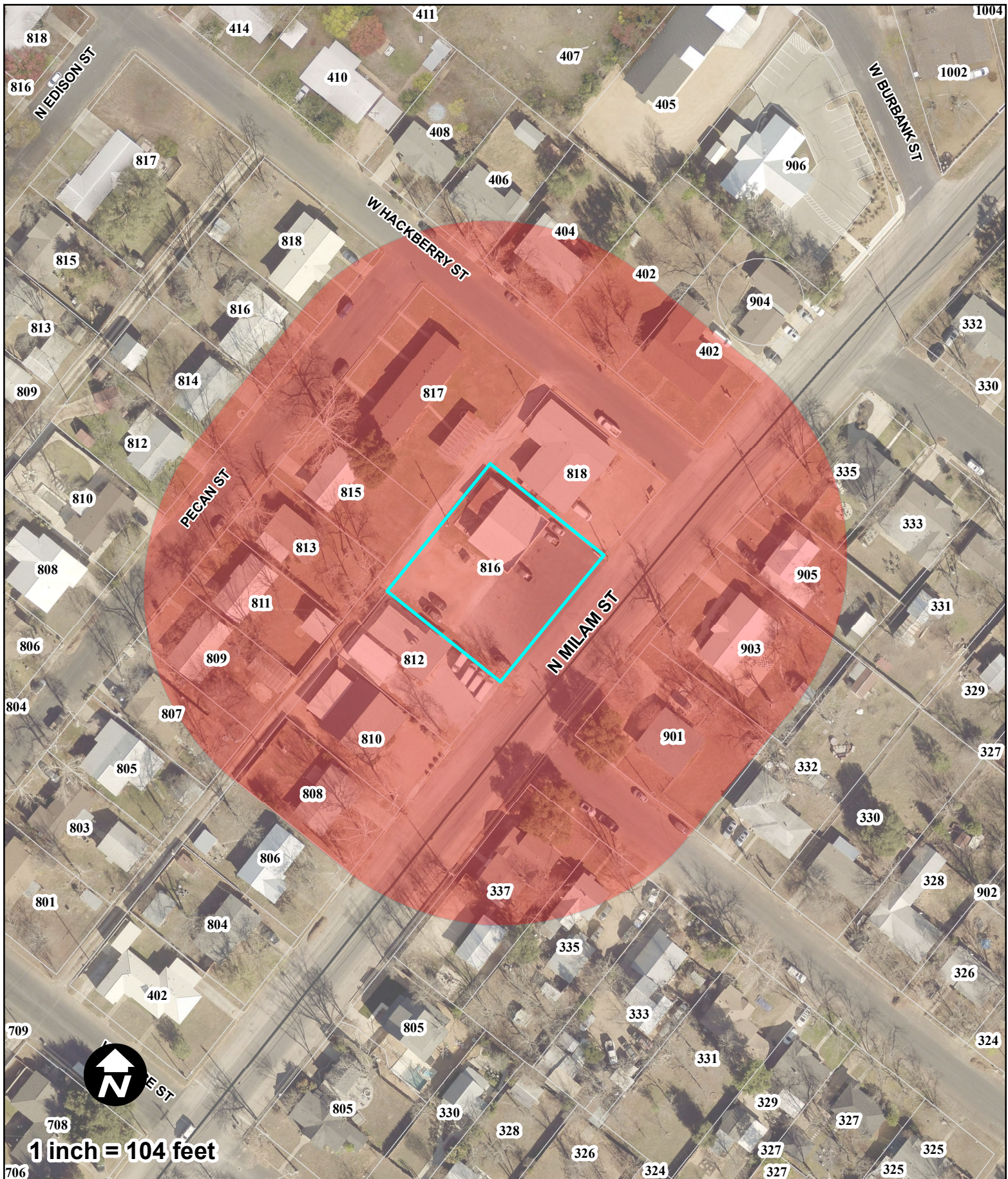
Leticia Vacek, City Secretary

Date: July 15, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



City of Fredericksburg
Z-2610 - 816 N. Milam Street

LEGEND

- 200' Notification Buffer
- GCAD Parcels

LEGEND

☐ GCAD Parcels

Landuse

LANDUSE



Downtown Central Business District



Uptown Central Business District



Commercial Center



Commercial



Employment Center



FUTURE ROW



High Density Residential



Industrial

Low Density Residential



Medium Density Residential



Mixed Use Corridor



Parks & Open Space

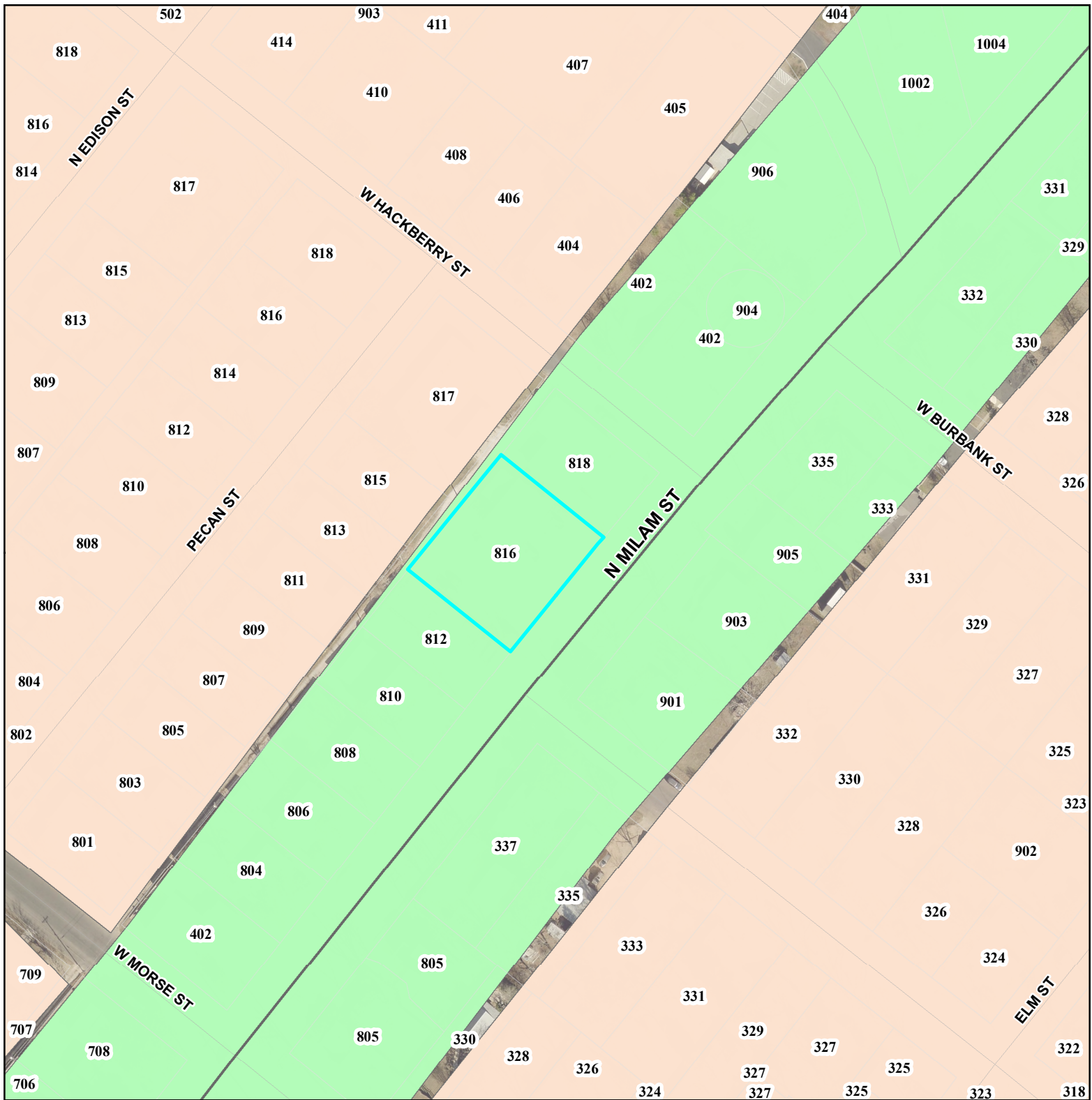


Public / Semi-Public

Rural



City of Fredericksburg
Z-2610 - 816 N. Milam Street



LEGEND

GCAD Parcels

Place_Type

- MU
- GC
- HSD
- IND
- MDR
- MU
- NR
- PARK
- RR

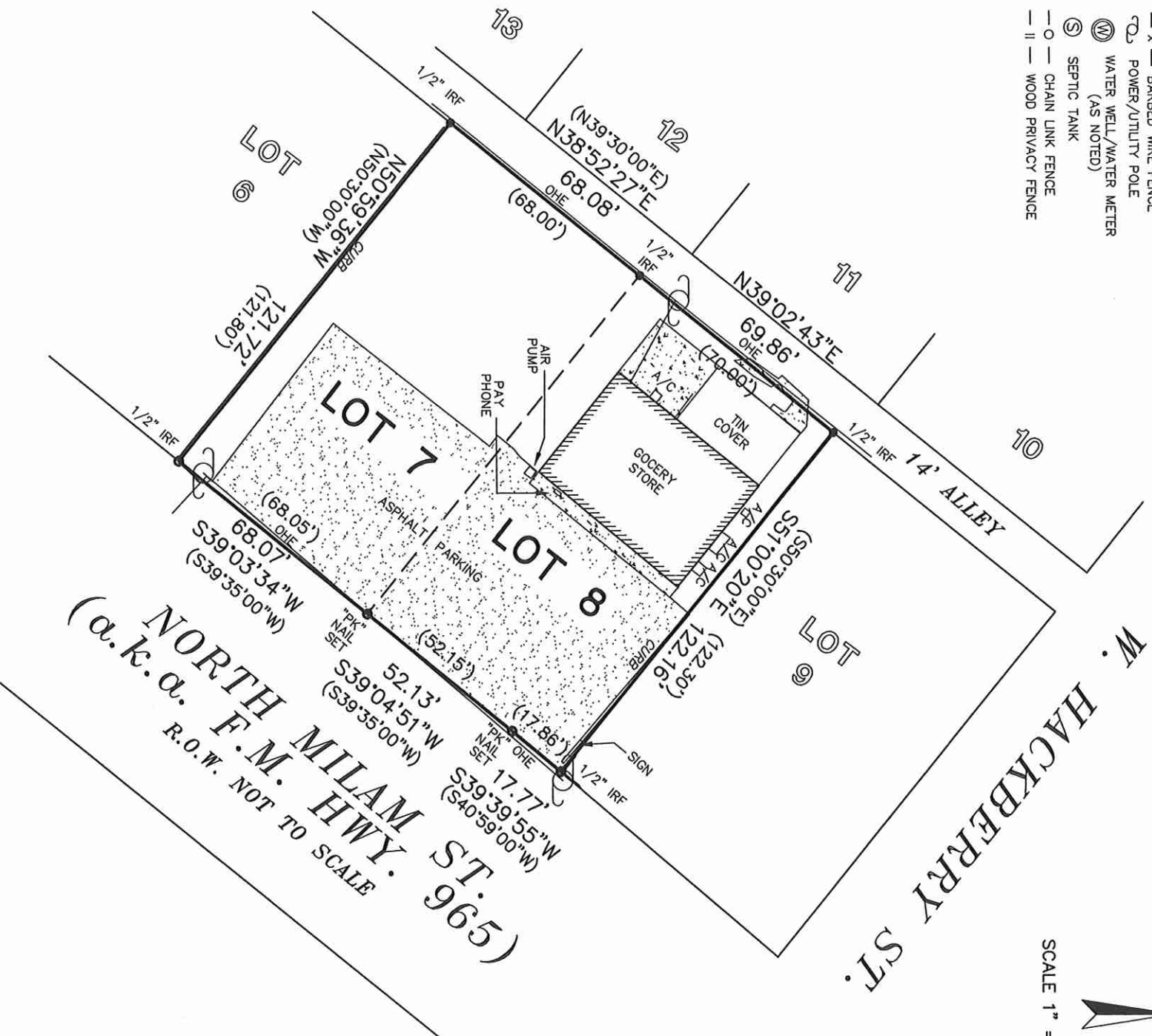


City of Fredericksburg
Z-2610 - 816 N. Milam Street

NICHOLAS PAIN SURVEY
ABSTRACT NO. 546
CITY OF FREDERICKSBURG

- LEGEND**
- IRF - STEEL ROD FOUND
 - IRS - 1/2" REBAR SET WITH "POLLOK & SONS" CAP
 - CP - CORNER POST
 - DDMM'SS" DIST. - FIELD (DDMM'SS" DIST.) - RECORD
 - x - BARBED WIRE FENCE
 - CO - POWER/UTILITY POLE
 - W - WATER WELL/WATER METER (AS NOTED)
 - S - SEPTIC TANK
 - O - CHAIN LINK FENCE
 - II - WOOD PRIVACY FENCE

SCALE 1" = 40'



SURVEY PLAT OF LOT 7 AND LOT 8,
SUNSET VILLAGE ADDITION TO THE CITY OF
FREDERICKSBURG AS SHOWN ON THE PLAT
OF RECORD IN VOLUME 77, PAGE 470 OF
THE DEED RECORDS OF GILLESPIE COUNTY,
TEXAS.

SURVEYOR NOTES:

- 1.) RECORDS WERE NOT RESEARCHED FOR EASEMENTS ON THIS TRACT OF LAND.
- 2.) THE BASIS OF THE BEARING SYSTEM IS NAD83 TEXAS CENTRAL.
- 3.) THIS PLAT WAS PREPARED FOR SANAD & ALINYAZ INVESTMENT, INC.. NO LICENSE HAS BEEN CREATED, EXPRESSED, OR IMPLIED TO COPY THIS SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.
- 4.) THIS SURVEY IS ONLY VALID WITH THE SURVEYOR'S ORIGINAL SIGNATURE IN GREEN INK. THE SURVEYOR ASSUMES NO LIABILITY FOR THIS SURVEY WITHOUT AN ORIGINAL SEAL AND SIGNATURE.

REFERENCE:
VOL. 77, PG. 470 - PLAT
DOC. # 20250638 - DEED



POLLOK & SONS
SURVEYING, INC.
FIRM NO. 10052700
FLORESVILLE, TEXAS
(830) 393-4770

STATE OF TEXAS
COUNTY OF GILLESPIE

I HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS
AN ACTUAL SURVEY MADE ON THE GROUND BY PEOPLE
WORKING UNDER MY DIRECT SUPERVISION

THIS 3RD DAY OF DECEMBER 2025 A.D.

LARRY J. POLLOK

R.P.L.S. NO.5186

© 2025 ALL RIGHTS RESERVED

JOB NO. 25-515



816 N Milam St.

IMPERVIOUS
CALCULATIONS

EXISTING GRASS
1,000 SF
EXISTING CONC SLAB
350sf

EXISTING SHED
550sf

EXISTING SAND
4,050sf

EXISTING
1 STORY BLD.
1800 SF

EXISTING ASPHALT
7,500 SF

EXISTING GRASS
1,100 SF

ALLEY

DUMPSTER
ENCLOSURE/CONC
200 SF

LANDSCAPE

EXISTING SINGLE STORY
CONVENIENCE BDG.
1800 SF

NEW ADDITION
450 SF

NEW CONC. WALK

NEW ASPHALT

NEW ASPHALT

EXIST ASPHALT

EXIST ASPHALT

NEW SIGN

LANDSCAPE

NEW SIDEWALK

EXIST CONC APPROACH

MILAM ST

1 SITE PLAN - EXISTING CONDITIONS
3/64" = 1'-0"

IMPERVIOUS COVER TABULATIONS (EXIST):	
EXISTING SITE SF	17,000
SHED	550
BLDG	1,800
CONC SLAB	350
ASPHALT	7,500
TOTAL IMPERVIOUS: (58%)	10,200
LANDSCAPE/ GRASS (EXIST)	2,100
SAND AREA (EXIST)	4,050

2 SITE PLAN - NEW PROPOSED
3/64" = 1'-0"

IMPERVIOUS COVER TABULATIONS (NEW):	
EXISTING SITE SF	17,000
BLDG	2,250
DUMPSTER ENCL/CONC.	200
NEW CONC WALKWAY	188
ASPHALT TOTAL W NEW	8,959
TOTAL IMPERVIOUS: (68.2%)	11,597
LANDSCAPE (NEW)	3,717

EXIST CONC APPROACH

MILAM ST

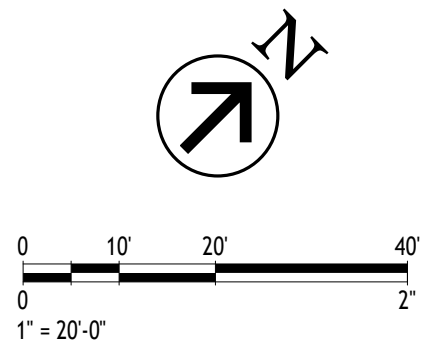
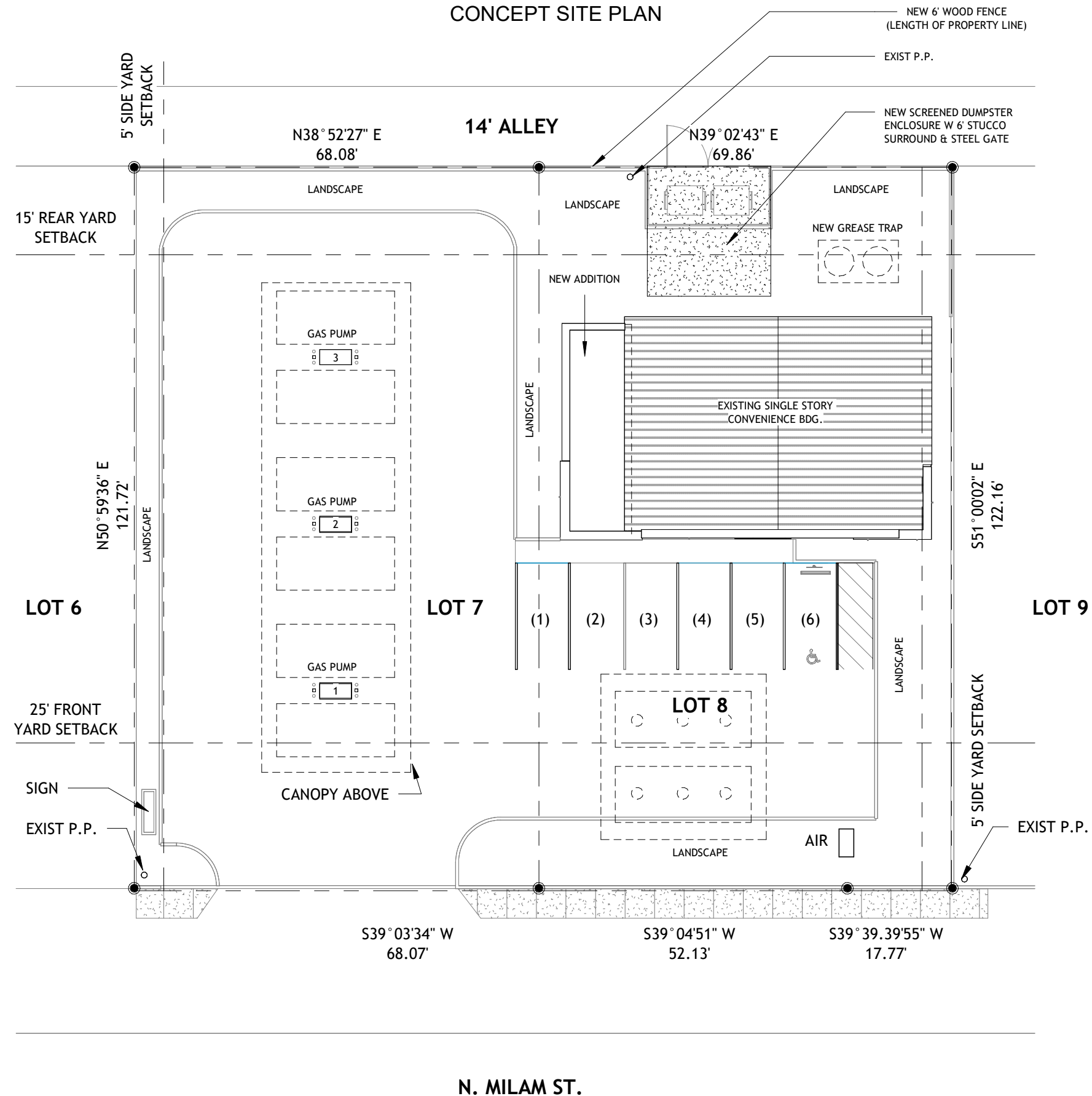


JASON MORAN
COLLABORATIVE DESIGNER

A 1.0

816 N Milam St.

CONCEPT SITE PLAN



A 1.2

JASON MORAN
COLLABORATIVE DESIGNER

To: The City of Fredericksburg – Development Services Department
126 W. Main St.
Fredericksburg, TX 78624
Attn: Jan Musgrove – Planner 1

Comment Responses

Re: Dev-2026-30-cup and Entry Corridor - Property 816 N. Milam

June 3, 2026

Planning Comments

1. **Comment:** Label the location and dimension of boundary lines, easements, and required yards and setbacks of all existing and proposed buildings and land improvements on the site plan.
Response: Please see attached revised site sheet A.1 including the requested above. Also please see attached new sheet A 0.1 including survey.
2. **Comment:** Provide the proposed exterior lighting, including fixture type.
Response: Please see attached elevations with proposed lighting. Also reference the sheet for A7.1 for proposed light fixture specifications.
3. Provide the exact location, size, and species of existing trees on site, square footage of existing and proposed landscape areas
Response: There are no existing trees/ landscaping on site.
4. **Comment:** Update the zoning summary to include percentages of impervious coverage and building coverage.
Response: Please see attached revised sheet A 6.0 for percentages of impervious cover
5. **Comment:** In the C-1 zoning district, you are only permitted one wall sign not to exceed 50 square feet
Response: Please see attached revised elevations on sheets A 3.1 for updated signage reduced to one wall sign.
6. **Comment:** Please provide exact dimensions of proposed signage
Response: Please see attached sheet A 7.1 for signage dimensions.

For Entry Corridor:

1. **Comment:** Provide color palette of proposed exterior walls

Response: Please see attached Sheet A 7.1 for palette of proposed exterior walls.

Engineering Comments:

1. **Comment:** Need to show existing utilities and connections and show if anything is Changing.

Response: To be provided by civil & mep engineers.

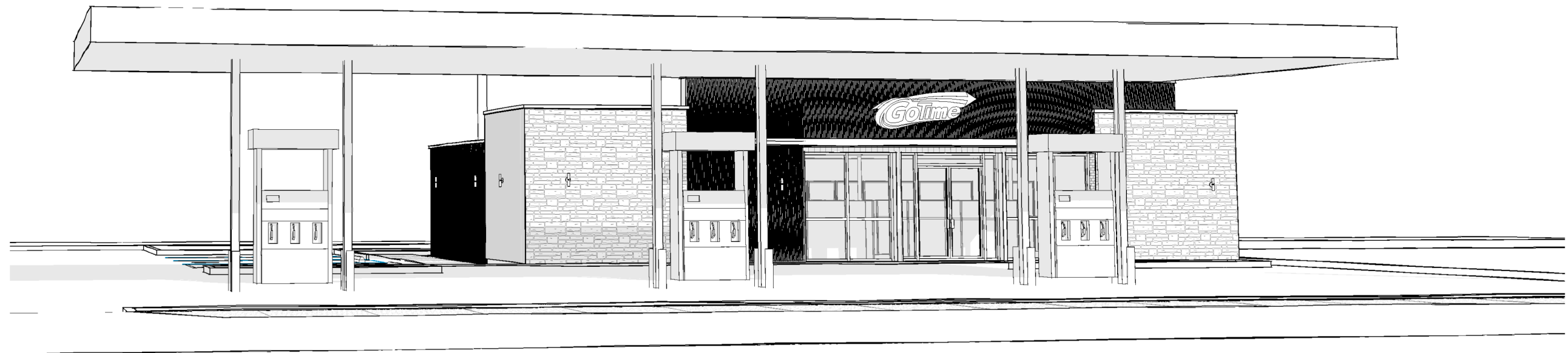
Respectfully,

Jason Moran – Project Manager



816 N Milam St.

PERSPECTIVE



SURVEY - EXISTING CONIDTIONS



816 N Milam St.

IMPERVIOUS CALCULATIONS

ALLEY

EXISTING GRASS
1,000 SF
EXISTING CONC SLAB
350sf

EXISTING SHED
500sf

EXISTING SAND
4,050sf

EXISTING
1 STORY BLD
1800 SF

EXISTING ASPHALT
7,500 SF

DUMPSTER
ENCLOSURE/CONC.
200 SF

LANDSCAPE
1,200 SF

NEW ASPHALT
300 SF

NEW CONC. WALKWAY
300 SF

LANDSCAPE 80 SF

EXISTING SINGLE STORY
CONFERENCE RM
1,800 SF

NEW CONC. WALKWAY
300 SF

20'-0"

SITE PLAN - EXISTING CONDITIONS
3/64" = 1'-0"

EXIST CONC APPROACH

MILAM ST

IMPERVIOUS COVER TABULATIONS (EXIST):	
EXISTING SITE S:	17,000
SHED	500
BLDG	1,800
CONC SLAB	350
ASPHALT	7,500
TOTAL IMPERVIOUS: (SQ)	10,200
LANDSCAPE/ GRASS (EXIST)	2,000
SAND AREA (EXIST)	4,050

SITE PLAN - NEW PROPOSED
3/64" = 1'-0"

EXIST CONC APPROACH

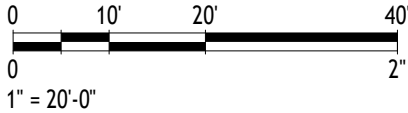
MILAM ST

IMPERVIOUS COVER TABULATIONS (NEW):	
EXISTING SITE SF	17,000
BLDG	2,250
DUMPSTER ENCL/CONC.	200
NEW CONC WALKWAY	300
ASPHALT TOTAL & NEW	8,100
TOTAL IMPERVIOUS: (SQ)	11,950
LANDSCAPE (NEW)	3,717

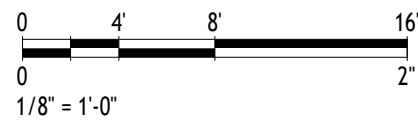
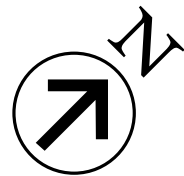
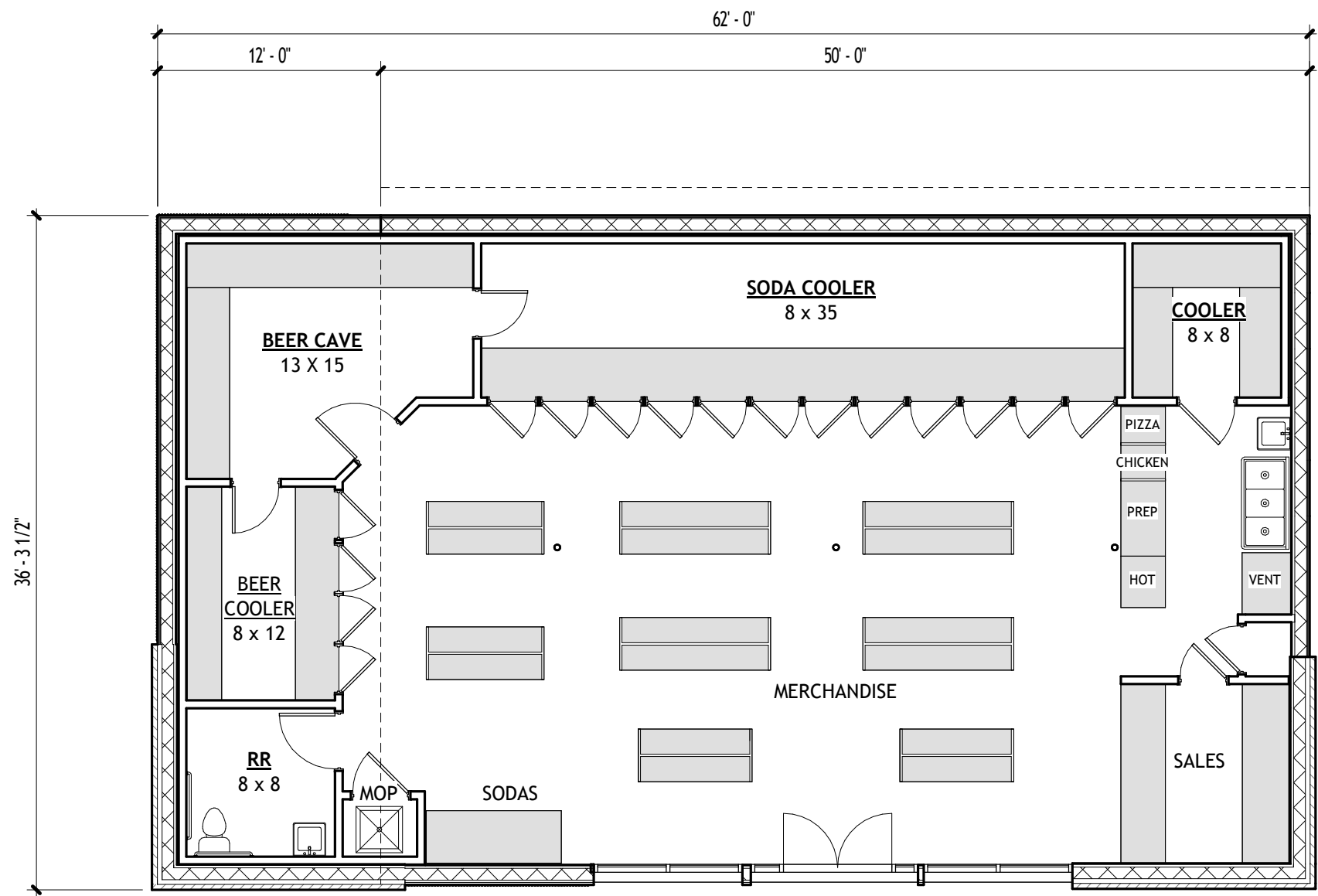
A 1.0

JASON MORAN
COLLABORATIVE DESIGNER

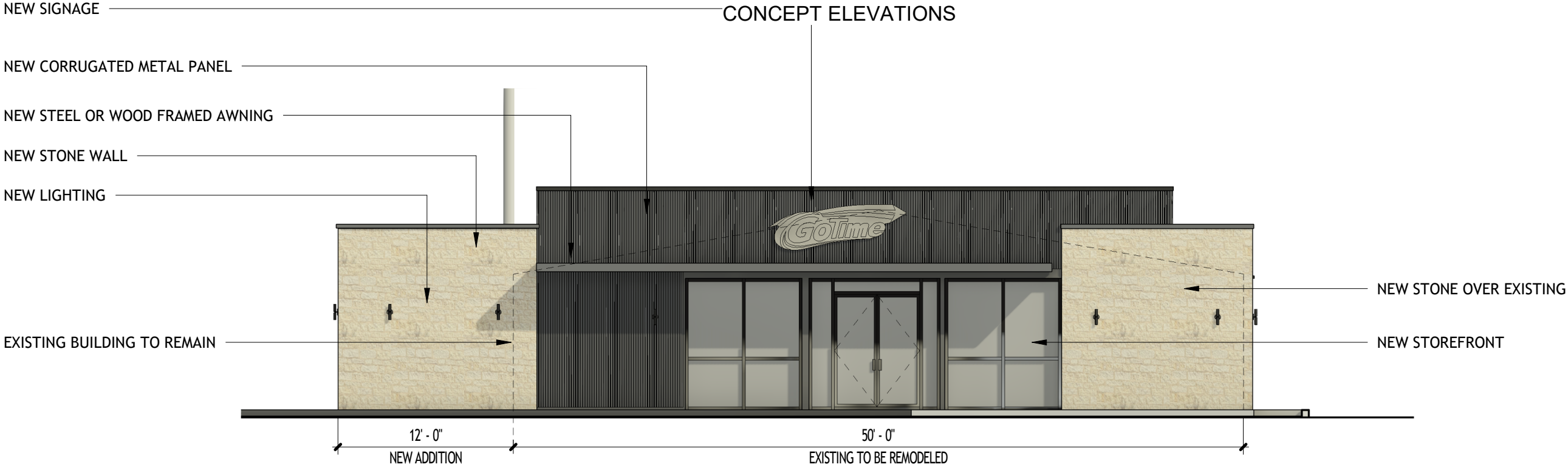
816 N Milam St



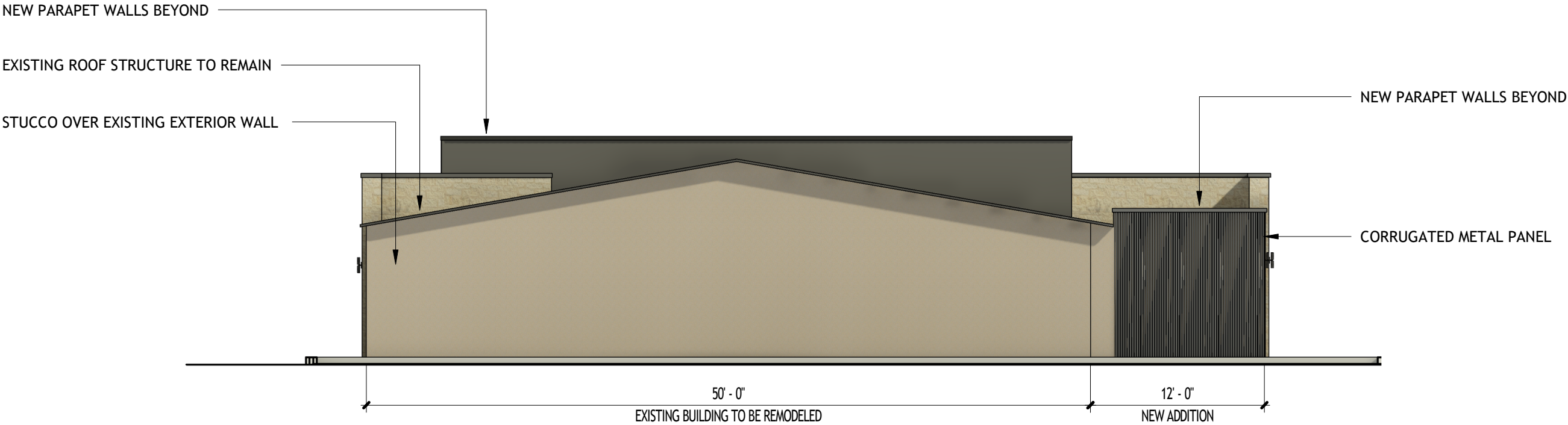
816 N Milam St.
CONCEPT FLOOR PLAN



816 N Milam St.



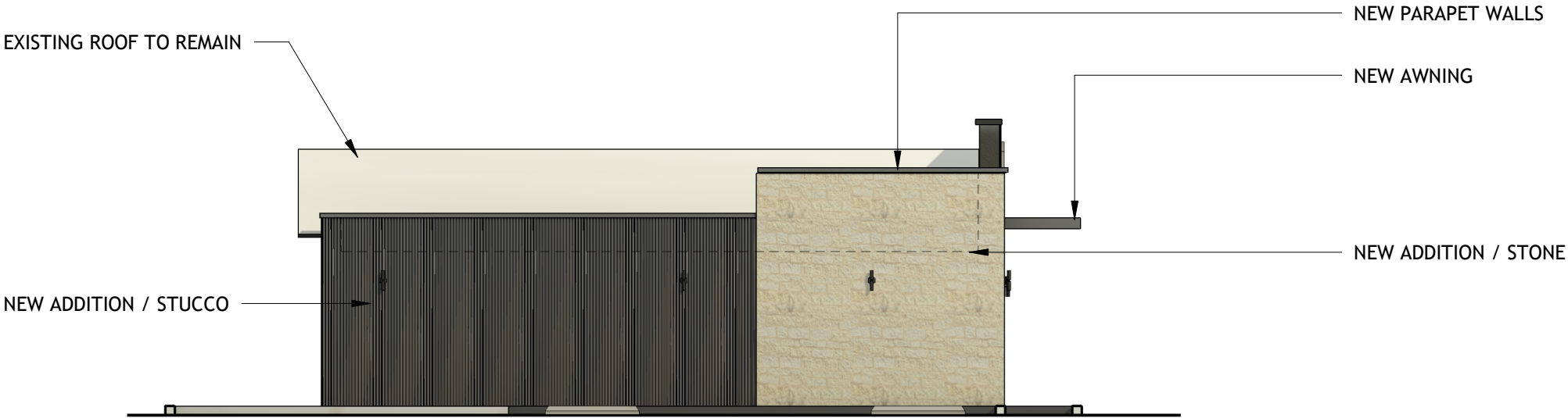
2 FRONT ELEVATION
1/8" = 1'-0"



1 REAR ELEVATION
1/8" = 1'-0"

A 3.1

816 N Milam St.
CONCEPT ELEVATIONS



1 RIGHT SIDE ELEVATION
1/8" = 1'-0"



2 LEFT SIDE ELEVATION
1/8" = 1'-0"

A 3.2

816 N Milam St.

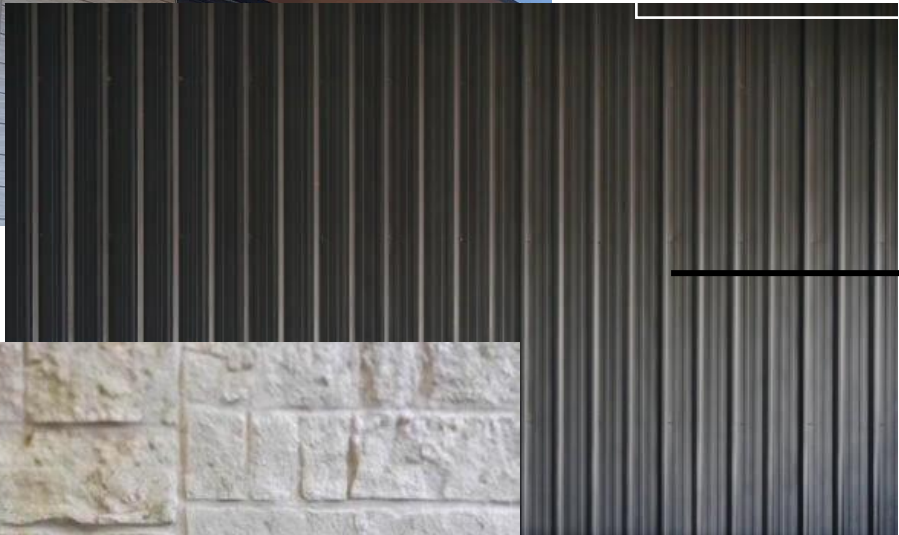
CONCEPT
PERSPECTIVE



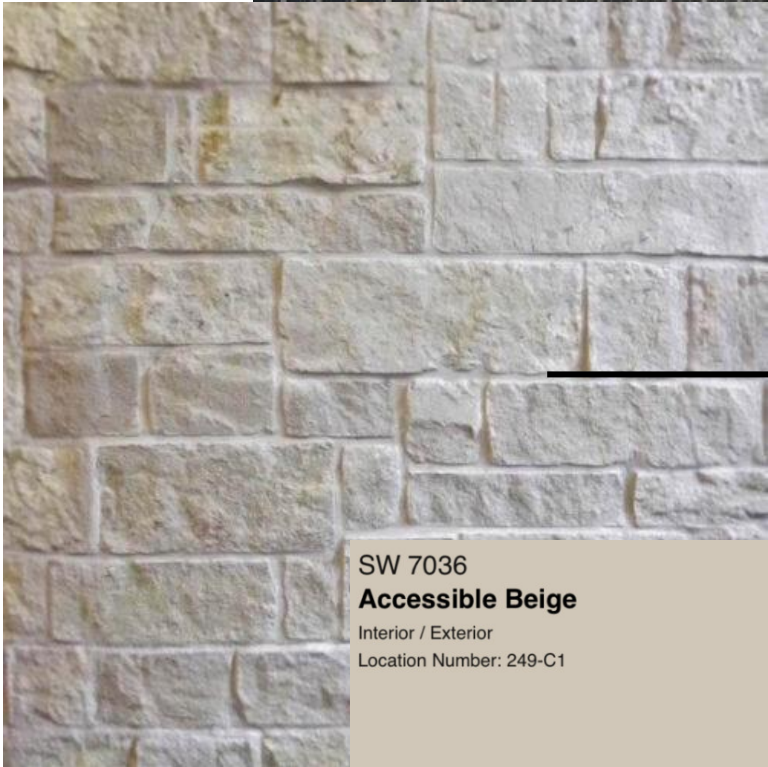
816 N Milam St.



Wood panel soffit in gun metal
grey steel awning
(exact sample to be verified)

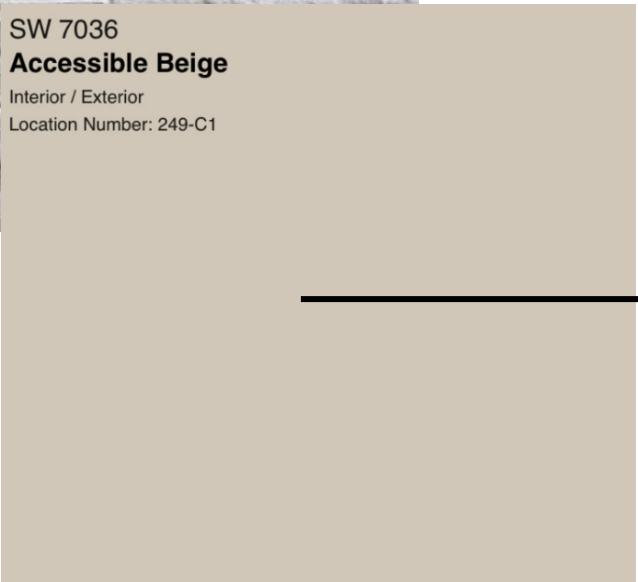


Berridge dark grey metal wall
panel
(exact sample to be verified)



Light limestone veneer
(exact sample to be verified)

SW 7036
Accessible Beige
Interior / Exterior
Location Number: 249-C1



Sherwin William
stucco color
(to be verified in field)



Typical Exterior Sconce
WAC Lighting
WS-W190212-30
Color: Black



Building Signage

A 7.1



May 26, 2026

RE: Dev-2026-30-CUP and Entry Corridor- Review Comments for the 816 N Milam, Fredericksburg, Texas, 78624

Please review the following comments and address appropriately. Please provide a written response as to how the items are addressed in addition to the revised Plan by **Friday May 29, 2026**.

This item will require Planning and Zoning review, the next P&Z meeting will be held on June 3, 2026.

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

Planning Comments:

1. Label the location and dimension of boundary lines, easements, and required yards and setbacks of all existing and proposed buildings and land improvements on the site plan.
2. Provide the proposed exterior lighting, including fixture type.
3. Provide the exact location, size, and species of existing trees on site, square footage of existing and proposed landscape areas
4. Update the zoning summary to include percentages of impervious coverage and building coverage.
5. In the C-1 zoning district, you are only permitted one wall sign not to exceed 50 square feet.
6. Please provide exact dimensions of proposed signage.

For Entry Corridor:

1. Provide color palette of proposed exterior walls

Engineering Comments:

1. Need to show existing utilities and connections and show if anything is changing

The City of Fredericksburg

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

2. Need to construct curbing and sidewalks on N Milam St
3. Coordinate with TxDOT on the access off N Milam St (RR 965)? Right now, it's open and I'd imagine they would want some sort of controlled access/improved driveway. Need to provide TxDOT approval of their proposed frontage improvements and access.

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

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

A handwritten signature in black ink that reads "J Musgrove". The signature is written in a cursive, flowing style.

Jan Musgrove, Planner 1

The City of Fredericksburg

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



3029 E SH 29 Burnet, Texas 78611 | 512.756.2316 | WWW.TXDOT.GOV

June 30, 2026

City of Fredericksburg,

This letter serves to inform you that Mehndi Ali has been, and continues to be, in coordination with the TxDOT Burnet Area Office to obtain an approved commercial driveway permit for a proposed connection to State Highway 16 (SH 16). The preliminary driveway location, as established through coordination between TxDOT and Mr. Ali, currently meets applicable criteria.

Drainage associated with the proposed development will be designed to ensure there are no adverse impacts to the TxDOT right-of-way.

Please note that this letter does not constitute an approved driveway permit for the property. Rather, it is intended to document ongoing coordination between the landowner and TxDOT for plating purposes.

If you have any questions, please feel free to contact me or Tyler Brudnick.

Respectfully,

DocuSigned by:
Joseph Muck
9647B86859014BB...

Joe Muck, P.E.

Burnet Area Engineer

cc: Tyler Brudnick, P.E., Burnet Assistant Area Engineer

Brad Phipps, Fredericksburg Maintenance Supervisor

Cody Pape, Fredericksburg Assistant Maintenance Supervisor

Sharon Srnensky, Access Management Coordinator

OUR VALUES: *People • Accountability • Trust • Honesty*

OUR MISSION: *Connecting You With Texas*

An Equal Opportunity Employer

SUNSET VILLAGE PLANS

Introduction

April 18th 2024

Scale: 1/8" = 1'-0" (Listed on the drawings)

North Point Title: Listed on the drawings.

Owner: Mehndi Ali and Moiz Charolia

Person Preparing Site Plan: Jason Moran (Collaborative Ventures LLC)

Contractor: Billy Scott (Home and Ranch Services)

Description of Proposed Use (Scope of Letter of Intent)

This letter of intent outlines the proposed expansion and site improvements to the existing building.

The current building size is approximately 1,800 square feet. We plan to extend the structure on the left side by approximately 450 square feet, resulting in a total building area of 2,250 square feet. This expansion will also accommodate the implementation of a deli and the addition of extra cooler units. The total square footage remains within the maximum permitted under current city regulations.

In addition to the building expansion, we propose the installation of fuel service facilities at the front of the property. Specifically, we plan to add three gas pumps, which is the maximum number allowed within city limits.

All proposed improvements will comply with applicable city codes and regulations.

Zoning Summary

Summary: This property is a nonconforming property

Zoning Type: C1 Zoning

Minimum Lot Size: 2250 SQFT

Actual Lot Size: 1800 SQFT

Maximum Building Height: 38 FT

Actual Building Height: 3

Building Coverage: Listed on plans

Impervious Coverage: Listed on plans

Property Details

Address: 816 N Milam St, Fredericksburg, TX 78624

Legal Description: SUNSET VILL LOT 7 & 8

Existing and Proposed Improvements

Including Parking: Included on the plan

Loading Areas: Included on the plan

Pedestrian and Vehicular Access: Included on the plan

Existing and Proposed Parking and Loading Spaces

Current Number: 6

Proposed Number: 12

Location of Signs

Sign is located on a floor sign on pages as a gas sign.

Three building signs

- TBHC Hunt Brothers Sign
- Krispy Krunchy Chicken Sign
- Go Time (Main Store Sign)

Photos of All Four Sides of The Property

This is drawn on the site plan.

Existing and Proposed Topography and Grading (5' minimum contour intervals), and Erosion Control Measures

Included on the property boundary survey

Solid Waste Container:

Service: Republic Service Garbage Disposable

Screening: Drawn on the site plan.

Provisions for Handicapped Access

This is displayed on the site plan.

Site Plan Notes
 Owner: Samad & Alimiyaz Investments Inc.
 Zoning: C1

Total Property Details

15,500 Sq. Ft.
 .36 Acres

Empty Lot

9,176 Sq. Ft.
 .21 Acres

Building Details

1,800 Sq. Ft.
 7' Side Setback
 9' Back Setback

Fenced Area

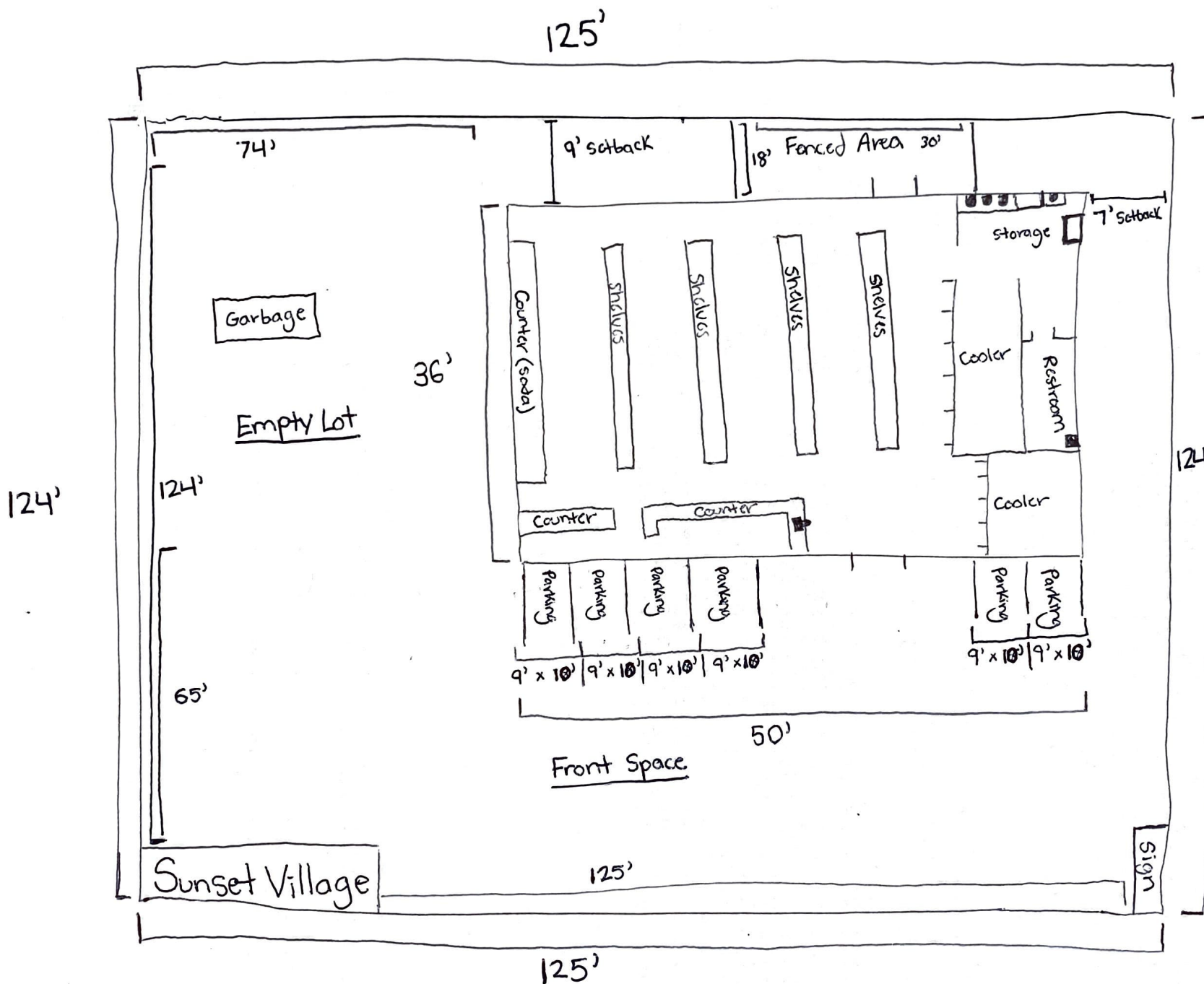
640 Sq. Ft.

Parking Space

1st space
 2nd space
 3rd space
 4th space
 5th space

Front Space

8,125 Sq. Ft.
 .19 Acres



Public Comment Form
Please return this form to:
Development Services – Zoning
2818 East U.S. Highway 290
Fredericksburg, TX 78624
830-997-7521
OR
Email: jmusgrove@fbgtx.org



REQUEST: Z-2610 / DEV-2026-30-CUP

As an interested property owner, I (PROTEST) ☒ / (APPROVE) _____ the requested Conditional Use Permit (CUP) request, represented by the above file number because:

See attached letter

[Redacted Signature]

Signature

06.03.26

Date

Bradley G. Bertrand

Printed Name

[Redacted Address]

Address

Request: Z-2610 / DEV-2026-30-CUP

As an interested property owner, I protest the requested Conditional Use Permit (CUP) request, represented by the above file number because:

We have lived in the residence at 901 N Milam immediately across the existing Convenience store at 816N Milam for 11+ Years.

We have the following concerns related to the proposed project:

- Summary:
 - Safety of foot traffic
 - Street parking of service vehicles and patrons, particularly big trucks / trailers
 - Light pollution and noise pollution
 - Current non-compliance with planning standards
 - Drainage and access concerns
 - Health Issues of living in proximity of Fueling Stations

SAFETY OF FOOT TRAFFIC

We are concerned about the amount of foot traffic and general traffic Increase in an already busy corridor. There are many people in the neighborhood that frequently walk across the street to the convenience store to shop at the store. The restaurant proposed would likely increase the amount of foot traffic from neighbors and people staying in nearby B&Bs. I have seen multiple people dodge traffic to get across Milam Street. We are concerned about the safety of people crossing the street.

STREET PARKING OF SERVICE VEHICLES AND PATRONS, PARTICULARLY BIG TRUCKS / TRAILERS

It is common for trucks and trailers that either service or patron the convenience store to park along the curb of our residence, sometimes blocking our driveway access to N. Milam. We are concerned that the likelihood of offsite parking by large vehicles will increase due to restricted on-site access created by the addition of the fuel pumps. There is limited maneuvering ability around the site as indicated in the proposed site plan, leading us to be concerned about trucks parking in the street or along our curb. In the short term, we are concerned about construction vehicles blocking access to our driveway.

LIGHT POLLUTION AND NOISE POLLUTION

Presently the convenience store closes at 10:00 PM. Lights are shut off and the property closed. We are concerned about the operating hours of this business being extended later into the evening. Filling stations with canopies are typically brightly lit and often do not follow lighting ordinances. We ask that the current schedule of lights being turned off at 10:00 be maintained to not disturb the adjacent residences. In addition, lighting should follow all dark sky compliant ordinances in place.

It is sometimes common for filling stations to provide music and/or video at the filling pumps. Per Section 3.200 of the Zoning Ordinance, Outdoor Amplified Sound is Prohibited when abutting R-1 zoning. We ask that if approved, that noise ordinances be strictly enforced. It is already common to be awakened in the morning by somebody slamming bags of ice on the ground or a horn honking by somebody pulling out of the convenience store driveway, or by somebody loudly conversing on the phone.

CURRENT NON-COMPLIANCE WITH PLANNING STANDARDS

As the city staff has already noted, the site is non-conforming with many of the planning ordinances. We ask that ordinances pertaining to landscaping, screening, lighting, noise/sound, refuse screening, and sidewalks be strictly reviewed and enforced.

DRAINAGE CONCERNS

The site proposed is 15% over the maximum allowable pervious coverage allowable for a C-1 Zoning. During Heavy rains, there is significant water flow along Milam. We ask that engineering carefully review the plans and drainage concerns be adequately accommodated, especially considering that TX Dot will likely alter the ingress / egress & proposed curbs of the site.

Health Issues of living in close proximity of Fueling Stations

Lastly, as parents of young children ages (1 & 11), we are concerned about the health issues presented by living within a close radius of fuel filling stations. Attached to this letter are several studies indicating higher cancer risk for individuals, particularly children, living within such a close distance to fueling stations. By the time we had moved into the property, there were no fueling pumps at the convenience store. It's one thing to choose to

live adjacent to an unsightly property, it's completely different when a health risk is being imposed after the fact. Relocating to another property is not easy in the Fredericksburg area and we are concerned that we now would have to make a choice to take a financial hit that fuel pumps would impose on our property value to get away from any potential health risk. The B&B ordinance limits our ability to sell the house as anything other than a residence in an area, and if other people are concerned about health risks, then we are now stuck with a significantly devalued property.

CONCLUSION

There are numerous ways in which living across from a gas station is challenging. There are many noises from loud vehicles, odors from people smoking, bags of ice banging on the pavement, occasional vagrant individuals, diminished surrounding property values, and general unsightliness commonly found at gas stations. We are NOT in favor of a gas station being in a residential area, however, we understand that the use could be allowable via the CUP process. We ask that the P&Z board and City Council carefully weigh the benefits of this project versus the challenges adjacent neighbors face. With housing prices in Fredericksburg being high and the B&B ordinance limiting the marketability of a high traffic property like my house, it is not easy to simply relocate to a more favorable residence.

Thank you sincerely for considering our concerns,

[REDACTED]

Bradley and Amelia Bertrand

[REDACTED]



Residential proximity to petrol stations and risk of childhood leukemia

Marcella Malavolti¹ · Carlotta Malagoli¹ · Tommaso Filippini^{1,2} · Lauren A Wise³ · Alessio Bellelli¹ · Giovanni Palazzi⁴ · Monica Cellini⁴ · Sofia Costanzini⁵ · Sergio Teggi⁵ · Marco Vinceti^{1,3,6}

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Abstract

Petrol stations emit benzene and other contaminants that have been associated with an increased risk of childhood leukemia. We carried out a population-based case-control study in two provinces in Northern Italy. We enrolled 182 cases of childhood leukemia diagnosed during 1998–2019 and 726 age- and sex-matched population controls. We geocoded the addresses of child residences and 790 petrol stations located in the study area. We estimated leukemia risk according to distance from petrol stations within a 1000 m buffer and amount of supplied fuel within a buffer of 250 m from the child's residence. We used conditional logistic regression models to approximate risk ratios (RRs) and 95% confidence intervals (CIs) for associations of interest, adjusted for potential confounders. We also modeled non-linear associations using restricted cubic splines. In secondary analyses, we restricted to acute lymphoblastic leukemia (ALL) cases and stratified by age (<5 and ≥5 years). Compared with children who lived ≥1000 m from a petrol station, the RR was 2.2 (95% CI 0.5–9.4) for children living <50 m from nearest petrol station. Associations were stronger for the ALL subtype (RR=2.9, 95% CI 0.6–13.4) and among older children (age ≥5 years: RR=4.4, 95% CI 0.6–34.1; age <5 years: RR=1.6, 95% CI 0.1–19.4). Risk of leukemia was also greater (RR=1.6, 95% CI 0.7–3.3) among the most exposed participants when assigning exposure categories based on petrol stations located within 250 m of the child's residence and total amount of gasoline delivered by the stations. Overall, residence within close proximity to a petrol station, especially one with more intense refueling activity, was associated with an increased risk of childhood leukemia, though associations were imprecise.

Keywords Childhood leukemia · Benzene · Petrol station · Case-control study · Refueling activity

✉ Marco Vinceti
marco.vinceti@unimore.it

- ¹ CREAGEN - Environmental, Genetic and Nutritional Epidemiology Research Center, Section of Public Health, Department of Biomedical, Metabolic and Neural Sciences, University of Modena and Reggio Emilia, Modena, Italy
- ² School of Public Health, University of California Berkeley, Berkeley, CA, USA
- ³ Department of Epidemiology, Boston University School of Public Health, Boston, MA, USA
- ⁴ Pediatric Oncology and Hematology Unit, Department of Medical and Surgical Sciences for Mothers, Children and Adults, University of Modena and Reggio Emilia, Modena, Italy
- ⁵ Department of Engineering “Enzo Ferrari”, University of Modena and Reggio Emilia, Modena, Italy
- ⁶ Department of Biomedical, Metabolic and Neural Sciences, University of Modena and Reggio Emilia, Via Giuseppe Campi 287, 41125 Modena, Italy

Abbreviations

AIC	Akaike Information Criterion
AIEOP	Associazione Italiana Ematologia Oncologia Pediatrica
ARPAE	Regional Agency for Environmental Protection and Energy
CI	Confidence interval
GIS	Geographical Information System
ICD-9	International Classification of Diseases, 9th Edition
μT	MicroTesla
RR	Relative risk

Introduction

Leukemia is the most common cancer among children. Childhood leukemia accounts for approximately 27% of all childhood cancers in the United States and 30–35% in Europe and Asia (e.g., Ireland, France, Germany, China) [1]. Acute lymphoblastic leukemia (ALL) is the most commonly diagnosed childhood cancer worldwide [2] and is more frequent in European and Hispanic populations [3]. According to data from populations covered by high-quality cancer registries, the incidence of ALL has been estimated at 46.4 per 1 million children (i.e., one third of all new diagnoses) [3].

Though epidemiological studies have identified several potential genetic and environmental risk factors for childhood leukemia, uncertainties still surround their causes, the presence of dose-response relations, and the presence of thresholds for environmental contaminants to increase disease risk [4–16]. Air pollution generated by motorized traffic and industrial sources is one of these putative risk factors [17]. The International Agency for Research on Cancer (IARC) classified outdoor air pollution and particulate matter from outdoor air pollution as carcinogenic to humans (IARC Group 1), based on sufficient evidence of carcinogenicity in humans and experimental animals and strong mechanistic evidence. Among traffic pollutants, there is benzene, a designated Group I carcinogen by the IARC that is associated with adult leukemia and lymphomas [18–20], and there is consistent evidence indicating that benzene exposure increases the risk of childhood leukemia [21]. A harmful effect of benzene is still conceivable even at the much lower air pollution levels documented in western countries during the last decades [22].

In urban areas, the highest concentrations of atmospheric pollutants have been found near high-traffic roads. However, since pollutants are emitted during fuel refueling activities and petrol leaks, petrol stations are also considered potential sources of exposure to air pollutants, such as 1,3-butadiene and in particular benzene [23, 24]. Primary petrol compounds enter the air of gas stations due to high evaporation of gasoline. A recent study evaluated the concentration of these compounds in the ambient air of gas stations [23] and found benzene concentrations ranged from about 1 to more than 5 ppm, higher than the recommended exposure limit, 0.1 ppm time weighted average, by The National Institute for Occupational Safety and Health [25, 26].

Some studies have assessed the contribution of petrol refueling stations to the pollutants concentrations in their wider vicinity, finding higher levels of pollutants not only close to the pumps, but also throughout the whole service station area and some distance beyond (50–100 m) [24,

27–30], depending on station fueling activity and meteorological conditions [29, 31]. To our knowledge, however, no studies have considered the station's activity when estimating effects of exposure on disease risk, despite the levels of pollutant concentrations around stations being strongly dependent on the amount of fuel delivered [31, 32].

We assessed the extent to which residential exposure to gasoline service stations was associated with risk of childhood leukemia in Northern Italy, by considering both distance from the stations located within proximity of the residence and gas station activity. We also critically summarized existing epidemiologic evidence on the risk of childhood leukemia following long-term exposure to gasoline service stations, updating a previous meta-analysis on this topic [33].

Methods

Case and control selection

Following the Ethics Committee approval [14, 16, 34], we have identified all newly-diagnosed cases of childhood leukemia (ICD-9 codes 204–208) in the 0–14 aged population of Modena and Reggio Emilia, two provinces in Northern Italy (population around 1,200,000), from 1998 to 2019. Details for case and control identification have been described elsewhere in detail [35]. Briefly, we identified the cases through the Italian hospital-based registry of childhood malignancies, available from the Italian Association of Pediatric Emato-Oncology (AIEOP) and capturing all cancer cases arising in Italy [36]. The referent population included four children for each case, matched on sex, year of birth, and province of residence during the year of diagnosis, randomly selected among those enrolled in the National Health Service directory of the Modena and Reggio Emilia provinces, where all residents are compulsorily registered.

We collected data on residential address at time of diagnosis for cases from the AIEOP databased, and in the corresponding year for their matched controls using the historical population database of the National Health Service. We geocoded the home buildings within a Geographical Information System (GIS) using Arc-GIS software (version 9.2, ESRI, Redlands, CA 2006). The satellite coordinates of the residences were retrieved using methodology based on an official geocoding database made available by the Modena and Reggio Emilia Province and, for addresses not included in the database, through the Google Earth App or direct *in loco* measurement using a portable GPS device (GPSmap 60CSx, Garmin Int. Corp., Olathe, KS) [16, 34, 35]. To identify petrol stations, we obtained information from the Trade Observatory of the Emilia-Romagna Region about all the 859 facilities located in the territory of Modena and

Reggio Emilia provinces. All stations were georeferenced in the GIS through Google Earth or *in loco* measurements, focusing on the exact position of the pumps whenever possible, or to the geometric center of the station area.

Exposure to petrol station

We assessed exposure to petrol stations in two ways. First, petrol station exposure was expressed as distance from home to the nearest petrol station divided into categories with the following cut points: 50, 200, 500, 1000 and over 1000 m.

Secondly, we estimated the activity of each station in terms of fuel sold over an entire year, and we assessed child exposure to all stations located up to 1000 m around the residences. For this purpose, through record-linkage with the database provided by the Trade Observatory of the Emilia-Romagna Region, we retrieved the average daily quantity (L/day) of fuel sold in each petrol station in the year of leukemia diagnosis for cases and their matched controls. The total average daily quantity of fuel supplied by all the petrol stations located within 250 m buffer around residence was computed for each study participant. For this analysis, we then categorized petrol station exposure based on the amount of supplied fuel as follows: 0 = no petrol stations within the 250 m-buffer; 1 = fuel supply until 149 L/day within the 250 m-buffer; 2 = fuel supply ≥ 150 until 999 L/day within the 250 m-buffer; and 3 = fuel supply ≥ 1000 L/day within the 250 m-buffer.

Confounders

We considered several potential confounders in multivariable analysis. We modeled outdoor air concentration of PM₁₀ at the residence of each child, using the California LINE Source Dispersion Model, version 4 (CALINE4 - Sacramento CA, Dept. of transportation, Division of New Technology and Research, 1989), a line source air quality model, based on vehicular traffic flow parameters and meteorological data [34]. We also modeled the magnetic fields generated by the 132 kV power lines possibly located close to the child's residence in the study territory using a methodology previously validated and explained in detail [16, 37]. We also included as adjustment factor to the multivariable analysis the presence of indoor transformer stations in the building of residence, using information about high-voltage power line net and transformer stations in the two study provinces made available by the Emilia-Romagna Regional Agency for Environmental Prevention and Energy (ARPAE). We then determined the urban and arable crop by calculating the percentage of the land use type in proximity to each geocoded home, based on a circular area with a radius of 100 m around the residence of each child according to the

Land Use Map 2014 for both Modena and Reggio Emilia provinces [14, 38, 39].

We also collected information on socio-demographic variables maternal age and ethnicity using birth certificate data provided by the Local Health Authorities of Modena and Reggio Emilia, and parental annual income for the index year by the Italian Revenue Agency of the Ministry of Finance.

Data analysis

We estimated the risk ratio (RR) of childhood leukemia in relation to categorical distance (categorized as < 20, 50 - < 200, 200 - < 500, 500 - < 1000 and ≥ 1000 m) to the nearest petrol station by computing the disease odds ratio and its 95% confidence interval (CI) using conditional logistic regression models, with matching for age, sex and province of residence. In the multivariable models, we included as potential confounders the following variables: modeled PM₁₀ concentrations, calculated ELF-MF (categorized as < 0.1, 0.1 - < 0.2, 0.2 - < 0.4 and ≥ 0.4 μ T) [16], presence of electric transformer rooms near the building of residence (categorized as < 5 m, ≥ 5 - < 10 m, ≥ 10 - < 20 m, ≥ 20 m), percentage of urban area providing information related to the type of neighborhood within the 100 m-buffer around the residence [35], and percentage of arable crops within the 100 m-buffer around the residence (continuous) as related to pesticide exposure [14]. In addition, in a subgroup analysis for participants having additional information available, we added maternal ethnicity (categorized as white, Black or Asian), father income, and maternal age at delivery (continuous). We also conducted subgroup analyses by child's age of diagnosis (< 5 and ≥ 5 years), and restricted to ALL, the only cancer subtype with sufficient numbers for meaningful analyses. We used restricted cubic splines to model the shape of the association. We selected the number of knots using the Akaike Information Criterion (AIC) and the knot-placement method [40] to assess the association between residential distance from the nearest petrol station and RR of leukemia through a nonlinear model based on restricted cubic splines, using three knots at fixed distances (50, 200, and 500 m) and ≥ 1000 m as the reference.

Updated systematic review and meta-analysis

We performed a systematic literature search (PROSPERO registration no. CRD42023402919) using online databases PubMed/MEDLINE, Web of Science and EMBASE from inception up to April 3, 2023 according the PRISMA guidelines [41]. We also used citation chasing methods namely backward and forward reference list scanning to retrieve additional eligible papers. Two authors (TF and MV) performed the screening of title/abstract and then of the full-text

with the help of a third author (MM) to solve disagreement. According PECOS (population, exposure, comparison, outcome and study design) statement, we searched all observational studies that have investigated the risk of childhood leukemia in relation to exposure to petrol station using either proximity of children residence or modelled exposure. We used keywords related to 'petrol' or 'gasoline station' and 'childhood' or 'infant leukemia'. Details of literature search are reported in Supplemental Table S1. We assessed the risk of bias (RoB) of included studies using the Newcastle - Ottawa quality assessment scale (NOS). Details of criteria for study evaluation are reported in Supplemental Table S2. Two authors independently performed the RoB assessment (MM and TF), with discrepancies solved based on the review of a third author (MV). We carried out a highest versus lowest exposure meta-analysis of all eligible studies using a random-effects model, and we performed stratified analysis according exposure assessment method (i.e., using questionnaires or georeferencing data). Finally, we assessed potential for publication bias using a funnel plot and Egger's test.

Results

The study enrolled 183 incident cases of childhood leukemia, of which 148 were cases of lymphoblastic leukemia ALL, and 732 matched controls. We excluded one case (alongside the respective controls) and two additional eligible controls due to missing residential information. The final analysis included 182 cases (98 males and 84 females) and 726 age-and sex-matched population controls. The

average age at diagnosis was 6.2 years (standard deviation: 3.9), with corresponding median value of 5.7 years (inter-quartile range-IQR: 3.0–9.0). The median values (IQR) for cases and controls of the adjustment variables were: fuel supply (L/day) within the 1000 m-buffer = 804 (0–2454) and 868 (0–2255); PM_{10} ($\mu g/m^3$) = 4.9 (2.4–8.3) and 4.6 (2.0–7.8); urban area within the 100 m-buffer around the residence = 0.6 (0.4–0.8) and 0.6 (0.4–0.8); arable crops within the 100 m-buffer around the residence = 0.0 (0.0–0.1) and 0.0 (0.0–0.1), respectively. Distribution for ELF-MF was categorized as follows: <0.1 μT for 180 cases and 725 controls; 0.1 - <0.2 μT for 0 cases and 1 control; 0.2 - <0.4 μT for 1 case and 0 controls and ≥ 0.4 μT 1 case and 0 controls. Electric transformer rooms near the building of residence were categorized for cases and controls as follows: ≥ 20 m for 178 cases and 709 controls; ≥ 10 and <20 m for 2 cases and 10 controls; ≥ 5 and <10 m for 1 case and 4 controls; <5 m for 1 case and 3 controls. Data on the distribution of cases and controls by residential proximity to the nearest petrol station and by exposure category are reported in Table 1.

RRs for leukemia risk according to residential proximity to the nearest petrol station are shown in Table 2. Compared to those living ≥ 1000 m, RRs for children living <50 m were 2.3 (95% CI 0.5–10.0) and 2.2 (95% CI 0.5–9.4) in crude and adjusted analyses, respectively. Corresponding RRs were stronger in analyses confined to ALL cases: 2.8 (95% CI 0.6–13.2) and 2.9 (95% CI 0.6–13.4), respectively.

The age-stratified results are presented in Table 2. Focusing on children whose residence was extremely close to petrol station (<50 m), we found an increased risk among older children (age ≥ 5 years) of 4.3 (95% CI 0.6–32.4) compared with 1.2 (95% CI 0.1–12.2) among younger children

Table 1 Distribution of study population (cases and controls) by distance from residence to the nearest petrol station and category of exposure to air pollutants emissions from the nearby station

	All leukemias			Acute lymphoblastic leukemia (ALL)		
	All subjects	< 5 years	≥ 5 years	All subjects	< 5 years	≥ 5 years
Distance to the nearest petrol station, meters						
≥ 1000 (Referent)	48/185	23/83	25/102	38/145	19/63	19/82
500–< 1000	53/214	22/93	31/121	44/177	17/72	27/105
200–< 500	58/242	25/113	33/129	47/202	20/94	27/108
50–< 200	20/80	12/40	8/40	16/62	9/33	7/29
< 50	3/5	1/3	2/2	3/4	1/2	2/2
All subjects	182/726	83/332	99/394	148/590	66/264	82/326
Class of exposure ^a						
0 (Referent)	146/608	64/278	82/330	118/497	51/219	67/278
1	4/12	2/6	2/6	4/11	2/5	2/6
2	21/76	14/34	7/42	18/59	11/28	7/31
3	11/30	3/14	8/16	8/23	2/12	6/11
All subjects	182/726	83/332	99/394	148/590	66/264	82/326

^aExposure category: 0=no petrol stations within 250 m-buffer; 1=fuel supply until 149 L/day within 250 m-buffer; 2=fuel supply ≥ 150 until 999 L/day within 250 m-buffer; 3=fuel supply ≥ 1000 L/day within 250 m-buffer

Table 2 Distance from residence to the nearest petrol station and risk of childhood leukemia

Distance to the nearest petrol station, m	All subjects RR (95% CI)	Age < 5 years RR (95% CI)	Age ≥ 5 years RR (95% CI)
<i>Bivariate model^a</i>			
All leukemias			
≥ 1000 (Referent)	1.0	1.0	1.0
500–< 1000	1.0 (0.6–1.6)	0.9 (0.4–1.6)	1.1 (0.6–2.0)
200–< 500	0.9 (0.6–1.4)	0.8 (0.4–1.6)	1.1 (0.6–2.0)
50–< 200	1.0 (0.5–1.8)	1.1 (0.5–2.4)	0.9 (0.4–2.1)
< 50	2.3 (0.5–10.0)	1.2 (0.1–12.2)	4.3 (0.6–32.4)
ALL			
≥ 1000 (Referent)	1.0	1.0	1.0
500–< 1000	1.0 (0.6–1.6)	0.7 (0.3–1.6)	1.2 (0.6–2.3)
200–< 500	0.9 (0.6–1.5)	0.7 (0.4–1.5)	1.2 (0.6–2.3)
50–< 200	1.0 (0.5–2.0)	0.9 (0.4–2.3)	1.2 (0.4–3.1)
< 50	2.8 (0.6–13.2)	1.6 (0.1–18.8)	4.7 (0.6–36.0)
<i>Multivariable model^b</i>			
All leukemias			
≥ 1000 (Referent)	1.0	1.0	1.0
500–< 1000	0.9 (0.6–1.5)	0.8 (0.4–1.6)	1.1 (0.6–2.1)
200–< 500	0.9 (0.5–1.5)	0.8 (0.4–1.7)	1.1 (0.5–2.2)
50–< 200	1.0 (0.5–1.9)	1.0 (0.4–2.5)	1.0 (0.4–2.7)
< 50	2.2 (0.5–9.4)	1.1 (0.1–11.4)	3.6 (0.5–27.6)
ALL			
≥ 1000 (Referent)	1.0	1.0	1.0
500–< 1000	1.0 (0.6–1.7)	0.7 (0.3–1.6)	1.3 (0.6–2.7)
200–< 500	1.0 (0.6–1.7)	0.7 (0.3–1.7)	1.4 (0.6–2.9)
50–< 200	1.2 (0.5–2.5)	0.9 (0.3–2.5)	1.7 (0.6–5.0)
< 50	2.9 (0.6–13.4)	1.6 (0.1–19.4)	4.4 (0.6–34.1)

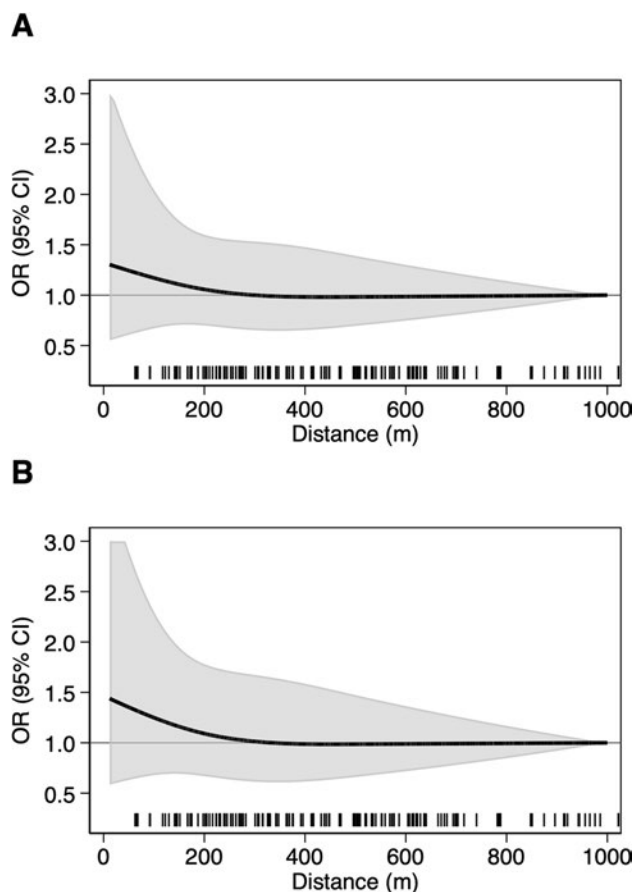
ALL acute lymphoblastic leukemia

^aMatched on sex, age and province of residence^bAdjusted for fuel supply within the 1000 m-buffer, PM₁₀, ELF-MF from high-voltage power lines, indoor transformer stations, urban area and arable crops

(age < 5 years) in the bivariate model. When limiting the analysis to ALL cases in the bivariate model, RRs were 1.6 (95% CI 0.1–18.8) among younger children and 4.7 (95% CI 0.6–36.0) among older children. In multivariable analysis, we found relatively similar RRs for all leukemia cases and as well as ALL cases (Table 2).

In spline regression analyses for overall leukemia (Fig. 1) and ALL (Fig. 2), residential proximity to a petrol station was positively associated with leukemia risk only within close proximity of the station (< 50 m): RR = 1.4 (95% CI 0.6–2.9).

When we considered all the petrol stations located within 250 m of the child's residence, as well as the total amount of gasoline sold by the station the year before the index year, RRs for leukemia were 1.6 (95% CI 0.8–3.2) and 1.6 (95%

**Fig. 1** Spline regression analysis assessing the risk ratio of childhood leukemia according to distance of child's residence from the closest petrol station. Restricted cubic spline with three knots at fixed distances (50, 200, and 500 m). **A** Bivariate model; **B** Multivariable model

CI 0.7–3.3) in bivariate and multivariable analyses, respectively, for the highest category of exposure (Table 3), with no indication of monotonic relation across the exposure categories. Corresponding RR estimates for ALL were 1.5 (0.6–3.5) and 1.5 (0.6–3.8). Older children (age ≥ 5 years) living inside buffer of 250 m with petrol stations that have sold more than 1000 L/day had a higher risk of leukemia overall (bivariate and multivariable models: RR = 2.1, 95% CI 0.8–5.1 and RR = 2.4, 95% CI 0.9–6.1, respectively), and of ALL (RR = 2.4, 95% CI 0.8–7.2 in the bivariate model and RR = 3.4, 95% CI 1.0–11.1 in the multivariable model). In the remaining categories of exposure, there was no clear association, neither evidence of dose-response trends. Sensitivity analyses among subjects with complete data on demographic variables, specifically maternal ethnicity and paternal income, showed similar though less precise results (Supplemental Table S3) when compared with the overall analysis and the analysis among the same subgroup without adjusting for these additional variables.

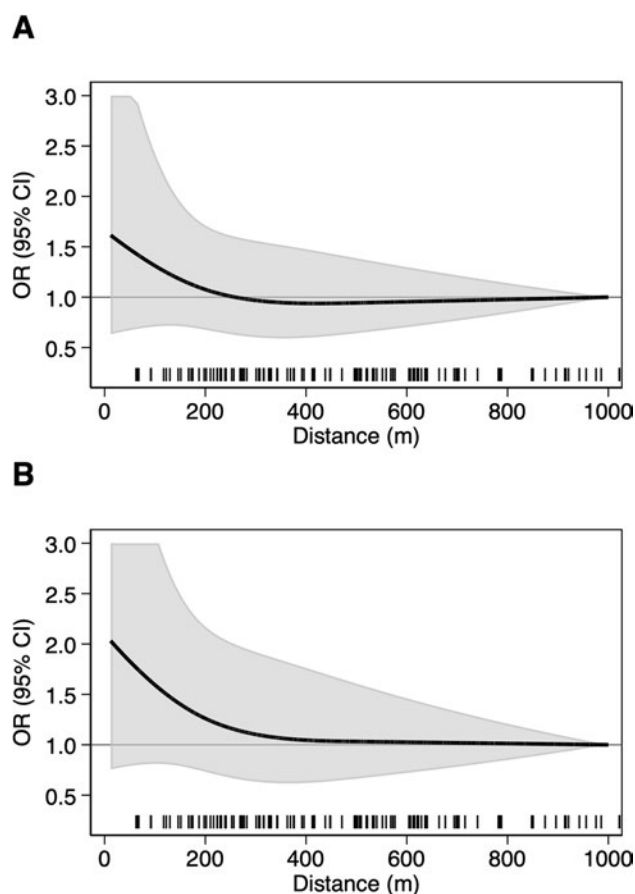


Fig. 2 Spline regression analysis assessing the risk ratio of childhood acute lymphoblastic leukemia (ALL) according to distance of child's residence from petrol station. Restricted cubic spline with three knots at fixed distances (50, 200, and 500 m). **A** Bivariate model; **B** Multivariable model

In the systematic review and meta-analysis, our literature search retrieved 31 records after removal of duplicates. We then excluded 20 studies after title/abstract screening and an additional six studies after full-text evaluation as they assessed benzene exposure during parental occupation only ($n=1$), petrol station exposure was not evaluated ($n=2$), or were conference abstract ($n=1$) or commentaries ($n=2$) (Supplemental Figure S2). We retrieved one additional study [42] through citation chasing, leading to a total of six studies for analysis not including the present study. Characteristics of retrieved studies are reported in Table 4. The ages of the study populations for all in the range 0–14 years, with dates of diagnosis ranging from 1985 to 2019. All studies had a case-control design, including a case-cohort study [33]. Three studies investigated exposure to petrol station using questionnaire [42–44], although one study assessed exposure to both petrol station and car repair garage [43]. One study validated questionnaire-based exposure using georeferencing

Table 3 Class of exposure within a 250-meter buffer from petrol stations considering gasoline distributed, and risk of childhood leukemia

Class of exposure	All subjects RR (95% CI)	<5 years RR (95% CI)	≥5 years RR (95% CI)
<i>Bivariate model^a</i>			
All leukemias			
0 (Referent)	1.0	1.0	1.0
1	1.4 (0.4–4.3)	1.6 (0.3–8.4)	1.2 (0.2–6.2)
2	1.2 (0.7–1.9)	1.8 (0.9–3.6)	0.7 (0.3–1.6)
3	1.6 (0.8–3.2)	0.9 (0.2–3.2)	2.1 (0.8–5.1)
ALL			
0 (Referent)	1.0	1.0	1.0
1	1.5 (0.5–4.8)	2.0 (0.4–11.0)	1.3 (0.3–6.4)
2	1.3 (0.7–2.3)	1.7 (0.8–3.8)	1.0 (0.4–2.4)
3	1.5 (0.6–3.5)	0.6 (0.1–3.0)	2.4 (0.8–7.2)
<i>Multivariable model^b</i>			
All leukemias			
0 (Referent)	1.0	1.0	1.0
1	1.4 (0.4–4.4)	1.5 (0.3–7.9)	1.4 (0.3–7.5)
2	1.2 (0.7–2.1)	2.0 (1.0–4.1)	0.7 (0.3–1.7)
3	1.6 (0.7–3.3)	0.8 (0.2–3.1)	2.4 (0.9–6.1)
ALL			
0 (Referent)	1.0	1.0	1.0
1	1.6 (0.5–5.0)	1.8 (0.3–10.1)	1.5 (0.3–8.1)
2	1.4 (0.8–2.5)	2.0 (0.9–4.5)	1.0 (0.4–2.6)
3	1.5 (0.6–3.8)	0.6 (0.1–3.0)	3.4 (1.0–11.1)

ALL acute lymphoblastic leukemia

^aMatched on sex, age and province of residence

^bAdjusted for PM₁₀, ELF-MF from high-voltage power lines, indoor transformer stations, urban area and arable crops

^cClass of exposure: 0=no petrol stations within the 250 m-buffer; 1=fuel supply until 149 L/day within the 250 m-buffer; 2=fuel supply ≥ 150 until 999 L/day within the 250 m-buffer; 3=fuel supply ≥ 1000 L/day within the 250 m-buffer

data [44]. The three remaining studies used georeferencing data for exposure assessment [33, 45, 46], one in particular through evaluation of petrol station density (number of stations per km²). Results of the bias assessment are reported in Supplemental Table S4.

Meta-analysis of the results of the aforementioned six studies plus those generated by the present study are reported in Fig. 3, showing a summary RR of 1.66 (95% CI 1.14–2.41). Analyses stratified by modality of exposure assessment yielded similar results, with lower precision for studies based on questionnaire data (Supplemental Figure S3). Sensitivity analysis excluding the study assessing also proximity of car repair garages showed consistent results, yielding a summary RR of 1.50 (95% CI 1.05–2.15) (Supplemental Figure S4). The sensitivity analysis restricted to four “high-quality” studies (NOS score ≥ 8) still showed an elevated disease risk with RR = 1.80 (95% CI 1.37–2.38)

Table 4 Characteristics of studies included in the systematic review

Reference	Design	Region	Cases/non cases	Age (years)	Diagnosis	Assessment	Risk estimate	Adjusting factors
Abdul Rahman 2008 [42]	Case-control	Klang Valley, Malaysia	128/128	<15	2001–2007 acute leukemia	Questionnaire: distance of residence at the time of diagnosis from a petrol station ≤ 1 km vs. > 1 km	OR: 0.84 (95% CI 0.50–1.41)	Crude
Brosselin 2009 [44]	Case-control	France	765/1681	<15	2003–2004 acute leukemia	Questionnaire: Ever (vs. never) lived in proximity (not described in detail) to a petrol station and/or automotive repair garage Data validated using georeferencing data	Repair garage: OR: 1.4 (95% CI 1.0–2.0) Petrol station: OR: 1.9 (95% CI 1.2–3.0) Any: OR: 1.6 (95% CI: 1.2–2.2) Any by period: Childhood: OR: 1.3 (95% CI 0.9–1.9) During pregnancy: OR 1.4 (95% CI 1.0–2.1) Both: OR: 1.7 (95% CI: 0.9–3.4) Repair garage: OR: 1.5 (95% CI: 0.9–2.3) Petrol station: OR: 2.0 (95% CI: 1.0–4.0) Any: OR: 1.6 (95% CI 1.9–2.3) Both: OR: 1.8 (95% CI 0.9–3.5) Repair garage: OR: 0.8 (95% CI: 0.2–2.5) Petrol station: OR: 2.5 (95% CI: 0.7–8.8) Any: OR: 1.1 (95% CI 0.5–2.5) Both: OR: 0.8 (95% CI 0.1–6.2)	Age, sex, number of children < 15 years living in the household, and stratification variables
Harrison 1999 [46]	Case-control	West Midlands, UK	130/251	0–15	1990–1994 acute leukemia	Georeferencing data: petrol station proximity (≤ 100 m vs. > 100 m)	OR: 1.99 (95% CI 0.73–5.43) IR: 1.48 (95% CI 0.65–2.93)	Crude

Table 4 (continued)

Reference	Design	Region	Cases/non cases	Age (years)	Diagnosis	Assessment	Risk estimate	Adjusting factors
Mazzei 2022 [33]	Case-cohort	Swiss	1880/18,800	0–15	1985–2015	Georeferencing data: petrol station distance < 50 m vs. ≥ 500 m	OR: 1.08 (95% CI 0.46–2.51)	Age- and sex-matched. Adjusted for NO ₂ distance to the nearest highway, socio-economic position of the immediate neighborhood area, degree of urbanization of the municipality of residence, and years of existence of a general cantonal cancer registry
Steffen 2004 [43]	Case-control	Nancy, Lille, Lyon and Paris, France	280/285	0–14	1995–1999 acute leukemia	Face-to-face interview: vicinity (< 50 m for traffic) of dwellings neighboring including petrol station or repair garage	Childhood: OR: 4.0 (95% CI 1.5–10.3) During pregnancy: OR: 2.2 (95% CI 0.9–5.7)	Age, sex, center, and ethnic origin
					ALL		Childhood: OR: 7.7 (95% CI 1.7–34.3)	
					AML		Childhood: OR: 3.6 (95% CI 1.3–9.9)	
Weng 2009 [45]	Case-control	Taiwan	729/729	0–14	1996–2006 acute leukemia	Petrol station density (n/km ²) in tertiles: T1: ≤ 0.149 (median 0.065); T2: 0.150–0.395 (0.225); T3: 0.399–2.692 (0.585)	T2 - OR: 1.45 (95% CI 1.06–1.98) T3 - OR: 1.91 (95% CI 1.29–2.82)	Sex, year of birth, year of death, and urbanization level
This study	Case-control	Italy	182/726	0–14	1998–2019 acute leukemia	Georeferencing data: petrol station proximity (≤ 50 m vs. > 1000 m) Modeling using also fuel supply data divided in four categories	Proximity 2.2 (95% CI 0.5–9.4) Modeling 1.6 (95% CI 0.7–3.3)	Age- and sex-matched. Adjusted for PM ₁₀ , ELF-MF from high-voltage power lines, indoor transformer stations, urban area and arable crop
			148/590		ALL		Proximity 2.9 (95% CI 0.6–13.4) Modeling 1.5 (95% CI 0.6–3.8)	

(Supplemental Figure S5). The funnel plot showed some evidence of publication bias (Supplemental Figure S6).

Discussion

In this study, we examined childhood leukemia risk in relation to proximity to petrol stations. We observed an increased leukemia risk, though imprecise, when assessing exposure as distance from residence (< 50 m) to the nearest petrol station, while the excess risk associated with the intensity of activity of all stations located < 250 m from the residence was not as large. In both analyses no dose-response relation emerged, since a clear excess risk occurred only in the highest exposure category, suggesting the occurrence of a threshold of exposure to the fugitive chemical emissions from fuel pumps, heightening disease risk, mainly based on the distance from the station. This suggests a far higher relevance of close residential proximity to the gas station when compared with ‘moderate’ proximity and with the overall station refueling activity, in terms of increasing childhood leukemia risk.

While there are no previous studies based on the station activity, to the best of our knowledge, our results on residential distance from petrol station are consistent with three of the four studies carried out on the same topic. In a UK study [46] that estimated childhood cancer risks in relation to proximity to main roads and petrol stations, a slight increase in leukemia risk was found within 100 m from a petrol station (OR = 1.5, 95% CI 0.6–2.9). In a hospital-based case-control study in France [43], residence close to a petrol station or a repair garage during childhood was strongly associated with excess risk of childhood leukemia (OR = 4.0, 95% CI 1.5 to 10.3). This association was even stronger for acute non-lymphocytic leukemia (OR = 7.7, 95% CI 1.7 to 34.3), and was not altered by adjustment for potential confounding factors. In 2009, Brosselin et al. [44] reported results of a large national registry-based case-control study ESCALE in France (2003–2004) indicating a strong positive association between living in a residence adjoining of a garage or petrol station and acute childhood leukemia. However, these studies differed from ours regarding exposure definitions and assessment: while we classified children living within 50 m of a petrol station in the highest exposure category, the English study used a 100 m threshold and the French studies considered only children living close to a gas station, without specifying the exact distance, also assessing exposure through interviews with the children’s mothers and thus potentially affected by recall bias [43, 44]. In a case-control study carried out in Malaysia [42], and based on data collected through questionnaires, no association emerged, though the cut point used to refine residential exposure was quite large, not comparable to that used in the other studies

including our one and likely inadequate to detect any association (≤ 1 km vs. > 1 km from a petrol station).

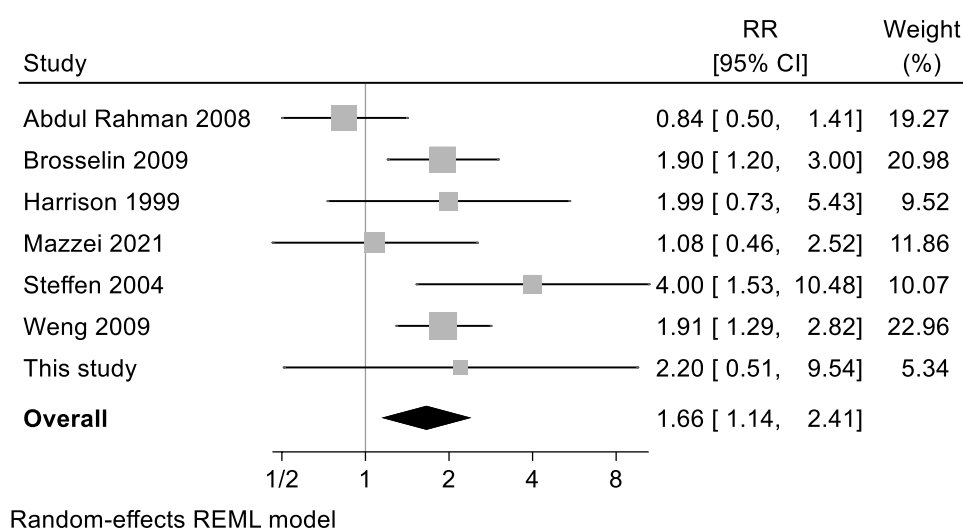
An additional case-control study [45] revealed an exposure-response relation between petrol station density (per square kilometer), as a marker of traffic-related air pollution, and the risk of leukemia in young children. A nationwide case-control study carried out in Switzerland (during 1985–2015) found evidence of an increased risk of childhood cancer (all diagnoses combined) among children living in close vicinity (< 50 m vs. ≥ 500 m) of petrol stations [33].

A relevant distinct feature of the present analysis is the integration of data on petrol station activity along with its distance from the child’s residence. There is clear evidence from studies of gas station workers that their exposure to air pollutants is positively related to the volume of refueling in petrol stations, as well as the confinement of pollutants in semi-closed spaces of the work place [25, 47–49].

Our results showed a direct relation between residing in close proximity to a petrol station and risk of leukemia, both based on fixed cut points of distance from the stations and modeling exposure through a combination of distance and gas station activity. Associations were strongest for ALL cases in older children (age ≥ 5 years), with a two-fold increased risk for children in the category of major exposure (< 50 m) and a four-fold increased risk among children diagnosed after 5 years. The latter finding might be ascribed to a higher cumulative exposure among older children, due to both their age and to their tendency to spend more time outside. Such excess risk may persist up to 250 m from the gas station also depending on their activity, a plausible finding given the results of air monitoring studies [31, 50].

In this study, we assessed exposure without requiring any active participation by study participants and their families, nor by petrol station personnel, thus avoiding selection and information bias, as individual participation was not needed. We also carried out the exposure assessment in a blinded manner with reference to the case and control status of the participants. A potential limitation of our study is that information on the activity of each petrol station was available during 1998–2017 only. Since our study includes children with diagnoses that occurred from 1998 to 2019, we decided to consider, for the last two years 2018–19 and for each station, the fuel supply corresponding to the most recent year available: 2017. Residual or unmeasured confounding could have also been possible, and some demographic characteristics were unavailable for many study participants as well as complete information about medical imaging procedures [4]. A sensitivity analysis limited to study participants accounting for all potential confounders measured yielded similar results to the analysis carried out without such more comprehensive adjustment, both in this subgroup and in the entire study population, suggesting that the demographic factors for which we lacked complete information were not a major

Fig. 3 Forest-plot of the meta-analysis of the association between petrol station exposure and childhood leukemia risk. The area of each grey square is proportional to the inverse of the variance of the estimated log risk ratio (RR) and horizontal lines represent their 95% confidence intervals (CIs). The black diamond represents the combined RR using the random-effects restricted maximum likelihood (REML) model. The solid vertical line represents RR = 1



source of confounding. However, we may not have collected and controlled for all relevant confounders of the associations (e.g., using paternal income as a proxy for household income, or lacking information about exposure to ionizing radiation for diagnostic purposes), and therefore some effect of residual confounding in biasing our results could not be entirely ruled out [51]. We also acknowledge the statistical instability of our risk estimates, due to the very limited number of exposed children, a limitation suggesting caution in interpreting our results, though being consistent with the results from the other comparable studies as reflected by the pooled estimates of the meta-analysis. Finally, we acknowledge the potential for exposure misclassification associated with lack of historical residential stability or time spent at home (e.g., a substantial part of the daytime hours may have spent at a different residence (e.g., grandparents' home, school, or day care). However, while we could not comprehensively assess residential mobility or time spent at one's residence since the study design did not include a direct contact with children's families, residential stability of the study participants was likely to be high (> 70% for all children and > 82% for children less than 5 years) based on data previously ascertained in subgroup of the study population [14, 16, 34].

Supplementary Information The online version contains supplementary material available at <https://doi.org/10.1007/s10654-023-01009-0>.

Authors contribution MV and CM conceived the study. Material preparation and data collection were performed by MM, CM, TF, AB, GP, MC and SC. Data analyses were performed by MM, CM, TF and MV. The first draft of the manuscript was written by MM and CM; and all authors commented on previous versions of the manuscript. All authors read and approved the final manuscript.

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Declarations

Competing interests LAW is a consultant for AbbVie Inc. and the Gates Foundation, and has received in-kind donations for primary data collection in PRESTO from Swiss Precision Diagnostics and Kindara.com. All other authors declare that they have no competing interests.

Ethics approval This study was performed in line with the principles of the Declaration of Helsinki. Approval was granted by the Modena Ethics Committee (approval number 1103/2020/OSS/AUO/MO).

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NEWSFEED (/CATEGORY/NEWSFEED)

Children Living Near Gas Stations Face Higher Cancer Risk

Gasoline vapor recovery systems can reduce emissions during fueling and can help lower the cancer danger.

May 14, 2026 By Eva Lorenz

Children (/tag/children) who live within 250 meters (820 feet) of a gas station are more likely to develop leukemia (/tag/leukemia) or other childhood cancers (/tag/childhood-cancer); what's more, the risk (/tag/cancer-risk) increases the closer the child's home is to the gas pump, according to findings of a study published in Environmental Pollution (<https://www.sciencedirect.com/science/article/pii/S0269749126001077>).

"Research suggests that only 5% to 10% of childhood cancers are attributable solely to genetics (/tag/genetics), while the rest are due to other factors, particularly environmental (/tag/environment) ones," said senior researcher and study author Stéphane Buteau, PhD, in a press statement from the University of Montreal (<https://nouvelles.umontreal.ca/en/article/2026/04/30/living-near-a-gas-station-increases-cancer-risk>), where Buteau is a professor in the Department of Environmental and Occupational Health.

Leukemia, a blood cell cancer, is the most common cancer diagnosed among children and teenagers (/tag/teenagers). In fact, one out of three young people living with cancer have a type of leukemia, according to the American Cancer Society (<https://www.cancer.org/cancer/types/leukemia-in-children.html>).

The cause of childhood leukemia is unknown. The Leukemia Research Foundation (<https://leukemiarf.org/leukemia/childhood-leukemias/>) notes that certain genetic syndromes, such as Down syndrome (/tag/Down-syndrome), neurofibromatosis and Fanconi anemia, or medications (/tag/medication), like chemotherapy (/tag/chemotherapy) or immunosuppressants, increase risk. Environmental exposure to radiation (/tag/radiation), chemicals, pesticides (/tag/pesticides) or infections (/tag/infection) can also increase risk.

The air pollutant benzene, used in industrial manufacturing and found in gasoline and cigarette smoke, has been shown to play a role in the development of childhood cancer (<https://pmc.ncbi.nlm.nih.gov/articles/PMC12541972/>). The chemical ([/tag/chemical](#)) is released into the air during gasoline storage, vehicle refueling and the unloading of tanker trucks, but the extent to which benzene exposure from gas stations contributes to cancer risk on children was previously unknown.

Canadian researchers used administrative health data for 1,535 children born in Quebec between 2007 and 2020 who developed cancer before age 15. Using the residential addresses of those who developed childhood cancer, the researchers assessed benzene exposure by the number of gas stations within a 250-meter radius, distance to the nearest gas station and a composite measure of distance and number of gas stations.

Living within 250 meters of at least one gas station was associated with a higher childhood cancer risk. As the distance to the gas station drew closer to 100 meters, the risk increased. Compared with newborns with no gas stations within 500 meters, newborns living within 100 meters of a gas station were 14% more likely to develop any cancer, 35% more likely to develop leukemia and 27% more likely to develop acute lymphoblastic leukemia ([/tag/acute-lymphoblastic-leukemia](#)).

Controlling vapor emissions at gas stations may limit increased childhood cancer risk. When researchers excluded Montreal ([/tag/Montreal](#)), which prohibits the transfer of petroleum products to gas stations or tanker trucks without vapor recovery systems, the likelihood of any cancer diagnosis was 42% greater for any cancer and 55% greater for leukemias.

“Such measures are simple and not costly to implement, and they would deliver major health benefits and help reduce inequalities in exposure (/tag/exposure) levels,” said Buteau (<https://nouvelles.umontreal.ca/en/article/2026/04/30/living-near-a-gas-station-increases-cancer-risk>).

To learn more about childhood cancer, read Cancer Health’s Basics on Leukemia (<https://www.cancerhealth.com/basics/health-basics/leukemia>) or click #Childhood Cancer (<https://www.cancerhealth.com/tag/childhood-cancer>).



Gasoline stations and risk of childhood cancer: a population-based cohort study in Quebec, Canada

Francois Brizard^a, Nathalie Auger^{b,c}, Audrey Smargiassi^{a,b,d}, Fabien Gagnon^b, Eric Robitaille^{d,e}, Hallie Coltin^{f,g}, Stephane Buteau^{a,b,d,*}

^a Department of Environmental and Occupational Health, School of Public Health, University of Montreal, Montreal, Quebec, Canada

^b Institut national de santé publique du Québec (INSPQ), Montreal, Quebec, Canada

^c University of Montreal Hospital Research Centre, Montreal, Quebec, Canada

^d Public Health Research Center (CReSP), Montreal, Quebec, Canada

^e CISSS des Laurentides, Saint-Jérôme, Quebec, Canada

^f Division of Hematology-Oncology, CHU Sainte-Justine, Montreal, Quebec, Canada

^g CHU Sainte-Justine Research Center, Montreal, Quebec, Canada

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ABSTRACT

Gasoline (petrol) stations emit benzene and other volatile organic compounds (VOCs) into ambient air, potentially increasing childhood cancer risk, though epidemiological evidence remains limited. We investigated whether residential proximity to gasoline stations at birth was associated with childhood cancer incidence. We conducted a population-based cohort study of 824,414 newborns in Quebec, Canada. We constructed three exposure metrics at the birth residence: A) number of gasoline stations within 250 m; B) distance to the nearest gasoline station; C) sum of inverse distances to all gasoline stations within 500 m categorized as quartiles. Associations with any cancer, any leukemia, and acute lymphoblastic leukemia (ALL) were estimated using Cox models adjusted for potential confounders. Higher childhood cancer risks were suggested when at least one gasoline station was within 250 m of the residence, with risk increasing as the distance to the nearest station decreased. For newborns residing within 100 m of a gasoline station, adjusted hazard ratios (HRs) were 1.14 (95 % CI: 0.80–1.63) for any cancer, 1.35 (0.74–2.47) for leukemia and 1.27 (0.63–2.59) for ALL, compared to those with no station within 500 m. When excluding Montreal where gasoline stations must control vapor emissions, HRs were 1.42 (0.93–2.18) for any cancer and 1.55 (0.72–3.30) for leukemias. For exposure metric C, the HR for the highest exposure quartile compared to those unexposed was 1.34 (1.01–1.77) for leukemia and 1.34 (0.97–1.84) for ALL. Residential proximity to gasoline stations may increase the risk of childhood cancer, particularly leukemia, supporting measures to limit VOC emissions.

1. Background

Childhood cancer, although rare, represents a major public health concern due to their severe physical, psychological, and social impacts on children and their families, as well as the substantial healthcare resources required for treatment (Blaney et al., 2021; Public Health Agency of Canada, 2012). Despite an improvement in 5-year overall survival from roughly 71 % in the 1980s (Ellison et al., 2009) to over 86 % in 2020, malignancies remain the leading cause of death among children aged 0–14 years (Centre for Surveillance and Applied Research & Public Health Agency of Canada, 2024). Furthermore, treatments are often intensive and lead to long-term health complications,

underscoring the need for prevention (Bhandari et al., 2025; Dixon et al., 2023). Among pediatric cancers, hematopoietic malignancies are particularly common, with leukemias representing about a third of diagnoses and affecting more boys than girls (Centre for Surveillance and Applied Research & Public Health Agency of Canada, 2024). Most leukemias in children are acute, particularly lymphoblastic, with a peak incidence at 3–4 years of age (Barrington-Trimis et al., 2017).

For most childhood cancers including leukemias, the etiology remains largely unknown. There is growing attention to environmental and early-life factors that may contribute to carcinogenesis during critical developmental windows, such as during pregnancy and early childhood. Among these factors, exposure to ambient air pollutants,

* Corresponding author. School of Public Health, University of Montreal, C.P. 6128 Succ. Centre-ville, Montréal, Qc, H3C 3J7, Canada.

E-mail address: stephane.buteau@umontreal.ca (S. Buteau).

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including volatile organic compounds such as benzene, has raised concern (Canadian Cancer Society, 2023; Public Health Agency of Canada, 2012). Benzene is a well-established carcinogen to humans since 1982 (IARC, 2019). Its toxicity at high concentrations in occupational settings was rapidly recognized following the Pliofilm cohort studies, which provided strong evidence of an association with adult-onset leukemias (Rinsky et al., 1981). Benzene exerts hematotoxic effects even at low exposure levels, with no apparent threshold (Priority substances list assessment report : Canadian environmental protection act. Benzene, 1993). Benzene is extensively metabolized in the human body, with carcinogenicity resulting from oxidative stress, genotoxicity, impaired DNA repair, immunosuppression, and receptor-mediated effects (IARC, 2019). Although toxicity in occupational settings is well documented and growing evidence suggest that traffic-related benzene exposure may be associated with childhood leukemia (Filippini et al., 2019), uncertainty remains regarding the effects of low-level environmental exposure, especially early in life.

Gasoline stations (also known as petrol stations) emit benzene and other volatile organic compounds into the ambient air through evaporative fuel losses during routine operations and during tanker truck fuel unloading. Based on air dispersion models, Health Canada estimates that benzene emissions may pose an unacceptable health risk for the population living in the vicinity of gasoline stations (Health Canada, 2023). This conclusion was derived from risks of tumorigenicity following long-term inhalation of evaporative benzene emissions from gasoline, as well as developmental hemotoxicity in pregnant women exposed to short-term emissions during gasoline unloading by tanker trucks. However, this risk analysis did not specifically address childhood cancers, for which the evidence remains limited (Turner et al., 2025). Indeed, few individual-level epidemiological studies have examined the association between residential proximity to gasoline stations and childhood cancer risk (Abdul Rahman et al., 2008; Brosselin et al., 2009; Harrison et al., 1999; Malavolti et al., 2023; Mazzei et al., 2021; Norzaee et al., 2024; Steffen et al., 2004; Weng et al., 2009). These studies, all relying on a case-control design, have reported mixed results. Exposure definitions and assessment methods vary widely across the studies. In some instances, exposure was crudely classified as ever lived next to a gasoline station (Brosselin et al., 2009). Exposure was in some studies only assessed at the time of diagnosis (Malavolti et al., 2023; Mazzei et al., 2021; Norzaee et al., 2024) or death (Weng et al., 2009), which may not align with the etiologic window for childhood cancer. Adjustment for potential confounding factors was also limited in some of these studies (Brosselin et al., 2009; Harrison et al., 1999; Steffen et al., 2004). To contribute to this important yet understudied public health question, we leveraged a population-based birth cohort from Quebec, Canada to investigate the association between residential proximity to gasoline stations at birth and the risk of childhood cancer, with a focus on leukemia and acute lymphoblastic leukemia (ALL).

2. Methods

2.1. Study design and population

We conducted a population-based retrospective open birth cohort study derived from administrative health data (Gaspard et al., 2025). The cohort, constructed from the Maintenance and Use of Data for the Study of Hospital Clientele registry, encompassed hospital discharge summaries containing cancer diagnoses for all children born in Quebec hospitals, along with demographic information and linked maternal characteristics. The data included maternal 6-digit residential postal codes at birth typically correspond to a block face in densely populated urban areas (i.e., a single side of a street between two intersections). The study population included all births occurring between January 1, 2007, and December 31, 2020 with a follow-up until March 31, 2023. Children were censored upon a first cancer diagnosis, death, or reaching age 15, whichever occurred first.

2.2. Childhood cancer

We examined childhood cancer before the age of 15 years. The outcomes of interest were any cancer, and any leukemia. We also examined ALL the most common subtype of pediatric leukemia. We could examine acute myeloid leukemia or other rarer leukemia subtypes due to limited statistical power. Childhood cancers were identified and categorized using histology and topography codes according to the International Classification of Childhood Cancer, 3rd Edition (ICCC-3) (Steliarova-Foucher et al., 2005).

2.3. Exposure to gasoline stations

To develop exposure indicators, we extracted the geographic coordinates of all gasoline stations from the property assessment role for the province of Quebec for each year of the study (Ministère des affaires municipales et de l'habitation, 2025). Only gasoline stations in operation were considered. We calculated the Euclidian distances to all gasoline stations within 1000 m of the centroid of the residential postal code using GIS software (ArcGIS Pro). We considered only postal codes $\leq 0.5 \text{ km}^2$, on the basis that benzene emissions have a limited radius of influence (Health Canada, 2023), and that for larger postal codes ($> 0.5 \text{ km}^2$) it is uncertain that emissions may reach the residence. From these distances, we developed three exposure indicators, referred as metric A, B and C:

Metric A was defined as the number of gasoline stations within a 250 m radius of a postal code, categorized as 0, 1, or ≥ 2 stations. This 250 m threshold was selected based on mathematical modeling demonstrating that benzene concentrations decrease to background levels beyond this distance (Santé Canada, 2023).

Metric B was the distance to the nearest gasoline station. Consistent with previous studies, we examined this metric as categorical ($\leq 100 \text{ m}$, 101–250 m, 251–500 m, $> 500 \text{ m}$) (Malavolti et al., 2023; Mazzei et al., 2021; Norzaee et al., 2024), and also as a continuous variable among participants within 1000 m (Malavolti et al., 2023).

Metric C was the sum of inverse distances to all gasoline stations within a 500 m radius, to account for the cumulative intensity of exposure from multiple stations near the residence. This indicator was considered both as a 5 category (i.e., not exposed and quartiles among exposed), and a continuous variable.

2.4. Covariates

Following previous studies (Brosselin et al., 2009; Malavolti et al., 2023; Mazzei et al., 2021), we considered the following covariates: infant sex, mother's age at delivery (< 20 , 20–34, > 35 , unknown), urbanization level (rural: 0–400 inhabitants/ km^2 ; urban: > 400 inhabitants/ km^2), neighborhood socioeconomic quintile, and presence of maternal comorbidities. The socioeconomic quintile (Pampalon et al., 2009) and neighborhood urbanization levels were derived from Canadian censuses (2006, 2011, 2016, 2021). The information from the census year closest to each birth was used. Maternal comorbidities were selected based on our previous work (Gaspard et al., 2025), and included pre-existing hypertension or preeclampsia, anemia and other hematologic disorders, pregnancy-related obesity, and substance use disorders (Diagnostic codes are provided in Table S1).

Because gasoline stations may be located in areas with higher levels of air pollution, particularly linked to road vehicle emissions, we considered the ambient concentrations of nitrogen dioxide (NO_2), a pollutant commonly used as a marker of traffic-related pollution. We estimated average prenatal exposure using weekly mean NO_2 concentrations at 100 m resolution obtained from a national land use regression model, temporally scaled using National Air Pollution Surveillance data (Hystad et al., 2011, 2015). We also considered residential exposure to high-voltage electric lines (i.e. $\geq 200 \text{ kV}$) identified using OpenStreetMap data. Given that magnetic field intensity varies considerably

with wire configuration, electrical specifications and distance, and because high-voltage lines have been associated with childhood leukemia (Crespi et al., 2019), high voltage lines (≥ 200 kV) within 100 m of postal codes were included in the analysis.

2.5. Statistical analysis

Separately for each exposure metric, we evaluated the association between residential exposure to gasoline stations and the incidence of selected childhood cancer using Cox proportional hazard models with age from birth as the time scale. For metric C (i.e., sum of inverse distances to gasoline stations within 500 m) as a continuous variable, we simultaneously included a binary and a continuous exposure term in the regression model. The binary term provided an estimate of the risk among exposed (i.e., at least 1 gasoline station within 500 m) compared with unexposed (i.e., no gasoline station within 500 m), whereas the continuous term quantified the risk function within the exposed group.

All models were adjusted for sex, maternal age at delivery and comorbidities, urbanization level and neighborhood socioeconomic status. We further adjusted for ambient NO₂ concentrations, used as a proxy of traffic-related air pollution, and for proximity to power lines during pregnancy. When analysing exposure indicators as continuous variables, we considered potential nonlinearity by fitting the response function using natural cubic splines with 2 and 3 degrees of freedom with interior knots placed at equally spaced percentiles. The proportional hazards assumption was evaluated for all models using Schoenfeld

residuals.

In secondary analyses, we examined whether associations differed between Montreal and the rest of Quebec. Montreal, the largest city in Quebec, prohibits transfer of petroleum products to gasoline stations or tanker trucks without vapor recovery systems since 2001 (Ville de Montréal, 2022). In addition, motivated by recent findings indicating that maternal health conditions may enhance the association between air pollution and childhood leukemia (Gaspard et al., 2025), we performed subgroup analyses by the presence or absence of the previously mentioned maternal comorbidities.

3. Results

3.1. Description of the cohort

The final cohort included 824,414 children after excluding postal codes larger than 0.5 km² ($n = 253,450$), and individuals with missing postal code ($n = 4225$) and sex ($n = 4$). Table 1 presents the characteristics of the cohort. 1535 children were diagnosed with cancer before age 15 years, including 465 with leukemias and 359 with ALL. Most cancers were diagnosed before 5 years of age, and males accounted for 55 % of cancer and leukemia diagnoses. Residential postal codes of participants at birth had a mean area of 0.026 km² (median: 0.011 km²), and approximately 90 % were in urban areas.

Table 2 describes the distribution of the different categorical exposure metrics, whereas continuous exposures are summarized in

Table 1
Characteristics of the birth cohort, Quebec (Canada), 2007–2020.

	Whole cohort ($n = 824,414$)	Any cancer ($n = 1535$)	Leukemia ($n = 465$)	ALL ($n = 359$)
Demographics				
<i>Sex</i>				
Boys	422 831 (51 %)	843 (55 %)	255 (55 %)	192 (53 %)
<i>Birth year</i>				
2007–2008	110 437 (13 %)	322 (21 %)	99 (21 %)	71 (20 %)
2009–2010	119 426 (15 %)	292 (19 %)	95 (20 %)	77 (21 %)
2011–2012	120 685 (15 %)	249 (16 %)	81 (17 %)	61 (17 %)
2013–2014	120 136 (15 %)	204 (13 %)	58 (12 %)	48 (13 %)
2015–2016	119 241 (14 %)	201 (13 %)	67 (14 %)	55 (15 %)
2017–2018	118 356 (14 %)	165 (11 %)	43 (9 %)	33 (9 %)
2019–2020	115 833 (14 %)	102 (7 %)	22 (5 %)	14 (4 %)
<i>Age at cancer diagnostic</i>				
0–4 years	–	914 (60 %)	265 (57 %)	191 (53 %)
5–9 years		437 (28 %)	159 (34 %)	139 (39 %)
10–14 years		184 (12 %)	41 (9 %)	29 (8 %)
Maternal				
<i>Maternal age</i>				
<20 years	14,643 (2 %)	33 (2 %)	8 (2 %)	8 (2 %)
20–34 years	635,043 (77 %)	1186 (77 %)	367 (79 %)	284 (79 %)
≥ 35 years	170,299 (21 %)	310 (20 %)	89 (19 %)	66 (18 %)
Unknown	4429 (1 %)	6 (<1 %)	1 (<1 %)	1 (<1 %)
<i>Parity</i>				
0	415,762 (51 %)	789 (51 %)	236 (51 %)	185 (52 %)
1	281,561 (34 %)	508 (33 %)	153 (33 %)	120 (33 %)
≥ 2	122,662 (15 %)	232 (15 %)	75 (16 %)	53 (15 %)
Unknown	4429 (<1 %)	6 (<1 %)	1 (<1 %)	1 (<1 %)
<i>Maternal comorbidities</i>				
No	675,453 (82 %)	1265 (82 %)	380 (82 %)	291 (82 %)
Yes	144,532 (17 %)	264 (17 %)	84 (17 %)	67 (18 %)
Unknown	4429 (1 %)	6 (<1 %)	1 (<1 %)	1 (<1 %)
<i>Neighborhood socioeconomic status</i>				
Q1 (poor)	171,359 (21 %)	322 (21 %)	82 (17 %)	66 (19 %)
Q2	175,804 (21 %)	339 (22 %)	112 (24 %)	95 (26 %)
Q3	159,896 (19 %)	284 (19 %)	96 (20 %)	69 (19 %)
Q4	143,203 (17 %)	274 (18 %)	87 (18 %)	61 (17 %)
Q5	139,037 (17 %)	255 (17 %)	68 (15 %)	53 (16 %)
Unknown	35,115 (4 %)	61 (4 %)	20 (4 %)	15 (4 %)
<i>Urbanization level (urban/rural)</i>				
Urban	742,277 (90 %)	1403 (91 %)	412 (89 %)	316 (88 %)

Abbreviations: ALL, Acute lymphoblastic leukemia.

Note: Maternal comorbidities included pre-existing hypertension or preeclampsia, anemia and other hematologic disorders, pregnancy-related obesity, and substance abuse. Diagnostic codes used to identify these conditions are provided in Table S1.

Table 2

Distribution of categorical exposure indicators to gasoline stations in the birth cohort, Quebec (Canada), 2007–2020.

Metric of exposure	Whole cohort	Any cancer	Leukemia	ALL
<i>Metric A: number of gasoline stations within 250 m radius</i>				
0	710,361	1314	393	303
1	97,682	189	62	48
≥2	16,371	32	10	8
<i>Metric B: distance to the nearest gasoline station</i>				
>500 m	479,678	866	261	204
251–500 m	230,683	448	132	99
101–250 m	99,260	189	61	48
≤100 m	14,793	32	11	8
<i>Metric C: sum of inverse distances to all gasoline stations within a 500 m radius</i>				
Not exposed	479,682	866	261	204
Q1 (low exposure)	86,204	186	49	40
Q2	86,180	139	43	32
Q3	86,376	148	48	34
Q4 (high exposure)	85,972	196	64	49

Abbreviations: ALL, Acute lymphoblastic leukemias; Q, Quartile.

Note: For metric C, the quartiles ranges were as follows: Q1: ≤0.0026, Q2: >0.0026–0.0043, Q3: >0.0043–0.0070, Q4: >0.0070–0.1231.

Supplemental Table S2. The proportion of individuals living within 500 m and 250 m of a gasoline station was 35 % and 14 %, respectively. Only a small proportion (2 %) of participants resided within ≤100 m, including 32 cancer cases overall, 11 leukemias, and 8 ALL. These individuals and cases are essentially the same as those with ≥2 stations within 250 m. Metric C, defined as the sum of inverse distances to all gasoline stations within 500 m, exhibited a right-skewed distribution, with a median of 0.004 m⁻¹ and an IQR of 0.005 m⁻¹.

3.2. Associations between residential exposure to gasoline stations and the risk of childhood cancer

Table 3 summarizes the fully adjusted hazard ratio (HR) of childhood cancer among children born in Quebec, 2007–2020, for the different metrics of exposures to gasoline stations treated as categorical variables. Results from the unadjusted and partially adjusted models are provided in **Table S3**.

Table 3

Associations between exposure indicators related to residential proximity to gasoline stations at birth and risk of childhood cancer.

Metric of exposure	Adjusted HR (95 % CI)		
	Any cancer	Leukemia	ALL
<i>A) Number of gasoline stations within 250 m</i>			
0 (reference)	1.00	1.00	1.00
1	1.02 (0.87–1.18)	1.14 (0.87–1.50)	1.16 (0.85–1.58)
≥2	0.97 (0.69–1.38)	1.06 (0.56–1.99)	1.12 (0.55–2.26)
<i>B) Distance to the nearest gasoline station</i>			
>500 m (reference)	1.00	1.00	1.00
251–500 m	1.04 (0.93–1.17)	1.05 (0.85–1.30)	1.02 (0.80–1.31)
101–250 m	1.01 (0.86–1.18)	1.12 (0.85–1.49)	1.15 (0.83–1.58)
≤100 m	1.14 (0.80–1.63)	1.35 (0.74–2.47)	1.27 (0.63–2.59)
<i>C) Sum of inverse distances to all gasoline stations within 500 m</i>			
Not exposed (reference)	1.00	1.00	1.00
Q1 (low exposure)	1.17 (1.00–1.38)	1.05 (0.77–1.43)	1.12 (0.79–1.57)
Q2	0.88 (0.73–1.05)	0.92 (0.67–1.28)	0.89 (0.61–1.30)
Q3	0.92 (0.77–1.09)	1.02 (0.75–1.40)	0.94 (0.65–1.36)
Q4 (high exposure)	1.18 (1.00–1.38)	1.34 (1.01–1.77)	1.34 (0.97–1.84)

Abbreviations: ALL, Acute lymphoblastic leukemias; CI, Confidence interval; HR, Hazard ratio; m, meters; Q, Quartile.

Note: HRs are estimated from Cox models with age as the timescale, adjusted for sex, maternal age, maternal comorbidities, urbanization level, neighborhood socioeconomic status, and maternal exposure to ambient NO₂ and high voltage electric lines during pregnancy. For metric C, the reference group consisted of individuals with no gasoline station within 500 m of their residence at birth.

3.2.1. Association with number of gasoline stations within a 250 m radius (metric A)

We found no association between the number of gasoline stations within 250 m and the risk of any childhood cancer. The presence of one gasoline station within 250 m was associated positively with leukemia (HR: 1.14; 95 % CI: 0.87–1.50) and ALL (HR: 1.16; 95 % CI: 0.85–1.58). Being exposed to multiple gasoline stations was not associated with a greater risk than exposure to a single station.

3.2.2. Association with distance to nearest gasoline station (metric B)

The HR for any cancer was elevated for patients residing within 100 m of a gas station (HR = 1.14; 95 % CI: 0.80–1.63). For leukemia, compared to no gasoline stations within 500 m of the residence, the risk was 1.12 (95 % CI: 0.85–1.49) times higher among those living 101–250 m away, and 1.35 (95 % CI: 0.74–2.47) times higher among those living within 100 m. A similar pattern was observed for ALL, with corresponding HRs of 1.15 (95 % CI: 0.83–1.58) and 1.27 (95 % CI: 0.63–2.29), respectively. Confidence intervals of all estimates of association were wide due to the limited number of cases.

Findings were similar when the exposure variable was analyzed as a continuous measure for those living within 1000 m from a gas station. **Fig. 1A** displays the exposure–response function for leukemias, fitted using a natural spline with 2 degrees of freedom, since an additional degree of freedom did not improve model fit according to the AIC. The resulting curves shows a near-linear, monotonically decreasing relationship. The wide confidence intervals reflect the small number of cases residing in close proximity to gas stations.

3.2.3. Sum of inverse distances to all gasoline stations within a 500 m radius (metric C)

When using the sum of inverse distances to all gas stations within 500 m as the exposure metric, results showed an increase in childhood cancer risks for the highest exposure quartile (Q4) compared to unexposed individuals (i.e., no gasoline station within 500 m). The HRs for the highest exposure quartile were 1.18 (95 % CI: 1.00–1.38) for any cancer, 1.34 (95 % CI: 1.01–1.77) for leukemia, and 1.34 (95 % CI: 0.97–1.84) for ALL. No clear trend was observed across intermediate quartiles.

Findings treating the exposure as continuous jointly with a binary exposure term are presented in **Fig. 1B** and **Table S4**. Among exposed individuals, each interquartile range (IQR) increase in the exposure metric was associated with a HR of 1.04 for leukemia (95 % CI:

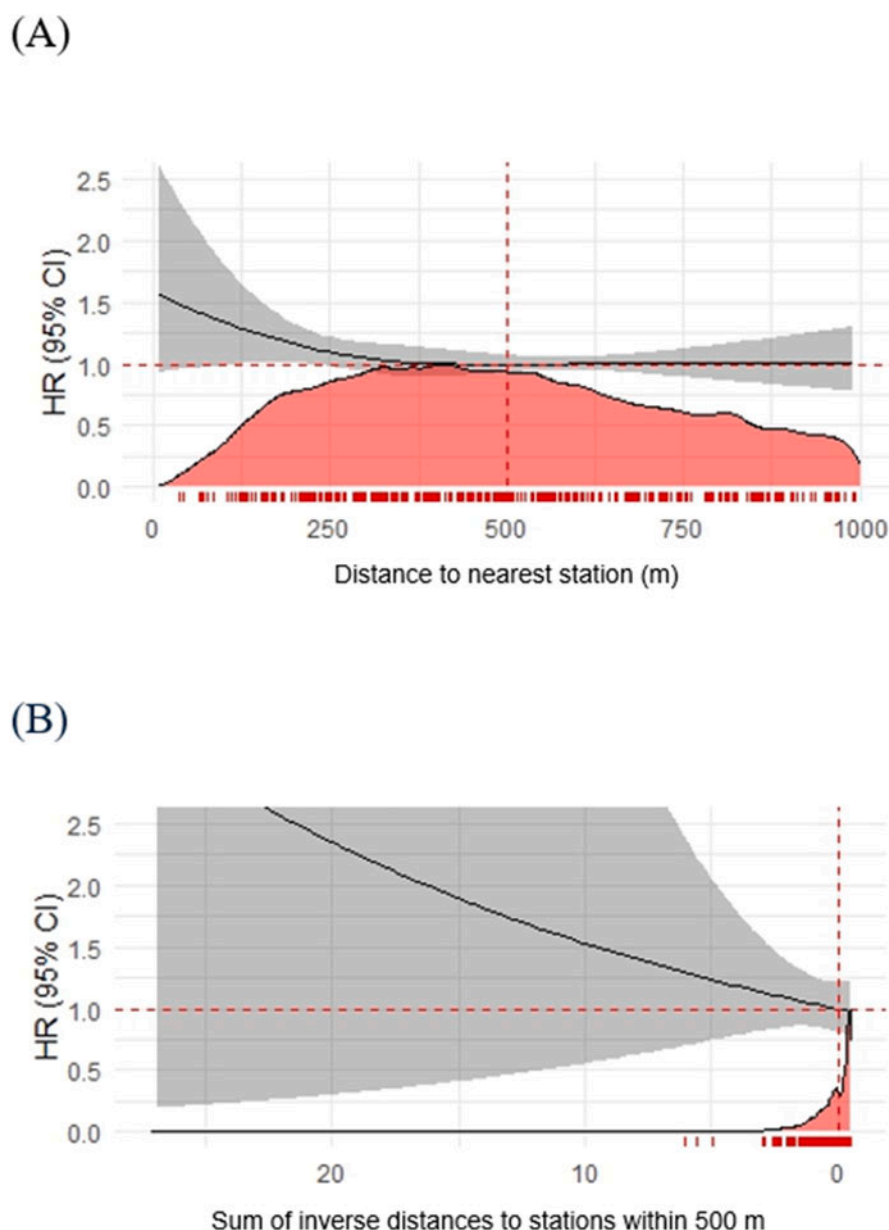


Fig. 1. Response functions for childhood leukemia in relation to residential proximity to gasoline stations at birth, modeled using natural splines with 2 degrees of freedom: (A) distance to the nearest gasoline station; (B) sum of inverse distances to gasoline stations within 500 m. In (A), the x-axis represents the distance in meters to the nearest gasoline station; lower values indicate closer residential proximity. In (B), the x-axis is the sum of inverse distances to gasoline stations within 500 m standardized by the median and interquartile range; the axis is reversed so that higher values on the left correspond to individuals with the greatest exposure, while a value of 0 on the right represents unexposed individuals (i.e., those with no gasoline station within 500 m of the birth residence). The solid line represents the mean hazard ratio (HR), whereas the area in grey represents the 95 % confidence interval. HRs are expressed relative to (A) 500 m and (B) the median. The area in red represents the distribution of exposure across all participants, with the rug plot indicating exposure of leukemia cases.

0.94–1.16). The binary term of this model, estimating the HR for those with at least one gasoline station within 500 m of their residence compared to no station was 1.07 for leukemia (95 % CI: 0.88–1.29).

3.3. Subgroup analysis according to residency in Montreal, and maternal comorbidities

Results of stratified analyses for Montreal and the rest of Quebec are presented in Table 4 and S5. For those living in closer proximity (≤ 100 m) to a gasoline station, the risks appeared to be lower in Montreal than in other regions of Quebec. For those residing ≤ 100 m of a gasoline station, the HR of leukemia was 1.15 (95 % CI: 0.42–3.18) in Montreal,

and 1.55 (95 % CI: 0.72–3.30) in the rest of Quebec; however, the confidence intervals were wide given the small number of cases ($n \leq 5$ in Montreal and 7 for the rest of Quebec).

Subgroup analyses by any maternal comorbidity revealed no evidence of heterogeneity for childhood cancer (Table S6). However, for leukemia, greater risks were suggested among children whose mothers had comorbidity. Compared to no gas station within 500 m, the HR for those residing 101–250 m was 2.03 (95 % CI: 1.15–3.57) among children whose mothers had comorbidities and 0.95 (95 % CI: 0.68–1.32) for children of mothers without comorbidities.

Table 4

Associations between residential proximity to nearest gasoline station at birth and risk of childhood cancer and leukemia, comparing Montreal vs the rest of Quebec.

Outcome	Distance to nearest gasoline station	Quebec excluding Montreal		Montreal	
		No. of cases	HR (95 % CI)	No. of cases	HR (95 % CI)
Any cancer	>500 m	663	1.00	203	1.00
	251–500 m	256	1.00 (0.86–1.16)	192	1.16 (0.95–1.42)
	101–250 m	94	0.96 (0.77–1.20)	95	1.13 (0.88–1.45)
	≤100 m	22	1.42 (0.93–2.18)	10	0.85 (0.45–1.60)
Leukemia	>500 m	201	1.00	60	1.00
	251–500 m	81	1.08 (0.83–1.41)	51	1.05 (0.72–1.53)
	101–250 m	33	1.15 (0.79–1.68)	28	1.16 (0.73–1.83)
	≤100 m	7	1.55 (0.72–3.30)	≤5	1.15 (0.42–3.18)

Abbreviations: HR, hazard ratio; CI, confidence interval.

Note: Cox regression model, with age as the timescale and adjusted for sex, maternal age & comorbidities, urbanization level, neighborhood socioeconomic status, NO₂ average concentration during pregnancy and presence of high voltage electric lines under 100 m.

4. Discussion

In this population-based cohort study, we used three distinct exposure metrics to assess whether residential proximity to gas stations, a major source of benzene emissions, was associated with the risk of childhood cancer, particularly leukemia and ALL. All three metrics were consistent in suggesting a trend towards elevated risks among individuals residing in very close proximity to at least one gas station. More specifically, the distance to the nearest gasoline station showed a monotonic increasing risk with closer distances. This pattern was reinforced by the sum of inverse distances to gasoline stations within 500 m, which showed an increased risk among the most exposed, with the highest quartile exhibiting an HR of 1.34 for leukemia (95 % CI: 1.01–1.77). The absence of increased risk in the lower exposure quartiles plausibly reflect the rapid dispersion of benzene in ambient air, limiting the impact of gasoline stations to those in very close proximity. For any cancer, the significant association in the lowest exposure quartile may reflect residual confounding (e.g., lack of adjustment for co-pollutants and arbitrary exposure categorization) and differential exposure misclassification. For the number of gasoline stations within 250 m, we found an increased risk of leukemia and ALL among those exposed to one gasoline station, however the risk was not greater for those exposed to multiple gasoline stations. The 250-m buffer may have been too broad to detect the highly localized impact of benzene emissions. Indeed, our alternative exposure metrics suggest increased risks for individuals residing within 100 m. Our exposure indicator based on the sum of inverse distances to all gas stations within a 500-m radius may serve as a more refined proxy for exposure, as it accounts for both the distance to each station and the potential presence of multiple stations near the residence. Although most of our risk estimates did not reach statistical significance and were accompanied by wide confidence intervals, it is important to acknowledge that childhood cancers are rare, and only a small proportion of the population resides in very close proximity to gasoline stations, thus explaining the reduced precision of the estimated risks. The suggested higher risks for leukemias and ALL compared with all cancers combined likely reflect the heterogeneity of the latter, which includes cancer types with distinct etiologies, some of which have no suspected link to benzene.

Consistent with our findings, the few existing individual-based epidemiological studies available on this topic have mostly reported positive associations. More specifically, seven epidemiological case-control studies have evaluated residential proximity to gasoline stations in relation to childhood cancer incidence, primarily leukemia (Abdul Rahman et al., 2008; Brosselin et al., 2009; Harrison et al., 1999; Malavolti et al., 2023; Mazzei et al., 2021; Norzaee et al., 2024; Steffen et al., 2004). Of these, five reported positive associations (Brosselin et al., 2009; Harrison et al., 1999; Malavolti et al., 2023; Norzaee et al., 2024; Steffen et al., 2004), including three with statistically significant results. Although the two most recent meta-analyses published both suggest significant increased risk among children exposed compared to not

exposed (meta-estimates of 1.66 (95 % CI: 1.14–2.41) (Malavolti et al., 2023) and of 2.01 (95 %: 1.25–3.22) (Mazzei et al., 2021)), the underlying studies are methodologically heterogeneous. One study combined exposure to repair garages and gasoline stations (Steffen et al., 2004), although exposures at repair garages may be substantially lower than those at gasoline stations. Another study considered the total daily volume of fuel sold by stations within 250 m of the residence (Malavolti et al., 2023). The studies also examined different exposure windows ranging from *in utero* exposure (Brosselin et al., 2009; Steffen et al., 2004), exposure at birth (Mazzei et al., 2021), during childhood (i.e., from birth to diagnosis or interview (Brosselin et al., 2009; Steffen et al., 2004)), at diagnosis (Abdul Rahman et al., 2008; Harrison et al., 1999; Malavolti et al., 2023; Mazzei et al., 2021; Norzaee et al., 2024), or at death (Weng et al., 2009). Studies used varying distance thresholds and reference groups to estimate risks, and also exhibit heterogeneity in confounder adjustment. We consider these inconsistencies limit quantitative comparability of risk estimates across studies, thereby precluding meaningful pooling of effect estimates in a meta-analysis (Buteau & Goldberg, 2015).

Direct comparison of our findings with prior studies is thus challenging. Although Malavolti et al. (2023) assessed exposure at time of diagnosis, their findings also suggested greater risk of leukemia and ALL for those residing in very close proximity to gasoline stations (<50 m). However, their analysis had limited statistical power due to the very small radius used, which motivated our choice of using <100 m as our highest exposure category. Their spline-based exposure-response curve for leukemia according to distance to the nearest gasoline station was also similar to ours. Our exposure-responses functions showed a slightly nonlinear decreasing risk of leukemias with increasing distance from gasoline stations, which is consistent with the expected inverse relationship between proximity to gasoline stations and ambient benzene concentration (Health Canada, 2023; Malavolti et al., 2023).

The possibility that gas stations may increase the risk of childhood cancer is supported by the subgroup analysis comparing risks in Montreal versus the rest of Quebec. Montreal is the only region in Quebec that prohibits the transfer of petroleum products to gasoline stations or tanker trucks without vapor recovery systems. Although we cannot assess compliance with this regulation and our analyses had limited statistical power, our results suggested a protective effect in the Montreal metropolitan area compared to the rest of the province for those residing in close proximity (<100 m) to gasoline station. This finding suggests that environmental regulations may be effective in reducing exposure and associated health risks. Another original aspect of the present study is the evaluation of effect modification by maternal comorbidities. Emerging evidence suggests that maternal health during pregnancy may influence fetal and early-life susceptibility to the effects of air pollution (Buteau et al., 2020, 2023; Gaspard et al., 2025; Lavigne et al., 2016). In a recent study, our findings suggested that certain maternal comorbidities may increase the risk of childhood cancer associated with ambient air pollution, especially for leukemias (Gaspard

et al., 2025). In line with these findings, our results suggest that maternal comorbidities may amplify the association between residential proximity to gasoline stations and the risk of childhood leukemia. However, due to limited statistical power, we could not examine specific maternal comorbidities individually. Future work examining specific maternal health conditions could help identify subgroups at greater risk and provide important insights into the underlying biological mechanisms.

This study is the first to investigate this association using a cohort design, which offers advantages over case-control approaches, including reduced risk of selection bias. Our cohort included all live births in hospitals across the province, thereby maximizing case coverage. Although we examined cancers diagnosed before the age of 15, only children born in the earlier years could reach such follow-up, thus limiting our ability to capture cancers occurring later in childhood. We adjusted for several potential confounders, but residual confounding remains possible given the limited knowledge of childhood cancer risk factors. In particular, we lacked information on parental occupational exposures and family cancer history. High-resolution models for traffic-related benzene and other co-pollutants were unavailable, limiting our ability to capture near-source exposures; however, we adjusted for NO₂ as a proxy for traffic-related emissions. The use of multiple exposure indicators analyzed both continuously and in categories strengthens the robustness of our findings. Nevertheless, our exposure assessment was limited by relying on postal codes rather than the exact addresses. Consequently, we excluded a substantial number of participants in rural areas where postal codes cover larger geographic areas. This reduced our statistical power and may limit the generalizability, although we have no reason to suspect the exposure-response relationship to differ between urban and rural settings. We used the best available data on gasoline station locations, but some stations operating within multi-use commercial properties may have been missed; however, the data retrieved align with annual census reports (Régie de l'énergie du Québec, 2023). Despite our efforts, it was not possible to obtain data on fuel volumes sold due to confidentiality restrictions. Integrating fuel volumes, as well as wind directions, to our distance metrics would have strengthened our exposure assessment.

We examined exposure based on the postal code at birth, which we considered a proxy of perinatal exposure, encompassing both the prenatal and early life periods. The fact that leukemia occurs predominantly at a younger age supports our hypothesis of increased vulnerability and the potential etiological role of perinatal exposure in cancer development. That said, we did not have residential history data, which would have allowed us to explore windows of susceptibility among individuals who moved during pregnancy or childhood. To date, three studies (Brosselin et al., 2009; Mazzei et al., 2021; Steffen et al., 2004) have assessed risk across different exposure windows (i.e., *in utero* vs childhood) with mixed findings. Steffen et al. (2004) found lower risks associated with prenatal exposure compared to childhood exposure, Brosselin et al. (2009) reported higher risks for prenatal exposure, and Mazzei et al. (2021) observed no significant difference between the two exposure windows. Further research is needed to improve our understanding of the etiologic window of exposure for childhood cancers. While our study focuses on leukemia, CNS tumors and lymphomas are other cancers potentially sensitive to environmental exposures that warrant investigation. Larger cohorts are needed to investigate rare cancers, including acute myeloid leukemia.

5. Conclusion

This population-based study suggests that residing in very close proximity to gasoline stations may be associated with an increased risk of childhood cancer, particularly leukemia. Associations for leukemia appeared to be stronger among children whose mothers had comorbidities. Risks also appeared to be lower in Montreal, where regulations aimed at reducing benzene emissions from gas stations are in place.

Future studies with greater statistical power and improved exposure assessment, such as the use of precise residential addresses, consideration of wind patterns and fuel volumes, or spatial modeling of benzene concentrations, are needed to confirm this association. Meanwhile, in light of our results, the implementation of targeted mitigation measures may be warranted. Readily achievable interventions include vapor recovery systems, pressure/vacuum valves on vent stacks, and minimum setback distances for new residential developments, schools, and day-care centers.

CRedit authorship contribution statement

Francois Brizard: Writing – original draft, Software, Methodology, Formal analysis, Data curation. **Nathalie Auger:** Writing – review & editing, Funding acquisition, Data curation, Conceptualization. **Audrey Smargiassi:** Writing – review & editing, Funding acquisition, Conceptualization. **Fabien Gagnon:** Writing – review & editing, Conceptualization. **Eric Robitaille:** Writing – review & editing, Conceptualization. **Hallie Coltin:** Writing – review & editing. **Stephane Buteau:** Writing – review & editing, Supervision, Methodology, Funding acquisition, Conceptualization.

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Declaration of competing interest

The authors declare the following financial interests/personal relationships which may be considered as potential competing interests: Stephane Buteau reports financial support was provided by Canadian Institutes of Health Research. Stephane Buteau reports financial support was provided by Quebec Health Research Fund. If there are other authors, they declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Appendix A. Supplementary data

Supplementary data to this article can be found online at <https://doi.org/10.1016/j.envpol.2026.127737>.

Data availability

The data that has been used is confidential.

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Official Protest of Conditional Use Permit

Case / Reference Number: *Z2610 /DEV -2026-CUP30*

As an interested property owner I protest the requested Conditional Use Permit (CUP) request, represented by the above file number because:

The proposed expansion and installation of fuel dispensing pumps directly across the street from my residential property introduces severe, unmitigated negative impacts that directly threaten my property value, safety, and business operations.

While the existing convenience store has operated within acceptable neighborhood limits, the transition to an active fueling station fundamentally changes the land-use dynamic from a quiet neighborhood stop to a high-turnover commercial transit hub. I am formally protesting this Conditional Use Permit based on the following critical impacts:

1. Severe Diminution of Property and Resell Value

Real estate and urban planning data consistently demonstrate that placing a high-turnover fueling station directly adjacent to or across from a single-family home decreases the resale value of the residential property by **at least 10%**. This represents an immediate, unjust financial penalty imposed on my primary investment due to commercial encroachment, destroying the residential aesthetic that attracted me to this location.

2. Critical Traffic and Pedestrian Safety Hazards

The addition of vehicle fueling stations will dramatically increase vehicular turnover and modify traffic patterns directly in front of my home. High-volume traffic entering and exiting the property directly across from residential driveways creates dangerous vehicle conflict points. Furthermore, the constant ingress/egress of massive fuel transport trucks introduces heavy industrial staging to a roadway meant for families.

3. Light Pollution, Nuisance Glare, and Odors

Modern gas station canopies require intensive, high-intensity illumination for safety and corporate branding. Positioned directly across the street, this canopy will cause severe horizontal light trespass and glare into my front windows, disrupting sleep cycles. Additionally, the open-air dispensing of fuel introduces toxic volatile organic compounds (VOCs) and heavy gasoline fumes that will drift directly into my yard and home HVAC intakes.

Requested Conditions of Approval & Business Mitigation

If the Board considers approving this Conditional Use Permit despite these severe neighborhood impacts, I formally request that the approval be made strictly contingent upon the

developer meeting the following legally binding design and operational stipulations:

- **Property Buffering:** Installation of a dense, multi-tiered evergreen landscape buffer along the entire street-facing perimeter. This must feature fast-growing, drought-tolerant native Texas species (such as a continuous row of mature evergreen shrubs or trees) designed to create a solid visual screen, filter airborne fuel particulates, and block headlight glare from vehicles utilizing the pumps.
- **Lighting Controls:** Installation of fully shielded, downward-facing "Dark Sky" compliant LED fixtures under the canopy, ensuring 0.0 foot-candles of light spillover at my property line, and an absolute prohibition of flashing digital price signage facing residential properties.
- **Delivery Restrictions:** Mandating that all heavy fuel transport deliveries be restricted strictly to mid-day hours (between 9:00 AM and 4:00 PM).
- **Developer-Owner Negotiations:** Because this property operates as a short-term rental business, the introduction of an unmitigated commercial view and nighttime disruptions directly harms my business revenue and guest review standard. I request that the Board direct the applicant to engage in good-faith negotiations with me regarding direct business-to-business mitigation and neighborhood benefits to offset the operational damages to my short-term rental.

Thank you for your dedication to preserving the safety, financial equity, and character of our residential neighborhood.

Signature: _____ Date: 06/15/2026
Printed Name: Yuriy Melnyk
Address: _____

Public Comment Form
Please return this form to:
Development Services – Zoning
2818 East U.S. Highway 290
Fredericksburg, TX 78624
830-997-7521
OR
Email: jmusgrove@fbgtx.org



REQUEST: Z-2610 / DEV-2026-30-CUP

As an interested property owner, I (PROTEST) _____ / (APPROVE) ☒ the requested Conditional Use Permit
(CUP) request, represented by the above file number because:

E. Dwight Oestreich
Signature

5/27/26
Date

E. Dwight Oestreich
Printed Name

204 W. Orchard -
Address

Public Comment Form
Please return this form to:
Development Services – Zoning
2818 East U.S. Highway 290
Fredericksburg, TX 78624
830-997-7521
OR
Email: jmusgrove@fbgtx.org

REQUEST: Z-2610 / DEV-2026-30-CUP

As an interested property owner, I (PROTEST) /(APPROVE) the requested Conditional Use Permit
(CUP) request, represented by the above file number because:

Signature

Date

CARDL JEAN FELLER

Printed Name

HACKBERRY STREET SERIES

Address

ORDINANCE NO. 2 0 2 6 - 26

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 "CONVENIENCE STORE/SELF SERVE GASOLINE" USE AT CERTAIN PROPERTY LOCATED AT 816 N. MILAM 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 "Convenience Store/Self Serve Gasoline" 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: County Express Food Mart (Ali Mehndi)

Property Owner: County Express Food Mart

Property Address: 816 N. Milam Street, Fredericksburg, TX 78624

Legal Description:

LOT 7 AND LOT 8, SUNSET VILLAGE ADDITION TO THE CITY OF FREDERISCKSBURG AS SHOWN ON THE PLAT OF RECORD IN VOLUME 77, PAGE 470 OF THE DEED OF RECORDS OF GILLESPIE COUNTY, TEXAS

Zoning Change: The property shall remain located in the C1: Neighborhood Commercial zoning district, and a Conditional Use Permit for a "Convenience Store/Self Serve Gasoline" use is hereby granted subject to the terms and conditions provided herein and attached within "Exhibit A"

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 21st day of July 2026.

Randy Briley, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney

“Exhibit A”

Conditions of Approval

1. Reduce to 2 (two) pumps
2. Quiet no digital pumps
3. Hours of operation to 7am to 10pm
4. Non-Lighted Canopy
5. Screening between property and neighbors to the rear
6. Ensure that parking requirements are met, staff to verify



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: July 21, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Request Dev-2026-37-ZC: By Grant Gold for the following: (Cliff Cross, Director of Development Services)

A zoning change from Single Family Residential (R1) to Neighborhood Commercial (C1) for property legally described as Bonn Blk C Lot 26, 27-PT & 28-PT, includes BLK D Lot M- and commonly known as 207 East Mulberry Street, Fredericksburg, Texas. *The Planning & Zoning Commission recommended Denial with a unanimous vote of 9-0.*

- i Presentation by the Applicant
- ii Presentation by the Staff
- iii Hold Public Hearing
- iv Take Action - Approve Ordinance 2026-27 for the Rezoning

SUMMARY:

The applicant has submitted a Zoning Change request for an approximate .78 acre (34,000 sq. ft) parcel containing two lots commonly known as 207 East Mulberry Street. The applicant is requesting a zoning change from R1, Single-Family Residential to C1, Neighborhood Commercial.

BACKGROUND: The surrounding properties include R1, Single Family Residential to the east and south and C1, Neighborhood Commercial to the west and north. There is unincorporated property and a mixture of R1, Single Family Residential and C1, Neighborhood Commercial throughout the area.

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

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

Uses Permitted Subject To Conditional Use Permit

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

Community Recreation	Private Secondary Educational Facilities
Day Care Services	Private Secondary Educational Facilities
Guidance Services	Religious Assembly

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard unit until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the R-1 district shall be subject to the following site development regulations:

Feature	Regulation
Lot Size	Minimum Lot Area, 7500 Square feet; or 10,000 square feet for guest houses and short-term rental, accessory uses
Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 2½ stories, 28 feet
Front Yard	Minimum Required Setback, 25 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet
Rear Yard	Minimum Required Setback, 10 feet
Residential Density	Maximum Dwelling Units per Lot, 1 per Lot Minimum Dwelling Areas
(Living Area Only)	750 Square feet
Maximum Building Coverage	Percent of Lot Area, 40%
Impervious Cover	Percent of Lot Area, 55%
Nonconforming Uses	Section 6.100
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Temporary/Accessory Building	Section 8.000
Home Occupations	Section 8.300

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

This zone is intended to provide for the establishment of restricted commercial facilities, to serve the conveniences and needs of the immediate neighborhood and must be compatible with the residential character and environment of the neighborhood. These uses generally result in limited traffic generation.

Principal Permitted Uses

Building, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare:

Administrative and Business Office
Convalescent Services
Cultural Services
Day Care Services
Group Residential
Local Utility Services
Medical Services
Multiple Family Residential (Section 3.110)
Personal Services
Private Primary Educational Services
Private Secondary Educational Facilities
Professional Office

Religious Assembly
Single Family Residential (detached) if structure was not used as other than residential in its most recent use
Short-term Rental, Unoccupied: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Accessory: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, B&B: (With a STR permit and adherence to Chapter 20, Article VII)
Short-term Rental, Facility: (With a STR permit and adherence to Chapter 20, Article VII)
Corporate Housing: (With a STR permit and adherence to Chapter 20, Article VII)

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

Property Development Standards

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered, or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the C-1 District shall be subject to the following site development regulations.

Feature	Regulation
Lot Size	Minimum Lot Area, 7500 Square feet
Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 25 feet
Street Side Yard	Minimum Required Setback, 25 feet
Interior Side Yard	Minimum Required Setback, 5 feet; or 10 feet when abutting residential zoning districts; or 15 feet for 2 story structures, when abutting residential zoning districts
Rear Yard	Minimum Required Setback, 10 feet; or 15 feet when abutting residential zoning districts; or 25 feet for 2 or more stories, when abutting residential zoning districts
Maximum Impervious Coverage	70%
Maximum Building Coverage	Percent of Lot Area, 50%

Residential Density	Section 3.110
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Temporary/Accessory Building	Section 8.000
Signs	Sign Ordinance
Outdoor Amplified Sound	Prohibited when abutting R-1, R-1-A, or R5

The 2024 Comprehensive Plan identifies the subject property as a future Place Type of Mixed Density Residential District which is envisioned to provide a greater level of residential density in a variety of forms. In limited circumstances, commercial retail, office, restaurant (no drive-thru), and personal service uses may be considered in supporting the residential intent of the category.

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

Notice of Public Hearing Response: As part of the Public Hearing process, staff must notify property owners that own property within 200 ft of the subject property. As of July 14 2026, two protest responses have been received.

FUNDING SOURCE:

NA

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

Staff reviewed the request and the proposed application requesting the zoning change. In reviewing the request, the Comprehensive Plan has classified the subject property as a Mixed Density Residential place type and, per the "Intent And Character section of the plan the following is identified:

The Mixed Density Residential category is envisioned to provide a greater level of residential density in a variety of forms. This category best accommodates residences built to meet the "missing middle" segment of the marketplace. This may include townhomes, attached dwellings, patio homes, apartments in the appropriate context, or a mix of several of these in a planned setting. Missing middle housing bridges the gap between single-family homes and mid-rise apartments. By integrating these housing types, communities can enhance affordability, create walkable neighborhoods, and modestly boost density.

In some instances, these areas may be designed in a more urban character in a walkable pedestrian environment. Buildings are intended to be street-oriented, with on-street parking or rear parking, pedestrian and bicycle facilities, short blocks with good street connectivity, and nearby goods and services.

Appropriate Land Use Types

In limited circumstances, commercial retail, office, restaurant (no drive-thru), and personal service uses may be considered if supporting the residential intent of the category.

Furthermore, the properties to the west, along N. Llano Street, are primarily located within the Mixed-Use Community Corridor place type which identifies the appropriate existing zoning districts as R2, R3, R5, NC, C, M3, MU1 and MU2. When considering any request the proximity and uses of those properties should also be considered. When evaluating this request, the place type designation would accommodate the C1 underlying district in compliance with the Comprehensive Plan. However, when considering the request, staff recommends consideration of all factors such as traffic, surrounding uses, intensity, etc as part of the findings of fact.

The surrounding neighborhood has a mixture of commercial and residential uses. Based upon the transitional nature of the neighborhood, staff recommend approval of the rezoning request from Single-Family Residential (R1) to Neighborhood Commercial (C1) if the overall findings support the new zoning would not contribute to negative impacts on the neighborhood.

Planning and Zoning Commission Recommendation:

Upon consideration and discussion, the Planning and Zoning Commission recommended, by a unanimous 9-0 vote, to deny the request to rezone the property from R1, Single-Family Residential to C1, Neighborhood Commercial based upon the following findings:

1. The subject property makes up a small parcel of property
2. No specific public benefit or interest presented
3. The potential future use of C-1 zoning could have a negative impact on the surrounding neighborhood area
4. Although not completely inconsistent with the Comprehensive Plan the rezoning goes against guiding principles to respect and enhance livability of the vicinity.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. Notification Map 207 E. Mulberry St
2. 207 E. Mulberry St LandUse Map
3. 207 E. Mulberry St Place Type Map
4. 207 E. Mulberry St Zoning Map
5. request summary
6. 2024-Fredericksburg-Comprehensive-Plan MDR Info
7. DEV-2026-37-ZC-207 e mulberry - street view
8. Screenshot - 207 E Mulberry St

9. DEV-2026-37-ZC-IMG_4316 front 1a
10. DEV-2026-37-ZC-IMG_4317 front 1
11. DEV-2026-37-ZC-IMG_4321 Side
12. DEV-2026-37-ZC-IMG_4320 side 2
13. DEV-2026-37-ZC-IMG_4318 side 3
14. DEV-2026-37-ZC-IMG_4315 vacant lot a
15. DEV-2026-37-ZC-IMG_4313 lot 1
16. Protest - OSTERMANN - MULBERRY_Redacted
17. Protest - Rodgers - E Mullberry Zoning change_Redacted
18. Ordinance 2026-37 Zoning for 207 E Mulberry For CC

APPROVAL/REVIEW:



Date: July 15, 2026

Cliff Cross, Director of Development Services



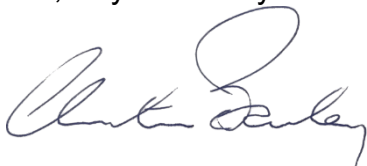
Date: July 15, 2026

William McKamie, City Attorney



Date: July 15, 2026

Leticia Vacek, City Secretary



Date: July 15, 2026

Clinton Bailey, City Manager

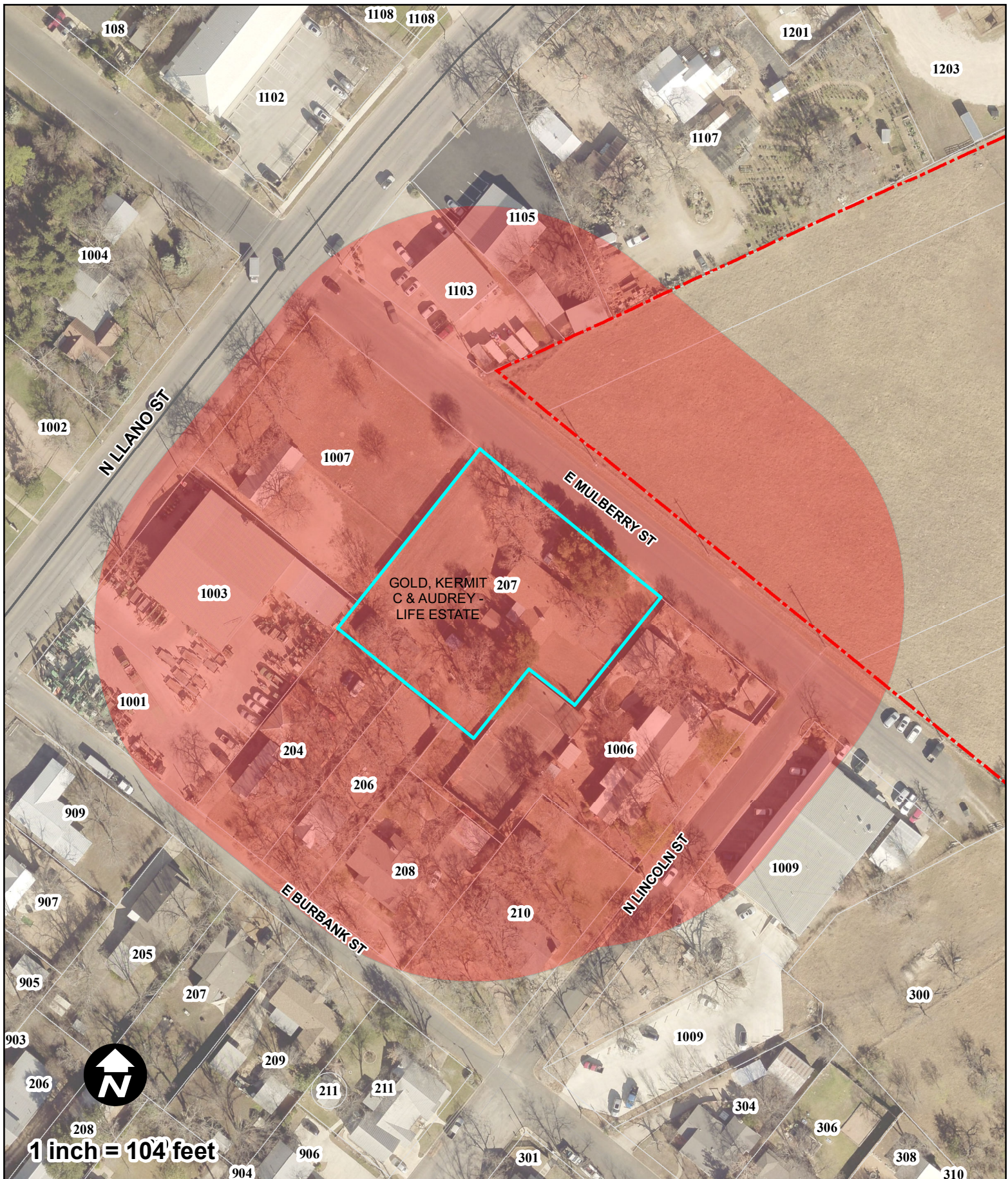
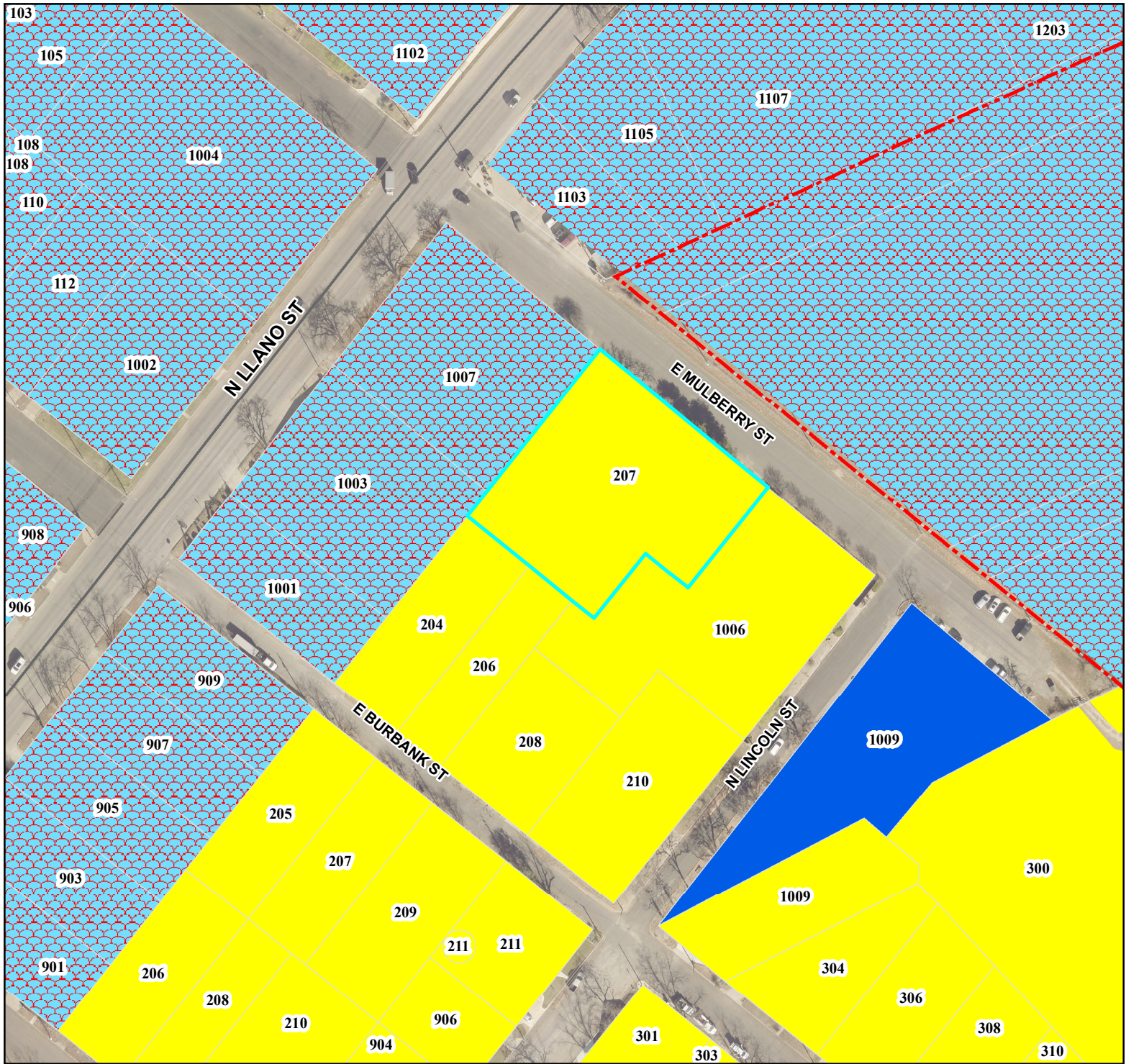


FIGURE 1
City of Fredericksburg
DEV-2026-37-ZC 207 E. Mulberry St.

LEGEND

- 200' Notification Buffer
- GCAD Parcels



LEGEND

GCAD Parcels

Landuse

LANDUSE

Downtown Central Business District

Uptown Central Business District

Commercial Center

Commercial

Employment Center

FUTURE ROW

High Density Residential

Industrial

Low Density Residential

Medium Density Residential

Mixed Use Corridor

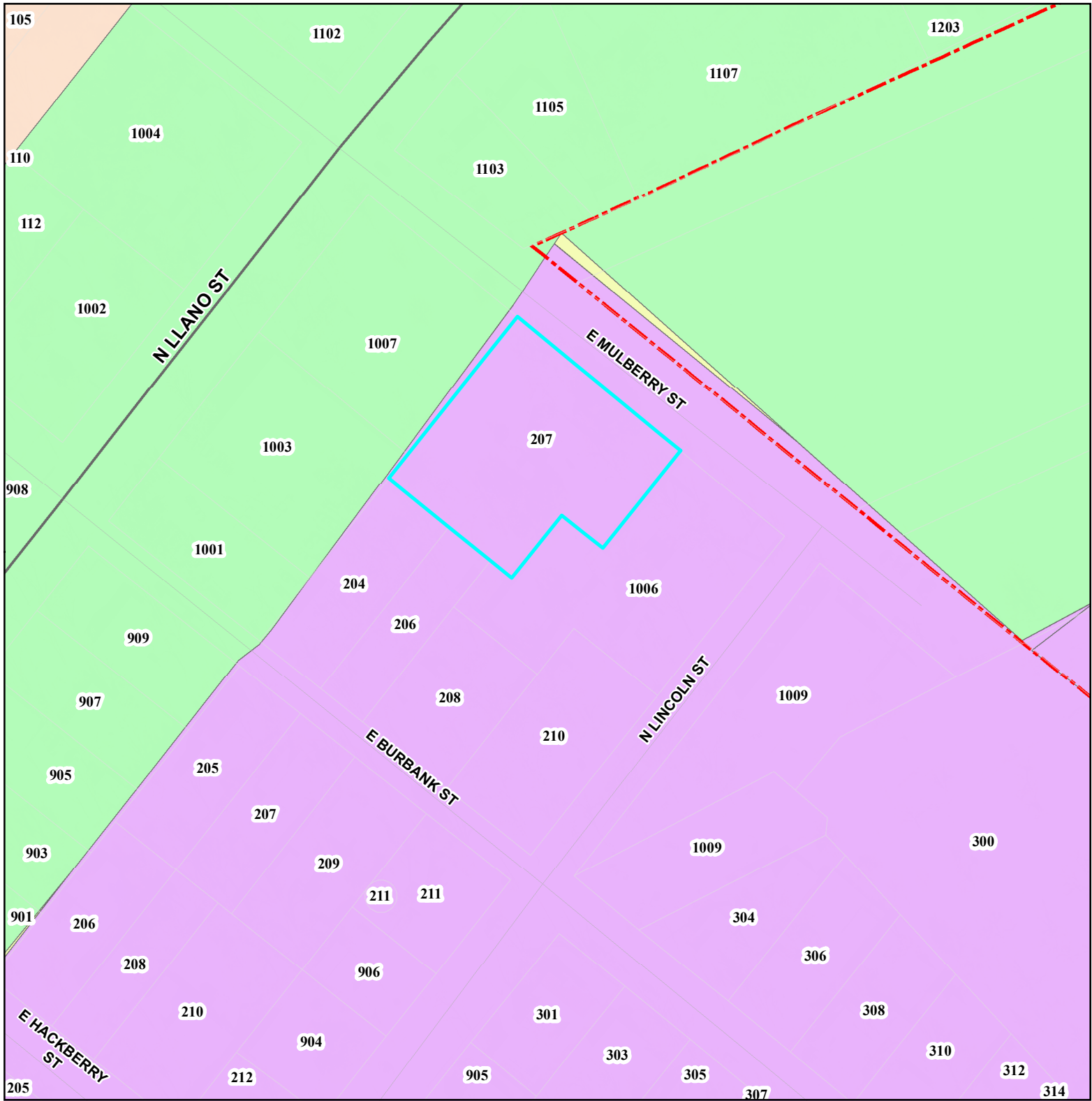
Parks & Open Space

Public / Semi-Public

Rural



City of Fredericksburg
DEV-2026-37-ZC - 207 E. Mulberry Street



LEGEND

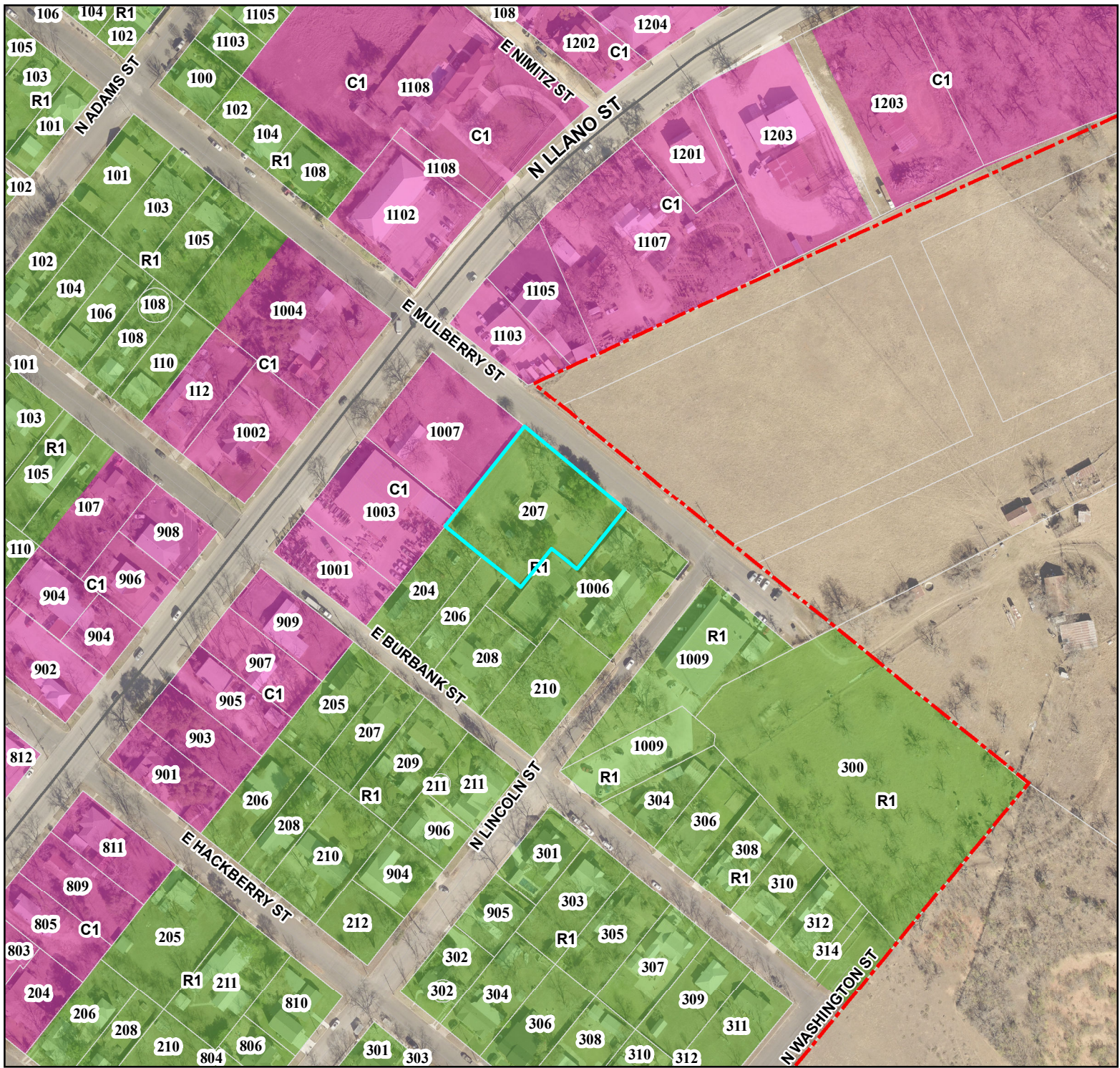
GCAD Parcels

Place_Type

- MU
- GC
- HSD
- IND
- MDR
- MU
- NR
- PARK
- RR



City of Fredericksburg
DEV-2026-37-ZC - 207 E. Mulberry Street



LEGEND

GCAD Parcels

Zoning

ZONED

- C1 - Neighborhood Commercial
- C1.5 - Medium Commercial
- C2 - Commercial
- CBD - Central Business District
- M1 - Light Manufacturing
- M2 - Medium Manufacturing
- M3 - Industrial Park
- OS - Open Space

- PF - Public Facilities
- PUD - Planned Unit Development
- R1 - Single Family Residential
- R1A - Single Family Residential - Small Lot
- R2 - Mixed Residential
- R3 - Multi-Family Residential
- R4 - Manufactured Home Residential
- R5 - Patio Home Residential



City of Fredericksburg
DEV-2026-37-ZC - 207 E. Mulberry Street

Zoning Change

207 E. Mulberry St, Fredericksburg, TX 78624

We're writing to formally express our interest in applying for a rezoning of our property located at (207 E. Mulberry St, Fredericksburg, TX 78624) from its current residential designation to a commercial classification of C1.

Our intent is to use this property as a short-term rental as well as a place for our families to stay while we visit Fredericksburg.

We have two lots.

Lot 1: 3-bedroom 2-bath home to be used as a short-term rental

Lot 2: currently vacant with the intention of adding a short-term rental or improvement that would comply with the C1 zoning.

As for the neighborhood, we currently border 2 commercial properties.

Property 1: 1007 N. Llano St, Fredericksburg, TX 78624

Property 2: 1003 N Llano St, Fredericksburg, TX 78624 (Time Rentals Business)

We also border 1 short-term rental property at 206 E. Burbank.



Mixed Density Residential

INTENT AND CHARACTER

The Mixed Density Residential category is envisioned to provide a greater level of residential density in a variety of forms. This category best accommodates residences built to meet the “missing middle” segment of the marketplace. This may include townhomes, attached dwellings, patio homes, apartments in the appropriate context, or a mix of several of these in a planned setting. Missing middle housing bridges the gap between single-family homes and mid-rise apartments. By integrating these housing types, communities can enhance affordability, create walkable neighborhoods, and modestly boost density.

In some instances, these areas may be designed in a more urban character in a walkable pedestrian environment. Buildings are intended to be street-oriented, with on-street parking or rear parking, pedestrian and bicycle facilities, short blocks with good street connectivity, and nearby goods and services.

Within the Historic District special care and review is required. The intent of this place type is not to change the character but allow for infill to create more housing where appropriate. This place type is found in both greenfield and infill situations, with seamless transition to nearby conventional residential neighborhoods.

APPROPRIATE LAND USE TYPES

Commercial

- In limited circumstances, commercial retail, office, restaurant (no drive-thru), and personal service uses may be considered if supporting the residential intent of the category.

Residential

- Single-family detached; single-family attached uses; cottage court/garden homes; townhouses (up to six attached units); low-rise multi-family (2 to 2.5 stories); garden-style apartments; and some contextual mixed-use urban lofts in places with more urban character.
- Within the Historic District, maintaining context with the existing character, single-family detached; single-family attached uses; duplex; triplex; townhouses (up to four attached units); single-family small lot; and some contextual mixed-use urban lofts in places with more urban character.

Industrial

- Not appropriate

Institutional

- Places of public assembly; utility and service use (e.g., electrical substations, fire stations, etc.).

Green Spaces

- Parks and recreation facilities; natural areas; open spaces; trail corridors; water quality features

Development Intensity Target

Residential	80 - 100%
Commercial	0 - 20%



GUIDANCE AND INTERPRETATION

The following recommendations should be considered for decision-making for zoning requests, development approvals, and regulatory adjustments:

- New development shall be built with a more urban or semi-urban character, including larger sidewalks and street trees.
- This land use can be a good transitional use from lower density residential to higher density or nonresidential uses, including near downtown.
- Connectivity to adjacent developments through trails and sidewalks is critical to maintaining access for transportation and recreation.
- Vehicle access through rear alleys and side or rear parking is desired instead of a front-loaded product.
- Social gathering spaces should be prioritized, including either public parks, passive open space or active private spaces within a development.
- Regional stormwater retention facilities and infrastructure should be utilized to create greenways and pedestrian/bicycle paths.
- Infill and development within the Historic District is subject to the Historic Preservation Ordinance and review by the Historic Review Board.

DEVELOPMENT CODE CONSIDERATIONS

Appropriate Existing Zoning Districts:

- R1-A, R2, R3, R5, NC

Implementation - Development Code Review:

- Review building height and setbacks for consistency
- Review buffers and screening to ensure compatibility (urban scale)
- Ensure street and pedestrian connectivity requirements to maintain connected street patterns
- Require sidewalks along all streets for development applications regardless of the Sidewalk and Trails Plan.
- Connectivity and efficient infrastructure requirements to add value
- Establish standards and requirements for alley facing garages, driveway requirements related to frontage on public streets versus alleys, garage door facing locations, and ensure front doors face the public street
- Maintain high standard of review from the Historic Review Board for development in the Historic District

REPRESENTATIVE IMAGERY







1004

1006

211

204

207

209

E Mulberry St

Sunbelt Rental

















Public Comment Form
Please return this form to:
jmusgrove@fbgtx.org

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



REQUEST NO. DEV-2026-37-ZC – 207 EAST MULBERRY

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

- ANOTHER commercial property in our Residential neighborhood,
will further detract from the area's appeal & charm.
 - INCREASED traffic / NOISE
 - their "Mid-Block" Tract is not ideal for commercial use.
- *** If City of FREDERICKSBURG zoning allows this change. despite
our protest, PLEASE require the tract to have a Twenty (20)
foot Landscape buffer (with TREES) along abutting Residential tracts

Sign

Date

Chris OSTERMANN, for: OSTER PROPERTIES, LLC

Printed Name

Address

* SUNBELT Rentals should have been Required to maintain
a Heavily Landscaped 20' buffer with trees, between the
East side of their tract & lot 204.... The NOISE
& Dust they create is OBTRUSIVE to the Rest
of our street!!!

Public Comment Form

Please return this form to:

jmusgrove@fbgtx.org

OR

Development Services – Zoning

126 W. Main Street

Fredericksburg, TX 78624

830-997-7521



REQUEST NO. DEV-2026-37-ZC – 207 EAST MULBERRY

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

Prefer to keep city lots for residential use.
We feel we have too many STR Properties

[Redacted Signature]

Signature

6-29-26
Date

Ray Rodgers
Printed Name

[Redacted Address]
Address

ORDINANCE NO. 2 0 2 6 - 37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO .78 ACRES LOCATED AT 207 EAST MULBERRY STREET AND MORE FULLY DESCRIBED AS BEING BONN BLK C LOT 26, 27-PT & 28-PT, -INLUDES BLK D LOT M- S0140 (FCNE) CITY NORTHEAST SITUATED IN THE CITY OF FEDERICKSBURG, GILLESPIE COUNTY, TEXAS, FROM SINGLE FAMILY RESIDENTIAL (R1) TO NEIGHBORHOOD COMMERCIAL (C1); PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, 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 Council of the City heretofore adopted the Zoning Ordinance of the City, as amended, which ordinance 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, in accordance with the Zoning Ordinance an application for rezoning has been submitted for the lots REFERRED TO AS BEING BONN BLK C LOT 26, 27-PT & 28-PT, -INCLUDES BLK D LOT M- S0140 (FCNE) CITY NORTHEAST SITUATED IN THE CITY OF FEDERICKSBURG, GILLESPIE COUNTY, TEXAS;, to change the zoning district of said lot from SINGLE FAMILY RESIDENTIAL (R1) to NEIGHBORHOOD COMMERCIAL (C1); and

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

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

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against rezoning signed by owners of twenty per cent (20%) or more either of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

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

Section 1.

Appendix B, "Zoning Ordinance," of the City of Fredericksburg Code of Ordinances is hereby amended on the hereinafter described property and area to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots REFERRED TO AS BEING BONN BLK C LOT 26, 27-PT & 28-PT, -INCLUDES BLK D LOT M- S0140 (FCNE) CITY NORTHEAST SITUATED IN THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS;, and as additionally described by the legal description attached hereto as Exhibit A, to be and are hereby zoned and designated NEIGHBORHOOD COMMERCIAL (C1).

Section 2.

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

Section 3.

The City Secretary is hereby directed to amend the official zoning map of the City of Fredericksburg to reflect the changes in use approved herein.

Section 4.

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

Section 5.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

Section 6.

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

Section 7.

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

Section 8.

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

Section 9.

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 21st day of July 2026.

Randy Briley, Mayor
City of Fredericksburg, Texas

ATTEST:

Letty Vacek, City Secretary

APPROVED AS TO FORM:

Mick McKamie, City Attorney

“Exhibit A”

Property ID: 17201 For Year

2026 ▼

Property Details

Account

Property ID:	17201	Geographic ID: S0140-0030-002600
Type:	R	Zoning: R1
Property Use:		Condo:

Location

Situs Address:	207 E MULBERRY ST TX	
Map ID:	25	Mapsco:
Legal Description:	BONN BLK C LOT 26, 27-PT & 28-PT, -INCLUDES BLK D LOT M-	
Abstract/Subdivision:	S0140	
Neighborhood:	(FCNE) CITY NORTHEAST	



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM: Sibyl Deckard, Staff Engineer, Kris Kneese, Director of Public Works, Utilities, and Engineer, Evan Williamson, Assistant Director of Public Works & Utilities

MEETING DATE: July 21, 2026

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider approval of Ordinance 2026-28 to decrease the speed limit from 40 mph to 35 mph on RM 965 (North Milam St) in the City limits between West Mulberry Street and West Main Street on the basis of an Engineering and Traffic investigation performed by TxDOT. (Sibyl Deckard, Staff Engineer)

SUMMARY:

The proposed ordinance would decrease the speed limit along North Milam St (RM 965) from 40 MPH to 35 MPH from West Main Street to West Mulberry Street. An ordinance must be passed by the City Council in order to officially change the speed limit, for TxDOT to replace related signage along the thoroughfare and make the new speed limit legally enforceable.

BACKGROUND:

The proposed ordinance is intended to regulate traffic speeds along North Milam St within the City of Fredericksburg based upon a speed study conducted by TxDOT in July 2025. The speed study results indicated that the 85th percentile speed between West Mulberry St and West Main St measured during data collection was lower than the posted speed. The 85th percentile speed is a common metric used by traffic engineers that represents the speed at which 85% of vehicles travel under normal driving conditions. This rule, along with other factors, is used by TxDOT to evaluate and establish speed limits. From these results, TxDOT determined that the speed limit from W Main St to W Mulberry St should be lowered from 40MPH to 35MPH. This ordinance would establish the new speed zone and corresponding maximum speed limit to promote public safety and provide consistent traffic regulation along this roadway. This ordinance would also authorize the installation of new speed limit signs, establish the offense of speeding, and officially make this new speed limit legally enforceable by the police department.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of the ordinance establishing a new speed limit on the designated

segment of RM 965 (North Milam St) within the City limits of Fredericksburg and providing penalties for violations.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Exhibit_N Milam Speed Limit Reduction Limits
2. Ordinance 2026-28 RM 965 Fredericksburg City Ordinance - 7-10-2026

APPROVAL/REVIEW:



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

Date: July 15, 2026



Garret Bonn, Assistant City Manager

Date: July 15, 2026



William McKamie, City Attorney

Date: July 15, 2026



Leticia Vacek, City Secretary

Date: July 15, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



**City of Fredericksburg Engineering
Department**

N Milam Street (RM 965) Speed Limit Change

— Speed Limit = 35 MPH
— GCAD Roads

ORDINANCE 2026-28

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON RM 965 IN THE CITY LIMITS OF THE CITY OF FREDERICKSBURG; DEFINING SPEEDING AND FIXING A PENALTY; THEREFORE, DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; WITH A SAVING CLAUSE REPEALING CONFLICTING LAWS AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF FREDERICKSBURG:

Section 1

It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of RM 965 routed in the city of Fredericksburg, is hereby stated, which prima facie maximum speed limit shall be effective at all times and signs will be erected giving notice of the prima facie maximum speed limit so declared to wit.

Speed Zone

Control Section 1199-01

FOR Northbound TRAFFIC

Beginning at milepoint 17.046 (US 87-US 290-Main St.) to milepoint 16.202 (190 feet North of W. Mulberry St.), a distance of 0.844 miles, a prima facie maximum speed limit of 35 miles per hour.

From milepoint 16.202 (190 feet North of W. Mulberry St.) to milepoint 15.954 (37 feet North of Candlelight Circle), a distance of 0.248 miles, a prima facie maximum speed limit of 45 miles per hour.

From milepoint 15.954 (37 feet North of Candlelight Circle) to milepoint 15.754 (121 feet North of Cross Mountain Trail Dr.), a distance of 0.200 miles, a prima facie maximum speed limit of 50 miles per hour.

FOR Southbound TRAFFIC

From milepoint 15.754 (121 feet North of Cross Mountain Trail Dr.) to milepoint 15.954 (37 feet North of Candlelight Circle), a distance of 0.200 miles, a prima facie maximum speed limit of 50 miles per hour.

From milepoint 15.954 (37 feet North of Candlelight Circle) to milepoint 16.202 (190 feet North of W. Mulberry St.), a distance of 0.248 miles, a prima facie maximum speed limit of 45 miles per hour.

Beginning at milepoint 16.202 (190 feet North of W. Mulberry St.) to milepoint 17.046 (US 87-US 290-Main St.), a distance of 0.844 miles, a prima facie maximum speed limit of 35 miles per hour.

SECTION II

That all of the streets of this city, and all portions of any such streets, are hereby declared to be public streets and that the driving or operating of any motor vehicle on or along any portion of any street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named “ The Offense of Speeding “ and that the said offense is punishable by a fine in any sum not to exceed Two Hundred dollars (\$200.00). That the use of the word “ Speeding “ shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street at a greater rate of speed than fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon, if zoned.

That in prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient in form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of “ Speeding “.

SECTION III

That should any section or any portion of any section hereof be decreed to be void, the invalidity of such section or such portion thereof shall not affect the validity of the remaining portions of this ordinance; and that each section and each portion thereof not decreed to be invalid shall remain valid and enforceable.

That all ordinances and parts of ordinances that are in conflict with this ordinance are hereby repealed.

That the fact that prompt action should be taken in the regulation of traffic, on the streets of this city, in the manner provided for in this ordinance creates an emergency requiring that the rules that provide that an ordinance shall be read at three separate meetings of the city council before final passage, be suspended; and that the said rules are hereby suspended, and this ordinance is here and now passed, and that it is ordered that it take effect from and after its passage and publication.

PASSED AND APPROVED on the 21st day of July 2026.

Randy Briley, Mayor

ATTEST:

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

APPROVED AS TO FORM:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: July 21, 2026

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and discuss a recommendation from the Gillespie Central Appraisal District (GCAD) related to the retention of a joint delinquent tax collections firm for all taxing entities, and take any appropriate action related to same (Scott Fair, GCAD - Chief Appraiser)

SUMMARY:

Consideration and action (vote) regarding a legal firm to assist the GCAD in collection of delinquent taxes.

BACKGROUND:

In accordance with the City's agreement with the Gillespie Central Appraisal District (GCAD), each local taxing entity is tasked with providing a recommendation (vote) for a tax collection legal firm that will assist GCAD with collection of delinquent taxes. The GCAD recently sent out a request for qualifications and based on the responses, Scott Fair - Chief Appraiser, is recommending the firm of Linebarger, Goggan, Blair, & Sampson, LLP and the GCAD board voted in support of this recommendation. However, both Fisd and Gillespie County voted for the firm of Perdue, Brandon, Fielder, Collins, & Mott, LLP.

Scott Fair will be in attendance at the meeting to review the selection process, his recommendation and the subsequent GCAD Board action, and provide an update regarding the other taxing entities' votes.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. Delinquent Tax Attorney Search - Letter to Taxing Entities

APPROVAL/REVIEW:



Garret Bonn, Assistant City Manager

Date: July 01, 2026



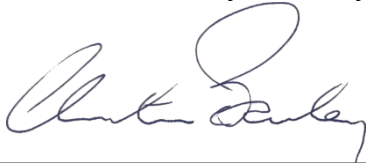
Leticia Vacek, City Secretary

Date: July 07, 2026



William McKamie, City Attorney

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



GILLESPIE CENTRAL APPRAISAL DISTRICT

1159 S. Milam St.
Fredericksburg, TX 78624
(830) 997-9807

Date: June 10, 2026

To: City of Fredericksburg
Doss CCSD
Fredericksburg ISD
Gillespie County
Gillespie WCID
Harper ISD
Hill Country Underground WCD
Stonewall WCID

RE: Chief Appraiser's Recommendation for Delinquent Tax Collections Firm

Taxing Entities,

Our delinquent tax attorney Cristol Schoessow, with Bryla and Schoessow, approached me early this year about relinquishing the contract for delinquent property tax collections. On March 26, 2026 Mrs. Schoessow and I met with representatives from the taxing entities to discuss this and replacing her firm with another firm. At the end of the meeting, I was given a directive to vet firms that submitted a proposal and then submit my recommendation to the taxing entities, since the appraisal district would be the one working closely with the law firm.

On April 14th I sent a request for qualifications to the three major law firms handling delinquent tax collections in Texas. While waiting for the proposals to be submitted I contacted county assessor/collectors and appraisal districts to vet the firms. I ended up receiving proposals from two firms, Perdue Brandon Fielder Collins & Mott LLP (Perdue) and Linebarger Goggan Blair & Sampson, LLP (Linebarger). I read the proposals and then set up interviews with the two firms. The interviews included three to four people from the firm and four appraisal district staff members. After the interviews I made additional phone calls to multiple county assessor/collectors and appraisal districts with more questions.

Both firms are qualified and have decades of experience in delinquent tax collection duties. Both firms offer identical or very similar processes in delinquent tax collections. Each also has points that stand out from the other. The main selling point for Perdue is they would retain Cristol Schoessow for a year for transition. Linebarger would like to work with Mrs. Schoessow in transition, but it would not be by retaining her. Linebarger included in their proposal to pay non-litigation attorney fees of the appraisal district (these fees averaged \$4,500 over the last three years and are rising).

I was tasked with making a recommendation. My staff and I have spent many hours vetting and reviewing the two firms. I have had conversations with my staff comparing

and contrasting the two firms. After work and thought I have come to the conclusion that the Linebarger firm would be the best fit long term for the appraisal district and the taxing entities. Besides the items aforementioned, there were other nuances that led to my conclusion.

Yesterday I recommended the Linebarger firm to my board of directors. My board asked me to include in this letter their decision. My board voted for Linebarger to be the next delinquent tax attorney firm for the appraisal district. The vote was a majority vote, but not unanimous.

Per the assessment and collection agreement the appraisal district has nominated a law firm. I now am asking the eight taxing entities to cast your vote. I would like to have votes returned in the next 30 to 45 days, if possible.

If you would like to discuss anything concerning this process or my recommendation then please contact me. If you place your voting on an agenda for your taxing entity then I would like to attend the meeting. Please let me know if it will be an agenda item.

Thank you for your attention.



Scott Fair
Chief Appraiser



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Parks and Recreation
TO: Mayor & City Council Members
FROM: Jennifer Krupa, Asst. PARD Director/
Special Events
MEETING DATE: July 21, 2026

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider the approval of a street closure request for two "Warehouse Row Makers Market" events on S. Lincoln Street from the north side of the Barons Creek bridge to San Antonio Street beginning at 6:00 a.m. on Saturday, November 21, 2026, until 6:00 p.m. on Sunday, November 22, 2026, and again on Saturday, April 10, 2027, at 6:00 a.m., until Sunday, April 11, 2027, at 6:00 p.m. (Jill Elliott, Event Organizer)

SUMMARY:

Jill Elliott, owner of Haberdashery and Blackchalk Home, and other business owners on Lincoln Street are requesting to host another two "Warehouse Row Makers Market" events on Lincoln Street on the weekends of Saturday, November 21, 2026 & Sunday, November 22, 2026, and again on Saturday, April 10, 2027, and Sunday, April 11, 2027, that will require the closure of S. Lincoln Street.

BACKGROUND:

A one-day "Lincoln Street Makers Market" event and street closure received first-time approval from City Council at the March 3, 2026, council meeting for the May 9, 2026, event.

The Fredericksburg Chamber of Commerce is working with Jill Elliott and other business owners on S. Lincoln Street and requesting to close S. Lincoln Street for these events, which will occur in both November 2026 and April 2027, on Saturdays from 10 a.m. until 7 p.m., and on Sundays from 10 a.m. to 4 p.m. Parking areas on Lincoln Street behind Mesquite at the Warehouse/Carol Hicks Bolton Antiques will be used for event attendees. If approved, the street would be closed from 6:00 a.m. Saturday morning until 6:00 p.m. on Sunday to allow vendors onto the street for set-up and take-down, and to leave their items overnight for the two-day event. Private security will also be utilized to ensure drivers and pedestrians are properly directed near the road closure and to secure vendor items overnight. The extent of the road closure is supported by nearby businesses such as Rode's Iron & Pipe Yard and Schaeffer's Funeral Home, and will not impact the operations of the City's Recycling Center.

City staff, including representatives from the Police, Parks, Engineering, and Street Departments have reviewed and approved the request. If approved by the Council, the Chamber of Commerce will contract with a traffic control company to obtain a signed and sealed traffic control plan (TCP), and ensure the traffic control devices are installed in accordance with the TCP and the Texas Manual on Uniform Traffic Control Devices (TMUTCD) and then removed when the event concludes.

The event organizer has notified all other affected businesses and residents in the closure area and signatures supporting the event are attached.

Chapter 44, Article II, Section 44-24, of the City's Code of Ordinances states:

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

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

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

In accordance with this Ordinance, Council approval will be required for the closure. Jill Elliott, the event organizer, will be in attendance at the meeting to provide details of the event and answer any questions the Council may have.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION: City staff recommends approval of a road closure on S. Lincoln Street between the Barons Creek Bridge and San Antonio Street on the following dates and times, with the requirement to contract with a traffic control company to obtain a signed and sealed traffic control plan (TCP), and ensure the traffic control devices are installed in accordance with the TCP and the Texas Manual on Uniform Traffic Control Devices (TMUTCD) and then removed when the events conclude.

- Saturday, November 21, 2026, beginning at 6:00 a.m. and ending on Sunday, November 22, 2026, at 6:00 p.m.
- Saturday, April 10, 2027, beginning at 6:00 a.m. and ending on Sunday, April 11, 2027, at 6:00 p.m.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Quality of Life

ATTACHMENTS:

1. 2026 Lincoln St. Market Post Event Report_May 2026
2. Street Closure Request Form
3. Lincoln St. Road Closure
4. Lincoln St. Closure_Business Signatures

APPROVAL/REVIEW:

Andrea Schmidt

Andrea Schmidt, Parks and Recreation Director

Date: June 30, 2026



William McKamie, City Attorney

Date: June 30, 2026



Leticia Vacek, City Secretary

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



MAY 2026 POST EVENT REPORT

EVENT PRODUCED BY:

BLACKCHALK
HOME AND LAUNDRY



**Fredericksburg
Chamber**


Fritztown Farms

The inaugural Lincoln Street Maker's Market, produced by the Fredericksburg Chamber of Commerce, Blackchalk Home & Laundry and Fritztown Farms was successfully launched in May 2026. Created to showcase local artisans, makers, food vendors, and beverage providers, the event transformed a portion of Lincoln Street into a vibrant pedestrian marketplace and brought new energy to Fredericksburg's Warehouse District.



EVENT PURPOSE

The Lincoln Street Maker's Market was developed to:

- Showcase local artisans, makers, and small businesses
- Drive foot traffic and economic activity within the Warehouse District
- Create an engaging community gathering space
- Enhance Fredericksburg's visitor experience through a unique local event
- Support entrepreneurship and small business development



“

“We have so many creative and talented people in the Hill Country and beyond. We wanted to create an event that highlights that creativity in a location close to Main Street, where we can capture that foot traffic while also showcasing the unique and artistic energy of the Lincoln Street Warehouse District.”

-Jill Elliott, Blackchalk Home and Laundry

”



VENDOR FEEDBACK

“

The event was very well planned and coordinated. It was great to see such a good mix of locals as well as tourists!

”

VENDOR PARTICIPATION

A diverse group of vendors helped create a vibrant and engaging marketplace experience for both residents and visitors. Despite being a first-year event planned in just a few short months, the Lincoln Street Maker's Market successfully brought together 63 vendors, including 50 makers and artisans and 13 food and beverage vendors. Attendees enjoyed a wide variety of offerings, including handcrafted jewelry, original artwork, antiques, home décor, specialty food products, native plants, and many other unique, locally made goods. The diverse mix of vendors showcased the creativity and entrepreneurial spirit of our community while providing visitors with an authentic Fredericksburg experience.



VENDOR SURVEY HIGHLIGHTS



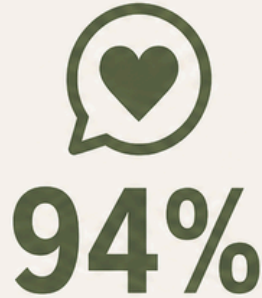
OVERALL EXPERIENCE



of vendors that responded to the survey rated their overall experience as **good or great**.



NET PROMOTER SCORE (NPS)



We received a **94% NPS** score when asking vendors how likely they would be to recommend participating in the market to a friend or colleague.



FUTURE PARTICIPATION



100%

of respondents said they would be interested in participating in a future market.



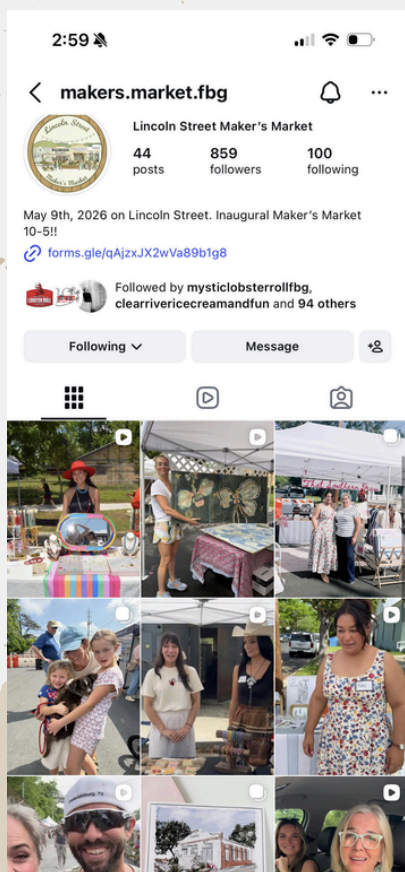
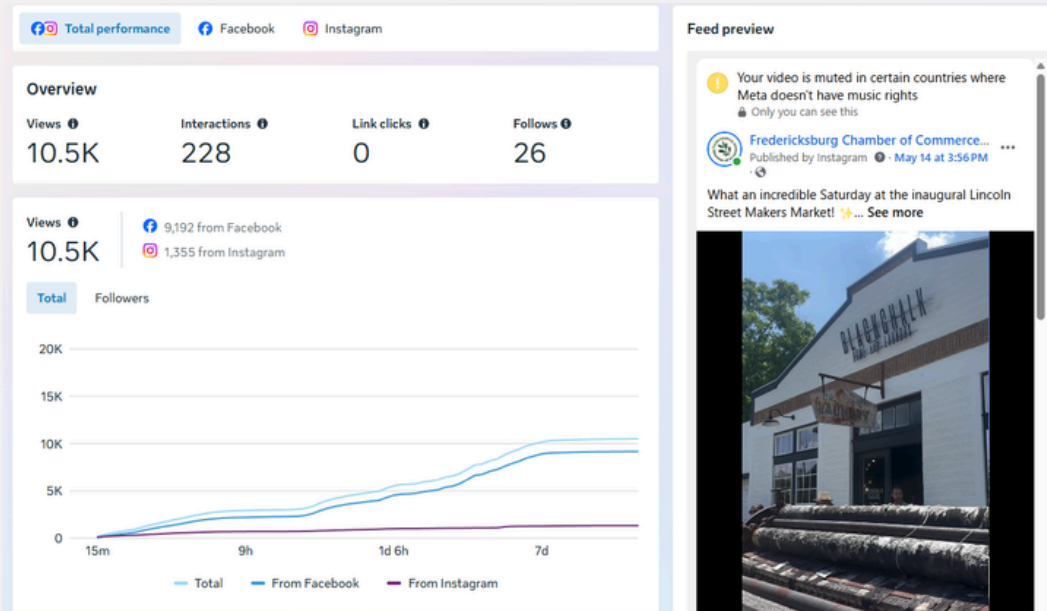
MARKETING

Despite being planned and executed within just a few short months, the Chamber staff and Market Event Committee successfully implemented a grassroots marketing campaign that generated strong vendor participation and community awareness for the inaugural event. As a first-year event, promotion focused primarily on:

- Word-of-mouth marketing
- Local flyer distribution
- Social media promotion
- Email marketing
- Local media coverage



MARKETING



Fredericksburg Chamber
Where Heritage Meets Opportunity

LINCOLN STREET MAKER'S MARKET
Saturday May 9th
10AM - 5PM

You're Invited to Lincoln Street Maker's Market
It's Free & Open to the Public!

Support artisans, makers, and small businesses at the inaugural Lincoln Street Maker's Market, a brand-new outdoor market in Fredericksburg's Warehouse District!

On Saturday, May 9, a portion of Lincoln Street just south of Main Street will be closed to vehicle traffic and transformed into a vibrant pedestrian marketplace. Stroll the Warehouse District, shop handcrafted goods from talented makers, enjoy live music, and sip and savor curated food and beverage offerings.

This exciting new event celebrates the creativity and entrepreneurial spirit that make Fredericksburg such a special place. Whether you're searching for one-of-a-kind gifts, locally made art, specialty foods, or simply a fun Saturday outing — you won't want to miss it. Brick-and-mortar businesses in the Warehouse District will remain open during the event as well — so plan to shop, dine, and explore!

📍 Location: 200 - 300 Block of Lincoln Street, Fredericksburg Warehouse District

Follow along and learn more about participating vendors on [Instagram!](#)

[LEARN MORE](#)

MARKETING

Media Highlights:

- Multiple articles featured in the local newspaper
- Chamber-issued press release highlighting the inaugural market
- Paid newspaper advertisement promoting the event
- Inclusion in the Fredericksburg Standard's Daily Update email newsletter

The inaugural marketing campaign demonstrated that there is significant interest in the Lincoln Street Maker's Market. Future marketing efforts will focus on increasing event awareness among local residents, expanding regional tourism promotion, and building attendance through a more robust and strategic multi-channel campaign.

LINCOLN STREET *Makers Market*

SATURDAY MAY 9TH
10AM - 5PM

**EXPERIENCE FREDERICKSBURG'S
WAREHOUSE DISTRICT**
LOCATED IN THE 200-300 BLOCK OF LINCOLN STREET

Scan for directions



**50+ UNIQUE
VENDORS
LIVE MUSIC
FOOD &
BEVERAGE**

PRODUCED & SPONSORED BY:

BLACKCHALK
HOME & LAUNDRY

 **Fredericksburg
Chamber**

 **Fritztown Farms**

CAROL HICKS BOLTON ANTIQUES - MESQUITE AT THE WAREHOUSE

LINCOLN STREET *Makers Market*

SATURDAY MAY 9TH
10AM - 5PM



**EXPERIENCE
FREDERICKSBURG'S
WAREHOUSE DISTRICT**
LOCATED IN THE 200-300
BLOCK OF LINCOLN STREET

**50+ UNIQUE VENDORS
LIVE MUSIC
FOOD & BEVERAGE**

**FOR MORE INFO
CONTACT THE CHAMBER
830-997-5000**

 **Fredericksburg
Chamber**

OUTCOMES & OPPORTUNITIES

The inaugural Lincoln Street Maker's Market provided valuable insights and identified opportunities for future growth.

Opportunities for Improvement

- Increase seating and gathering spaces and provide shade
- Enhance wayfinding and directional signage
- Streamline load in and load out process for vendors
- Expand entertainment offerings and include interactive family friendly activities
- Offer a larger variety of food selections in food court area
- Create a information/merchandise booth to sell market branded goods
- Recruit volunteers to assist vendors and be market ambassadors
- Road barricades to be unfilled in middle for emergency access lane (park security trucks in front)
- Offer option for electricity access for vendors

Growth Considerations

- Expand event footprint (extend road closure to San Antonio St.) to improve the flow of the market and increase the number of vendors
- Evaluate the feasibility of expanding the market into a multi-day event to increase tourism impact and vendor sales opportunities.



BUILDING ON SUCCESS

The inaugural Lincoln Street Maker's Market successfully achieved its goals of supporting local makers, activating the Warehouse District, and creating a welcoming community gathering place for residents and visitors alike. In its first year, the event attracted strong attendance, generated positive feedback from participants, and showcased the unique creativity and entrepreneurial spirit that make Fredericksburg special.

Thank you to the City of Fredericksburg for its partnership and support in making this event possible through the temporary closure of a portion of Lincoln Street. The ability to create a safe, pedestrian-friendly environment was instrumental in the event's success and allowed visitors to fully experience the market while exploring the Warehouse District.

Beyond providing opportunities for local artisans, makers, food vendors, and businesses, the market served as a community event that brought people together, encouraged exploration of an emerging area of Fredericksburg, and supported economic activity for surrounding businesses. The positive response from attendees, vendors, and stakeholders demonstrates the market's potential to become a signature community event that benefits both residents and visitors while contributing to the continued vitality of the Warehouse District.

As we look to the future, we are committed to thoughtfully growing the event in a way that enhances its economic and community impact. Potential expansions, including an extended footprint and a two-day event format, would allow additional opportunities for vendors, increased visitor engagement, and greater support for businesses in and around the Warehouse District. We look forward to continuing our partnership with the City of Fredericksburg to build on the success of the inaugural market and create an event that the entire community can enjoy for years to come.



THANK YOU TO OUR VENDORS, VOLUNTEERS AND SUPPORTERS!



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 require 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, the proposed traffic control plan either signed and sealed by a registered professional engineer or standard detail approved by another municipality or TXDOT, who will be responsible for installation and maintenance of the traffic control devices (copy of contact preferred) and any other 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 is required to be in attendance at the City Council meeting to present and answer any questions. Please note that security may be required based on the nature and scope of the event. Any associated security costs will be the responsibility of the event organizer.

Is this a first-time street closure request, or has it been submitted and approved previously? ☐ First-time ☒ Approved previously

Closure Area:

☒ Entire Street ☐ Parking Lane Only ☐ Partial Street ☐ Blocking or Using City-Owned Property

Location: 200 - 300 Block of Lincoln St.

Additional details; describe details of use below:

Street to be closed from San Antonio St. to just south of Mesquite at the Warehouse (allow access to dirt drive for parking)

Street to be closed from San Antonio St. to just south of Mesquite at the Warehouse (allow access to dirt drive for parking)

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.
S. Lincoln St.	E. Ufer St.	San Antonio St.	Sat. Nov 21st	6:00AM	Sun Nov 22nd	6:00PM
S. Lincoln St.	E. Ufer St.	San Antonio St.	Sat. April 10	6:00AM	Sun April 11th	6:00PM

Name &
Contact Info.
for TCP Engineer AWP Safety, Engineer TBD

Name & Contact
Info. for
Installer/Maintainer AWP Safety, Trent Mathis, 860-200-5991

CITY USE ONLY:

Engineer: meeting on
Police: 6/25/26
Streets: _____

Date: 6/25/26

Additional Requirements: If a street closure is approved, any deviation from the approved plan may impact the ability of the event organizer to obtain approvals for future events. 40' Emergency lane access is required.

Lincoln St. Markers Market - Road Closure

Fredericksburg, Texas





05/28/2026

To Whom It May Concern,

We, the undersigned business owners and/or authorized representatives located on or directly affected by a closure of Lincoln St, hereby acknowledge and give our permission for the temporary closure of Lincoln St to vehicle traffic from 6:00 am November 21st through 6:00 pm November 22nd, 2026 and 6:00 am April 10th through 6:00 pm April 11th, 2027.

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 and loadout of vendors.

We understand the purpose of this temporary closure is to accommodate a community event and agree to support this request.

Blackchalk Home and Laundry

306 S. Lincoln St.

Printed Name of Owner/Authorized Representative: _____

Jill Elliott

Signature: _____

Jill Elliott

Date: _____

5/29/26

Fredericksburg Chamber of Commerce
306 E. Austin St. Fredericksburg, Texas 78624



Residence

217 E. Creek Street

Printed Name of Owner/Authorized Representative: Greg Dehler

Signature: Greg Dehler

Date: 5/29/2026

Lost Draw

206 S. Lincoln St.

Printed Name of Owner/Authorized Representative: TROY OTTMERS

Signature: Troy Ottmers

Date: 6-2-2026

Happy Days Vacation Rental

204 S. Lincoln St.

Printed Name of Owner/Authorized Representative: Judy Feller, Manager
Fredericksburg Neighborhood VC

Signature: Judy K. Feller

Date: 5/29/2026

Fredericksburg Chamber of Commerce
306 E. Austin St. Fredericksburg, Texas 78624



The Deodara

213 E. San Antonio St.

Printed Name of Owner/Authorized Representative: Melissa Rockwood

Signature: Melissa Rockwood

Date: 6-1-26

Schaetter Funeral Home

301 E. San Antonio St.

Printed Name of Owner/Authorized Representative: Shawn Danz

Signature: SDanz

Date: 6-3-26

Rode's Iron and Pipe Yard

203 S. Lincoln St.

Printed Name of Owner/Authorized Representative: Anthony Rode / Partner

Signature: Anthony Rode

Date: 5/28/2026

Fredericksburg Chamber of Commerce
306 E. Austin St. Fredericksburg, Texas 78624



Carol Hicks Bolton Antiques / Room No. 5 Antiques

301-303 S. Lincoln St.

Printed Name of Owner/Authorized Representative: Carol Bolton

Signature: [Handwritten Signature]

Date: 5/20/20

Mesquite at the Warehouse

305 S. Lincoln St.

Printed Name of Owner/Authorized Representative: Hunter Huffman

Signature: [Handwritten Signature]

Date: 5/28/26



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: July 21, 2026

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Consider and take action on appeal of the Director of Development Services denial of a STR-Unoccupied permit for 610 W. Travis (Ashley Nardiello) at 610 West Travis Street. (Cliff Cross, Director of Development Services)

SUMMARY:

With the adoption of Ordinance No. 2023-18 (2024 STR Ordinance), an appeal process was created to allow a property owner to file an appeal in the event that a Short-Term Rental Application is denied. The appeal process is to be considered by City Council in accordance with Sec. 20-225 of the 2024 STR Ordinance.

The applicant must file an appeal within 20 days following the date of the denial and the appeal must identify each alleged point of error, facts or evidence supporting the appeal, and reasons why the action of the director should be modified or reversed. City Council shall then hear the appeal and may affirm, modify, or reverse the application denial.

Staff determined that the applicant has submitted a complete application and is ready for consideration by City Council.

BACKGROUND:

Address: 610 W. Travis

Owners: 610 West Travis (Ashley Nardiello)

Management: NA

Zoning: R1

STR Permit Issue Date: 4/14/2023

STR Permit Expiration Date: 7/23/2023

STR 90 Day Nonconforming Expiration Date: 10/23/2023

HOT Compliance: Compliant - Current on HOT remittance

Code Violations: No Violations on record

It is important to note that with the adoption of Ordinance No. 2023-18 (2024 STR Ordinance), a 90-day grace period was provided for all nonconforming uses per Sec. 20-226(c). That section of code states that all legal nonconforming (STRs permitted BEFORE the 2024 STR Ordinance) short-term rental uses located in zoning districts where short-term rental uses are no longer permitted by right, shall be subject to the abandonment of nonconforming use provisions contained in Sec. 6.110 of the City Zoning Ordinance, which states that, in residential districts, termination of the nonconforming use occurs when the use is voluntarily discontinued for a period of 90 days.

In summary, the subject property is located within the R1, Single-Family Residential zoning district and previously operated as a Short-Term Rental (STR) unoccupied, possessing an STR permit. This qualified the property as a legal nonconforming use in accordance with Section 6.110 of the Zoning Ordinance.

Historically, the property has held an STR-Unoccupied Permit which is active until 7/23/2023. Based on review, it was determined the property continued to operate as an STR under the applicant's belief that it had a valid permit until April of 2026, in which she was advised of the no permit status. The applicant indicated they believed they had continuously maintained the required STR permit. However, despite the permit lapse, the applicant continued to submit and pay the required HOT taxes quarterly.

Staff determined, that due to the lack of the required annual STR permit in accordance with Section 20.221(2) the legal non-conforming status of the property was lost in accordance with Section 6.110 of the zoning code in October 2023 and not a permitted use or legal non-conforming use eligible for permit renewal in April 2026. The applicant has filed an appeal, of this determination, in accordance to the aforementioned Section 20-225.

FUNDING SOURCE:

NA

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

NA

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Tourism

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Details of Appeal from Ashley
2. buffer_200ft_29323
3. Property Photos_2026

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: July 15, 2026

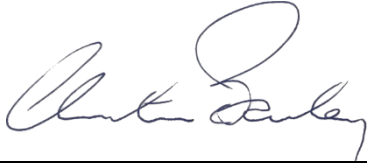


Date: July 15, 2026

William McKamie, City Attorney



Leticia Vacek, City Secretary



Clinton Bailey, City Manager

Date: July 15, 2026

Date: July 15, 2026

Filing Date (within 20 days of denial): 06/15/2026

Details of Appeal:

I am writing to formally appeal the lapse of Short-Term Rental Permit No. 8056001246 for the property located at 610 W Travis Street, Fredericksburg, TX, and to respectfully request that the City of Fredericksburg reinstate this permit. It is my position that the lapse occurred not through any intentional noncompliance on my part, but as a result of a combination of processing delays and a breakdown in communication between myself and the City during the renewal period. I submitted my permit renewal through the City's online Granicus portal during the period when the City was transitioning to that system. That transition created considerable confusion among many short-term rental owners regarding the renewal process, and my experience was no exception. Following submission, I did not receive any confirmation, notification of deficiency, or follow-up communication from the City indicating that the renewal was incomplete, had not been processed, or required any additional action on my part. After a significant period passed without any response, I followed up directly with STR Specialist Jan Musgrove to inquire about the status of my application. As a result of that inquiry, a renewed permit was issued. However, because my application had remained in a pending status for an extended period prior to that resolution, the resulting permit covered a substantially shorter validity window than a standard renewal would have provided. The last communication I received from the City regarding this permit was on April 13, 2023. In April 2026, I called the City to inquire about a separate property my husband and I were considering purchasing. I asked Shannon Hudson to pull up our permit while I had her on the phone, because I knew it had been a while and I wanted to be in good standing. That is when she informed me the permit had expired and that the City would not reinstate it. She also informed me that the City had updated its short-term rental permitting requirements during the time the permit had lapsed. Specifically, I understand that current regulations now require that an owner who resides on-site must occupy the larger of the two units and may only rent the smaller unit. The configuration of my property does not conform to this updated requirement, as the units are arranged in the opposite manner, with my mother, who is part owner, residing in the smaller back unit. This configuration was permissible at the time my original permit was issued and remained unchanged throughout the life of the permit. I acknowledge that I did not follow up with the City when my permit expired, and I take responsibility for that. What I would ask the City to consider is that the communication on both sides broke down, and that I have been a compliant permit holder throughout the life of this permit with every intention of remaining one.

Declaration: Ashley Nardiello

Short Term Rental Parcel Report



- GCAD Parcel
 GCAD Road
 STR Parcel
 Parcels within 200 feet
 Buffer Zone
 Target STR Parcel

610 W Travis St.



610 W Travis St.



610 W Travis St.



610 W Travis St.



610 W Travis St.



610 W Travis St.



610 W Travis St.



610 W Travis St.



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Cliff Cross, Director of Development Services
MEETING DATE: July 21, 2026

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Discussion and potential motion directing staff to prepare and present proposed text amendments to the Planning & Zoning Commission for " Appendix B - Zoning Ordinance" regulating the establishment of permitted and conditional uses within the Central Business District (CBD). (Cliff Cross, Director of Development Services)

SUMMARY:

The Planning & Zoning Commission has requested that staff begin to evaluate the permitted and conditional uses within the Central Business District (CBD) underlying zoning district. Specifically, the commission has asked that staff identify a healthy balance of permitted and conditional uses within the district and their potential impact on the Historic Shopping Overlay District when proposing these amendments.

Staff has also advised the Planning & Zoning Commission that this potential amendment could be evaluated as part of the Unified Development Code process. However, a concern driving this expedited consideration, is that the completion of the UDC could take 18–24 months and the Planning & Zoning Commission have requested staff to continue to review and address various amendments prior to the completion of the UDC.

To move forward with the request, "Section 5.220 - Initiation", requires that a text amendment may be initiated by the Planning & Zoning Commission or the City Council. As a result, staff is seeking one of the three following actions:

- 1) Formal motion by City Council directing staff to move forward with a formal text amendment proposal.
- 2) Direction of City Council to further discuss with the Planning & Zoning Commission to seek their formal motion if needed.
- 3) No further action, discussion or action at this time.

BACKGROUND:

NA

FUNDING SOURCE:

NA

FINANCIAL IMPACT:

NA

STAFF RECOMMENDATION:

NA

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

ATTACHMENTS:

None

APPROVAL/REVIEW:



Cliff Cross, Director of Development Services

Date: July 15, 2026



Garret Bonn, Assistant City Manager

Date: July 15, 2026



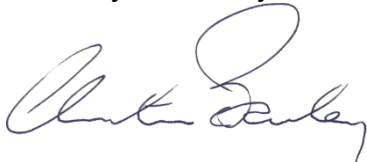
William McKamie, City Attorney

Date: July 15, 2026



Leticia Vacek, City Secretary

Date: July 15, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Clinton Bailey, City Manager
MEETING DATE: July 21, 2026

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Presentation by Native Plant Society for Main Street. (Alan Kirchoff & Jonathan Watt)

SUMMARY:

Alan Kirchoff and Jonathan Watt will be present to make their presentation before the City Council to show the Native Plant Society's ideas of incorporating specific Native Plants in and around Main Street.

BACKGROUND:

The Native Plant Society assists with ideas utilizing native plants which do not require an abundance of water. Native Plants are utilized throughout the city and residential areas to enhance businesses and residential homes within Fredericksburg.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

A presentation by Alan Kirchoff and Jonathan Watt will be made to the City Council. No action is necessary at this time.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

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

ATTACHMENTS:

None

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: July 07, 2026



William McKamie, City Attorney

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: July 21, 2026

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Quarterly Economic Development Update. (Tim Lehmberg, Gillespie County EDC Executive Director)

SUMMARY:

Tim Lehmberg, EDC Executive Director, will provide a quarterly update to the Council.

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

None

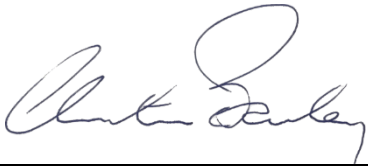
APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: July 07, 2026

William McKamie, City Attorney

Date: July 07, 2026

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

Clinton Bailey, City Manager

Date: July 15, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Clinton Bailey, City Manager

MEETING DATE: July 21, 2026

CATEGORY: ITEMS FOR FUTURE AGENDA

CAPTION: City Manager Bailey will review the Future Agenda Items List with the City Council.

SUMMARY:

The Future Agenda Items List of Items and Upcoming Meetings is a fluid but standard item on each City Council Agenda. City Manager Bailey reviews said item with the Council for awareness, transparency, and provides for Council changes/edits.

BACKGROUND:

Said item has been a fixture on the Regular Council Meetings for many years and provides the Council and Community transparency.

FUNDING SOURCE: n/a

FINANCIAL IMPACT:

n/a

STAFF RECOMMENDATION:

No action is necessary; the Council has the authority to bring forth additions or the deletion of any item/meeting.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Workforce

Tourism

City Center

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Future Agenda Items List 07-21-2026 (1)

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: July 07, 2026



William McKamie, City Attorney

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026

City Council Future Agenda Items/Meetings

August 4, 2026 Regular Council Meeting

- August 4th Construction Manager at Risk Contract for Remodel of Public Restrooms at Visitor Center (Jenny Staudt, CVB VP)
- August 4th Presentation of Calculated Truth-in-Taxation Tax Rates-No Action Required (Krista Wareham, Finance Director)
- August 4th Reappointment of Municipal Court Judge Shelley Becker (City Council)
- August 4th Interlocal Agreement with Fisd for Juvenile Case Manager Program (Municipal Court Judge Becker)

Other Meetings/Events

- July 28th Citizen University 6:00pm Council Chambers (Topic: Development Services, Cliff Cross)
- August 12th Coffee with the City Manager 8:00am Cardinal Room (Topic: Unified Development Code Process)
- August 18th Regular Mtg – 9am Council Action to Set Proposed Tax Rate (Krista Wareham, Finance Director)
- August 25th Special Budget Mtg – 9am Chambers (Krista Wareham, Finance Director)
- Sept. 8th Special Budget Mtg – 9am Chambers: Public Hearing Proposed Budget & Tax Rate (Krista Wareham, Finance Dir)
- Sept. 15th Regular Mtg – 9am Chambers: Adoption of the FY 2027 Tax Rate and Budget (Krista Wareham, Finance Director)



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: July 21, 2026

CATEGORY: EXECUTIVE SESSION

CAPTION: Consideration of Board and Commission Applications and possible action of appointments to the following boards: Planning & Zoning Commission, Zoning Board of Adjustment, and Historic Review Board pursuant to Texas Government Code 551.074 (Personnel Matters).
(Leticia Vacek, City Secretary)

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Comprehensive Plan Guiding Principles

ATTACHMENTS:

None

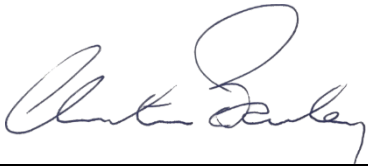
APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: July 07, 2026

William McKamie, City Attorney

Date: July 07, 2026

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

Clinton Bailey, City Manager

Date: July 15, 2026



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM:
MEETING DATE: July 21, 2026

CATEGORY: EXECUTIVE SESSION

CAPTION: Legal Matters Update — Pursuant to Texas Government Code Section 551.071
(Attorney-Client Privilege)

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Overall Governance of the City Manager.

ATTACHMENTS:

None

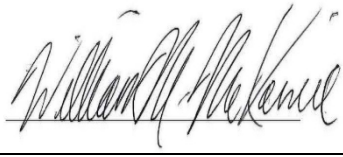
APPROVAL/REVIEW:

Clinton Bailey, City Manager

Date: July 01, 2026

Garret Bonn, Assistant City Manager

Date: July 01, 2026



William McKamie, City Attorney

Date: July 01, 2026



Leticia Vacek, City Secretary

Date: July 07, 2026



Clinton Bailey, City Manager

Date: July 15, 2026