

**CITY OF FREDERICKSBURG
CITY COUNCIL MEETING**

MONDAY, JUNE 18, 2018 ~ 6:00 p.m.

Law Enforcement Center ~ 1601 East Main Street

Linda Langerhans, Mayor
Charlie Kiehne, Council Member
Jerry Luckenbach, Council Member

Gary Neffendorf, Mayor Pro-Tem
Tom Musselman, Council Member
Kent Myers, City Manager

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

A G E N D A

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Page Ref

1. **EMPLOYEE RECOGNITIONS**

2. **PUBLIC COMMENT**

3. **MINUTES** - Consider approval of Minutes of May 2018 Meetings 1-10

4. **PUBLIC HEARINGS**

A. **PUBLIC HEARING** - Voluntary Annexation of Approximately 11.282 Acres of Land Located on the South Side of N US Highway 87, West of US Highway 290, for the Proposed Hotel/Conference Center (1st of two required hearings) 11-17

B. **PUBLIC HEARING** (Z-1802) Request to Amend the Land Use Plan from Low Density Residential to Commercial and to Change the Zoning at 610, 612, 616, 618 and 620 W. Live Oak Rd. From R1 Single Family Residential to C1, Neighborhood Commercial 18-35

C. **PUBLIC HEARING** (Z-1805) Request to Amend the Land Use Plan from Medium Density Residential to Commercial and to Change the Zoning from R2 Mixed Residential to C2 Commercial on 4.91 Acres Being Part of Outlot 9 in the City of Fredericksburg, Located at the South West Corner of S. Eagle St and Friendship Lane 36-51

5. **ORDINANCES - RESOLUTIONS- ACTION ITEMS**

- A. Receive Recommendation and Consider Ordinance for Z-1802
- B. Receive Recommendation and Consider Z-1805

6. **INDIVIDUAL ITEMS FOR CONSIDERATION AND POSSIBLE ACTION**

- A. Consider Lease of Golf Course Mowing Equipment 52-54

7. **ITEMS FOR FUTURE AGENDAS**

8. **CITY MANAGERS REPORT**

- A. Art Guild Building
- B. Animal shelter - County Utilization
- C. Municipal Court Relocation
- D. 2019 Budget Process

9. **ADJOURN**

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**REGULAR CITY COUNCIL MEETING
MAY 7, 2018
6:00 PM**

On this the 7th day of May, 2018, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - A.C.M./D.P.W.U.
BRIAN JORDAN - DIR DEVELOPMENT SERVICES
SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

The meeting was called to order at 6:00 PM following the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS - City Manager Kent Myers recognized Officers Chad Lovelady, Eric Hinterlach, and Marshal Hefley for attending a 5 year old's birthday party on their own time, EMT's Billy Moellering and Jason Leifester for showing kindness to accident victim, all Public Works departments for their handling of the power outage last Friday, and Doris Segner for her customer service to an elderly woman switching her utility service.

PUBLIC HEARING ON THE VOLUNTARY ANNEXATION OF APPROXIMATELY 24.77 ACRES OF LAND LOCATED AT THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, OTHERWISE KNOWN AS LOTS 2B-2R, 2B-1R, AND 2A-R OF THE SEIPP SUBDIVISION (FIRST OF TWO) - It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to recess the regular session and open the Public Hearing on the Voluntary Annexation of approximately 24.77 acres of land located at the NW Corner of Smokehouse Road and the extension of W. Windcrest Drive, otherwise known as Lots 2B-2R, 2B-1R, and 2A-R of the Seipp Subdivision (first of two). All voted in favor and the motion carried.

Comments were received by Steven Harris, a neighbor on Smokehouse Rd, and Nicole Bartel, one of the developers.

With no further comments, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to close the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

ORDINANCE AMENDMENT TO SIGN ORDINANCE RELATING TO MARKET SQUARE - It was moved by Bobby Watson, seconded by Jerry Luckenbach, to forego the second reading and adopt an amendment to the Sign Ordinance relating to Market Square. All voted in favor and the motion carried.

ORDINANCE NO. 28-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING SECTION 29-5, OF CHAPTER 29 – SIGNS – OF THE CODE OF ORDINANCES, ESTABLISHING ADDITIONAL EXEMPTIONS FOR SIGN RELATED TO SPECIAL EVENTS ON MARKTPLATZ (MARKET SQUARE). Recorded in Ordinance Book

PROCLAMATION FOR NATIONAL HISTORIC PRESERVATION MONTH 2018 – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve a Proclamation for National Historic Preservation Month 2018 as presented by Anna Hudson, Historic Preservation Officer. All voted in favor and the motion carried.

PROCLAMATION

Proclamation for National Historic Preservation Month 2018

WHEREAS, May is National Historic Preservation Month 2018; and

WHEREAS, the City of Fredericksburg has a number of National Register Landmarks, a National Register Historic District and a Locally-Designated Historic District worth seeing, saving and celebrating; and

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is inherently economically, environmentally, and socially sustainable, fostering a culture of reuse and maximizing the life cycle of all resources through conservation; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, many Fredericksburg residents, groups and organizations work hard to preserve Fredericksburg's past for future generations;

NOW, THEREFORE, I, Mayor Linda Langerhans, do proclaim May 2018 as:

National Preservation Month

And call upon the people of Fredericksburg to join their fellow citizens across the United States in recognizing and participating in this special month through the many activities that are happening in our community during the month of May.

Executed this 1st day of May, 2018.

/s/ Linda Langerhans, Mayor

Attest: /s/ Shelley Britton, City Secretary

FUTURE POWER PURCHASES WITH AEP ENERGY – It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve an extension of our agreement for Future Power Purchases with AEP Energy until June 2023, with a sizable reduction of the rate to \$39.50/MWh through the end of the contract. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Kiehne, and Luckenbach. Motion carried.

AGREEMENT WITH SOCCER ASSOCIATION – It was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve the Non-Profit Organization Park Use Agreement with the Youth Soccer Association Region 714 – Fredericksburg Texas, for use and all maintenance and upkeep of the temporary soccer fields. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Kiehne, and Luckenbach. Motion carried.

RESCIND SUNSET CLAUSE OF SIGN ORDINANCE – Chief Wetz presented Council with information regarding the Sound Ordinance and recommended that the Sunset Clause be rescinded. With no further discussion, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to rescind the Sunset Clause of the Sign Ordinance as presented. All voted in favor and the motion carried.

POOL USER FEES FOR LARGER GROUPS – Susanna Leonard, Recreation Superintendent, presented an amendment to the fees for use of Lady Bird Johnson Park and Town Pool for private parties. It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the amended Pool Party Rental Fees as presented. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, and Neffendorf. Motion carried.

FY 2018 MID-YEAR BUDGET REPORT AND BUDGET AMENDMENTS – It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to approve the FY 2018 Mid-Year Budget Amendments as presented. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Kiehne, and Luckenbach. Motion carried.

CITY MANAGERS REPORT - City Manager Kent Myers reported on (1) May City Council Retreat, (2) Community Visioning Report, (3) Annexation Update, and (4) Golf Course Update.

FUTURE AGENDA ITEMS - Council discussed future agenda items.

PUBLIC COMMENTS – Cord Switzer commented on signs for special events, the sound ordinance, and the relief route. Jeanette Hormuth expressed concerns about fluoride in the city water.

COUNCIL COMMENTS – Jerry Luckenbach thanked all who voted in the May 5 election; Charlie Kiehne said he was honored to be reelected; Linda Langerhans commented on the great voter turnout and said that Bobby had been a great asset to the Council, and Bobby Watson congratulated Linda, Charlie and Tom on their wins, and encouraged everyone to continue to work on keeping lines of communication open.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to recess the regular session and go into Executive Session at 7:35 PM. All voted in favor and the motion carried. At 8:06 PM, it was moved by Council Member Luckenbach, seconded by Council Member Watson, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

PERSONAL INJURY CLAIM AGAINST CITY BY MARTA ESTRADA (Section 551.071) – It was moved by Council Member Neffendorf, seconded by Council Member Watson, to deny the injury claim by Marta Estrada. The vote was as follows: AYE: Langerhans, Watson, Luckenbach, Kiehne, and Neffendorf. Motion carried.

With no further discussion, Council Member Watson made a motion to adjourn the meeting at 8:07 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of June, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**SPECIAL CITY COUNCIL MEETING
MAY 8, 2018
10:00 AM**

On this the 8th day of May, 2018, the City Council of the CITY OF FREDERICKSBURG convened in special session at City Hall, with the following members presents to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: SHELLEY BRITTON - CITY SECRETARY
DANIEL JONES - CITY ATTORNEY

The meeting was called to order at 10:00 AM.

CANVASS AND APPROVE MAY 5, 2018 ELECTION RESULTS - A motion was made by Council Member Watson, seconded by Council Member Kiehne, to adopt the following Order declaring the result of the Regular City Election:

ORDER DECLARING RESULT OF REGULAR CITY ELECTION

On this the 8th day of May, 2018, the City Council in special session open to the public at City Hall, 126 W. Main St., with the following members present, to wit:

Linda Langerhans

Gary Neffendorf

Charlie Kiehne

Bobby Watson

Jerry Luckenbach

constituting a quorum, and passed the following Order and Resolution:

There came to be considered the returns of a Regular City Election held on the 5th day of May, 2018, for the purpose of an election to vote for a Mayor and two (2) Council Members for said City, as set forth in the Order calling said election, and it appearing that said election was in all respects legally held and that said returns were duly and legally made.

IT IS THEREFORE FOUND, DECLARED, AND SO ORDERED AND RESOLVED by the City Council of the City of Fredericksburg, Texas, that the legally qualified voters at said above mentioned election held on the 5th day of May, 2018 cast at said election the following votes:

MAYOR

Langerhans - 713

Lafferty - 391

Watson - 639

COUNCIL MEMBER

Kiehne - 1112

Saiidi - 480

Musselman - 990

Bennett - 483

Total votes cast: 1750

As shown in the official election returns submitted to the City Council of the City of Fredericksburg, Texas, on May 8th, 2018 by the officers holding said election.

IT IS FURTHER FOUND AND DETERMINED that in accordance with the order of this governing body, the City Secretary posted notice of the date, place, and subject of this meeting on

the bulletin board located at the City Hall, a place convenient to the public, said notice having so posted and remaining posted continuously for at least 72 hours preceding the time on this meeting.

The Order passed unanimously.

PASSED AND APPROVED this the 8th of May, 2018.

/s/ Linda Langerhans

ATTEST: /s/ Shelley Britton, City Secretary

With no further business, it was moved by Council Member Watson, seconded by Council Member Neffendorf, to adjourn the meeting at 10:10 AM. All voted in favor and the motion carried.

PASSED AND APPROVED this the 18th day of June, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**REGULAR CITY COUNCIL MEETING
MAY 21, 2018
6:00 PM**

On this the 21st day of May, 2018, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - ACM/D.P.W.U.
SHELLEY BRITTON - CITY SECRETARY
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
DANIEL JONES - CITY ATTORNEY
RUSSELL IMMEL - IT MANAGER

The meeting was called to order at 6:00 PM., followed by the Pledge of Allegiance.

EMPLOYEE RECOGNITIONS - City Manager Kent Myers recognized Officer Chad Lovelady and Jeff Rich from the Water Department.

PUBLIC HEARING ON THE VOLUNTARY ANNEXATION OF APPROXIMATELY 24.77 ACRES OF LAND LOCATED AT THE NW CORNER OF SMOKEHOUSE ROAD AND THE EXTENSION OF W. WINDCREST DRIVE, OTHERWISE KNOWN AS LOTS 2B-2R, 2B-1R, AND 2A-R OF THE SEIPP SUBDIVISION (SECOND OF TWO) –

It was moved by Council Member Kiehne, seconded by Council Member Luckenbach, to recess the regular session and open the Public Hearing on the Voluntary Annexation of approximately 24.77 acres of land located at the NW Corner of Smokehouse Road and the extension of W. Windcrest Drive, otherwise known as Lots 2B-2R, 2B-1R, and 2A-R of the Seipp Subdivision (second of two). All voted in favor and the motion carried.

Comments were received by Mimi Bartel, one of the owners/developers.

With no further comments, it was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to close the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

PUBLIC HEARING Z-1804 FOR A REQUEST TO ESTABLISH R1-A (SINGLE FAMILY RESIDENTIAL-SMALL LOT) ZONING ON A PROPERTY TOTALING APPROX. 11.7 ACRES LOCATED IN THE SEIPP SUBDIVISION ON SMOKEHOUSE ROAD -

It was moved by Council Member Luckenbach, seconded by Council Member Musselman, to recess the regular session and open the Public Hearing on Z-1804 for a request to establish R1-A (Single Family Residential-Small Lot) zoning on a property totaling approx. 11.7 acres located in the Seipp Subdivision on Smokehouse Road. All voted in favor and the motion carried.

Following comments from Steven Harris, Cindy Maple, and Andy Brey, it was moved by Council Member Musselman, seconded by Council Member Luckenbach, to adjourn the public hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1804 – Following a brief discussion, Council Member Neffendorf moved, seconded by Council Member Musselman, to approve Request Z-1804 for a request to establish R1-A (Single Family Residential-Small Lot) Zoning on a property totaling approx. 11.7 acres located in the Seipp Subdivision on Smokehouse Road. The vote was as follows: AYE: Langerhans, Kiehne, Musselman, Luckenbach, and Neffendorf; NAY: None. Motion carried.

PUBLIC HEARING Z-1803 FOR A CONDITIONAL USE PERMIT FOR A HOTEL IN THE CBD LOCATED AT NORTH AND WEST OF THE INTERSECTION OF E. UFER ST AND S LLANO ST. -

It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to recess the regular session and open the Public Hearing on Z-1803 for a Conditional Use Permit for a hotel in the CBD located at North and West of the intersection of E. Ufer St and S Llano St. All voted in favor and the motion carried.

Following comments from Representative David Martin, it was moved by Council Member Musselman, seconded by Council Member Luckenbach, to adjourn the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1803 - Council Member Neffendorf moved, seconded by Council Member Kiehne, to approve Z-1803 for a Conditional Use Permit for a hotel in the CBD located at North and West of the intersection of E. Ufer St and S Llano St. and encouraged staff to consider restricting parking on both sides of Ufer St. from S. Adams St to Lincoln St. The vote was as follows: AYE: Langerhans, Kiehne, Musselman, Luckenbach, and Neffendorf; NAY: None. Motion carried.

PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN AND ENGINEERING OF THE BOOT RANCH LIFT STATION – Following a presentation by Kris Kneese, it was moved by Council Member Luckenbach, seconded by Council Member Musselman, to approve the Design and Engineering of the Boot Ranch Lift Station as presented. The vote was as follows: AYE: Langerhans, Kiehne, Musselman, Luckenbach, and Neffendorf; NAY: None. Motion carried.

APPOINT MAYOR PRO TEM – It was moved by Council member Kiehne, seconded by Council Member Luckenbach, to appoint Council member Neffendorf as Mayor Pro Tem. All voted in favor and the motion carried.

APPOINT RELIEF ROUTE TASK FORCE MEMBER – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to appoint Bobby Watson as a city representative to the Relief Route Task Force

APPOINTMENTS OF COUNCIL LIAISONS – Council agreed to the following Council liaisons:

- Neffendorf: EDC, 175th Anniversary, Hill Country University Center
- Musselman: CVB, Chamber, and FISC/City/County
- Kiehne: Gillespie County, City/County/FISC
- Luckenbach: Airport Board, Market Square Redevelopment Commission
- Langerhans: Gillespie County, Relief Route, Historical Society, 175th Anniversary

APPROVE NEW PARADE RULES – It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to approve the New Parade Rules as presented. The vote was as follows: AYE: Kiehne, Musselman, and Luckenbach; NAY: Langerhans and Neffendorf. Motion carried.

MILITARY TRAINING REQUEST – It was moved by Council Member Kiehne, seconded by Council Member Musselman to approve the Military Training Request from the United States Army Special Operations Command, based out of Ft. Bragg, NC, to take part on several different occasions between the time of June 1, 2018 and May 31, 2020. The vote was as follows: AYE: Neffendorf, Kiehne, Musselman, and Luckenbach; NAY: Langerhans. Motion carried.

CITY MANAGER'S REPORT - City Manager Kent Myers reported on (1) City Council Retreat – May 22, 2018, (2) Community Visioning Process, (3) Hotel/Conference Center Project, and (4) Golf Course Update.

FUTURE AGENDA ITEMS - Council discussed future agenda items.

PUBLIC COMMENTS – Several local dentists spoke regarding the benefits of fluoride.

COUNCIL COMMENTS – Jerry Luckenbach reported on the Airport Board meeting, Charlie Kiehne commented on the new temporary soccer fields, and Tom Musselman thanked the voters for their support, and encouraged his students to participate in public service.

EXECUTIVE SESSION - It was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to recess the regular session and go into Executive Session at 8:01 PM. All voted in favor and the motion carried. At 8:45 PM, it was moved by Council Member Luckenbach, seconded by Council Member Kiehne, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

Following Executive Session, the following action was taken:

PENICK R&C, LP vs CITY OF FREDERICKSBURG, SEC. 551.071 – No action taken.

POTENTIAL CLAIM RELATED TO ENFORCEMENT OF ZONING ORDINANCE SECTION 3.510 OPERATION OF A STANDARDIZED BUSINESS IN HISTORIC, SEC. 551.071 SHOPPING DISTRICT – No action taken.

ALPHA SECURITIES LLC vs CITY OF FREDERICKSBURG, SEC. 551-071 – No action.
(Council Member Neffendorf abstained from the discussion)

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 8:47 PM. Council Member Musselman seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of June, 2017.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**CITY COUNCIL RETREAT
MAY 22, 2018
1:00 PM**

On this the 22nd day of May, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Cardinal Room, Lady Bird Johnson Golf Course, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
TOM MUSSELMAN - COUNCIL MEMBER
CHARLIE KIEHNE - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT:

KENT MYERS - CITY MANAGER
CLINTON BAILEY – ACM/DPWU
LAURA HOLLENBECK – DIR OF FINANCE
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
DANIEL JONES - CITY ATTORNEY

CITY COUNCIL RETREAT – Council held a quarterly retreat to discuss a variety of issues, including:

1. Revisions to City Council Rules of Procedure
2. Discussion of 2018 City Budget
3. Report on Current and Planned city Annexations
4. Report on Sports Park
5. Update on Implementation of New STR Ordinance
6. City Support for Attainable Housing Projects

With no further discussion, Council Member Kiehne made a motion to adjourn the meeting at 4:55 PM. Council Member Musselman seconded the motion. Motion carried.

PASSED AND APPROVED this the 18th day of June, 2018.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR



CITY COUNCIL MEMO

DATE: June 12, 2018

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: : Public hearing on the voluntary annexation of approximately 11.282 acres of land located on the south side of North US Highway 87, west of US Highway 290, for the proposed Hotel/Conference Center (1st of Two required hearings)

Summary:

The property is located on the south side of US Highway 87 North, west of US Highway 290 West (see the attached exhibit). The entire Hotel/Conference Center site is approximately 22 acres. This annexation request will incorporate the remaining portion of the project site. The required public hearings are scheduled for June 18 and July 2, 2018. The Planning and Zoning Commission will be considering the zoning on the property on July 5, 2018.

Recommendation:

Conduct the Public Hearing and receive comments. No action is required.

Background / Analysis:

The applicant has submitted their request for the PUD zoning on the entire 22 acre site. The PUD will include the proposed Hotel and Conference Center, as well as a retail village and Sunday Houses. An annexation agreement is being prepared and will accompany the final annexation consideration.

The City of Fredericksburg

(11)

Attachments:

Maps of Area, Draft PUD Exhibits



Department Approval



City Manager Approval

City Attorney Approval

The City of Fredericksburg

(12)

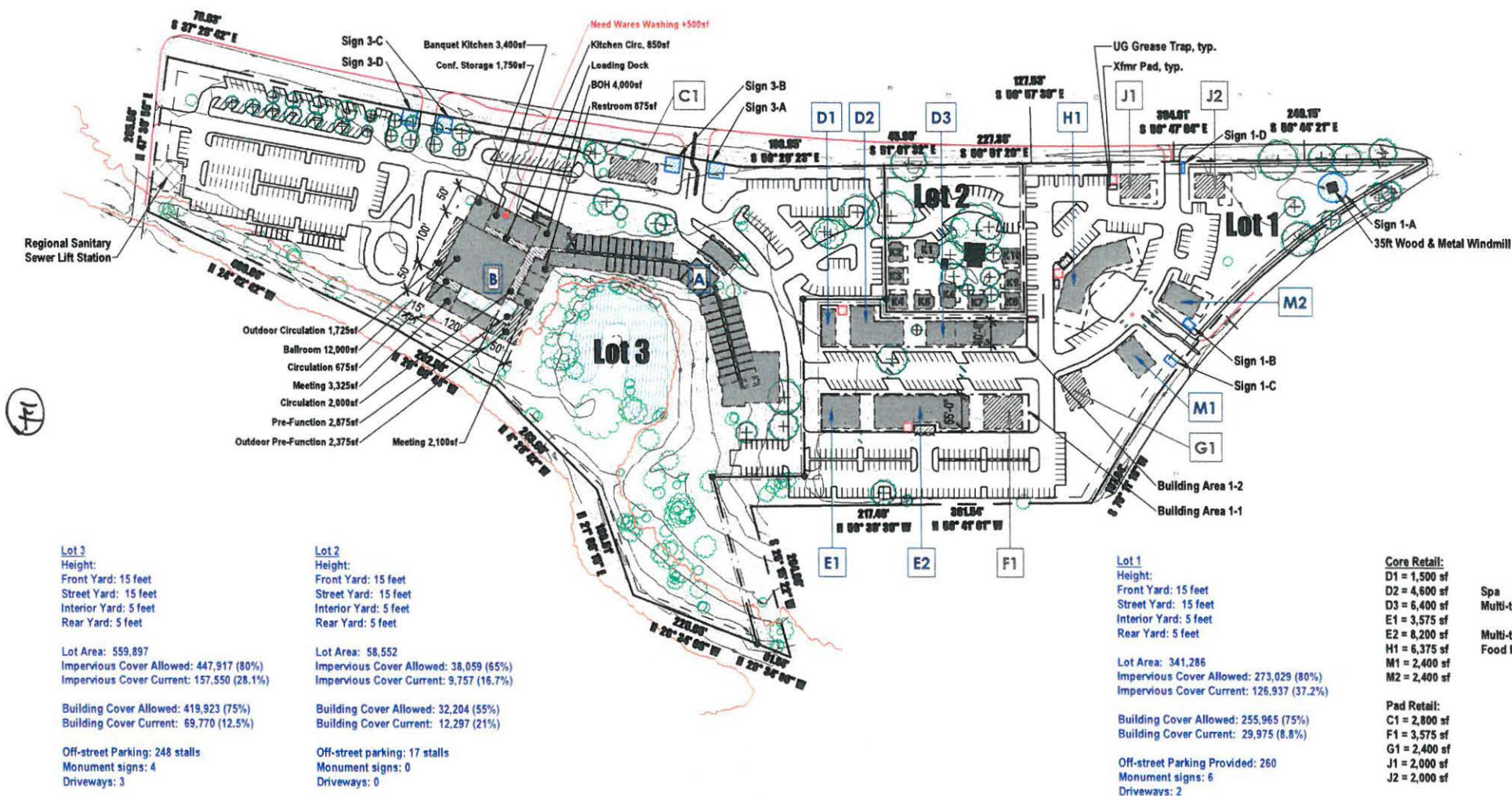
126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861



13

2018













CITY COUNCIL MEMO

DATE: June 12, 2018

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Change in the Land Use Plan from Low Density Residential to Commercial, and Rezone from R-1, Single Family Residential to C-1 Neighborhood Commercial On properties located at 610, 612 616, 618 and 620 W. Live Oak Street.

Summary:

The property is currently vacant undeveloped land located on the south side of Friendship Lane and the west side of S. Eagle Street. The applicant intends to rezone the property for the purpose of developing a hotel. A schematic Site Plan and floor plans have been provided for informational purposes. Land uses surrounding this property include undeveloped land to the west, north and south, and several residences to the east. Surrounding zoning is R-2 to the south and west, C-1 to the north across Friendship Lane and C-1 and R-2 to the east across Eagle Street. The Land Use Plan identifies the subject property, as well as the surrounding properties as Medium Density Residential.

Recommendation:

The Commission voted unanimously to recommend denial of the request. Staff concurs with the recommendation. Five letters have been received in support and one letter in opposition to the request.

Background / Analysis:

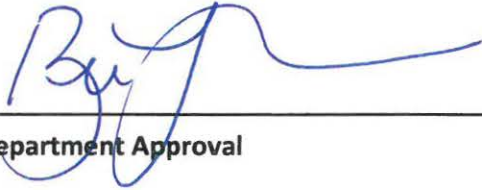
The City of Fredericksburg



Concurrent with the application to change the Land Use Plan, the applicant is proposing to change the zoning to C-2, Commercial. In doing so, the applicant has stated they intend to develop a hotel on the northern portion of the site. While this may be the intent of the applicant, the Commission should consider all potential uses permissible within the proposed C-2 District (listing attached).

Attachments:

Staff Brief, Maps of the subject Area, Ordinance, C-1 District Regulations



Department Approval



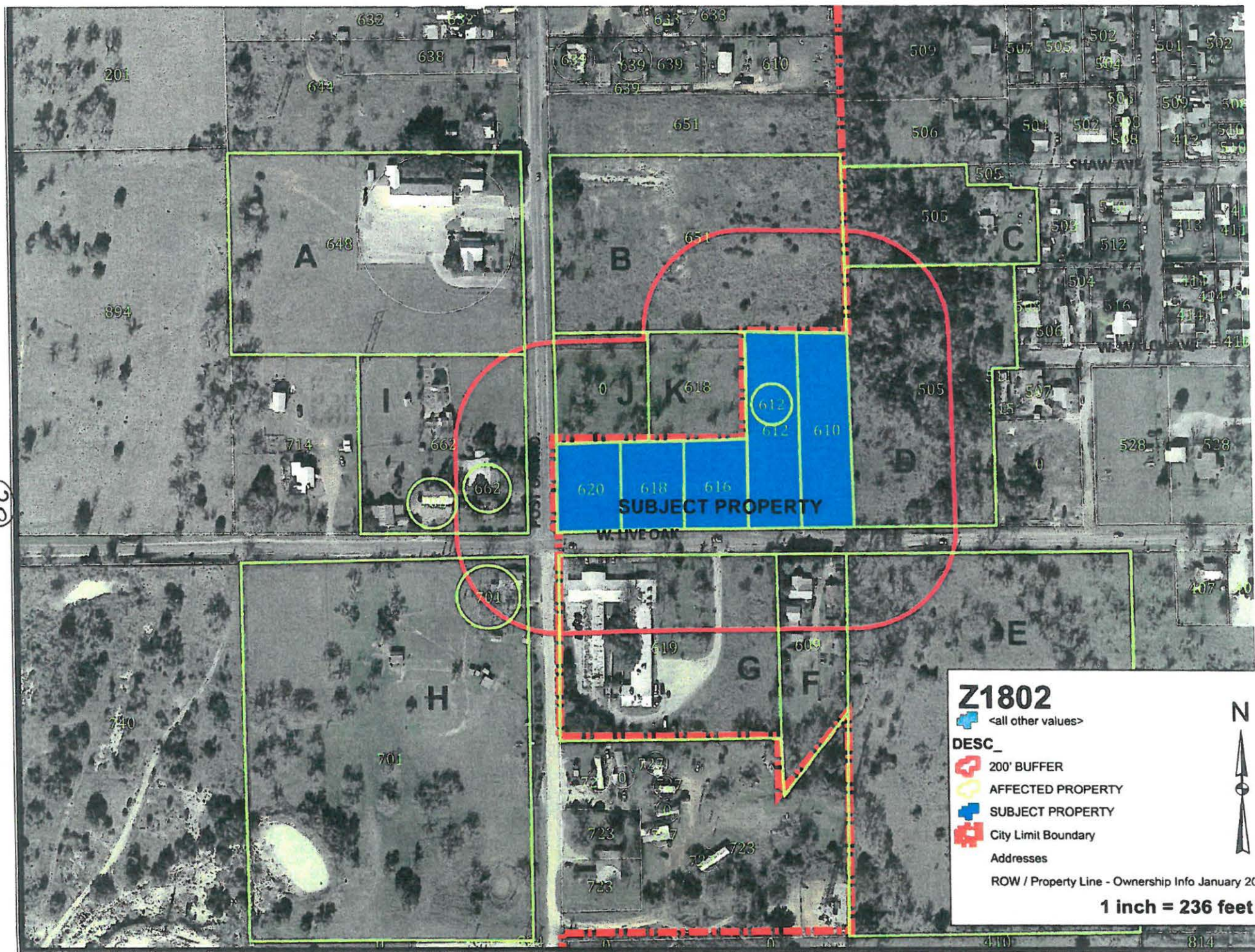
City Manager Approval

City Attorney Approval

The City of Fredericksburg

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



Letter	Owner	Address
A	STEVE & BEVERLY ALLEN	662 POST OAK RD FREDERICKSBURG, TX 78624
B	KEITH KELLER & JAMES KEMP	P.O. BOX 393 FREDERICKSBURG, TX 78624
C	WAYNE DUECKER	505 SHAW AVE FREDERICKSBURG, TX 78624
D	LUIS HERRERA	514 SILVER MAPLE ST FREDERICKSBURG, TX 78624
E	MARY LOU HOERSTER	410 W. WINDCREST FREDERICKSBURG, TX 78624
F	GUS & JACQUELYN RIOS	P.O. BOX 742 FREDERICKSBURG, TX 78624
G	TRISTAR ESTATES LLC	1304 RIVER FOREST COVE ROUND ROCK, TX
H	YVONNE KLAERNER	701 W. LIVE OAK FREDERICKSBURG, TX 78624
I	STEVE & BEVERLY ALLEN	662 POST OAK RD FREDERICKSBURG, TX 78624
J	ADOLPH BERNHARD	1327 ECKERT RD WILLIOW CITY, TX
K	YVONNE KLAERNER	701 W. LIVE OAK FREDERICKSBURG, TX 78624
Z-1802		

LAND USE PLAN AND ZONING CHANGE BRIEF
Rezoning Request # Z-1802

APPLICANT: Dotty Duecker on behalf of St Vincent de Paul Society, and the City of Fredericksburg

LOCATION: 610, 612, 616, 618, and 620 W. Live Oak Road

SIZE: Approximately 3.3 acres

EXISTING ZONING: The property was annexed into the City in 1999, and was given an R-1 Single Family Residential zoning designation.

PROPOSED CHANGE:

1. Change in the Land Use Plan from Low Density Residential to Commercial, and
2. Rezone from R-1, Single Family Residential to C-1 Neighborhood Commercial.

FINDINGS:

- At the May 9, 2018 Meeting, the Commission took action to include the three adjoining properties over to Post Oak Road in this request for a change in the Land Use Plan and Zoning.
- The easternmost two properties are owned by St Vincent de Paul Society, and have been utilized as part of the thrift store since before the property was annexed into the City.
- Land uses surrounding this property include undeveloped land and scattered single family homes to the west, north and east, and a nursing facility and home to the south.
- Surrounding zoning is R-1 to the east, C-1 to the south across Live Oak Road and to the north and west is outside the City Limits.
- The Land Use Plan identifies the subject properties, as well as the surrounding properties to the west, north and east as Low Density Residential. Property to the south is shown as commercial.
- St. Vincent DePaul's primary purpose in their request is to allow the expansion of the existing business. Under the current residential zoning, no changes or expansion is allowed for a non-conforming use. The C-1 zoning would allow the expansion by Conditional Use Permit. The addition of the other properties would be to create a reasonable zoning district affording the other properties the same opportunities as St. Vincent De Paul.

LAND USE PLAN: The Land Use Plan basically calls for properties on the north side of Live Oak Street to be Low Density Residential, and property on the south side of Live

Oak Street to be Commercial. No distinction is made between uses in the commercial land use designation.

In making a recommendation to change the Land Use Plan designation, the Planning and Zoning Commission shall make the following determinations:

1. **The property affected by the request is adequate in size and shape to facilitate those uses normally associated with the requested designation.** The subject property is adequate in size to facilitate a commercial use as is evidenced by the existing St. Vincent De Paul store. The additional property would support this requirement.
2. **The property affected by the request does not exceed the capabilities of the infrastructure.** Utilities serving the subject property are sufficient in capacity to serve commercial uses.
3. **The request will have no adverse effect on any property within six hundred (600) feet of the affected property.** As noted, the commercial land use designation does not distinguish between heavy and light commercial activities. It's not until the zoning is designated that you regulate the uses. The St. Vincent De Paul store would remain non-conforming since it would not be permitted in the C-1 zone. The C-1 Neighborhood zoning designation is intended to be compatible with residential land uses. We do not see the additional lots affecting adjoining properties.
4. **The requested change is to accommodate an appropriate land use and is consistent with other elements of the Comprehensive Plan.** Staff does not support the change in the land use plan and zoning on the property owned by St Vincent DePaul alone, without consideration being given on nearby properties. In other words, we should avoid "spot zoning" the subject property without evaluating whether the adjoining property could be changed as well. Including the adjoining properties in this request and consideration avoids the spot zoning question in our opinion.
5. **The request, together with the applicable conditions, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.** Given the history of the St Vincent De Paul facility and the limitations of the C-1 designation, we would not expect the change in land use and zoning to be detrimental to area properties.

ZONING: Concurrent with the application to change the Land Use Plan, the applicant is proposing to change the zoning to C-1, Neighborhood Commercial. In doing so, the applicant has stated they intend to expand the existing use of the existing facility. While this may be the intent of the applicant, the Commission should consider all potential uses permissible within the proposed C-1 District (listing attached).

OPPOSITION/SUPPORT OF REQUEST: One letter in opposition, none in support.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Commission voted unanimously to recommend approval of the Land Use Plan and Zoning change on the property at the corner of Live Oak Road and Post Oak Road.

STAFF RECOMMENDATION: The St. Vincent DePaul Society is basically trying to find a way within the rules of the zoning to allow the expansion of a non-conforming use. The staff did not support the request for just the St. Vincent De Paul property, but we do not object to the change when including the adjoining property. Approval is recommended.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING A CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG; SPECIFICALLY IN THE LAND USE MAP AND COMPREHENSIVE PLAN AS TO PART OF OUTLOT NO. 97, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING THAT THE CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon adoption of the Comprehensive Plan for the City of Fredericksburg, the City Council recognized, as is required by such Plan, that such Plan is not static but must be re-evaluated in terms of physical, environmental, social, economic and public value factors which have occurred since the adoption of the Plan; and

WHEREAS, the Planning and Zoning Commission of the City of Fredericksburg has re-evaluated such Plan and has recommended that such Plan be changed, and that the Land Use Plan be amended to reflect such changes in land use; and

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

WHEREAS, the City Council has specifically found, following the public hearing, that such change is consistent with the objectives of the Comprehensive Plan of the City of Fredericksburg and that it would be in the best interests of the public that such change be made.

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

Section 1. That the Comprehensive Plan of the City of Fredericksburg is hereby amended to incorporate the certain change to the Land Use Plan as follows:

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, being part of Outlot No. 97, as said outlot is designated on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, said parcels of land being more specifically identified by mailing addresses of 610, 612, 616, 618, and 620 W. Live Oak Street, and as shown, designated and delineated on the map attached hereto as Exhibit A, are hereby designated as Commercial.

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Comprehensive Plan or to the Land Use Map shall henceforth refer to such as are amended hereby.

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

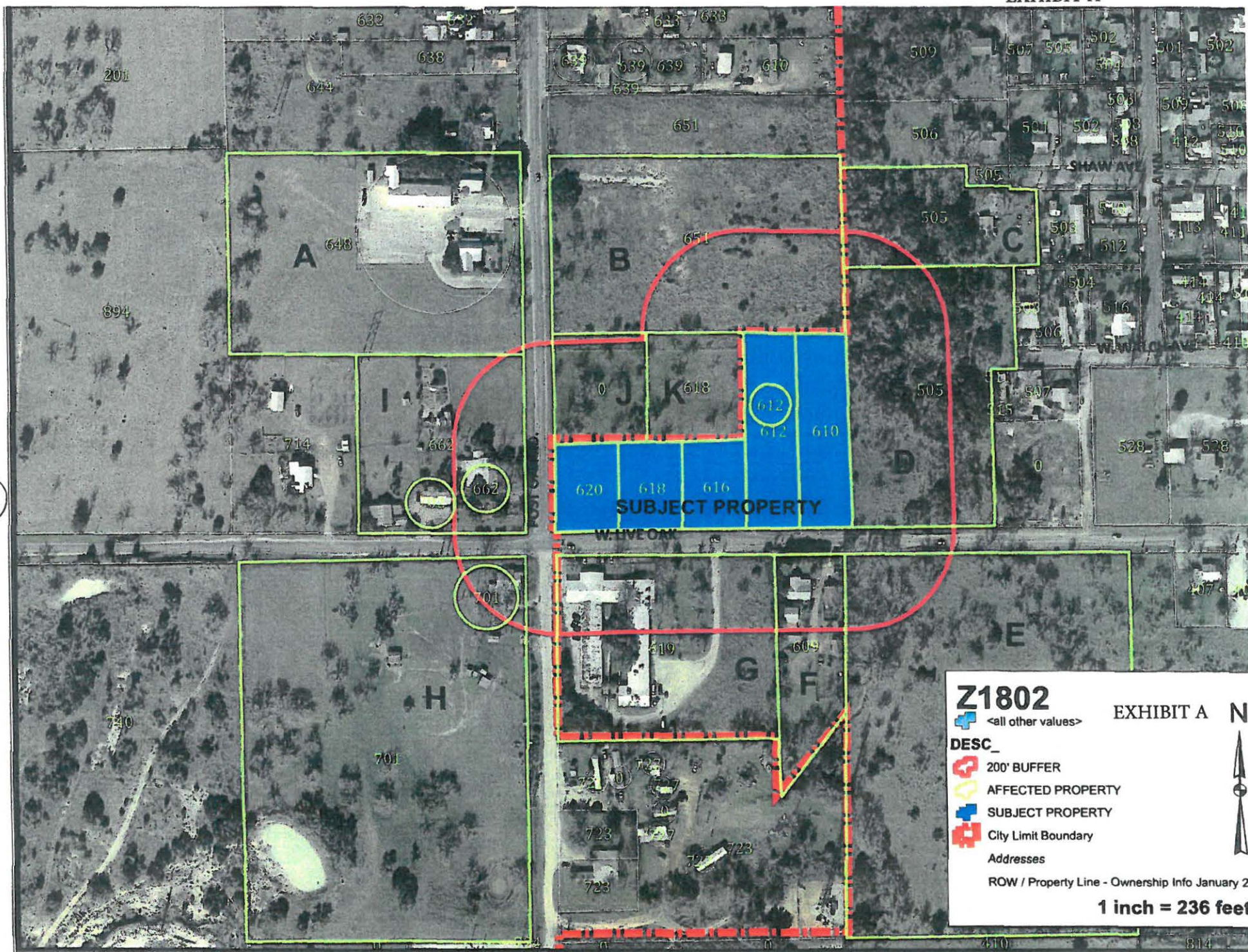
ATTEST:

Shelley Britton, City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

27



ORDINANCE NO. _____

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 PART OF OUTLOT NO. 97, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by an owner of property located within Outlot No. 97 to the City of Fredericksburg, Texas, to change the present zoning district of a portion of Outlot No. 97, from R-1 Single Family Residential to C-1 Neighborhood Commercial; and

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, being part of Outlot No. 97, as said outlot is designated on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, said parcels of land being more specifically identified by mailing addresses of 610, 612, 616, 618, and 620 W.

Live Oak Street, and as shown, designated and delineated on the map attached hereto as Exhibit A, to be and are hereby rezoned and designated as C-1 Neighborhood Commercial.

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

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

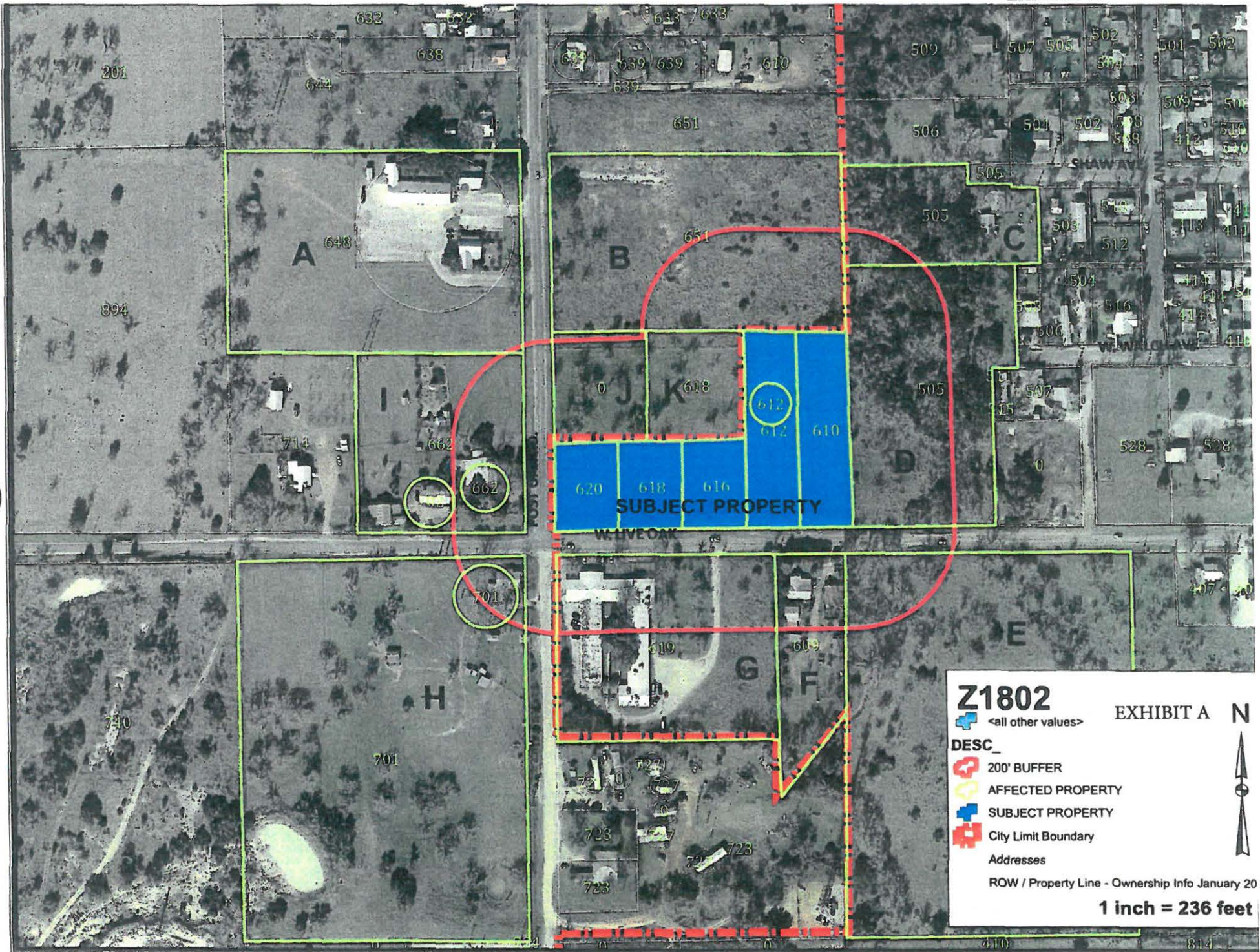
ATTEST:

Shelley Britton, City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

39



Z1802

<all other values>

DESC_

200' BUFFER

AFFECTED PROPERTY

SUBJECT PROPERTY

City Limit Boundary

Addresses

ROW / Property Line - Ownership Info January 20

1 inch = 236 feet

Sec. 3.200. - C-1: NEIGHBORHOOD COMMERCIAL.

;

Intent

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
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

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 <u>7.610</u>)
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

Uses permitted with a Bed and Breakfast Compliance Use Permit:

Bed and Breakfast

Conditions under which a permit will be issued:

-Compliance with provisions of section 5.401, and

- Any structure which exists as of September 1, 2013 may be used as a Bed and Breakfast whether or not owner-occupied, and
- Additions or new construction, taking into consideration any existing structures, shall comply with other requirements of C-1
- One off street parking space for each Bed and Breakfast unit in addition to those required for other uses
- Lots may not be combined to permit more than eight separate lodging units on contiguous property regardless of density regulations
- Compliance with other C-1 regulations.

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*
Rear Yard	Minimum Required Setback, 10 feet
Maximum Impervious Coverage	70%
Maximum Building Coverage	Percent of Lot Area, 50%
Residential Density	<u>Section 3.120</u>
Nonconforming Uses	<u>Section 6.100</u>
Site Development Regulations	<u>Section 7.000</u>
Special Yard Regulations	<u>Section 7.300</u>
Fences, Walls and Visibility	<u>Section 7.530</u>
Parking	<u>Section 7.800</u>
Landscaping and Screening Regulations	<u>Section 7.900</u>
Temporary/Accessory Building	<u>Section 8.000</u>
Signs	Sign Ordinance
*10 feet when adjacent to R-1 or R-5	



CITY COUNCIL MEMO

DATE: June 12, 2018

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Change in the Land Use Plan from Medium Density Residential to Commercial, and Rezone from R-2, Mixed Residential to C-2 Commercial On approximately 4.91 acres located at the Southwest corner of Friendship Lane and S. Eagle Street (Z-1805)

Summary:

The property is currently vacant undeveloped land located on the south side of Friendship Lane and the west side of S. Eagle Street. The applicant intends to rezone the property for the purpose of developing a hotel. A schematic Site Plan and floor plans have been provided for informational purposes. Land uses surrounding this property include undeveloped land to the west, north and south, and several residences to the east. Surrounding zoning is R-2 to the south and west, C-1 to the north across Friendship Lane and C-1 and R-2 to the east across Eagle Street. The Land Use Plan identifies the subject property, as well as the surrounding properties as Medium Density Residential.

Recommendation:

The Commission voted unanimously to recommend denial of the request. Staff concurs with the recommendation. Five letters have been received in support and one letter in opposition to the request.

Background / Analysis:

The City of Fredericksburg

(34)

Concurrent with the application to change the Land Use Plan, the applicant is proposing to change the zoning to C-2, Commercial. In doing so, the applicant has stated they intend to develop a hotel on the northern portion of the site. While this may be the intent of the applicant, the Council should consider all potential uses permissible within the proposed C-2 District (listing attached).

Attachments:

Staff Brief, Maps of the subject Area, Site Plan, C-2 District Regulations



Department Approval



City Manager Approval

City Attorney Approval

The City of Fredericksburg

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

LAND USE PLAN AND ZONING CHANGE BRIEF

Rezoning Request # Z-1805

<u>APPLICANT:</u>	Vernon R. Young, Artisan Host Hotel Group
<u>LOCATION:</u>	Southwest corner of Friendship Lane and S. Eagle Street
<u>SIZE:</u>	Approximately 4.91 acres
<u>EXISTING ZONING:</u>	R-2 Mixed Residential.
<u>LAND USE PLAN:</u>	Medium Density Residential
<u>PROPOSED CHANGE:</u>	1. Change in the Land Use Plan from Medium Density Residential to Commercial, and 2. Rezone from R-2, Mixed Residential to C-2 Commercial.

FINDINGS:

- The property is currently vacant undeveloped land located on the south side of Friendship Lane and the west side of S. Eagle Street.
- The applicant intends to rezone the property for the purpose of developing a hotel. A schematic Site Plan and floor plans have been provided for informational purposes.
- Land uses surrounding this property include undeveloped land to the west, north and south, and several residences to the east.
- Surrounding zoning is R-2 to the south and west, C-1 to the north across Friendship Lane and C-1 and R-2 to the east across Eagle Street.
- The Land Use Plan identifies the subject property, as well as the surrounding properties as Medium Density Residential.

LAND USE PLAN: The Land Use Plan for all properties within the vicinity is Medium Density Residential. This category includes single family detached dwellings on smaller lots and attached dwelling units, such as duplex units and townhomes. Medium density land uses often provide housing for “empty nesters” who may not want the maintenance of a large lot single family home, and for young families who may find a townhome or duplex more affordable than a single family home. They play an important role in providing workforce housing as well. These residential uses can provide a buffer between lower density residential areas and more intensive residential, non-residential or mixed use areas. An average of 8 dwelling units per gross acre is assumed for these areas.

The Commercial land use designation may include retail and office uses as well as the light commercial activities that typically need some outdoor storage, display and sales areas. For the most part, this land use category is found in areas where a mix of non-residential uses already exists and where change is not anticipated.

In making a recommendation to change the Land Use Plan designation, the Planning and Zoning Commission shall make the following determinations:

1. **The property affected by the request is adequate in size and shape to facilitate those uses normally associated with the requested designation.** The subject property is adequate in size to facilitate a commercial use as is evidenced by the schematic plan for a hotel provided by the applicant. While the subject property is adequate in size to accommodate the proposed use, it is questionable whether or not the size is adequate to provide a reasonable commercial district.
2. **The property affected by the request does not exceed the capabilities of the infrastructure.** Utilities serving the subject property were sized with the existing land use plan in place. We would anticipate the existing infrastructure to be sufficient in capacity to serve commercial uses.
3. **The request will have no adverse effect on any property within six hundred (600) feet of the affected property.** It would be possible that certain land uses within the commercial land use category and zoning designation would have a negative effect on nearby properties. As has been noted, the commercial land use designation does not distinguish between heavy and light commercial activities. It's not until the zoning is designated that you regulate the uses. The C-2 Commercial use category (copy attached) provides a significant range of commercial uses that could have an adverse effect on nearby properties.
4. **The requested change is to accommodate an appropriate land use and is consistent with other elements of the Comprehensive Plan.** In staff's opinion, the proposed change in the Land Use Plan from Medium Density Residential to Commercial would represent a significant deviation from the adopted plan. While the current plan was adopted in 2006, it has not been a priority to change the projected land uses along Friendship Lane in this vicinity. Should the Planning and Zoning Commission desire to see a change in the plan to commercial, we would recommend a more comprehensive analysis be done for the entire Friendship Lane corridor.

The current Land Use Plan identifies Commercial Centers at the major intersections of Friendship Lane and Highway 16 south, Highway 87 south and US Highway 290 East. No other areas along Friendship Lane are currently designated for major commercial activity.

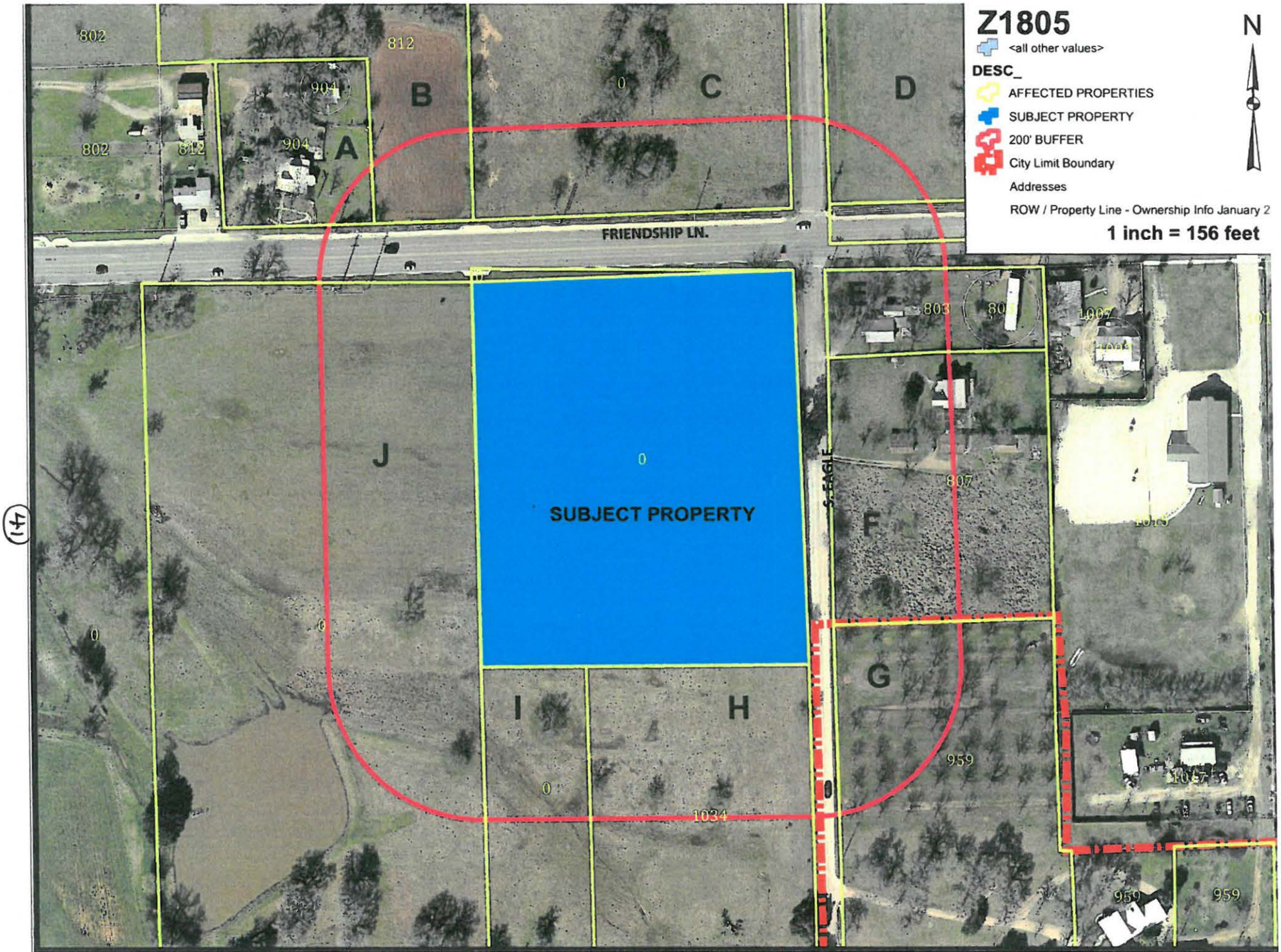
5. **The request, together with the applicable conditions, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.** Any detrimental elements relating to a change in the land use designation would likely be use specific.

ZONING: Concurrent with the application to change the Land Use Plan, the applicant is proposing to change the zoning to C-2, Commercial. In doing so, the applicant has stated they intend to develop a hotel on the northern portion of the site. While this may be the intent of the applicant, the Commission should consider all potential uses permissible within the proposed C-2 District (listing attached).

OPPOSITION/SUPPORT OF REQUEST: Five letters in support and One in opposition have been received.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Commission voted unanimously to recommend denial of the Land Use Plan and Zoning change requested. The Commission did recommend that the City take a look at the Land Uses proposed along Friendship Lane in the 2006 Comprehensive Plan to determine if changes might be appropriate.

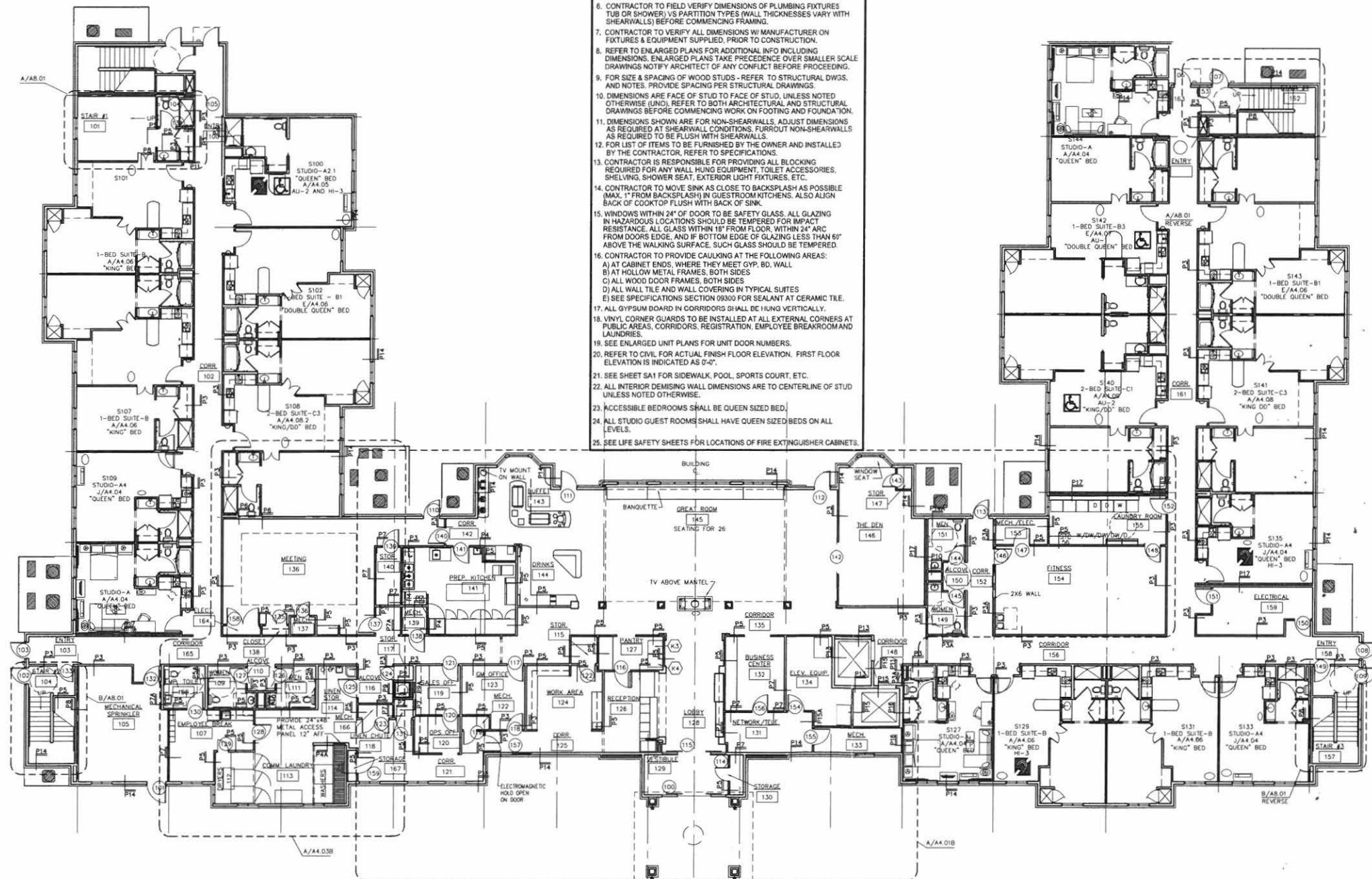
STAFF RECOMMENDATION: In staff's opinion, the change in the land use plan from medium density residential to commercial and a change in the zoning from R-2 to C-2, would represent a significant deviation from the direction of the 2006 Comprehensive Plan. Denial is recommended.



SUITE TYPE MATRIX "B" PLAN											
SUITE TYPE	1-BED SUITE-A	1-BED SUITE-B	1-BED SUITE-C	1-BED SUITE-D	1-BED SUITE-E	1-BED SUITE-F	1-BED SUITE-G	1-BED SUITE-H	1-BED SUITE-I	1-BED SUITE-J	1-BED SUITE-K
1-BED SUITE-A	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-B	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-C	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-D	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-E	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-F	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-G	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-H	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-I	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-J	1	1	1	1	1	1	1	1	1	1	1
1-BED SUITE-K	1	1	1	1	1	1	1	1	1	1	1

GENERAL NOTES

- ALL CONSTRUCTION IS INTENDED TO BE IN CONFORMANCE WITH FEDERAL & STATE LAWS, CURRENT LOCAL ORDINANCES & BUILDING CODES, & THE AMERICANS WITH DISABILITIES ACT OF 2010 (A.D.A.G.). REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH WORK.
- AUTOMATIC FIRE SPRINKLER SYSTEM MUST BE REVIEWED AND APPROVED BY THE FIRE DEPT.
- FIRE ALARM SYSTEM IS REQUIRED. SYSTEM MUST BE REVIEWED AND APPROVED BY THE FIRE DEPT.
- CONTRACTOR TO FIELD VERIFY ALL SITE CONDITIONS PRIOR TO COMMENCING CONSTRUCTION.
- O.C. TO VERIFY REQUIREMENTS OF ALL OWNER FURNISHED ITEMS WITH OWNER BEFORE PROCEEDING WITH WORK.
- CONTRACTOR TO FIELD VERIFY DIMENSIONS OF PLUMBING FIXTURES (TUB OR SHOWER) VS PARTITION TYPES (WALL THICKNESSES VARY WITH SHEARWALLS) BEFORE COMMENCING FRAMING.
- CONTRACTOR TO VERIFY ALL DIMENSIONS WITH MANUFACTURER ON FIXTURES & EQUIPMENT SUPPLIED, PRIOR TO CONSTRUCTION.
- REFER TO ENLARGED PLANS FOR ADDITIONAL INFO INCLUDING DIMENSIONS. ENLARGED PLANS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. NOTIFY ARCHITECT OF ANY CONFLICT BEFORE PROCEEDING.
- FOR SIZE & SPACING OF WOOD STUDS - REFER TO STRUCTURAL DWGS. AND NOTES. PROVIDE SPACING PER STRUCTURAL DRAWINGS.
- DIMENSIONS ARE FACE OF STUD TO FACE OF STUD, UNLESS NOTED OTHERWISE (UNO). REFER TO BOTH ARCHITECTURAL AND STRUCTURAL DRAWINGS BEFORE COMMENCING WORK ON FOOTING AND FOUNDATION.
- DIMENSIONS SHOWN ARE FOR NON-SHEARWALLS. ADJUST DIMENSIONS AS REQUIRED AT SHEARWALL CONDITIONS. FURROUT NON-SHEARWALLS AS REQUIRED TO BE FLUSH WITH SHEARWALLS.
- FOR LIST OF ITEMS TO BE FURNISHED BY THE OWNER AND INSTALLED BY THE CONTRACTOR, REFER TO SPECIFICATIONS.
- CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL BLOCKING REQUIRED FOR ANY WALL HUNG EQUIPMENT, TOILET ACCESSORIES, SHELVEING, SHOWER SEAT, EXTERIOR LIGHT FIXTURES, ETC.
- CONTRACTOR TO MOVE SINK AS CLOSE TO BACKSPLASH AS POSSIBLE (MAX. 1" FROM BACKSPLASH) IN GUESTROOM KITCHENS. ALSO ALIGN BACK OF COOKTOP FLUSH WITH BACK OF SINK.
- WINDOWS WITHIN 24" OF DOOR TO BE SAFETY GLASS. ALL GLAZING IN HAZARDOUS LOCATIONS SHOULD BE TEMPERED FOR IMPACT RESISTANCE. ALL GLASS WITHIN 18" FROM FLOOR, WITHIN 24" ARC FROM DOORS EDGE, AND IF BOTTOM EDGE OF GLAZING LESS THAN 60" ABOVE THE WALKING SURFACE, SUCH GLASS SHOULD BE TEMPERED.
- CONTRACTOR TO PROVIDE CAULKING AT THE FOLLOWING AREAS:
A) AT CABINET ENDS, WHERE THEY MEET GYP. BD. WALL
B) AT HOLLOW METAL FRAMES, BOTH SIDES
C) ALL WOOD DOOR FRAMES, BOTH SIDES
D) ALL WALL TILE AND WALL COVERING IN TYPICAL SUITES
E) SEE SPECIFICATIONS SECTION 09300 FOR SEALANT AT CERAMIC TILE.
- ALL GYPSUM BOARD IN CORRIDORS SHALL BE HUNG VERTICALLY.
- VINYL CORNER GUARDS TO BE INSTALLED AT ALL EXTERNAL CORNERS AT PUBLIC AREAS, CORRIDORS, REGISTRATION, EMPLOYEE BREAKROOM AND LAUNDRIES.
- SEE ENLARGED UNIT PLANS FOR UNIT DOOR NUMBERS.
- REFER TO CIVIL FOR ACTUAL FINISH FLOOR ELEVATION. FIRST FLOOR ELEVATION IS INDICATED AS 0'-0".
- SEE SHEET SA1 FOR SIDEWALK, POOL, SPORTS COURT, ETC.
- ALL INTERIOR DEMISING WALL DIMENSIONS ARE TO CENTERLINE OF STUD UNLESS NOTED OTHERWISE.
- ACCESSIBLE BEDROOMS SHALL BE QUEEN SIZED BED.
- ALL STUDIO GUEST ROOMS SHALL HAVE QUEEN SIZED BEDS ON ALL LEVELS.
- SEE LIFE SAFETY SHEETS FOR LOCATIONS OF FIRE EXTINGUISHER CABINETS.



A FIRST FLOOR "B" PLAN W/MEEETING ROOM
3/31-17-07

3735 SQ. FOOT TRACT TO THE CITY OF
FREDERICKSBURG, INSTRUMENT NO. 20065959 O.P.R.

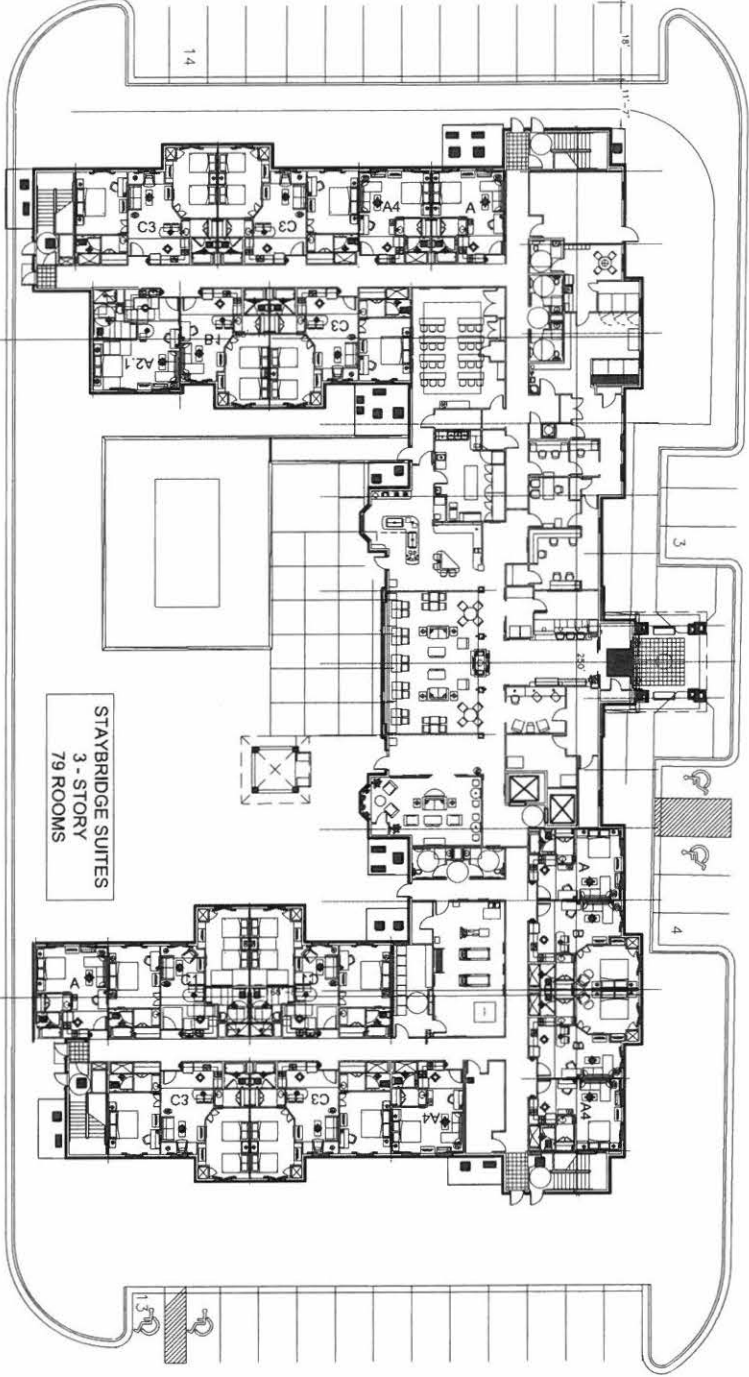
STREET CURB

N89°18'20"E

STREET CURB TELE. PED. □

423.54'

POINT FROM WHICH THE CENTER
OF A PIPE GATE POST BEARS
S65°E 0.35'



STAYBRIDGE SUITES
3-STORY
79 ROOMS

TRASH
ENCLOSURE

4.91 AC.

N0°18'40"W
504.06'

423'-6"

PARKING SCHEDULE			
GUEST STUDIOS AND SUITES			
72	7	1	
MANAGER			
80			
PARKING PROVIDED			
CARS 9' X 19'			
99	3	1	
H.C. CAR 8'X19'			
			103
H.C. VAN 11'X19'			

IMPERVIOUS COVER	
TOTAL PROPERTY AREA	112,992 SQ. FT.
IMPERVIOUS COVER (BUILDING)	21,608 SQ. FT.
IMPERVIOUS COVER (SIDEWALK, POOL AREA, & PARKING)	52,138 SQ. FT.
CAL. 72,746 / 110,992 =	65% COVERED

S0°07'55"E

74.86'

236'-3"

S0°18'25"E

432.13'

271'-1"



SCALE : 1" = 20'

SITE PLAN



423.27'

(GPS BEARING BASIS)
S89°42'05"W

SP1

STAYBRIDGE INN & SUITES
FREDERICKSBURG, TEXAS

FUTURE A+E
DESIGNS, L.P.

Sec. 3.210. - C-2: COMMERCIAL.

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Intent

This zone is intended to provide for businesses and services that serve persons throughout the city and the area. These uses generally require frontages on major cross street intersections of highways or other major arterial, given their high visibility and traffic generation ability.

Principal Permitted Uses

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

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

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

Personal Improvement Services
Personal Services
Pet Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Professional Offices
Religious Assembly
Research Services
Restaurant - Drive-In/Fast Food
Restaurant
Service Station
Veterinary Services

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other 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.

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.

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

Uses permitted with a Bed and Breakfast Compliance Use Permit:

Bed and Breakfast

Conditions under which a permit will be issued:

- Compliance with provisions of section 5.401, and
- One off street parking space for each Bed and Breakfast unit in addition to those required for other uses
- Compliance with other C-2 regulations

Property Development Regulations

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 following 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-2 District shall be subject to the following site development regulations.

Feature	Regulation
Lot Size	Minimum Lot Area, 5000 Square feet
Lot Width	Minimum Lot Width, 50 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 15 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 0 feet*
Rear Yard	Minimum Required Setback, 0 feet*
Maximum Impervious Coverage	80%
Maximum Building Coverage	Percent of Lot Area, 75%
Residential Density	<u>Section 3.120</u>
Nonconforming Uses	<u>Section 6.100</u>

Site Development Regulations	<u>Section 7.000</u>
Special Yard Regulations	<u>Section 7.300</u>
Fences, Walls and Visibility	<u>Section 7.530</u>
Parking	<u>Section 7.800</u>
Landscaping and Screening Regulations	<u>Section 7.900</u>
Temporary/Accessory Building	<u>Section 8.100</u>
Signs	Sign Ordinance
*10 feet when adjacent to R-1 or R-5	

(Ord. No. 23-007, 5-20-2013; Ord. No. 23-014, 9-16-2013; Ord. No. 25-004, 5-4-2015)



CITY COUNCIL MEMO

DATE: June 18, 2018

TO: Mayor and City Council

FROM: Clinton Bailey, P.E., Assistant City Manager/Director of Public Works and Utilities

SUBJECT: Lease of Golf Course Mowing Equipment

Summary:

This item is for the approval of a resolution authorizing the negotiation, execution and delivery of a 36 month lease between the City of Fredericksburg and TCF Equipment Finance for the lease with the option to purchase at the end of the lease term of the following two pieces of golf course mowing equipment:

1. Toro Greensmaster 3150
2. Toro Reelmaster 5510

Recommendation:

Staff recommends approval of the proposed resolution.

Background / Analysis:

The City of Fredericksburg is currently renting two pieces of mowing equipment for the golf course. The total monthly rental payment for both pieces of equipment is \$2000.00 per month. By executing the proposed 36 month lease agreement with TCF Equipment Finance for both pieces of equipment, the City would reduce its total monthly payment to \$966.11 per month and would have the option to purchase the equipment at the conclusion of the lease term for \$1.00.

The City of Fredericksburg

Attachments:

Resolution for Lease No. 008-0637041-302



Department Approval



City Manager Approval



City Attorney Approval

The City of Fredericksburg

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

RESOLUTION
LEASE NO. 008-0637041-302
DATED AS OF APRIL 3, 2018

A resolution authorizing the negotiation, execution, and delivery of Lease No. 008-0637041-302 dated April 3, 2018 (the "Lease"), in principal amount not to exceed \$31,175.00, between City of Fredericksburg, Texas dba Lady Bird Johnson Golf Course, 341 Golfers Loop, Fredericksburg, TX 78624 and TCF Equipment Finance, a division of TCF National Bank, 1111 West San Marnan Dr, Suite A2 West, Waterloo, IA 50701-8926; and prescribing other details in connection therewith.

WHEREAS, City of Fredericksburg, Texas dba Lady Bird Johnson Golf Course, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of Texas; and

WHEREAS, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

WHEREAS, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in the Lease is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, TCF Equipment Finance, a division of TCF National Bank, (the "Lessor") shall act as Lessor under said Lease; and

WHEREAS, the Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF City of Fredericksburg, Texas dba Lady Bird Johnson Golf Course:

Section 1. The Lease, in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the _____ of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver the Lease and related documents in substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and which Lease will be available for public inspection at the offices of Lessee.

Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.

Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of Texas.

Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.

Section 5. This resolution shall take effect immediately upon its adoption and approval.

CERTIFIED AS TRUE AND CORRECT this ____ day of _____, 20 ____.

Signature of Clerk, Secretary or Assistant Secretary

Printed Name of Clerk, Secretary or Assistant Secretary

