

REGULAR CITY COUNCIL MEETING AGENDA
MONDAY, NOVEMBER 15, 2021 ~ 6 P.M.
LAW ENFORCEMENT CENTER
1601 EAST MAIN STREET
FREDERICKSBURG, TEXAS 78624

Charlie Kiehne, Mayor
Tom Musselman, Councilmember
Bobby Watson, Councilmember

Jerry M. Luckenbach, Councilmember
Kathy O'Neill, Councilmember
Kent Myers, City Manager

The City of Fredericksburg City Council will meet in a regular session on Monday, November 15, 2021 at 6 p.m. This meeting will be held in person and live stream on our YouTube Channel.

Link to City of Fredericksburg YouTube Channel [Fredericksburg, Texas USA - YouTube](https://www.youtube.com/c/FredericksburgTexasUSA) (<https://www.youtube.com/c/FredericksburgTexasUSA>)

1. CALL TO ORDER

2. INVOCATION

(Dwight Seek, 7th Day Adventist Church)

3. PLEDGE OF ALLEGIANCE

4. EMPLOYEE RECOGNITIONS

5. PUBLIC COMMENTS

The City Council welcomes citizen participation and allows public comments to address the City Council regarding an item posted on the Agenda below.

Written Comments regarding an item on the agenda below to be submitted remotely:

- 1) Must be received by 3 p.m. on November 15, 2021.
- 2) Complete the Citizen Comment Form online at [Fredericksburg, TX - Official Website \(fbgtx.org\)](https://fbgtx.org); or
- 3) Email your comments to CitizenComments@fbgtx.org or
- 4) Complete a Citizen Comment Form located inside the Public Access entrance at 126 W. Main Street, Fredericksburg, Texas, and place in the box marked Citizen Comment Form.

Copies of the submitted comments will be provided to the City Council and made public on the City website under the "**November 15, 2021**, City Council Regular Meeting" tab.

Verbal Comments regarding an item on the agenda below:

- 1) Sign up in-person on day of meeting, between 5:30 p.m. and 6 p.m. at the Law Enforcement Center, in order to comment.
- 2) You will be limited to 3 minutes to speak.
- 3) If any citizen has handouts, these should be provided to the City Secretary prior to speaking.

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 CITY COUNCIL.

- A. Consider approval of the City Council Minutes (Shelley Goodwin, City Secretary):
 - i. October 25, 2021 Special Meeting
(Agenda Packet Pages 5-8)
 - ii. November 1, 2021 Regular Meeting
(Agenda Packet Pages 9-14)
- B. Consider the approval of Agreement renewal with GCAD for Aerial Imagery (Evan Williamson, Staff Engineer).
(Agenda Packet Page 15-22)

7. PUBLIC HEARINGS

- A. Consider a public hearing to receive citizen comments for or against request from Robert Mosley for a Conditional Use Permit (CUP) per Section 5.400 for Condominium Residential Use to construct a condominium Development on property located at 803 South Eagle Street. (Z-2103) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 23-28)
- B. Consider a public hearing to receive citizen comments for or against request from Wes and Tammy Pack for a Conditional Use Permit (CUP) per Section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio (Z-2121) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 29-32)
- C. Consider a public hearing to receive citizen comments for or against a request from Carolyn Ellebracht to consider a requested voluntary annexation and zoning of "Single-Family Residential" (R1) for approximately 10.839 acres of land out of a remaining portion of a 258 acre tract described in Volume 63, Page 366, Deed Records, Gillespie County, Texas, also being situation in the William H. Anderson Survey No. 197, Abstract No. 2 Gillespie County, Texas, located at the south end of Stoneledge Drive, east of the Stoneridge Subdivision (Jason Lutz, Development Services Director).
(Agenda Packet Pages 33-42)
- D. Consider a public hearing to receive citizen comment for or against request from John Hewitt, Hewitt Engineering for approximately 6.9 acres of land described as Lot 1, of the Villages of Windcrest Subdivision, located on the north side of W. Windcrest Drive, approximately 1,300 feet West of the Post Oak Road and W. Windcrest Drive Intersection to consider the following items: (Z-2122) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 43-54)
 - i. Future Land Use Change from "Medium Density Residential" (MDR) and "Low Density Residential" (LDR) to a Future Land Use Classification of "High Density Residential" (HDR)
 - ii. Zoning Change from "Mixed Residential" (R2) to "Multi-Family Residential" (R3)
- E. Consider a public hearing to receive citizen comment for or against request from Whitney Koch, Mustard Design, for the rear portion of property located at 305 S. Washington Street for the following items: (Z-2123) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 55-66)
 - i. Future Land Use Change from "Parks Open Space" (POS) to a Future Land Use Classification of "Commercial" (C).

- ii. Zoning Change from “Multi-Family Residential” (R3) and “Open Space” (OS) to a Zoning Classification of “Commercial” (C2).

8. ORDINANCES AND RESOLUTIONS

- A.** Consider the approval of Ordinance 2021-30 for approximately 10.839 acres of land out of a remaining portion of a 258 acre tract described in Volume 63, Page 366, Deed Records, Gillespie County, Texas, also being situation in the William H. Anderson Survey No. 197, Abstract No. 2 Gillespie County, Texas, located at the south end of Stoneledge Drive, east of the Stoneridge Subdivision extending The Corporate Limits of the City of Fredericksburg, Texas, so as to include said territory; granting to all inhabitants and future inhabitants of said territory all of the rights and privileges of other citizens of the City of Fredericksburg, Texas; binding the inhabitants and future inhabitants of said territory by any and all acts, ordinances, resolutions and regulations of said City of Fredericksburg, Texas; and amending the Zoning Ordinance of the City to establish the Zoning District of said Territory as R-1: Single Family Residential. (Jason Lutz, Development Services Director).
(Agenda Packet Pages 33-42)
- B.** Consider requests from John Hewitt, Hewitt Engineering, for approximately 6.9 acres of land described as Lot 1, of the Villages of Windcrest Subdivision, located on the north side of W. Windcrest Drive, approximately 1,300 feet West of the Post Oak Road and W. Windcrest Drive Intersection to consider the following items: (Z-2122) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 43-54)
 - i. Ordinance 2021-31 adopting a change in the Comprehensive Plan especially the Land Use Map from “Medium Density Residential” (MDR) and “Low Density Residential” (LDR) to “High Density Residential” (HDR) and providing an effective date (Ordinance page 49)
 - ii. Ordinance 2021-32 amending the Zoning Ordinance and changing the Zoning District from “Mixed Residential” (R2) to “Multi-Family Residential” (R3) and providing an effective date (Ordinance page 52)
- C.** Consider request from Whitney Koch, Mustard Design, for approximately 0.5793 acres of land described as Petmecky Block B, Lot 9-PT, 10-PT, 11-PT & 12-PT located at 305 S. Washington Street to consider the approval of the following items: (Z-2123) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 55-66)
 - i. Ordinance 2021-33 adopting a change in the Comprehensive Plan especially the Land Use Map from “Parks Open Space” (POS) to “Commercial” (C) and providing an effective date (Ordinance page 61)
 - ii. Ordinance 2021-34 amending the Zoning Ordinance and changing the Zoning District from “Multi-Family Residential” (R3) and “Open Space” (OS) to a Zoning Classification of “Commercial” (C2) and providing an effective date (Ordinance page 64).
- D.** Consider the approval of Resolution 2021-18R instituting annexation proceedings for approximately 82.36 acres of land generally located along the East and west sides of Post Oak Road, extending northward from West Live Oak Road to 2,800 feet north of South Bowie Street, in Gillespie County (Jason Lutz, Development Services Director).
(Agenda Packet Pages 67-80)

9. OTHER ACTION ITEMS AND UPDATES

- A.** Consider request from Robert Mosley for a Conditional Use Permit (CUP) per Section 5.400 for Condominium Residential Use to construct a condominium Development on property located at 803 South Eagle Street. (Z-2103) (Jason Lutz, Development Services Director). (Agenda Packet Pages 23-28)
- B.** Consider the request from Wes and Tammy Pack for a Conditional Use Permit (CUP) per Section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio (Z-2121)) (Jason Lutz, Development Services Director). (Agenda Packet Pages 29-32)
- C.** Receive and consider a presentation by Kimley-Horn & Associates, Inc. on Short-Term Transportation Improvement Projects (Garret Bonn, Assistant City Engineer) (Agenda Packet Pages 81-104)
- D.** Receive and consider an update on Sidewalk/Concrete Construction Contract Renewal and Annual Sidewalk Improvement Project (Evan Williamson, Staff Engineer). (Agenda Packet Pages 105-108)

10. CITY MANAGER REPORT

- A.** Short-Term Rentals (STRs)

11. ITEMS FOR FUTURE AGENDA

(Agenda Packet Pages 109-110)

12. COUNCIL COMMENTS

Reports about items of community interest, which no action will be taken.

13. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.072 (Deliberations related to Real Property):

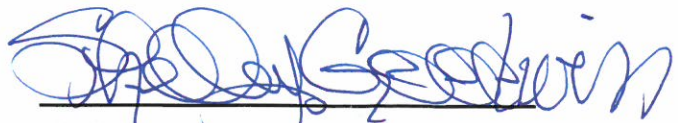
- A.** Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of U.S. 290 and Friendship Lane, in the City of Fredericksburg, Texas (551.072).

14. BUSINESS ITEM

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session; the City Council may take action on any item posted in Executive Session, as necessary.

15. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 3:30 p.m. on November 10, 2021, at the main entrance bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC
City Secretary

ADDENDUM
REGULAR CITY COUNCIL MEETING AGENDA
MONDAY, NOVEMBER 15, 2021 ~ 6 P.M.
LAW ENFORCEMENT CENTER
1601 EAST MAIN STREET
FREDERICKSBURG, TEXAS 78624

The following items are hereby added to the previously posted agenda (posted on Wednesday, November 10, 2021, at 3:30 p.m.) for the Regular City Council Meeting on scheduled for Monday, November 15, 2021.

The following items will replace 5. Public Comments to read the following:

5. PUBLIC COMMENTS

The City Council welcomes citizen participation and comments at all City Council Regular Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting and to limit comments to 3-minutes. **If any citizen has handouts, these should be provided to the City Secretary prior to speaking.**

Written Comments: to be submitted remotely:

- 1) Must be received by 3 p.m. on November 15, 2021.
- 2) Complete the Citizen Comment Form online at [Fredericksburg, TX - Official Website \(fbgtx.org\)](https://fbgtx.org); or
- 3) Email your comments to CitizenComments@fbgtx.org or
- 4) Complete a Citizen Comment Form located inside the Public Access entrance at 126 W. Main Street, Fredericksburg, Texas, and place in the box marked Citizen Comment Form.

Copies of the submitted comments will be provided to the City Council and made public on the City website under the "**November 15, 2021**, City Council Regular Meeting" tab.

Verbal Comments:

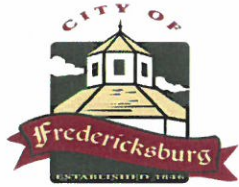
- 1) Sign up in-person between 5:30 p.m. and 6 p.m. at the Law Enforcement Center in order to comment.
- 2) You will be limited to 3 minutes to speak.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Fredericksburg, Texas, a place readily accessible to the general public at all times, on the 12th day of November, 2021 by 10:30 a.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Rebekka Goff, Administrative Assistant
On behalf of Shelley Goodwin, City Secretary



CITY COUNCIL WORK SESSION MINUTES
MONDAY, OCTOBER 25, 2021 ~ 9 A.M.
LADY BIRD GOLF COURSE-CARDINAL ROOM
341 GOLFERS LOOP
FREDERICKSBURG, TEXAS 78624

The City of Fredericksburg City Council held their regular session on Monday, October 25, 2021 at 9 a.m. This meeting was held in person at the Lady Bird Golf Course-Cardinal Room

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Kathy O'Neill
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Daniel Jones, City Attorney
Clinton Bailey, Assistant City Manager and Public Works/ Utility Director
Daniel Jones, City Attorney
Steve Wetz, Police Chief
Lynn Bizzell, Fire Chief
Eric Whiting, IT Director
Brian Vorauer, Police Department Lt.
Tammie Loth, Human Resources Director
Kris Kneese, Assistant Public Works Director
Laura Hollenbeck, Finance Director
Jason Lutz, Development Services Director
Lea Feuge, Public Information Director
Justin Calhoun, Emergency Management Coordinator
Jennifer Krupa, Assistant Parks Director and Special Events Coordinator
David Jung, Emergency Medical Services Administrator
Jeff Rich, Water/Wastewater Superintendant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the work session of the Fredericksburg City Council to order at 9:00 a.m. on Monday, October 25, 2021.

2. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge of Allegiance.

3. PUBLIC COMMENTS

No one signed up to speak.

4. PUBLIC HEARING

- A. Consider a public hearing to receive citizen comments for or against an Involuntary Annexation for approximately 82.36 acres of land, generally located on the West and East sides of Post Oak Road, from W. Live Oak to 2,800 feet North of S. Bowie Street; this Involuntary Annexation will not increase or extend the City's Extraterritorial Jurisdiction (2nd public hearing) (Jason Lutz, Development Services Director).**

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to go out of the Work Session Meeting into the public hearing at 9:01 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Jeffrey Huston, County resident, spoke regarding the Annexation Service Plan.

Eric Hammersen, City resident, spoke regarding the process used to annex this property and the cost.

Carol Hammersen, City resident, spoke regarding the rights of citizens related to annexations.

Susan King, County resident, spoke regarding the notification process for annexations.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to go out of Public Hearing and into the Work Session Meeting at 9:18 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Kent Myers, City Manager, reviewed the timeline and the requirements of State Law regarding annexation. He also reviewed the process the City Council used in 2019 to determine the possibly upcoming annexations.

Daniel Jones, City Attorney, reviewed the remainder of the process for the proposed annexation.

Jason Lutz, Development Services Director, reviewed the Service Plan and the timeline.

5. WORK SESSION ITEMS

- A. Consider the approval of Resolution 2021-14R authorizing submission of the Economic Development Administration American Rescue Plan Recovery Assistance Application, and authorizing the local funding commitment for same, related to construction of a Centralized Parking Facility in the City (Kent Myers, City Manager).**

Kent Myers, City Manager, stated the City has an opportunity to apply for a grant from the Economic Development Administrator (EDA) for over \$1 million to help finance the new downtown parking facility. He reviewed the deadline for submitting this grant application is October 31st. He noted that the Chamber, CVB, and several downtown businesses are in the process of submitting letters of support.

The City Council discussed the grant and agreed that the City needed to apply.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve Resolution 2021-14R authorizing submission of the Economic Development Administration American Rescue Plan Recovery Assistance Application, and authorizing the local funding commitment for same, related to construction of a Centralized Parking Facility in

the City. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. Consider a presentation and discussion on Workforce Housing Project (Kent Myers, City Manager).

Kent Myers, City Manager, stated that there had been an informal group that has met several times to discuss possible solutions to our workforce housing issues in the past several months. He noted several of the meetings; included presentations by developers who wanted to develop workforce housing that included both owner-occupied housing and rental.

Mark Sparrow, HK Development, and Joel Lamar, Contractor, provided a presentation regarding a Municipalities Utility District "MUD." He also reviewed the subdivision plans for Friendship Oaks. They reviewed other areas where the MUD has been successful. The City Council discussed the following:

- Cost of homes and how the MUD will effect the City.
- City's role during the construction and once it is completed.
- Goal to bring cost down.
- Benefits to homeowners.
- How the financing of bonds is structured.

Kent Myers, City Manager, stated the developer will be saving funds due to the type of tax-exempt financing that will be used. He also reviewed the next steps in the process.

Timothy Cone, US Living, provided a presentation on the establishment of Public Facility Corporation. He reviewed the different projects that they were involved in San Antonio and Cibolo (PFC). He reviewed the different sites in Fredericksburg. This tool can benefit projects other than housing.

The City Council discussed:

- Average income and who would qualify.
- Rents for two bedrooms for less than \$1,400.
- Taxes that would be waived.

Scott Brehman, Developer, provided a presentation regarding a proposed Public Facility Corporation financing for the property at 1100 Friendship Lane. He reviewed the expenses and what they wanted to offer to the City. He noted the rent would range from \$900 to 1,900.

The City Council discussed:

- How the City would be involved with this project since the developer would buy the property.
- No risk or liability to the City.
- Liabilities of the other taxing entities.

Todd Edison, Chamber of Commerce, stated the City isn't making much progress with affordable housing and need to consider some of these options.

C. Consider a presentation and discuss the Salary Survey and make recommendation on Employee Salary Adjustments (Kent Myers, City Manager).

Angela Yazbec, Evergreen Solution, provided a presentation regarding the steps and results of the Salary Study. She reviewed the Cities that were used in the Study. She reviewed scenarios of how the proposed increase will affect employees.

Tammie Loth, Human Services Director, reviewed the Police and Fire/EMS Step Pay Plan steps.

EMS/Fire Department

Justin Calhoun, EMS Operator, reviewed how the steps were developed.

The City Council discussed the following:

- Employees who perform up to expectations but still get a step process.
- Base pay, stipend, COLA, and merit

Police Pay

Braxton Roemer, Lt. Police Department, reviewed the proposed Police Pay and steps. He also compared the new proposed steps to other Cities.

Steve Wetz, Police Chief, reviewed the need for a Corporal position in the future and the process that will be used for promotions.

Open Range Employees

Tammie Loth, Human Resources Director, reviewed the salary survey and noted 86% of employees will be affected by the salary study increase.

The others will get a 2% merit increase. Salary range increases are from \$89 to \$12,000.

Kent Myers, City Manager, stated the City Manager, City Attorney, and Municipal Judge salaries are set by City Council., so they are not included in the survey increases. He reviewed the FY2022 Employee Wages and Benefits Summary. He also reviewed the open positions.

The City Council discussed the following:

- The cost Citywide.
- Budget impact on EMS
- The amount of money that needs to be in place for FY2022 implementation.
- If need to amend the budget, the funds could come from reserves or extra Sales Tax revenues collected.

6. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to adjourn the October 25, 2021 Work Session at 12:15 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

Shelley Goodwin, TRMC
City Secretary



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING NOVEMBER 1, 2021

The City of Fredericksburg City Council held their regular session on Monday, November 1, 2021 at 6 p.m. This meeting was held in person at the Law Enforcement Center and live streamed on the Fredericksburg YouTube Channel.

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Kathy O'Neill
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Steve Wetz, Police Chief
Braxton Roemer, Police Lt.
Eric Whiting, Information Technology Director
Lea Feuge, Public Information Officer
Andrea Schmidt, Parks and Recreation Director
Jason Lutz, Development Services Director
Kris Kneese, Assistant Public Works Director
Garret Bonn, Assistant City Engineer
Leslie Ball- Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, November 1, 2021.

2. INVOCATION

Tom Fait led the Invocation.

3. PLEDGE OF ALLEGIANCE

Kimberly Lams led the Pledge of Allegiance.

4. PROCLAMATION

A. Walk to End Alzheimer's Day

Mayor Kiehne read the Proclamation and proclaimed November 13, 2021 as The Walk to End Alzheimer's Day in Fredericksburg. He presented the Proclamation to Kristy Beyer and Christy Hill.

5. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, did not provide any recognitions.

6. PUBLIC COMMENTS

Annette Bennett, City resident, spoke regarding the American Rescue Funding.

Mary Lee Marschall, City resident, spoke regarding Constitution and the American Rescue Funding.

Teresa Wirereck, City resident, spoke regarding the American Rescue Funding.

Jerry McCorkle, City resident, spoke regarding the Relief Route.

Kimberley Lams, City resident, spoke regarding Vares COVID Report and American Rescue Funding.

George Studor, City resident, spoke regarding American Rescue Funding.

Mary Studor, City resident, spoke regarding American Rescue Funding.

Kathy Lux, County resident, spoke regarding American Rescue Funding.

Ruben Aguilar, City resident, spoke regarding patriotism.

Tom Marschall, City resident, spoke regarding the practice of the City Council to correct misinformation.

Wesley Hensley, City resident, spoke regarding the American Rescue Funding.

Tracy Knudson, City resident, spoke regarding the American Rescue Funding.

Susan King, County resident, spoke regarding the annexation and the cost.

Carmine Armstrong, City resident, spoke regarding the American Rescue Funding.

Jett Burns, County resident, spoke regarding the American Rescue Funding.

Robert Phoenix, County resident, spoke regarding the American Rescue Funding.

Jeannette Hormuth, City resident, spoke regarding the American Rescue Funding. She also provided a signed Notice of Intent of Violation Rights from the City Secretary.

Kent Myers, City Manager, provided clarification to comments made regarding the American Rescue Funding.

Daniel Jones, City Attorney, provided clarification regarding the process and requirements of the American Rescue Funding.

Shelley Goodwin, City Secretary, provided the process used to include citizen comments in the minutes for the July 19, 2021 City Council Regular Meeting.

7. 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 CITY COUNCIL.

A. Consider approval of the City Council Minutes (Shelley Goodwin, City Secretary):

i. October 11, 2021 Special Meeting

ii. October 18, 2021 Regular Meeting

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve Consent Agenda items 7. A. i. and ii. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

8. ORDINANCES AND RESOLUTIONS

A. Consider the approval of Ordinance 2021-26 amending Section 8.100 – Temporary Use Types, of Appendix B – Zoning Ordinance, of the Code of Ordinances; to amend the permitted temporary uses of tents for the Historic Overlay (HO) Zoning District in the City; and providing for an effective date (Z-2119) (2nd reading) (Jason Lutz, Development Services Director).

Jason Lutz, Development Services Director, reviewed the changes that were made since the last meeting.

The City Council discussed the changes to the Ordinance.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to amending Section 8.100 – Temporary Use Types, of Appendix B – Zoning Ordinance, of the Code of Ordinances; to amend the permitted temporary uses of tents for the Historic Overlay (HO) Zoning District in the City; and providing for an effective date (Z-2119) on second reading. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2021-14R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (Fire Pumper Tanker for the Fire Department) (Laura Hollenbeak, Finance Director).

Laura Hollenbeak, Finance Director, reviewed the acquisition and lease-purchase financing of the Fire Pumper Tanker for the Fire Department.

The City Council discussed the County's share of acquisition.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to approve Resolution 2021-14R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (Fire Pumper Tanker for the Fire Department). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the approval of Resolution 2021-15R approving the acquisition and lease purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (vehicles/equipment) (Laura Hollenbeak, Finance Director).

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve Resolution 2021-15R approving the acquisition and lease-purchase financing of public equipment and authorizing the execution and delivery of documents required in connection therewith (vehicles/equipment). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

D. Consider the approval of Resolution 2021-16R casting a ballot for the Gillespie County Appraisal Board of Directors for a two-year term beginning January 1, 2022 (Kent Myers, City Manager).

Kent Myers, City Manager, reviewed the process of electing the Gillespie County Appraisal Board of Directors.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve Resolution 2021-16R casting a ballot for the Gillespie County Appraisal Board of Directors for a two-year term beginning January 1, 2022 (giving each candidate 65 votes, except for Tim Dooley who would receive 66 votes). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

9. OTHER ACTION ITEMS AND UPDATES

A. Consider initiation of a text amendment to the City's Zoning Ordinance, related to clarifying the definition of "height" in the Zoning Ordinance, and clarifying the measurement of same (Jason Lutz, Development Services Director).

Jason Lutz, Development Services Director, reviewed the need for clarification to the definitions and the measurements for building heights

The City Council discussed the different definitions and the need for clarifications on building heights.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to initiate a text amendment to the City's Zoning Ordinance, related to clarifying the definition of "height" in the Zoning Ordinance, and clarifying the measurement of same. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. Consider the approval of a Lease Extension with the Fredericksburg Art Guild (Kent Myers, City Manager).

Kent Myers, City Manager, stated the City has a lease agreement with the Art Guild for the building at 308 East Austin Street at a rate of \$600 a month. The lease ends in February 2022, and the Art Guild is requesting an extension. He noted that he explained to the Art Guild that there is a possibility that the City would need the building for future office space.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to approve a Lease Extension with the Fredericksburg Art Guild for 1 year at the same rate (\$600). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the approval of the 2022 City Employee Holidays (Shelley Goodwin, City Secretary)

Shelley Goodwin, City Secretary, reviewed the list of proposed 2022 City Holidays and the Monday holidays, that will cause a City Council meeting to fall on Tuesdays.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to approve the 2022 City Holidays. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

D. Receive an update on the City of Fredericksburg Municipal Court (Shelley Becker, Municipal Judge).

Shelley Becker, Municipal Judge, reviewed the following:

- Disposition of cases
- Inactive cases
- Number of increased cases
- Changes recently made (provide paperwork in person, contact information, payment instructions, definitions, and the addition of a part-time clerk position).
- Warrant process, procedures, and audit currently being conducted.
- Issues with courtroom and Zoom.
- Courtroom security.

The City Council discussed the options of the courtroom and the progress the Municipal Judge has made.

10. CITY MANAGER REPORT

A. American Rescue Plan Act (ARPA) Funds

Kent Myers, City Manager, reported that the City has received the first payment and will receive the 2nd half in August 2022. He reviewed the items the Funds can be used for and the process being used to receive applications for non-profit organizations.

B. Downtown Parking Study

Kent Myers, City Manager, reported on the Phases for the study and noted Phase 1 is now completed, which was the submission of a grant.

C. Police Station Architecture Services

Kent Myers, City Manager, reported that the City is now accepting Requests for Proposals for architectural services the Public Safety Facility (Police Station).

D. Electric Car Charging Stations

Kent Myers, City Manager, stated that more charging stations would be needed with the push for electric cars. He also noted that the Fredericksburg Shines had donated \$18,000 towards charging stations. He noted the push is for the private sector to install charging stations.

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, reviewed the cost of charging the vehicle and installing a charging station.

11. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda Items.

12. COUNCIL COMMENTS

Councilmember O'Neill spoke regarding the STR Ordinance timeline.

Councilmember Luckenbach spoke regarding COVID vaccines.

13. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberations related to Real Property):

- A. Consider and discuss personal injury claim against the City by Susanna Boyer (Section 551.071) and**
- B. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of S. Milam Street at Whitney Street, in the City of Fredericksburg, Texas (551.072).**

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of Regular Meeting into Executive Session at 8:54 p.m. The City Council voted five (5) for, and none (0) opposed.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to go out of Executive Session into the Regular Meeting at 8:12 p.m. The City Council voted five (5) for, and none (0) opposed.

14. BUSINESS ITEM

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember O'Neill, to deny paying the personal injury claim against the City by Susanna Boyer. The City Council voted five (5) for, and none (0) opposed.

15. ADJOURN

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to adjourn the Monday, October 18, 2021, City Council Regular Meeting at 8:13 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council

FROM: Evan Williamson, P.E., Staff Engineer

SUBJECT: Renewal of Agreement with Gillespie County Appraisal District for Aerial Imagery

Summary:

Renewal of a six-year agreement with Gillespie Central Appraisal District to share cost for high resolution aerial imagery over the City of Fredericksburg from Pictometry.

Recommendation:

Recommend approval to renew the agreement with the Appraisal District.

Background / Analysis:

The City of Fredericksburg utilizes aerial imagery for the City's geographic information system (GIS) mapping software. The imagery serves as a base map and is utilized by Engineering, Public Works, and Development Services. The Appraisal District also uses aerial imagery for their GIS mapping. In the past and as recently as 2018, the City has entered an agreement with the Appraisal District to share cost to receive the aerials from Pictometry International Corp.

In the current agreement the City pays \$10,981 annually to the Appraisal District from 2019 to 2024. The Appraisal District pays Pictometry \$43,852 annually from 2019 to 2024. The City and the Appraisal District both receive aerial imagery for Gillespie County and high resolution aerial imagery for Fredericksburg and some of the surrounding area from flights in 2019 and 2022.

The City of Fredericksburg

The new agreement would cancel the existing agreement to take advantage of improved pricing from Pictometry. While the cost would slightly increase for the City the high resolution coverage would expand 100 square miles. The additional coverage would be utilized to provide high resolution imagery for Fredericksburg ETJ and along the Hwy 290 E corridor where development is very active. The City would pay \$11,000 annually to the Appraisal District from 2022 to 2027. The Appraisal District would pay Pictometry \$43,871 annually from 2022 to 2027. The City and the Appraisal District will both receive aerial imagery for Gillespie County and high resolution aerial imagery for Fredericksburg, its ETJ and a portion of the Hwy 290 E corridor from flights in 2022 and 2025.

Attachments:

Agreement with Gillespie Central Appraisal District
Pictometry International Corp.


Department Approval


City Manager Approval

The City of Fredericksburg



GILLESPIE CENTRAL APPRAISAL DISTRICT

Gillespie County Courthouse
101 W. Main, #11
Fredericksburg, TX 78624
Phone (830) 997-9807 ♦ Fax (830) 990-0860

October 6, 2021

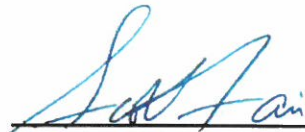
Agreement between Gillespie Central Appraisal District and the City of Fredericksburg

Gillespie Central Appraisal District is entering into a contract with Pictometry International Corp. for 9-inch aerial photography and viewing tools. The City of Fredericksburg wishes to have a higher resolution, 3-inch photography. Pictometry International Corp. will include in the contract with Gillespie Central Appraisal District the 3-inch imagery. The City of Fredericksburg agrees to pay the additional cost of the 3-inch imagery.

The contract is for 6 years and includes aerial flights in 2022 and 2025. The 3-inch imagery has been expanded to 100 square miles and adds \$36,000 per flight to the contract price. The City of Fredericksburg agrees to pay \$11,000 to Gillespie Central Appraisal District annually for each year included in the contract with Pictometry (2022-2027) to cover their portion of the agreement.

All sets of imagery (3-inch and 9-inch) and the associated tools will be available to both entities.

Authorized City Representative



Authorized Appraisal District Representative

Date

10/06/2021

Date

SECTION A

PRODUCT DESCRIPTIONS, PRICES AND PAYMENT TERMS

Pictometry International Corp.
25 Methodist Hill Drive
Rochester, New York 14623

ORDER #
C23779718

BILL TO
Gillespie Central Appraisal District
Scott Fair, Chief Appraiser
1159 S. Milam St
Fredericksburg, TX 78624
(830) 997-9807
chief@gillcad.org

SHIP TO
Gillespie Central Appraisal District
Scott Fair, Chief Appraiser
1159 S. Milam St
Fredericksburg, TX 78624
(830) 997-9807
chief@gillcad.org

CUSTOMER ID	SALES REP	FREQUENCY OF PROJECT
A117669	KBeer	Triennial

FIRST PROJECT					
QTY	PRODUCT NAME	PRODUCT DESCRIPTION	LIST PRICE	DISCOUNT PRICE (%)	AMOUNT ¹
1,112	Reveal Essentials+ Community	Provides ortho and oblique imagery at a Community level. Deliverables include measurable oblique and ortho imagery at a community resolutions. Color balanced orthomosaic imagery is generated by a fully automated photogrammetric process and delivered digitally in various formats with the associated metadata. Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use Product Parameters: Leaf: Leaf Off: Less than 30% leaf cover	\$ 70.00		\$ 77,840.00
100	Reveal Essentials+ Property	Provides high resolution ortho and oblique imagery at a Property level. Deliverables include measurable oblique and ortho imagery at a property resolutions. Color balanced orthomosaic imagery is generated by a fully automated photogrammetric process and delivered digitally in various formats with the associated metadata. Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use Product Parameters: Leaf: Leaf Off: Less than 30% leaf cover	\$ 400.00	\$ 360.00 (10% - Long Term Incentive Discount)	\$ 36,000.00
29,200	ChangeFinder - Change Detection: Digital Parcel File Provided	Existing building outlines from a specified older imagery source are updated and classified relative to the most-nadir single-frame orthogonal image in a specified, newer Pictometry imagery source. Pictometry delivers updated digital building outlines from the newer imagery source and their classification attributes in shapefile and geodatabase formats. Coverage includes only locations specified in a single, customer-provided digital parcel shapefile. Parcels in the specified locations must be generally contiguous. All Pictometry imagery to be used must be licensed or owned by the customer. Final invoiced amount will be adjusted for the actual quantity of records in the parcel file used for production. Use of older non-Pictometry-sourced building outline data requires acceptance in advance. Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use	\$ 0.41		\$ 11,972.00

		Product Parameters <i>Data Source – Base:</i> Pictometry Outlines <i>Data Source Year – Base:</i> 2020 <i>Data Source – Comparison:</i> Pictometry Imagery <i>Data Source Year – Comparison:</i> 2022 <i>Deck Identification:</i> Included in Building Outlines <i>Regional Status Report Requested:</i> <i>Modified Technical Specifications:</i> <i>Parameter Changes</i> Prior to commencement of production, Customer may make changes to these product parameters by providing Pictometry with written authorization (email being acceptable)			
3	Pictometry Connect - CA - 50	Pictometry Connect - CA - 50 (Custom Access) provides up to 50 concurrent authorized users the ability to login and access the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web-based, server-based or desktop integration. The default deployment is through web-based Pictometry Connect. Term commences on date of activation. The quantity represents the number of years in the Connect term. Applicable Terms and Conditions: Online Services General Terms and Conditions, Software License Agreement Product Parameters: <i>Admin User Name:</i> Scott Fair <i>Admin User Email:</i> chief@gillcad.org	\$ 2,200.00	\$ 1,100.00 (50%)	\$ 3,300.00
3	CONNECT ImageService CA	Connect Image Service - CA (Custom Access) provides access via a secure web mapping service to existing orthomosaics available within Customer's Connect account. This service allows use by Customer each calendar month of a total number of image request transactions equal to the product resulting from multiplying (a) the number of concurrent users authorized to use the Connect Image Service pursuant to this Agreement, by (b) 1500 (such product being the "Monthly Image Request Limit"). To the extent use of the Connect Image Service pursuant to this Agreement results in a total number of image request transactions in excess of the Monthly Image Request Limit, Pictometry may review the usage with Customer, increase the price for Customer's Connect Image Service with Customer's consent or, in Pictometry's discretion, suspend further access by Customer to the Connect Image Service. This offering is provided solely for internal use within Customer's organization. Customer must maintain an active paid Pictometry Connect account in order to utilize the Connect Image Service. Applicable Terms and Conditions: Online Services General Terms and Conditions	\$ 2,000.00	\$ 500.00 (75%)	\$ 1,500.00
1	ChangeFinder - Project Fee	This is a flat fee per project. One project set-up fee is required for each Change Detection, Change Detection and Building Outlines, or Building Outline line item in the order. Applicable Terms and Conditions: Order Form	\$ 1,000.00		\$ 1,000.00
1	RapidAccess - Disaster Response Program	RapidAccess - Disaster Response Program is an emergency response program offering flights after an emergency or disaster. Refer to the attached detailed description of the Disaster Response Program.	\$ 0.00		\$ 0.00

		Applicable Terms and Conditions Order Form			
1	Oblique Imagery Bundle w/Three (3)Yrs of EFS Maint & Support	Includes digital copy of the Licensed Documentation for the License Software, two (2) End User Training Sessions, one (1) Advanced User Technical Training, one (1) Administration / IT Training Session, fifteen (15) hours of telephone support, one copy of Pictometry Electronic Field Study (EFS) software, latest version, on the storage media specified herein, and access to download updated versions of the EFS Licensed Software for a period of three years from the initial date of shipment of the EFS software, along with a copy of the updated documentation Applicable Terms and Conditions Software License Agreement	\$ 0.00		\$ 0.00
1,112	Reveal Orthomosaic - Combined	This product represents a single orthomosaic, combining tiles of multiple resolutions with the best-available resolution preferred Applicable Terms and Conditions Delivered Content Terms and Conditions of Use Product Parameters Leaf: Leaf Off: Less than 30% leaf cover	\$ 0.00		\$ 0.00
1	Pictometry Connect - EarlyAccess	Pictometry Connect - EarlyAccess provides authorized users the ability to login and access the imagery, as specified elsewhere in this agreement, immediately following its preliminary processing and quality control checks and prior to its final processing Early Access imagery will become available in CONNECT Explorer incrementally as it is processed and it will remain available until final, fully processed imagery is made available through other means This offering requires an active Pictometry CONNECT account and the current purchase of access to an imagery product Applicable Terms and Conditions Online Services General Terms and Conditions	\$ 10,000.00	\$ 0.00 (100%)	\$ 0.00
SUBTOTAL					\$131,612.00

SECOND PROJECT

QTY	PRODUCT NAME	PRODUCT DESCRIPTION	LIST PRICE	DISCOUNT PRICE (%)	AMOUNT ¹
1,112	Reveal Essentials+ Community	Provides ortho and oblique imagery at a Community level. Deliverables include measurable oblique and ortho imagery at a community resolutions. Color balanced orthomosaic imagery is generated by a fully automated photogrammetric process and delivered digitally in various formats with the associated metadata Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use Product Parameters Leaf: Leaf Off: Less than 30% leaf cover	\$ 70.00		\$ 77,840.00
100	Reveal Essentials+ Property	Provides high resolution ortho and oblique imagery at a Property level Deliverables include measurable oblique and ortho imagery at a property resolutions. Color balanced orthomosaic imagery is generated by a fully automated photogrammetric process and delivered digitally in various formats with the associated metadata Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use Product Parameters Leaf:	\$ 400.00	\$ 360.00 (10% - Long Term Incentive Discount)	\$ 36,000.00

		Leaf Off Less than 30% leaf cover			
29,200	ChangeFinder - Change Detection: Digital Parcel File Provided	Existing building outlines from a specified older imagery source are updated and classified relative to the most-nadir single-frame orthogonal image in a specified, newer Pictometry imagery source. Pictometry delivers updated digital building outlines from the newer imagery source and their classification attributes in shapefile and geodatabase formats. Coverage includes only locations specified in a single, customer-provided digital parcel shapefile. Parcels in the specified locations must be generally contiguous. All Pictometry imagery to be used must be licensed or owned by the customer. Final invoiced amount will be adjusted for the actual quantity of records in the parcel file used for production. Use of older non-Pictometry-sourced building outline data requires acceptance in advance. Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use Product Parameters: <i>Data Source - Base:</i> Pictometry Outlines <i>Data Source Year - Base:</i> 2022 <i>Data Source - Comparison:</i> Pictometry Imagery <i>Data Source Year - Comparison:</i> 2025 <i>Deck Identification:</i> Included in Building Outlines <i>Regional Status Report Requested:</i> <i>Modified Technical Specifications:</i> <i>Parameter Changes</i> Prior to commencement of production, Customer may make changes to these product parameters by providing Pictometry with written authorization (email being acceptable).	\$ 0.41		\$ 11,972.00
3	Pictometry Connect - CA - 50	Pictometry Connect - CA - 50 (Custom Access) provides up to 50 concurrent authorized users the ability to login and access the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web-based, server-based or desktop integration. The default deployment is through web-based Pictometry Connect. Term commences on date of activation. The quantity represents the number of years in the Connect term. Applicable Terms and Conditions: Online Services General Terms and Conditions, Software License Agreement Product Parameters: <i>Admin User Name:</i> Scott Fair <i>Admin User Email:</i> chief@gilcad.org	\$ 2,200.00	\$ 1,100.00 (50%)	\$ 3,300.00
3	CONNECT ImageService CA	Connect Image Service - CA (Custom Access) provides access via a secure web mapping service to existing orthomosaics available within Customer's Connect account. This service allows use by Customer each calendar month of a total number of image request transactions equal to the product resulting from multiplying (a) the number of concurrent users authorized to use the Connect Image Service pursuant to this Agreement, by (b) 1500 (such product being the "Monthly Image Request Limit"). To the extent use of the Connect Image Service pursuant to this Agreement results in a total number of image request transactions in excess of the Monthly Image Request Limit, Pictometry may review the usage with Customer, increase the price for Customer's Connect	\$ 2,000.00	\$ 500.00 (75%)	\$ 1,500.00

		Image Service with Customer's consent or, in Pictometry's discretion, suspend further access by Customer to the Connect Image Service. This offering is provided solely for internal use within Customer's organization. Customer must maintain an active paid Pictometry Connect account in order to utilize the Connect Image Service. Applicable Terms and Conditions: Online Services General Terms and Conditions			
1	ChangeFinder - Project Fee	This is a flat fee per project. One project set-up fee is required for each Change Detection, Change Detection and Building Outlines, or Building Outline line item in the order. Applicable Terms and Conditions: Order Form	\$ 1,000.00		\$ 1,000.00
1,112	Reveal Orthomosaic - Combined	This product represents a single orthomosaic, combining tiles of multiple resolutions with the best-available resolution preferred. Applicable Terms and Conditions: Delivered Content Terms and Conditions of Use Product Parameters: Leaf: Leaf Off: Less than 30% leaf cover	\$ 0.00		\$ 0.00
1	Oblique Imagery Bundle w/Three (3)Yrs of EFS Maint & Support	Includes digital copy of the Licensed Documentation for the License Software, two (2) End User Training Sessions, one (1) Advanced User Technical Training, one (1) Administration / IT Training Session, fifteen (15) hours of telephone support, one copy of Pictometry Electronic Field Study (EFS) software, latest version, on the storage media specified herein, and access to download updated versions of the EFS Licensed Software for a period of three years from the initial date of shipment of the EFS software, along with a copy of the updated documentation. Applicable Terms and Conditions: Software License Agreement	\$ 0.00		\$ 0.00
1	Pictometry Connect - Early Access	Pictometry Connect - Early Access provides authorized users the ability to login and access the imagery, as specified elsewhere in this agreement, immediately following its preliminary processing and quality control checks and prior to its final processing. Early Access imagery will become available in CONNECT Explorer incrementally as it is processed and it will remain available until final, fully processed imagery is made available through other means. This offering requires an active Pictometry CONNECT account and the current purchase of access to an imagery product. Applicable Terms and Conditions: Online Services General Terms and Conditions	\$ 10,000.00	\$ 0.00 (100%)	\$ 0.00
1	RapidAccess - Disaster Response Program	RapidAccess - Disaster Response Program is an emergency response program offering flights after an emergency or disaster. Refer to the attached detailed description of the Disaster Response Program. Applicable Terms and Conditions: Order Form	\$ 0.00		\$ 0.00
SUBTOTAL					\$131,612.00

Thank you for choosing Pictometry as your service provider.

TOTAL

\$ 263,224.00

¹Amount per product = ((1-Discount %) * Qty * List Price)



CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2103 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY ROBERT MOSLEY TO CONSIDER A CONDITIONAL USE PERMIT (CUP) TO CONSTRUCT A CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED AT 803 SOUTH EAGLE STREET.

Summary:

The applicant is requesting a conditional use permit for the property at 803 South Eagle Street to construct a construct a condominium development, consisting of 8 units.

Background:

The site is in the C1 zoning district and is currently vacant property. The applicant is looking to construct, 4 attached structures consisting of 8 residential condominiums.

Zoned:	C1 – Neighborhood Commercial
Lot Size:	30,209.6 sq. ft. (after R.O.W. dedication) – 7,500 sq. ft. required This is an existing non-conforming lot and may be developed given its current size
Setbacks:	25' front yard, 25' street side yard, 5' interior side yard, 10' rear yard
Density:	1 unit per 2,400 sq. ft. required (19,200 sq. ft. required)
Impervious Cover:	70% allowed (62% proposed)
Building Height:	3 stories & 38' allowed (1 story, 18' proposed)
Parking:	2 space per unit (16 spaces required) (16 spaces provided)
Adjacent Land Uses:	Mixed use development to the west, single-family to the east, single-family to the south, and a Church/Day Care to the north.
Adjacent Zoning:	PUD to the west, C1 to the east, R2 to the South, and R1 to the north.

The City of Fredericksburg

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Analysis:

C1 allows single-family residential and multi-family by right but requires a CUP for condominiums. Given the new developments in the area, staff does see the need for additional commercial in the area, and this development would not provide a commercial land use. However, the single-family attached product proposed is a much-needed residential type within the city.

Staff also has parking concerns regarding the 16 spaces, whether long-term or short-term tenants, there is no guest parking within the development. Staff does see areas where additional parking spaces could be provided (an additional 6 spaces) in front of units 302 & 201.

The project location is adjacent to other sidewalks planned in the area, and staff recommended providing sidewalks to connect to the other developments, especially the mixed-use PUD to the west.

Recommendation:

P&Z held a public hearing on Nov. 3, 2021, and recommended approval of the requested CUP and associated site plan, with the following conditions.

1. *Conditions:*

- a. Provide additional guest parking
- b. Provide sidewalks along Friendship Lane
- c. Re-address the property to Friendship Lane
- d. Enlarge the entrance to a minimum of 24' wide
- e. Stripe both sides at the fire lane (end of parking spaces to the curb line of the parking area).
- f. Move the dumpster location out of the setbacks and show the screening walls
- g. Remove the existing driveway on Friendship Lane and re-curb that area
- h. Approval of Civil Construction Plans

Staff Recommends approval of the requested CUP and associated site plan with the conditions listed by the P&Z Commission.

Attachments:

Zoning/Location map, Proposed Site Plan, Building Elevations

The City of Fredericksburg

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Jason Lutz

Department Approval

[Signature]

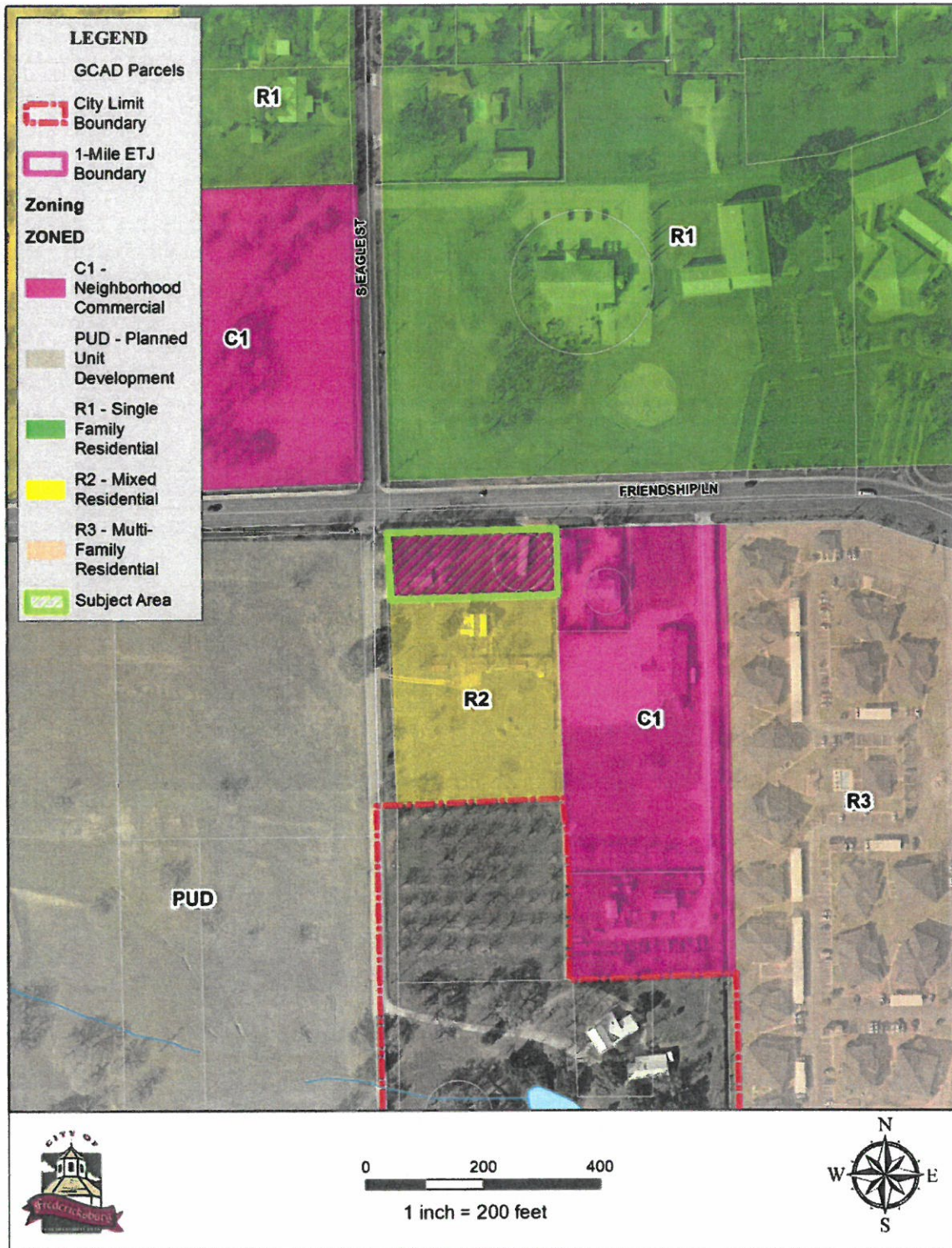
City Attorney Approval

[Signature]

City Manager Approval

The City of Fredericksburg

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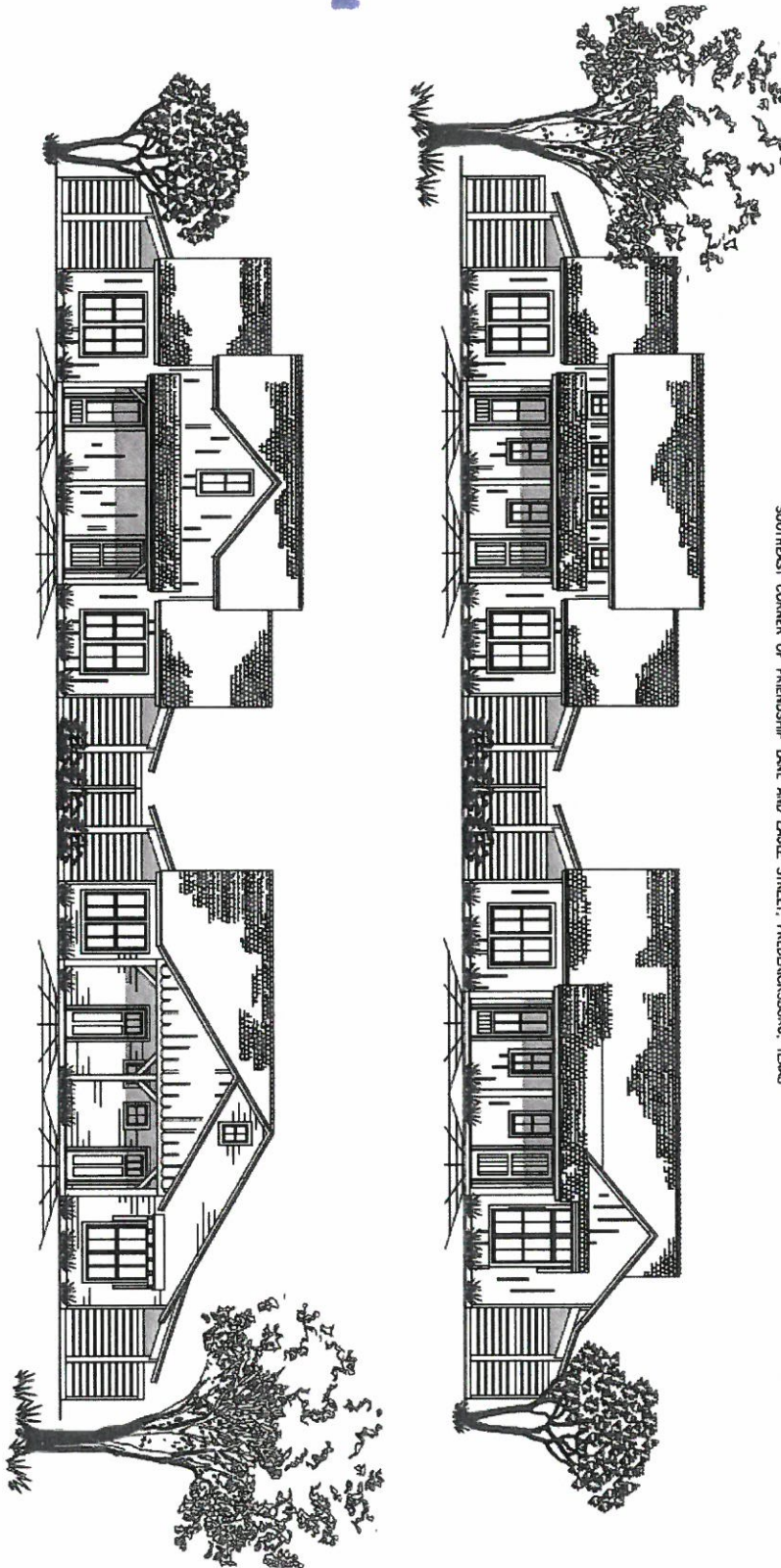


The City of Fredericksburg

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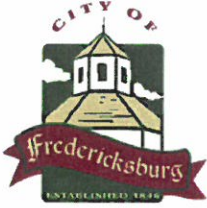
the FRIENDSHIP LANE COTTAGES

SOUTHEAST CORNER OF FRIENDSHIP LANE AND EAGLE STREET, FREDERICKSBURG, TEXAS



(COVERSHEET CONCEPT DRAWING: NOT TO SCALE/NOT FOR CONSTRUCTION)

The City of Fredericksburg



CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2121 – Public Hearing, Consideration, and Action regarding a request by Wes and Tammy Pack to consider a Conditional Use Permit (CUP) per section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio St.

Summary:

The applicant is requesting a conditional use permit for the property at 514 W. San Antonio St. to construct a first-floor bed and breakfast unit (3 additional).

Background / Analysis:

The applicant requested a CUP for a bed and breakfast in August of 2021. This request was recommended approval to City Council with conditions regarding occupancy limits and screening requirements. The request was denied by City Council due to parking and density concerns.

The site is in the R2 zoning district and is currently a 2-unit short-term rental structure. The applicant is looking to construct 3 additional (STRs) to include private spa areas. The Historic Review Board had several concerns regarding the location of the spa areas and parking configuration but ultimately approved the Certificate of Appropriateness based on the renderings and HRB guidelines (not zoning guidelines).

The applicant has redesigned the site layout and increased the available parking to 7 spaces + 1 ADA space.

Zoned: R2 – Mixed Residential

Lot Size: 17,424 s.f. (0.40 acres)

The City of Fredericksburg

Setbacks: 15' front yard (7.5' existing), 5' side yard (5' on west, 13' on east provided), 10' rear yard (30' provided)
Density: 16,000 s.f. required (17,424 s.f. provided)
Impervious Cover: 65% allowed (53% proposed)
Building Height: 2 stories & 28' allowed (1 story proposed)
Parking: 1 space per STR unit (5 spaces required) (8 spaces provided)
Adjacent Land Uses: Single-family residential to the west and east, commercial to the north, mix of STRs and single-family residential to the general area.

Recommendation:

P&Z held a public hearing on Nov. 3, 2021, and recommended approval of the requested CUP and associated site plan, with the following conditions.

1. Conditions

- a. That an 8' tall screening fence be installed on the side and rear property lines
- b. That occupancy for the new STR units be limited to 2 individuals

Staff Recommends approval of the requested CUP and associated site plan with the conditions listed by the P&Z Commission.

Attachments:

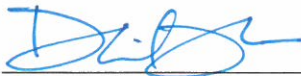
Zoning/Location map & Proposed Site Plan



Department Approval

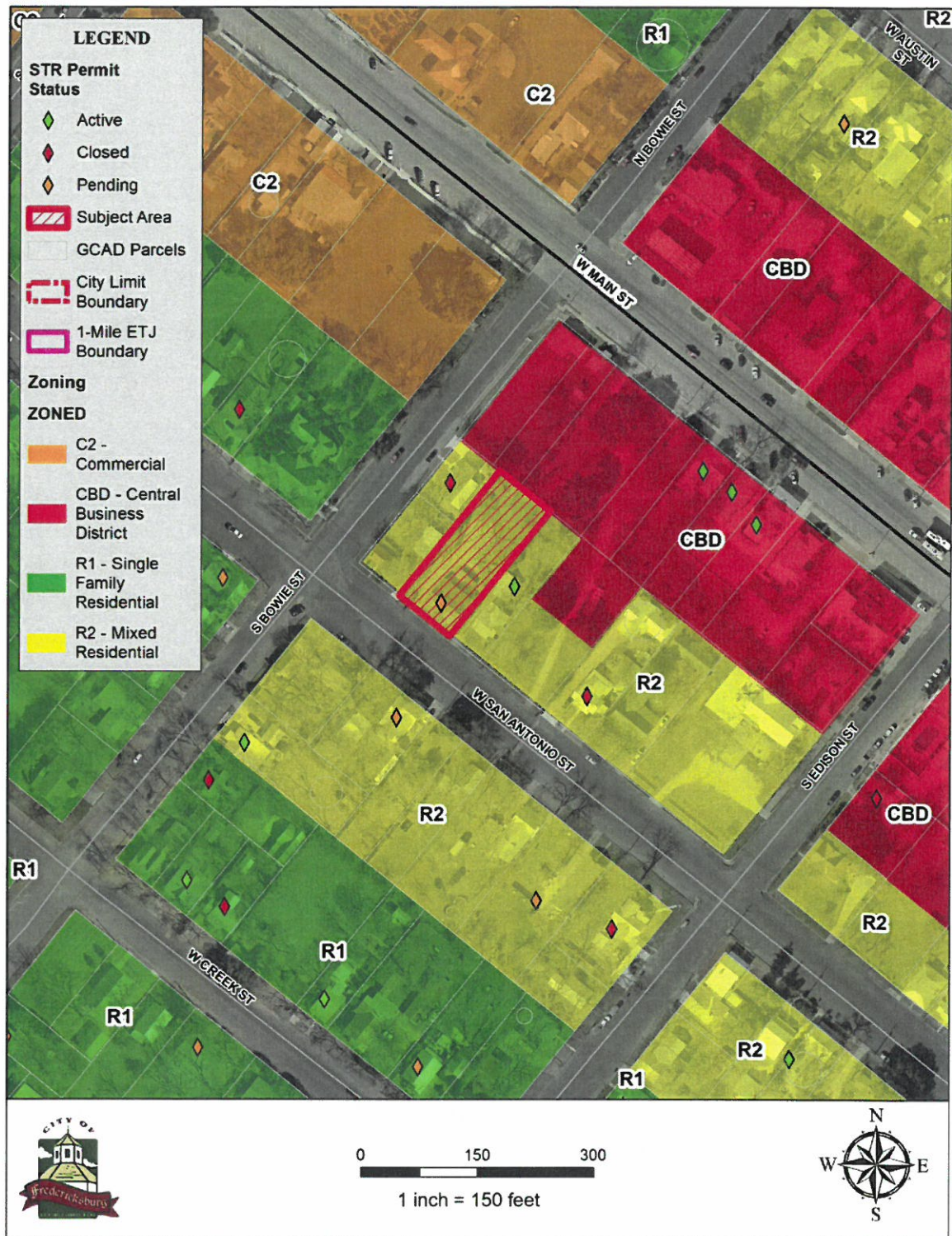


City Manager Approval



City Attorney Approval

The City of Fredericksburg



The City of Fredericksburg

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CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2115 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY CAROLYN ELLEBRACHT TO CONSIDER A REQUESTED ZONING OF “SINGLE-FAMILY RESIDENTIAL” (R1) FOR APPROXIMATELY 10.839 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATION IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2 GILLESPIE COUNTY, TEXAS LOCATED AT THE SOUTH END OF STONELEDGE DRIVE, EAST OF THE STONERIDGE SUBDIVISION.

Summary:

The property owner has requested voluntary annexation of approximately 10.839 acres of land to construct a single-family subdivision. The proposed annexation area is for the development of Stone Ridge Unit 11. The requested zoning of the property is R1.

The property is located at the south end of Stoneledge Street, east of the Stoneridge Subdivision. The developer would be required to extend utilities to serve their property and then be required to extend utilities to adjacent landowners as part of the platting/subdivision process.

There are currently 372 lots within Stone Ridge subdivision, and the proposed phase will add an additional 24 lots bring the total to 396 lots.

Council approved an annexation agreement on September 20, 2021.

The City’s Future Land Use plan calls this area out as Rural Residential, which is a low-density residential category and the requested R1 zoning would be compatible with the future land use plan and the existing zoning in the area.

The applicant has requested that the annexation date become effective after January 1st. This would keep the property from being on City tax rolls for the 2022 year. Staff recommends annexation be official upon approval of the ordinance, and not postponed.

The City of Fredericksburg

Recommendation:

P&Z held a public hearing on Nov. 3, 2021, and recommended approval of the requested R1 zoning.

Staff recommends approval of the requested R1 zoning.

Attachments: Location/Zoning Map



Department Approval

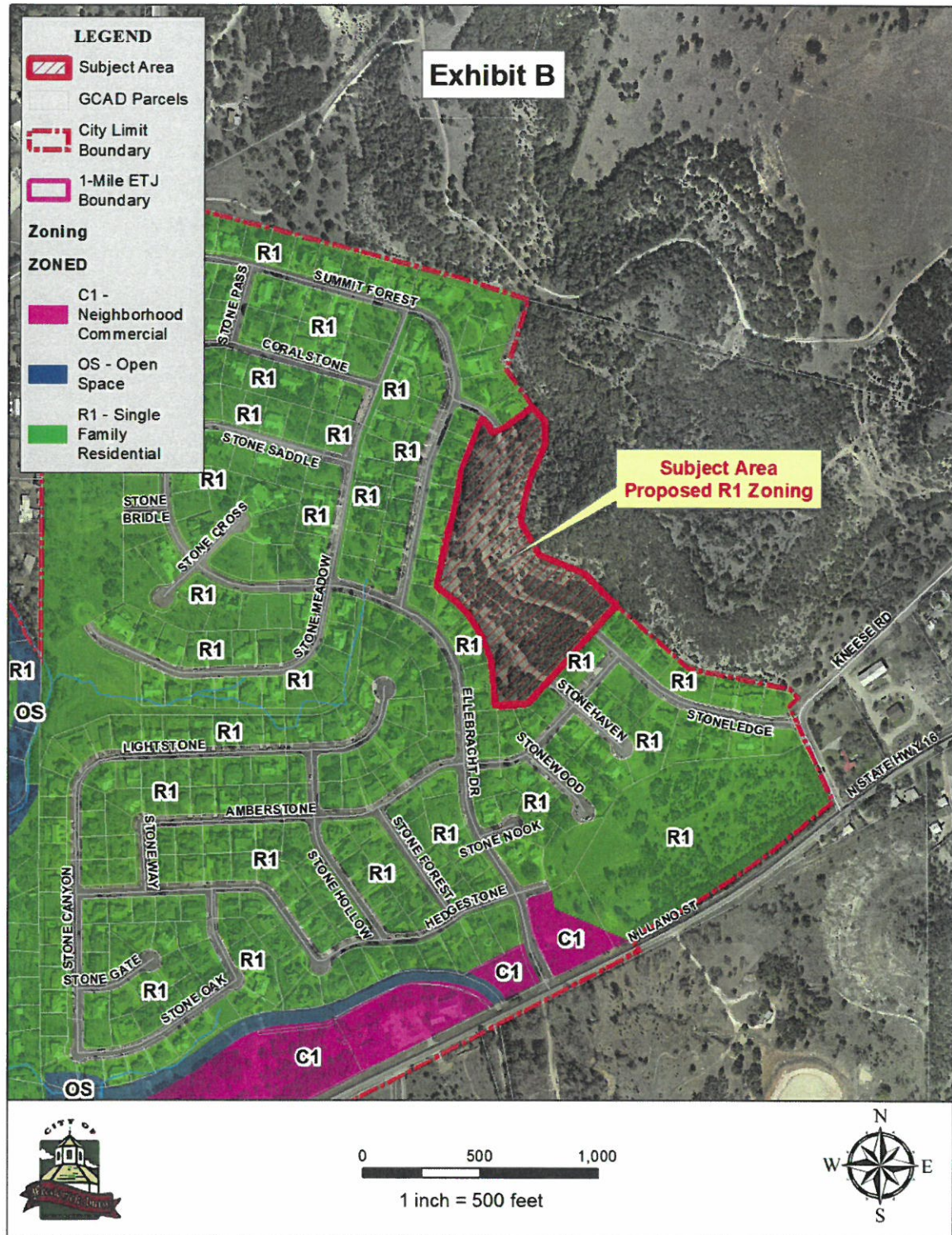


City Attorney Approval



City Manager Approval

The City of Fredericksburg



The City of Fredericksburg

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ORDINANCE NO. 2021-30

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG, TEXAS APPROXIMATELY 10.839 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT OF LAND DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATED IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, IN GILLESPIE COUNTY, TEXAS, LOCATED AT THE SOUTH END OF STONELEDGE STREET, EAST OF THE STONERIDGE SUBDIVISION; EXTENDING THE CORPORATE LIMITS OF THE CITY OF FREDERICKSBURG, TEXAS, SO AS TO INCLUDE SAID TERRITORY; GRANTING TO ALL INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF FREDERICKSBURG, TEXAS; BINDING THE INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY BY ANY AND ALL ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY OF FREDERICKSBURG, TEXAS; AND AMENDING THE ZONING ORDINANCE OF THE CITY TO ESTABLISH THE ZONING DISTRICT OF SAID TERRITORY AS R-1: SINGLE FAMILY RESIDENTIAL.

WHEREAS, the City of Fredericksburg has received a written request for voluntary annexation for the following tracts or parcels of land (the "Property") situated in Gillespie County, Texas, to-wit:

Being APPROXIMATELY 10.839 ACRES OF LAND OUT OF A REMAINING PORTION OF A 258 ACRE TRACT OF LAND DESCRIBED IN VOLUME 63, PAGE 366, DEED RECORDS, GILLESPIE COUNTY, TEXAS, ALSO BEING SITUATED IN THE WILLIAM H. ANDERSON SURVEY NO. 197, ABSTRACT NO. 2, IN GILLESPIE COUNTY, TEXAS, LOCATED AT THE SOUTH END OF STONELEDGE STREET, EAST OF THE STONERIDGE SUBDIVISION, and more particularly and separately described in the attached Exhibit "A" and Exhibit "B"; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has heard arguments for and against the annexation of such Property at a public hearing in accordance with the Local Government Code of the State of Texas and after having been requested to annex such Property by the owners thereof; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has determined that said Property is contiguous and adjacent to the limits of the City of Fredericksburg, Texas; that said Property meets all requisites of law for annexation, and that such Property should be annexed to the City of Fredericksburg, Texas, and the corporate limits of the City

of Fredericksburg, Texas should be extended so as to include such territory; and that the City Council of the City of Fredericksburg, Texas, by the provisions of the Local Government Code of the State of Texas, and the Charter of the City of Fredericksburg, has the power to annex such Property; and

WHEREAS, a request has been submitted by the owner of the Property to establish R-1: Single Family Residential zoning upon said Property; 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 zoning 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 the zoning signed by owners of twenty per cent (20%) or more 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 Property is hereby annexed to the City of Fredericksburg, Texas; that the corporate limits of the City of Fredericksburg, Texas, be and they are hereby extended so as to include such Property within the city limits of the City of Fredericksburg, Texas; and that said Property shall hereafter be included within the territorial limits of the City of Fredericksburg, Texas.

Section 2. That the present and future inhabitants of such Property shall hereafter be entitled to all the rights and privileges of other citizens of the City of Fredericksburg, Texas; and that the inhabitants of such Property shall be bound by any and all the acts, ordinances, resolutions and regulations of the City of Fredericksburg, Texas. Pursuant to Texas Local Government Code Sec. 43.0672, the City has entered into a written agreement with the owners of Property, related to the provision of City services in the area, and the City is not required to provide a service that is not included in said agreement.

Section 3. That the zoning ordinance of the City of Fredericksburg is hereby

amended to incorporate the certain change in zoning district as follows:

The Property is hereby zoned and designated as R-1: Single Family Residential.

Section 4. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

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

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

EXHIBIT A



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

FIELD NOTES FOR STONE RIDGE UNIT XI 10.839 Acres

Being a 10.839 acre parcel of land in the William Anderson Survey No. 197, Abstract No. 2 of Gillespie County, Texas, and being out of the called 258 acre tract recorded in Volume 63, Page 366, of the Deed Records (D.R.) of Gillespie County, Texas; said 10.839 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar being the northeastern most corner of Lot 113, Stone Ridge Unit II, as recorded in Volume 3, Page 82, Plat Records of Gillespie County, Texas; and being the **POINT OF BEGINNING** of the herein described tract:

THENCE with said East Boundary of the herein described 10.839 Acre Tract the following seven (7) courses:

S 33°58'51" E, a distance of 86.61 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 02°44'53" W, a distance of 93.71 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 22°28'27" W, a distance of 196.00 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 11°34'23" W, a distance of 153.87 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 26°46'00" E, a distance of 164.30 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 65°34'14" E, a distance of 199.51 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 48°34'27" E, a distance of 208.12 feet to a 1/2" iron rod w/CEC cap set for an exterior corner; said point also being the northern most corner of Lot 240, Stone Ridge Unit VI, as recorded in Volume 4, Page 1, Plat Records of Gillespie County, Texas;

THENCE S 42°17'10" W, a distance of 570.00 feet with the common exterior boundary line of said Stone Ridge Unit VI and the herein described 10.839 Acre Tract to a 1/2" iron rod w/CEC cap set for an exterior corner; said point also being the common corner of Lot 242 and Lot 243, Stone Ridge Unit VI, as recorded in Volume 4, Page 1, Plat Records of Gillespie County, Texas;

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TEXAS FIRM REGISTRATION NUMBERS: ENGINEERING F-2214 | SURVEY 10041000 | WWW.CECTEXAS.COM



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

THENCE S 87°11'59" E, with the north line of said Lot 242 and Lot 241, Stone Ridge Unit VI, a distance of 139.86 feet, to a 1/2" iron rod w/CEC cap set for the southwestern most corner of the herein described 10.839 Acre Tract, said point also being the common corner of Lots 59 and 60, Stone Ridge Unit I, as recorded in Volume 2, Page 98-101, Plat Records of Gillespie County, Texas;

THENCE with said West Boundary of the herein described 10.839 Acre Tract and the common line with Stone Ridge Unit I the following six (6) courses:

N 02°48'36" W, a distance of 94.60 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 60 and 61, Stone Ridge Unit I;

N 08°39'23" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 61 and 62, Stone Ridge Unit I;

N 20°20'58" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 62 and 63, Stone Ridge Unit I;

N 32°02'34" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 63 and 64, Stone Ridge Unit I;

N 41°20'51" W, a distance of 66.36 feet to a 1/2" iron rod w/CEC cap set for an exterior angle,

N 50°03'29" W, a distance of 100.69 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 64 and 65, Stone Ridge Unit I and Lot 120, Stone Ridge Unit II, as recorded in Volume 3, Page 82, Plat Records of Gillespie County, Texas;

THENCE with the east line of said Stone Ridge Unit II, N 11°34'23" E, a distance of 522.32 feet to a 1/2" iron rod w/CEC cap set for an angle point;

THENCE continuing with the east line of said Stone Ridge Unit II, N 22°28'27" E, a distance of 234.36 feet to a 1/2" iron rod w/CEC cap set on the southeast right-of way line of Stoneledge (50' ROW) and being in a curve having a radius of 175.00';

THENCE 76.39 feet with a curve to the right, said curve having a central angle of 25°00'35", a chord bearing of S 36°42'13" E, and a chord distance of 75.78 feet to an angle point in the southeast right-of way line of Stoneledge;

THENCE N 68°17'35" E, crossing Stoneledge (50' ROW) a distance of 50.04 feet to a 1/2" iron rod w/CEC cap set on the northeast right-of-way line of Stoneledge for an angle point;

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DON DURDEN, INC.

THENCE N 56°01'09" E, a distance of 154.90 feet to the **POINT OF BEGINNING** and containing 10.839 acres of land, more or less.

- Bearings source is the last described west line of this description, between the two found monuments described above, and shown as N 00°56'24" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of Don Durden, Inc. dba Civil Engineering Consultants.

Date:

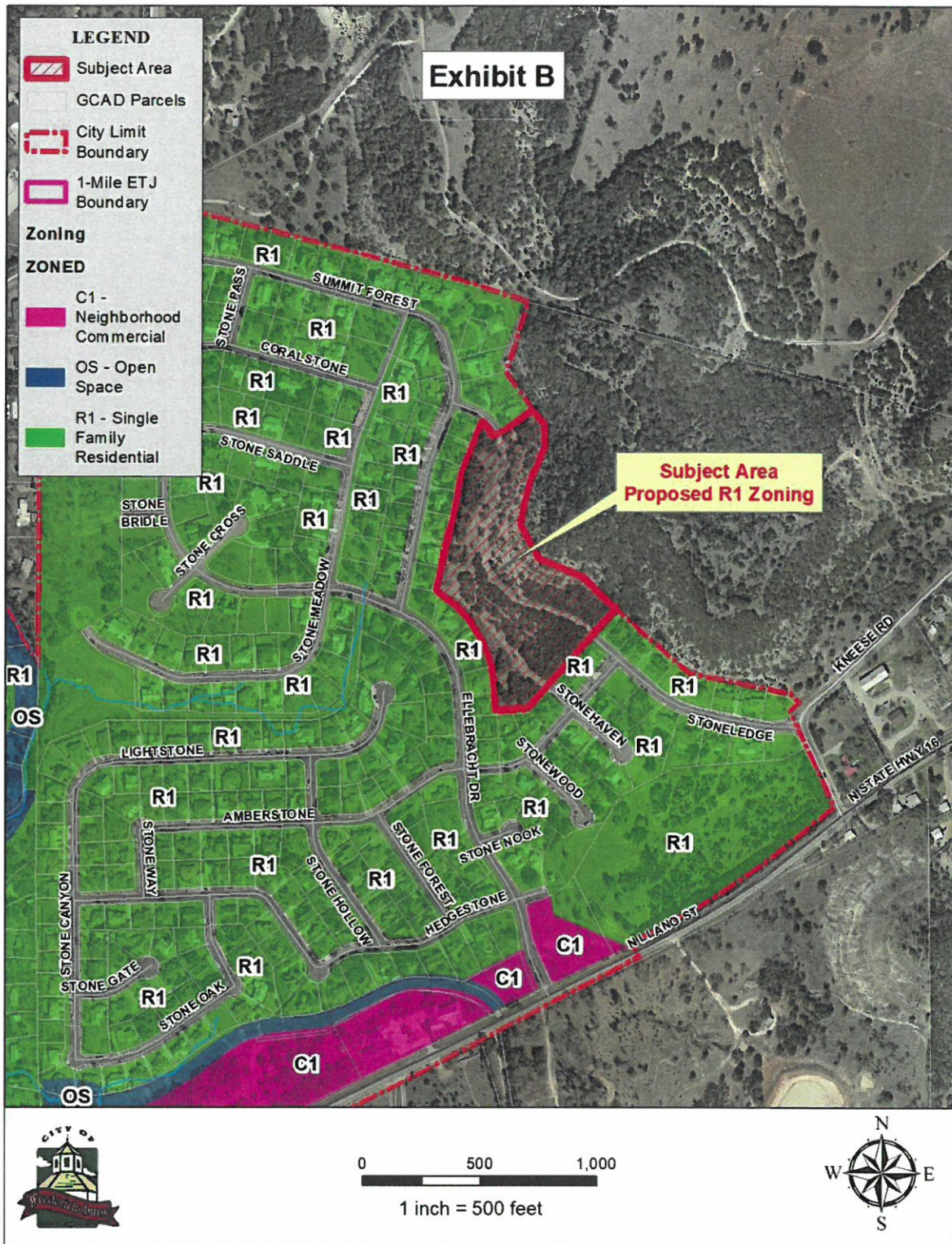
Gary B. Neill
R.P.L.S. #3964
Firm No. 10041000

Warning: Only those copies with the Signature and
Seal in red should be relied upon.

Stone Ridge Unit XI
Project Number: E0617302

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CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2122 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY JOHN HEWITT, WITH HEWITT ENGINEERING, TO CONSIDER THE FOLLOWING:

- 1) A REQUEST FOR A FUTURE LAND USE CHANGE FROM “MEDIUM DENSITY RESIDENTIAL” (MDR) AND “LOW DENSITY RESIDENTIAL (LDR) TO A FUTURE LAND USE OF “HIGH DENSITY RESIDENTIAL” (HDR) FOR APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE POST OAK ROAD AND WEST WINDCREST DRIVE INTERSECTION.
 - 2) A REQUEST FOR A ZONING CHANGE FROM “MEDIUM RESIDENTIAL” (R2) TO “MULTI-FAMILY RESIDENTIAL” (R3) FOR APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE POST OAK ROAD AND WEST WINDCREST DRIVE INTERSECTION.
-

Summary:

The applicant is requesting a future land use change and zoning change to construct a multi-family project.

Background / Analysis:

The site is in the R2 zoning district and is currently vacant property. The applicant is looking to construct 96 units in multiple structures. 4 buildings will be 2-story and contain 48 two-bedroom units, while another 3-story building will contain 48 1-bedroom units.

The City of Fredericksburg

Future Land Uses: The property consists of 2 Future Land Use Categories (Medium Density Residential and Low Density Residential). The property is bounded by High Density Residential to the north, commercial to the east, and Low Density to the South.

Existing Land Uses: The property is adjacent to vacant property to the north and west, single-family residential to the south, and an Assisted Living Facility to the east/south.

Existing Zoning: The property is adjacent to R3 zoning to the north, R1 to the south, R1 to the west, and R2 to the east/south.

Proposed Site Plan:

Proposed Zoning:	R3 – Multi-family Residential
Lot Size:	6.9 acres (7,500 sq. ft. required)
Setbacks:	25' front yard, 15' street side yard, 5' interior side yard, 10' rear yard
Density:	1-bed units (2,000 sq. ft. per unit required) 2-bed units (2,400 sq. ft. per unit required) Total land required – 211,000 sq. ft. (300,564 sq. ft. provided)
Impervious Cover:	65% allowed (59% proposed)
Building Coverage:	55% allowed (21% proposed)
Building Height:	3 stories & 38' allowed (2 and 3 story, 42' to highest point of roof proposed)
Parking:	1.5 spaces per 1-bedroom unit 2 spaces per 2-bedroom unit 168 spaces required (181 spaces provided)

Recommendations:

P&Z held a public hearing on Nov. 3, 2021, and recommended approval of the requested Future Land Use & Zoning Change.

Staff Recommends approval of the requested Future Land Use & Zoning Change.

Attachments:

Future Land Use Map, Zoning/Location map, and Proposed Site Plan

The City of Fredericksburg

Jason Lutz

Department Approval

[Signature]

City Attorney Approval

[Signature]

City Manager Approval

The City of Fredericksburg

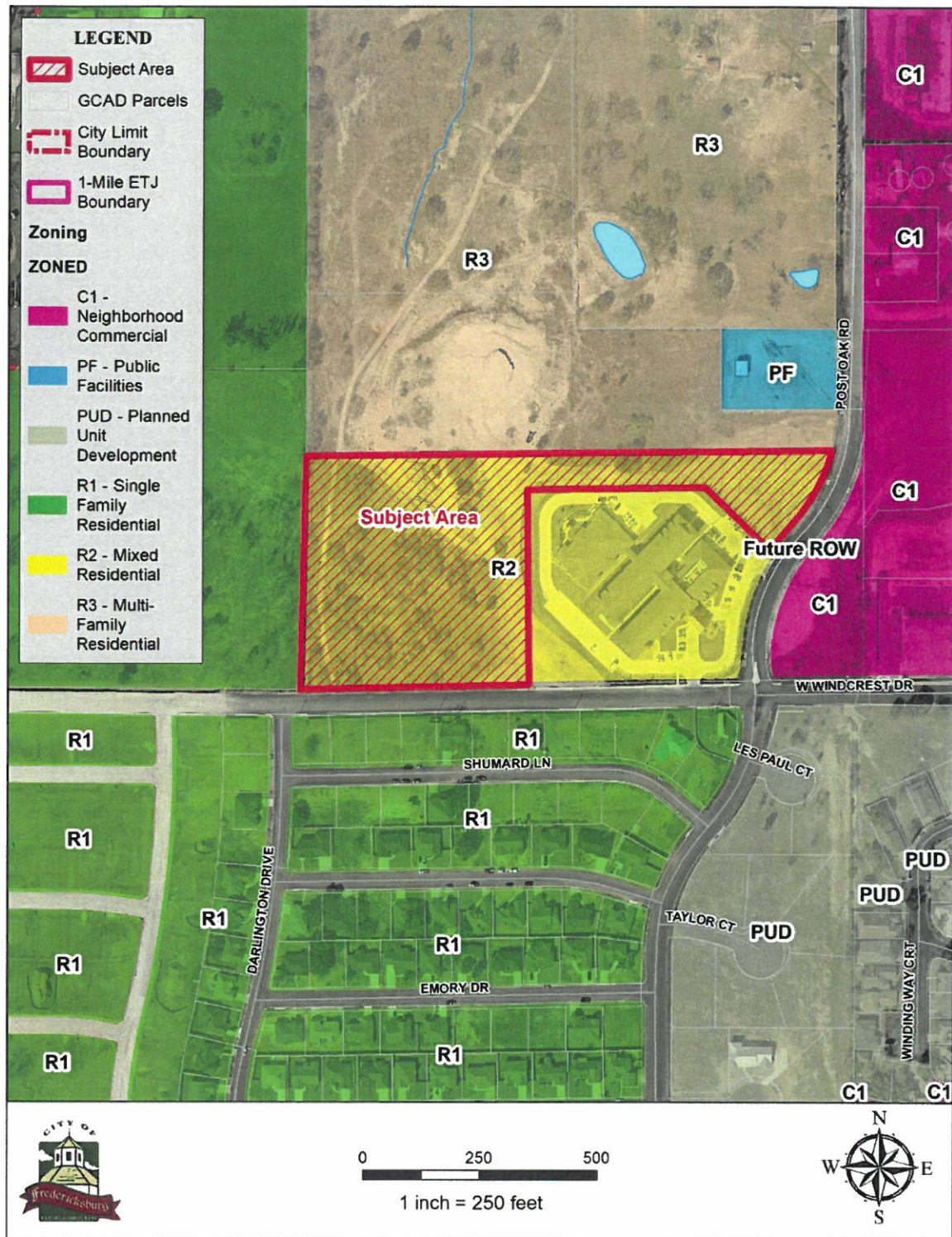
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Agenda Packet Page 45



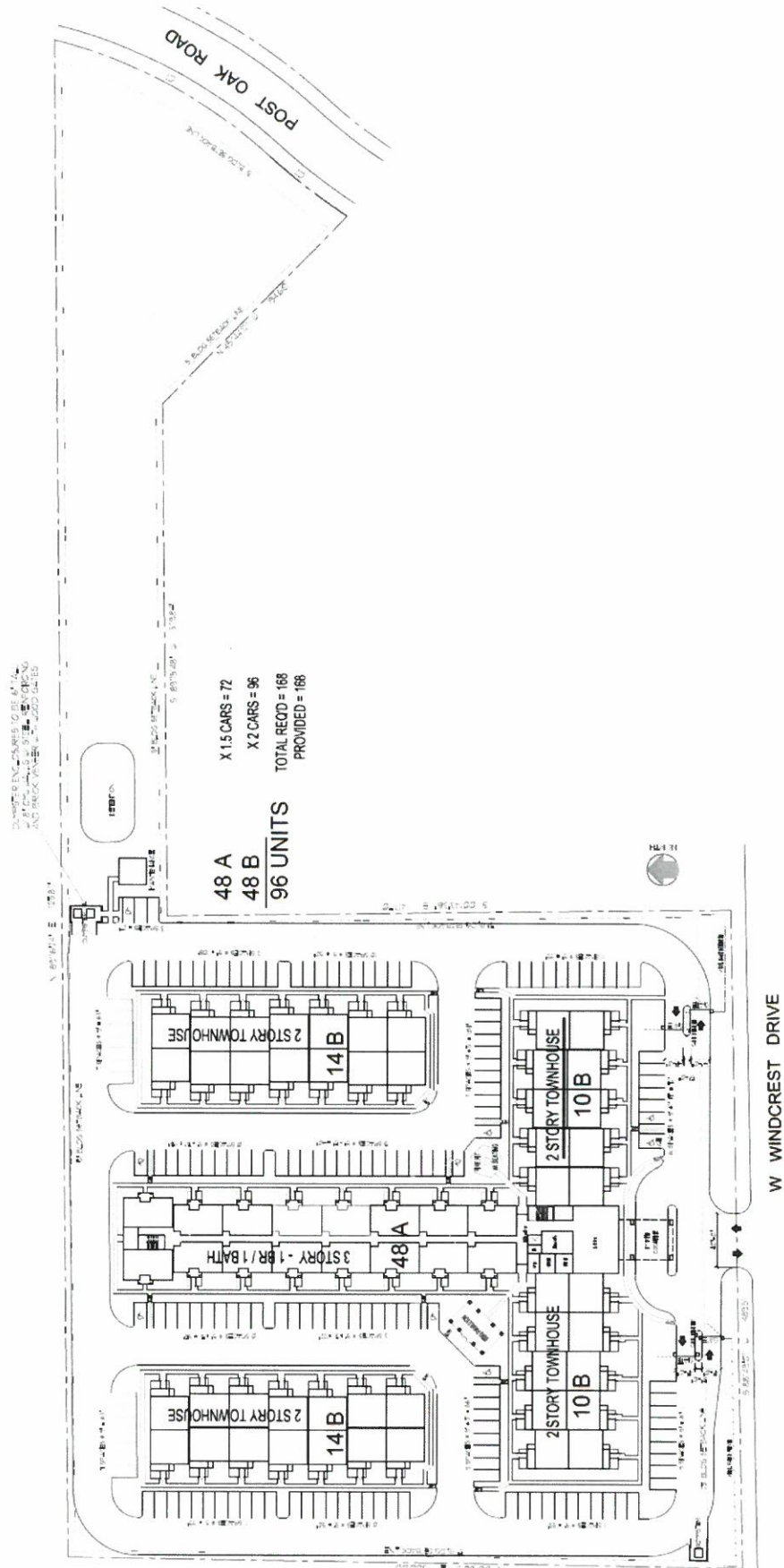
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ORDINANCE NO. 2021-31

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, AS TO APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF POST OAK ROAD AND WEST WINDCREST DRIVE; CHANGING SAID PROPERTY FROM MEDIUM DENSITY RESIDENTIAL (MDR) AND LOW DENSITY RESIDENTIAL (LDR) TO HIGH DENSITY RESIDENTIAL (HDR); 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, said land being known as APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION,

and as additionally shown and designated on the map attached hereto as Exhibit A, are hereby designated as High Density Residential.

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____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

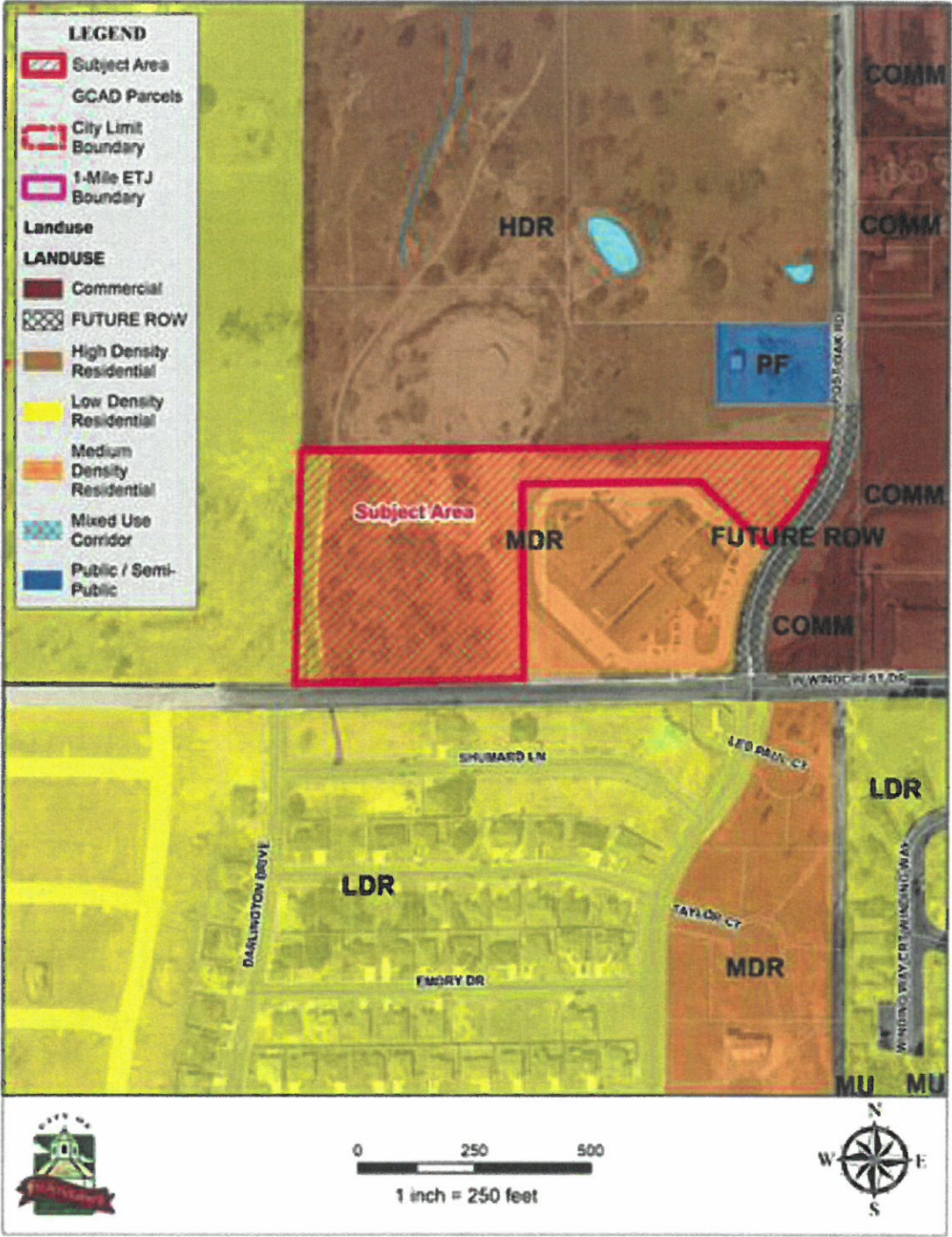
ATTEST:

Shelley Goodwin, City Secretary, TRMC

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

EXHIBIT "A"



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 APPROXIMATELY 6.9 ACRES OF LAND DESCRIBED AS LOT 1, OF THE VILLAGES OF WINDCREST SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST WINDCREST DRIVE, APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF POST OAK ROAD AND WEST WINDCREST DRIVE, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM MEDIUM RESIDENTIAL (R-2) TO MULTI-FAMILY RESIDENTIAL (R-3); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of lots described as Lot 1, of The Villages of Windcrest Subdivision in the City of Fredericksburg, Texas, to change the present zoning district of said lots from Medium Residential (R-2) to Multi-Family Residential (R-3); and

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots being described as Lot 1, of The Villages of Windcrest Subdivision in the City of Fredericksburg, Texas, and as additionally shown and designated on the map attached hereto as Exhibit A, to be and are hereby rezoned and designated as R-3 Multi-Family Residential.

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____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

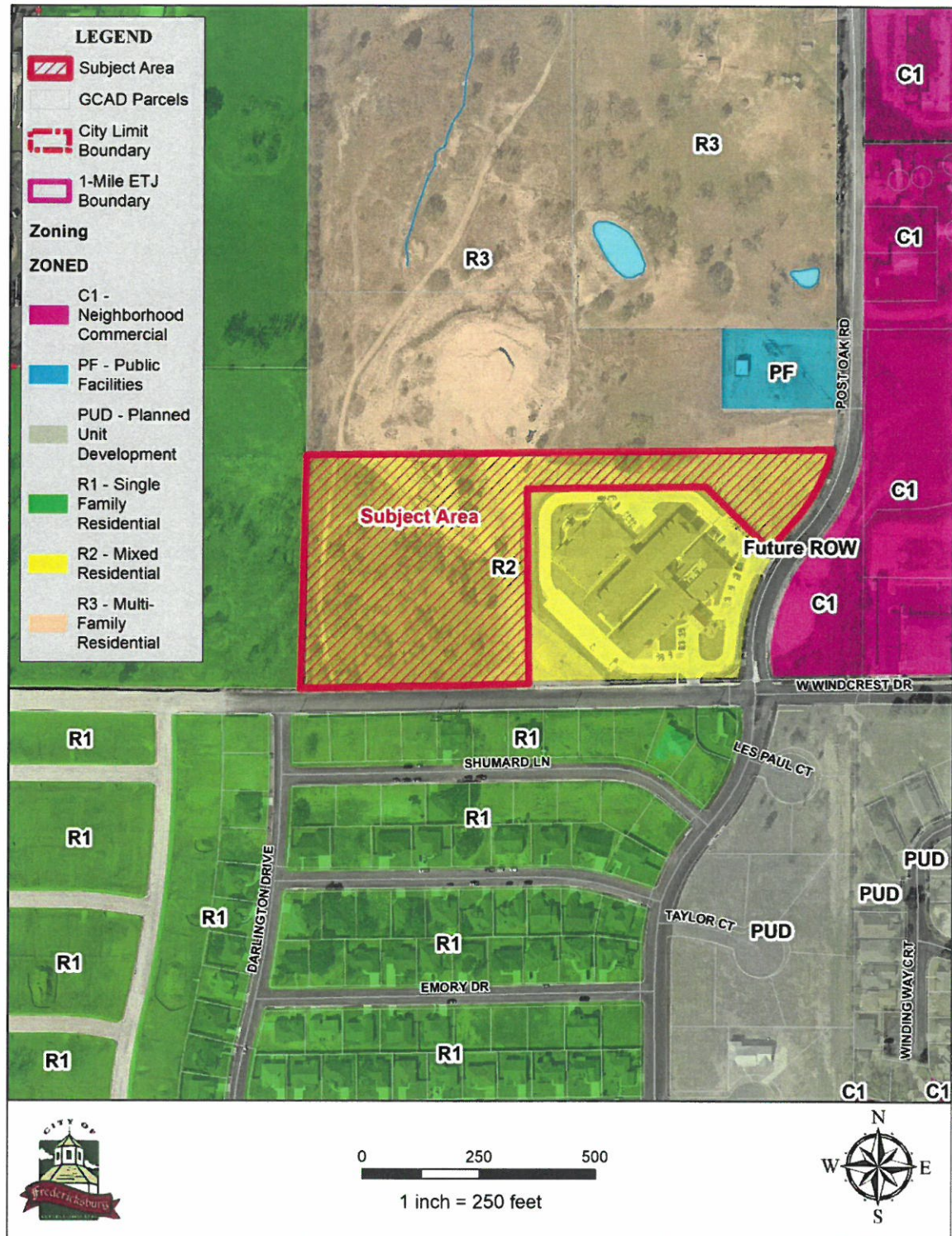
ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

Exhibit A





CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2122 – PUBLIC HEARING, CONSIDERATION, AND ACTION REGARDING A REQUEST BY WHITNEY KOCH WITH MUSTARD DESIGN TO CONSIDER THE FOLLOWING:

- 1) A REQUEST FOR A FUTURE LAND USE CHANGE FROM “PARKS OPEN SPACE” (POS) TO A FUTURE LAND USE CLASSIFICATION OF “COMMERCIAL” (C) FOR THE REAR PORTION OF PROPERTY LOCATED AT 305 SOUTH WASHINGTON STREET.
 - 2) A REQUEST FOR A ZONING CHANGE FROM “MULTI-FAMILY RESIDENTIAL” (R3) AND “OPEN SPACE” (OS) TO A ZONING CLASSIFICATION OF “COMMERCIAL” (C2) FOR THE REAR PORTION OF PROPERTY LOCATED AT 305 SOUTH WASHINGTON STREET.
-

Summary:

The applicant is requesting a future land use change and zoning change to construct a short-term rental facility, with an office.

Background / Analysis:

The site is in the C2 and R3 zoning district and has an existing structure on the front lot and vacant land on the rear tract. The applicant is looking to construct 6 short-term rental units and maintain the existing structure as the office/retail uses.

Future Land Uses: The property consists of 2 Future Land Use Categories (Commercial and Parks & Open Space). The property is bounded by Commercial to the north, Commercial to the east, Commercial to the south, and Parks & Open Space to the east.

The City of Fredericksburg

Existing Land Uses: The property is adjacent to vacant property to a creek to the east, a short-term rental facility to the north, retail to the south, and retail/restaurant to the west (across S. Washington St.).

Existing Zoning: The property is adjacent to C2 zoning to the north, C2 and R3 to the south, C2 to the west, and Open Space (OS) to the east.

Proposed Site Plan:

Proposed Zoning:	C2 – Commercial
Lot Size:	34,466 sq. ft. (5,000 sq. ft. required)
Setbacks:	Required - 15' front yard, 15' street side yard, 0' interior side yard, 0' rear yard Provided - 40' front yard, n/a street side yard, 5' interior side yard, 63' rear yard
Impervious Cover:	80% allowed (59% proposed)
Building Coverage:	75% allowed (21% proposed)
Building Height:	3 stories & 38' allowed (1 story proposed)
Parking:	1 space per 1- STR unit 1 space per 400 sq. ft. of office/retail 10 spaces required (15 spaces provided)

Recommendations:

P&Z held a public hearing on Nov. 3, 2021, and recommended approval of the requested Future Land Use & Zoning Change.

Staff Recommends approval of the requested Future Land Use & Zoning Change.

Attachments:

Future Land Use Map, Zoning/Location map, and Proposed Site Plan



Department Approval

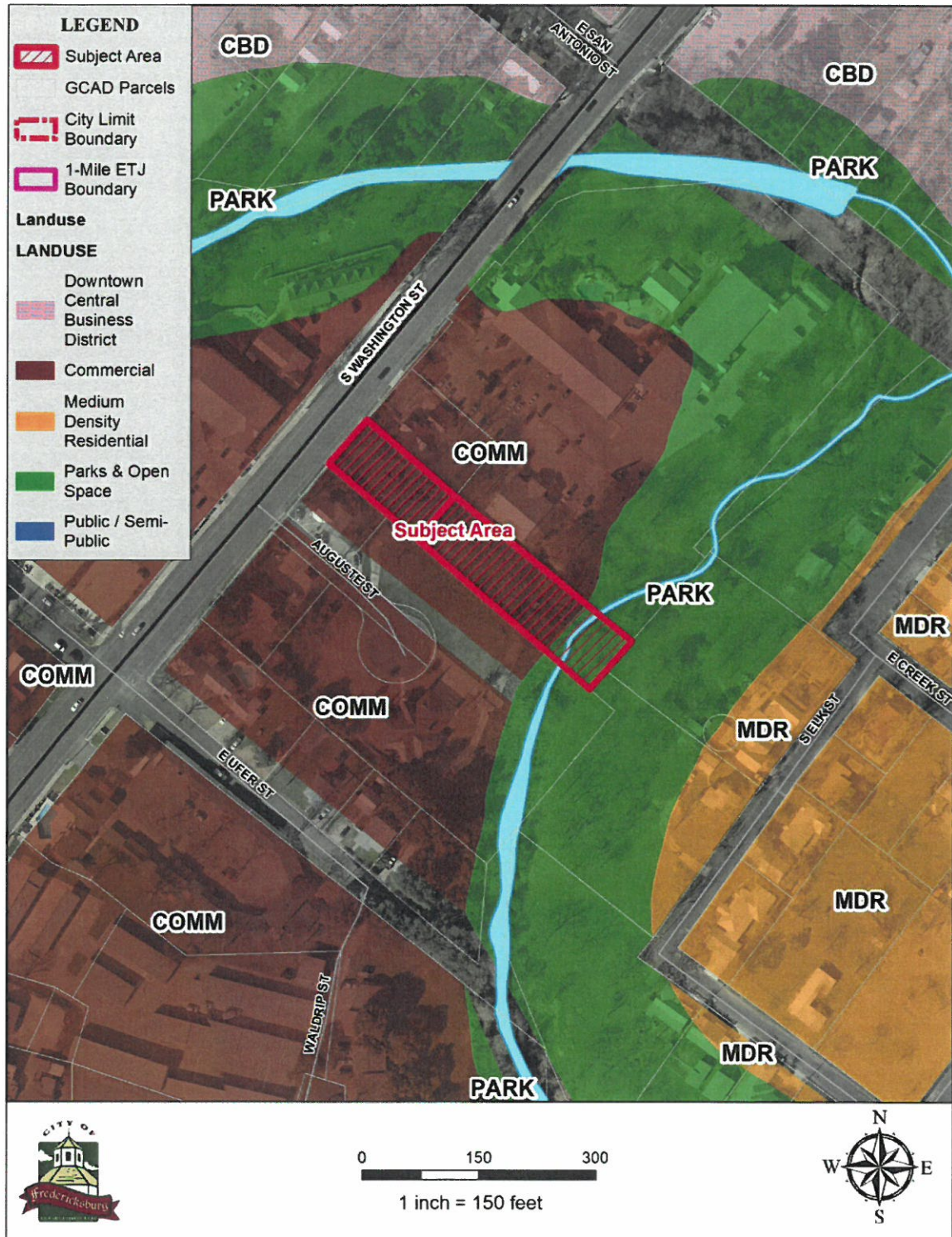


City Attorney Approval



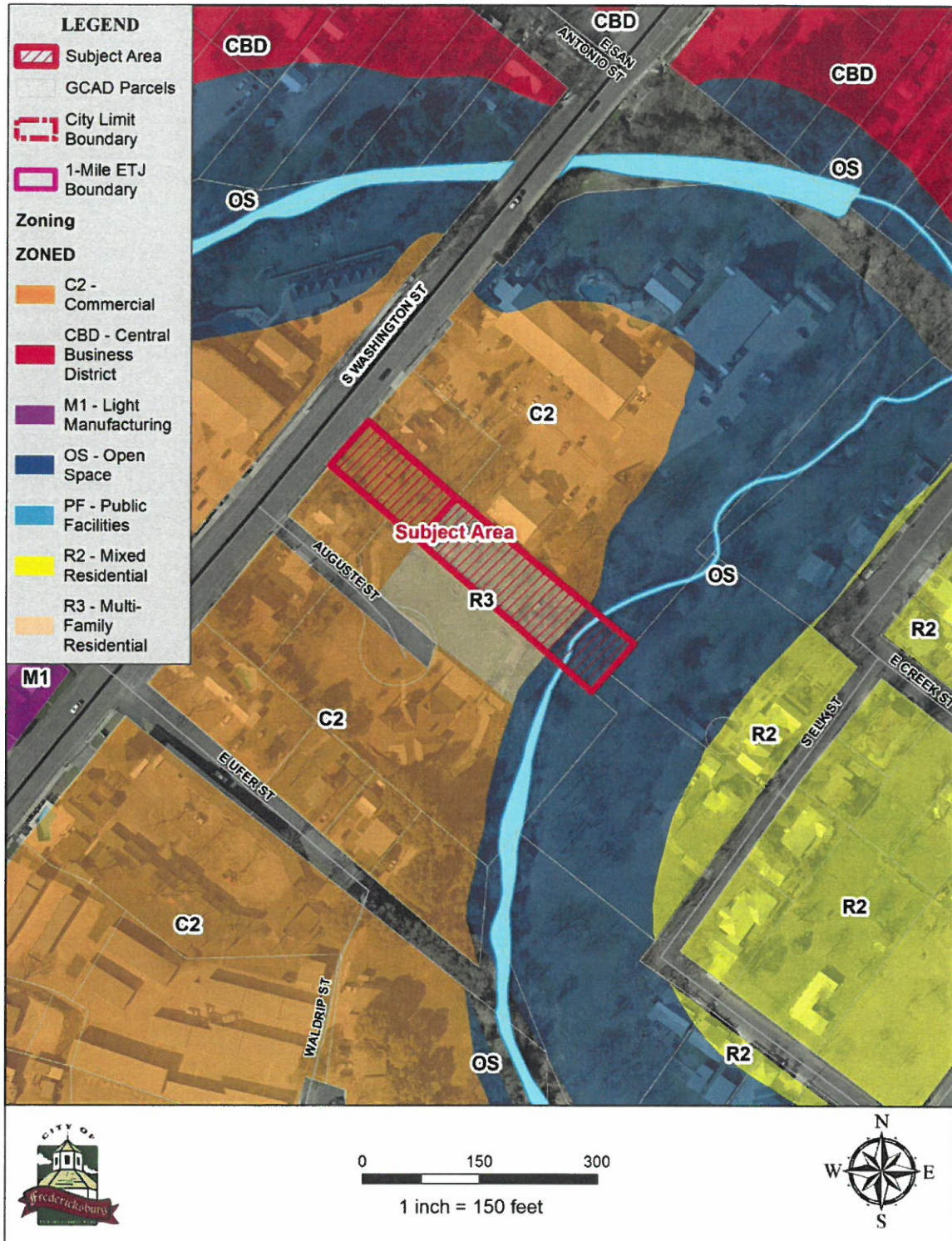
City Manager Approval

The City of Fredericksburg



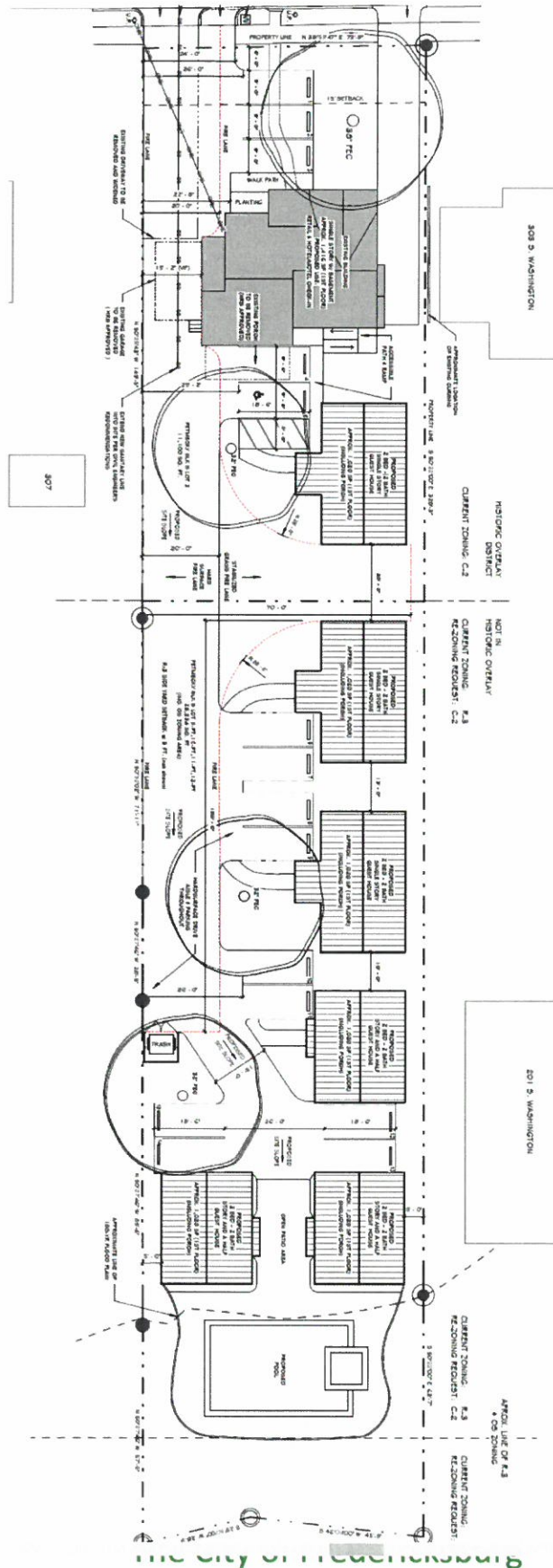
The City of Fredericksburg

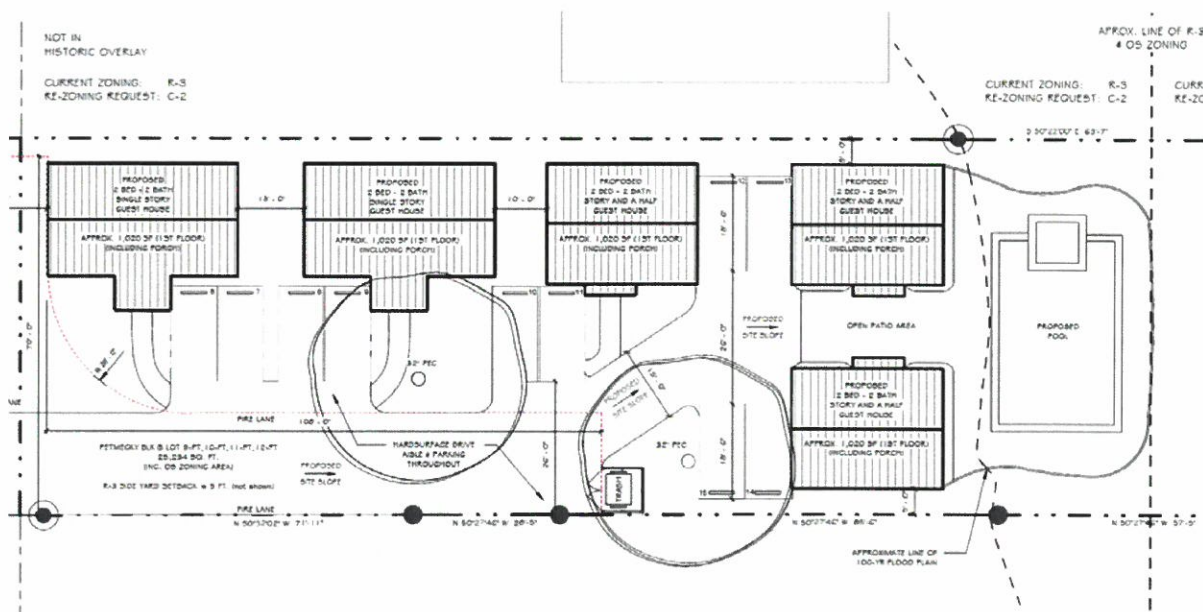
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ORDINANCE NO. 2021-33

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, AS TO APPROXIMATELY 0.5793 ACRES OF LAND DESCRIBED AS PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT 305 S. WASHINGTON STREET; CHANGING THE EASTERNMOST PORTION OF SAID PROPERTY FROM PARKS OPEN SPACE (POS) TO COMMERCIAL (C); 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, said land being known as APPROXIMATELY 0.5793 ACRES OF LAND DESCRIBED AS PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT 305 S. WASHINGTON STREET, and as additionally shown and designated 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____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

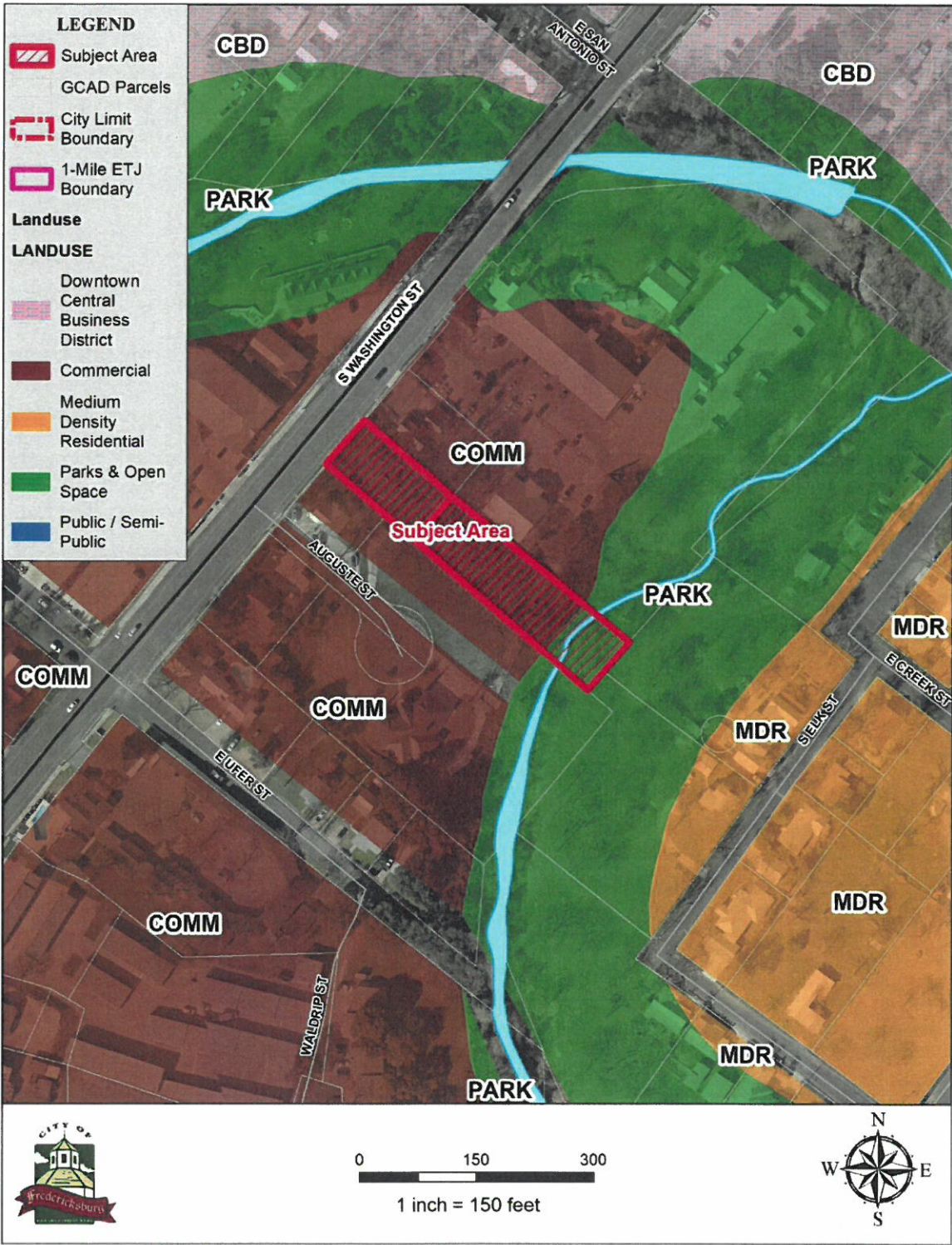
ATTEST:

Shelley Goodwin, City Secretary, TRMC

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

EXHIBIT "A"



ORDINANCE NO. 2021-34

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 APPROXIMATELY 0.5793 ACRES OF LAND DESCRIBED AS PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT THE EASTERNMOST END OF THE PROPERTY LOCATED AT 305 S. WASHINGTON STREET, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM MULTI-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (OS) TO COMMERCIAL (C-2); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of lots described as PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, LOCATED AT 305 S. WASHINGTON STREET in the City of Fredericksburg, Texas, to change the present zoning district of said lots from MULTI-FAMILY RESIDENTIAL (R-3) AND OPEN SPACE (OS) TO COMMERCIAL (C-2); and

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots being described as approximately 0.5793 acres of land known as PETMECKY BLOCK B, LOT 9-PT, 10-PT, 11-PT & 12-PT, located at 305 S. Washington Street in the City of Fredericksburg, Texas, and as additionally shown and designated on the map attached hereto as Exhibit A, to be and are hereby rezoned and designated as C-2 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____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

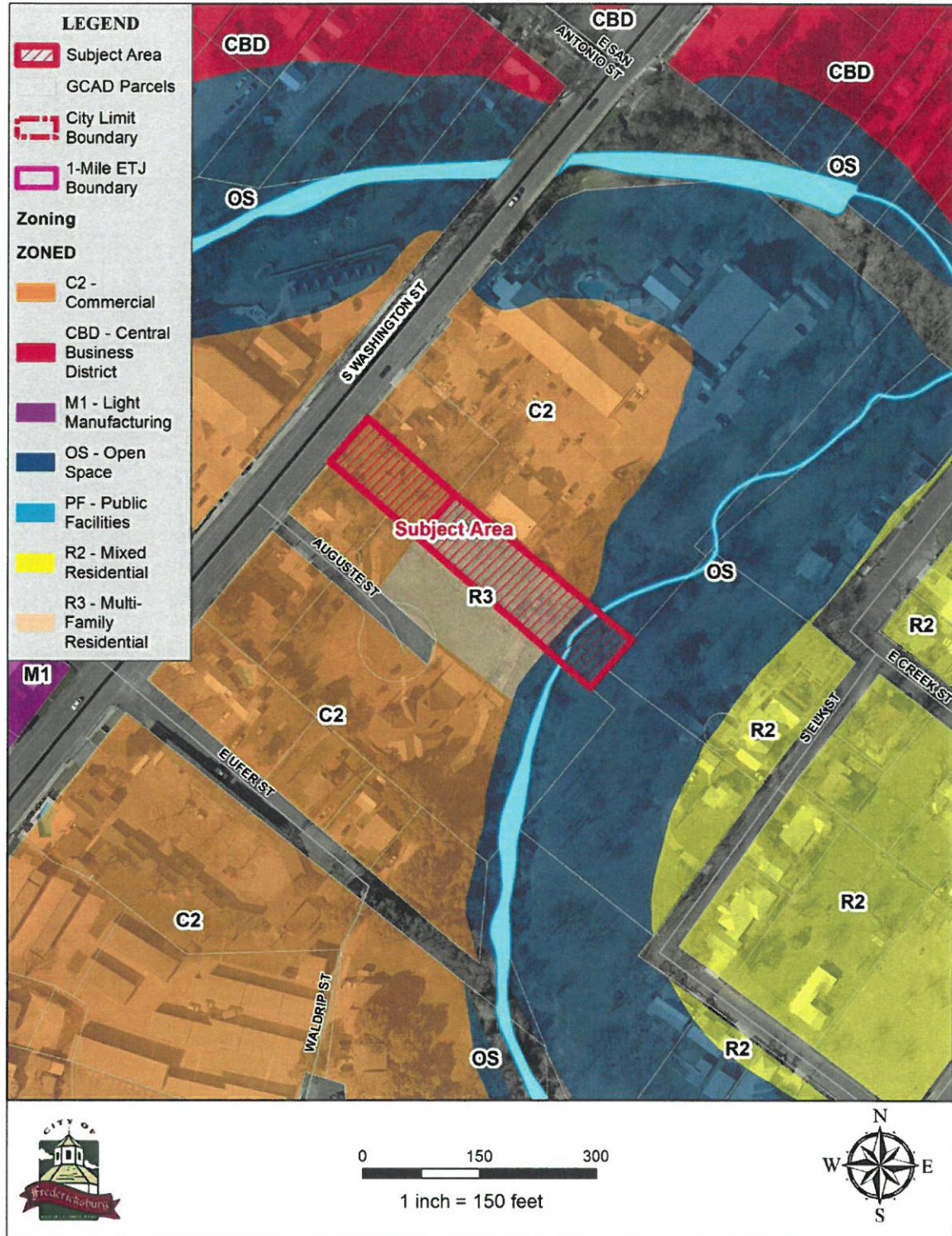
ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

Exhibit A





CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Initiation of Annexation Proceedings - Area 6A & 6B of the City's Annexation Plan.

Summary:

The proposed annexation includes all properties that have frontage on Post Oak Road between Live Oak Street and Bowie Street, and those properties fronting on the Cherry Street extension to the north of Bowie Street. The attached map shows the properties in question. Resolution 2019-06R, adopted by the City Council on May 14, 2019, identified the properties in question as Area 6A and 6B. Area 6A included approximately 40.71 acres and area 6B approximately 42.62 acres, a map of the area is attached. The property is characterized by residences, vacant land, and some commercial businesses.

Background / Analysis:

This annexation area was originally initiated in November of 2020, but the process needed to be restarted due to COVID issues and change in Council Meeting locations, which affected the original timeline and process.

Staff re-initiated the annexation process and Council had previously held a public hearing in September, but due to a legal notice issue, staff had to start the process over again.

Several members of the public spoke during the 1st public hearing on Oct. 18, 2021. Staff notified all property owners via certified mail utilizing the Gillespie Central Appraisal District owner information. All mailing addresses were taken from the appraisal district information.

Staff has had discussions with two landowners (Mr. Hutson & Mrs. King) regarding their desire to not be annexed.

At this time, Mr. Hutson has been provided a non-annexation agreement but has not signed or provided a development plan he would like Council to consider.

The City of Fredericksburg

Mrs. King was not provided a non-annexation agreement, as her property is not AG exempt. State law requires all AG exempt properties be provided an option to sign a non-annexation agreement. Council may offer a non-annexation agreement to Mrs. King for her consideration.

An annexation service plan for this area (see attached) has been prepared, but staff received no calls or inquiries regarding the plan.

Annexation Timeline:

1. 1st Council Public Hearing – 10/18/21 (completed)
2. 2nd Council Public Hearing – 10/25/21 (completed)
3. Council Initiates Annexation Proceedings – 11/15/21
4. P&Z Zoning Recommendation Public Hearing – 12/8/21
5. Council Adopts Annexation & Zoning 1st Reading – 12/20/21

Recommendation:

Staff recommends instituting the annexation proceedings and recommends providing the non-annexation agreement to Mrs. King for her consideration.

Attachments: Map of proposed annexation area, Service Plan, & mailing list/labels of property owners within the subject area.



Department Approval

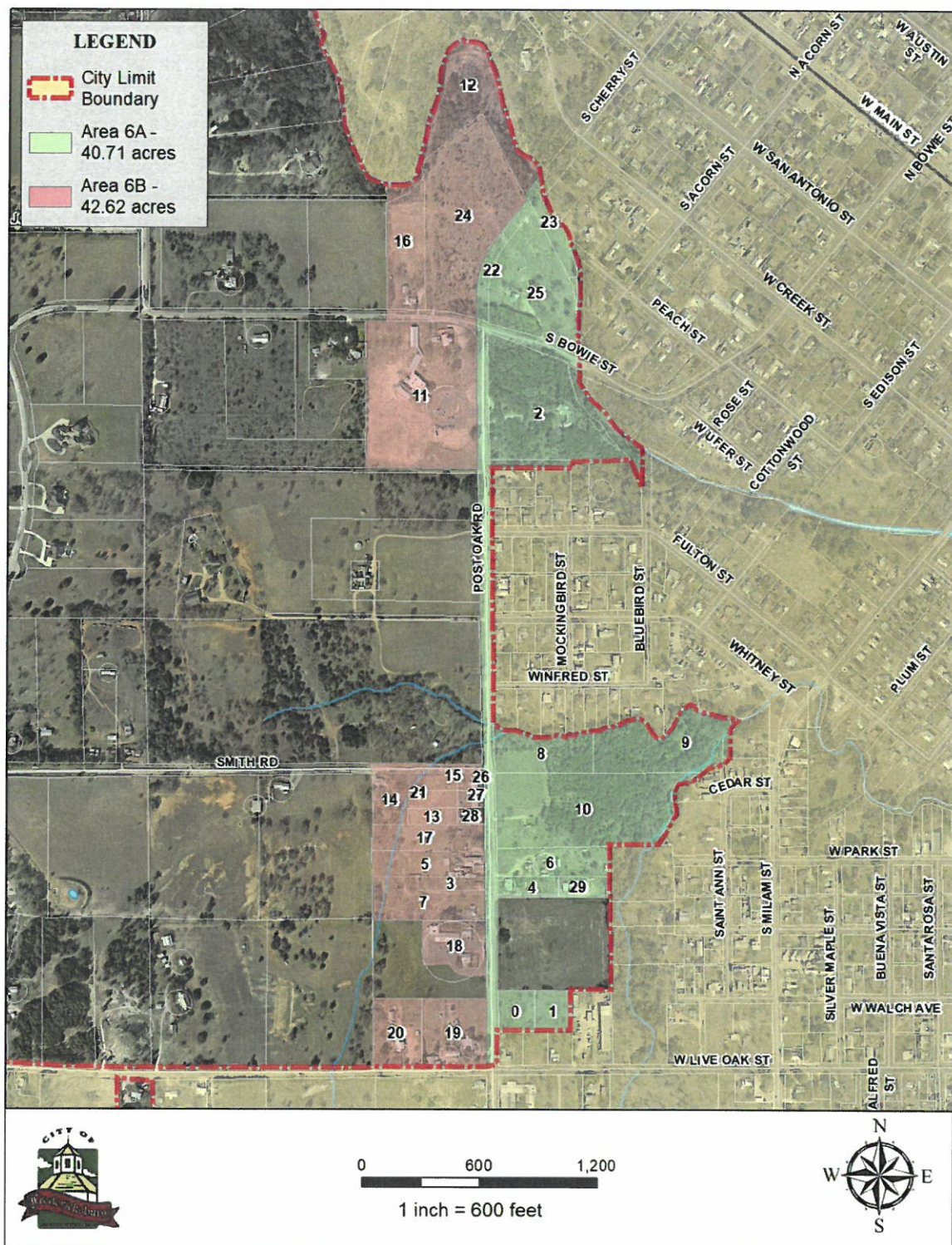


City Manager Approval



City Attorney Approval

The City of Fredericksburg



The City of Fredericksburg

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MAP ID	NAME	PREFIX	NUMBER	STREET	SUFFIX	LEGAL DESCRIPTION
0	VILLARREAL, SUSAN & KIRKSEY, LAURIE		0	POST OAK	RD	G E CO #97 .92
1	KLAERNER, YVONNE B	W	618	LIVE OAK	ST	G E CO #97 .92
2	GARY FAMILY TRUST		421	POST OAK	RD	G E CO #609 7.17, ALSO PT LOT 1 BESIER #2
3	MD GATHERING HOLDINGS LLC - SERIES 638 POST OAK RD		638	POST OAK	RD	G E CO #137 0.498
4	MD GATHERINGS HOLDINGS LLC - SERIES 639 POSTOAK		639	POST OAK	RD	G E CO #616 LOT UNMBR & UNMBR OF GE97, 0.723, UNMBR SOUTH OF GE0616
5	MD GATHERING HOLDINGS LLC - SERIES 632 POST OAK		632	POST OAK	RD	G E CO #137 1.78, B&BS
6	OCHOA, VICTOR HUGO		633	POST OAK	RD	G E CO #616 LOT UNMBR, 1.64, UNMBR LOT SOUTH OF GE616- HOMESITE-
7	BROWN, JAMES LOYD		644	POST OAK	RD	G E CO #137 2.444, & HOUSE-POST OAK RD-
8	LEHNE, SANDRA & JAMES A LEHNE		627	POST OAK	RD	G E CO #258 2.0, -HOMESITE-
9	LEHNE, SANDRA & JAMES A LEHNE		627	POST OAK	RD	G E CO #259 2.0
10	LEHNE, SANDRA & JAMES A LEHNE		627	POST OAK	RD	G E CO #616 8.0
11	MASON, CHARLOTTE SCHOOLS INTERNATIONAL INC		406	POST OAK	RD	G E CO #257 LOT 257A & 257B, 9.714
12	PERRY DISTRIBUTION TRUST	W	911	CREEK	ST	G E CO #261 LOT UNMBR, 3.43
13	SMITH, DORAN D & JOYCE		624	POST OAK	RD	SMITH, JAMES & DOREEN SUBD LOT 3-PT, 0.528
14	GONZALES, JESSE & SUSAN		103	SMITH	RD	SMITH, JAMES & DOREEN SUBD LOT 4, 1.12, -HOMESITE-
15	SMITH, JAMES W & MARY LOU		620	POST OAK	RD	SMITH, JAMES & DOREEN SUBD LOT 1-PT, 0.548
16	KING, J CRAIG & SUSAN	S	812	BOWIE	ST	NOVIAN LOT 1 TO 5, 2.828, -RESIDENCE-
17	AGUIRRE, AURORA		630	POST OAK	RD	G E CO #137 1.69
18	ALLEN, STEVE & BEVERLY REVOCABLE TRUST		648	POST OAK	RD	ALLEN ADDN LOT 128B-AR, 3.279
19	ALLEN, STEVE & BEVERLY REVOCABLE TRUST		662	POST OAK	RD	ALLEN ADDN LOT 128A-R PT, 1.16
20	BOBO, TIMOTHY M & LARA (TIM)	W	714	LIVE OAK	ST	ALLEN ADDN LOT 128B-BR, 2.023
21	SMITH, TAMMY		622	POST OAK	RD	SMITH, JAMES & DOREEN SUBD LOT 2-PT, 0.528
22	QTY OF FREDERICKSBURG	S	0	BOWIE		G E CO #261 0.932
23	WENGER, STANLEY R & JANELLE S	W	704	PEACH	ST	FBG ADDN BLK 1 LOT 563, 2.13, -GE0261, & TRACT UNBRD EAST OF GE0261-
24	HUTSON, JEFFREY & KATHERINE	S	804	BOWIE	ST	G E CO #700 MULTIPLE LOTS 7.627, GE261, GE262, PT OF STREET
25	712S BOWIE LLC	S	712	BOWIE	ST	G E CO #261 4.821, -HOMESITE-AG
26	SMITH, JAMES W & MARY LOU		620	POST OAK	RD	SMITH, JAMES & DOREEN SUBD LOT 1-PT, 0.24, -HOMESITE-
27	SMITH, TAMMY		622	POST OAK	RD	SMITH, JAMES & DOREEN SUBD LOT 2-PT, 0.26, -DUPLEX-
28	SMITH, DORAN D		624	POST OAK	RD	SMITH, JAMES & DOREEN SUBD LOT 3-PT, .26, -HOMESITE-
29	DELA FUENTE, JUAN & LIZABETH		610	BLACKWATER	RD	G E CO #616 LOT UNMBR, .65, UNMBR SOUTH OF GE0616- LIZBETH MARTINEZ AREVALO DE LA FUENTE M/H LOCATED ON THIS PROP-

The City of Fredericksburg

Perry Distribution Trust
C/O J Hardin Perry Jr.
PO BOX 669
Fredericksburg, TX 78624

Steve and Beverly Allen Revocable Trust
662 Post Oak Road
Fredericksburg, TX 78624

Craig and Susan King
812 Bowie Street
Fredericksburg, TX 78624

712 S. Bowie LLC
6115 Owens St. Ste 113
Dallas, TX 75235

Stanley and Janelle Wenger
704 Peach Street
Fredericksburg, TX 78624

Charlotte Mason Schools International
DBA Ambleside School of Fredericksburg
406 Post Oak Road
Fredericksburg, TX 78624

Gary Family Trust
421 Post Oak Rd.
Fredericksburg, TX 78624

Jesse and Susan Gonzales
103 Smith Road
Fredericksburg, TX 78624

James W and Mary Lou Smith
620 Post Oak Road
Fredericksburg, TX 78624

Susan Villarreal & Janelle Stanley
P.O. Box 292
Blanco, TX 78606

Hutson, Jeffrey & Katherine
311 CORDELL ST
HOUSTON, TX 77009

Sandra and James Lehne
1186 Bar Ranch Rd.
Willow City, TX 78675

Aurora Aguirre
630 Post Oak Road
Fredericksburg, TX 78624

MD Gathering Holdings LLC
Series 632 Post Oak Road
632 Post Oak Road
Fredericksburg, TX 78624

Victor Hugo Ochoa
633 Post Oak Road
Fredericksburg, TX 78624

Yvonne Klaerner
701 W. Live Oak
Fredericksburg, TX 78624

Timothy and Lara Bobo
714 Live Oak Street
Fredericksburg, TX 78624

Juan and Lizabeth Delafuente
644 Blackwater Rd
Fredericksburg, TX 78624

James Loyd Brown
644 Post Oak Road
Fredericksburg, TX 78624

Tammy Smith
4308 Scales St
Austin, TX 78723

Steve and Beverly Allen Revocable Trust
662 Post Oak Road
Fredericksburg, TX 78624

Doran D and Joyce Smith
624 Post Oak Road
Fredericksburg, TX 78624

The City of Fredericksburg

RESOLUTION NO. 2021-18R

A RESOLUTION INSTITUTING ANNEXATION PROCEEDINGS FOR APPROXIMATELY 82.36 ACRES OF LAND GENERALLY LOCATED ALONG THE EAST AND WEST SIDES OF POST OAK ROAD, EXTENDING NORTHWARD FROM WEST LIVE OAK ROAD TO 2,800 FEET NORTH OF SOUTH BOWIE STREET, IN GILLESPIE COUNTY.

WHEREAS, the City Council of the City of Fredericksburg, Texas, has conducted two (2) public hearings to receive comments for and against the proposed annexation of land along Post Oak Road, located in the City's extra territorial jurisdiction.

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

The City Council of the City of Fredericksburg, Texas, hereby institutes annexation proceedings for approximately 82.36 acres of land generally located along the east and west sides of Post Oak Road, extending northward from West Live Oak Road to 2,800 feet north of South Bowie Street.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

FREDERICKSBURG, TEXAS, ON THIS _____ DAY OF _____, 2021.

Charlie Kiehne
Mayor

Shelley Goodwin, TRMC
City Secretary

City of Fredericksburg
Annexation Service Plan for
Post Oak Road Annexation Parcel

I. TERRITORY

This service plan is applicable to approximately 82.36 acres of land located along the West and East Sides of Post Oak Road, from West Live Oak to 2,800 feet North of South Bowie Street, in Gillespie County, Texas (the "Annexation Parcel"), as additionally shown on a map of the area set forth in Exhibit A.

II. GENERAL PROVISIONS

a. Effective Term. This service plan shall be in effect for a ten-year period commencing on the effective date of the annexation.

b. Amendment or Renewal. This service plan may be amended from time to time as provided by Local Government Code. Renewal of this service plan shall be at the sole option of the Fredericksburg City Council.

c. Intent. It is the intent of the City of Fredericksburg that this service plan shall provide for the delivery of full municipal services to the annexed area in accordance with State law. The failure of this plan to describe any particular service shall not be deemed to be an attempt to omit the provision of such services from the annexed area. The delivery of municipal services may be accomplished through any means permitted by law.

d. Level of Services to be Provided. It is the intent of the City of Fredericksburg to provide the level of services required by State law. The City Council finds and determines that the level of services, infrastructure and infrastructure maintenance provided within the area prior to annexation is not greater than is provided in the City. The City Council finds and determines that the services, infrastructure and infrastructure maintenance proposed by this plan are comparable to that provided to other parts of the City with reasonably similar topography, land use, and population density. The City Council finds and determines that implementation of this plan in the manner proposed will not reduce the level of fire, police, and emergency medical services available within the City.

III. SERVICES TO BE PROVIDED AT ANNEXATION

The following services will be provided within the annexed area immediately upon the effective date of the annexation. In the case of a gated subdivision, it will be the responsibility of the Property Owners Association (POA) of the gated subdivision to allow timely emergency service access and City staff access, particularly in cases where the access mechanism changes on or after annexation.

a. Police Protection. The City of Fredericksburg Police Department will provide police services, including criminal investigations, routine patrol, traffic enforcement, and dispatched response to both emergency and non-emergency service calls. It is anticipated that police services within the annexed area will be provided utilizing existing levels of personnel and equipment. Currently, the nearest police station is the City of Fredericksburg Police Department headquarters, located at 1601 E. Main Street.

b. Fire Protection and Emergency Medical Services. The City of Fredericksburg Fire Department will provide emergency fire suppression and routine fire prevention services within the annexed area. The City of Fredericksburg Emergency Medical Services (EMS) Department will provide primary EMS services within the annexed area. Firefighters may be dispatched to the scene of accidents or other medical emergencies to assist EMS personnel or to provide "first responder" services pending the arrival of EMS personnel.

c. Solid Waste Collection. The City provides fee based household garbage collection services to single family residences within the City. The City provides a single drop off location for recycling collection within the City. The City does not collect garbage from commercial establishments. Commercial garbage collection and disposal and/or recycling and is available from privately owned collection businesses.

The City currently provides residential garbage collection at the street curb using an automated collection system that requires use of specific collection containers. In accordance with the City's current policy, each residential garbage customer will be provided a collection container for waste disposal. The City does not currently provide recycling collection at the street curb.

Privately owned solid waste management service providers currently provide collection services within the annexed area and may continue to provide such services. Pursuant to Local Government Code, at any time before the second anniversary of the date an area is included within the corporate boundaries of a the City by annexation, the City may not (1) prohibit the collection of solid waste in the area by a privately owned solid waste management service provider; or (2) offer solid waste management services in the area unless a privately owned solid waste management service provider is unavailable. The City will commence residential collections services prior to the second anniversary of annexation if

requested to do so in writing by any property owner. Any such request must be made at least 90 days prior to the proposed effective date for initiation of City service.

d. Maintenance of Water and Wastewater Facilities. The annexation territory is not currently within the service area of the City of Fredericksburg. The extension of City utility services to areas not within the service area of another water or wastewater utility service provider will be provided in accordance with the City's capital improvement plan described in Article IV of this service plan, and the City's water and wastewater utility extension policies that are described in Article V of this service plan.

The City does not maintain privately owned water wells or septic or aerobic wastewater systems. Property owners who currently have water wells, septic or aerobic wastewater systems may keep them as long as they are maintained in proper working order. When City wastewater disposal facilities are available to serve existing development the City may require connection to the City system instead of permitting the installation of new septic or aerobic disposal systems. Mandatory connection to the City wastewater system will not be required where existing systems remain in good working order and do not present a threat to public health or safety.

e. Maintenance of Roads, Streets, Street Lighting, and Drainage Infrastructure. The City is currently not responsible for the maintenance of public roads, streets, street lighting, and drainage infrastructure in the annexed area.

The City will assume the responsibility for maintenance of public roads, streets, street lighting, and drainage infrastructure previously accepted for maintenance by official action of the Commissioners Court of Gillespie County. Any such roads, streets, street lighting, or drainage infrastructure formerly maintained by Gillespie County that become subject to City maintenance will be maintained in a condition which is at least equal to the Gillespie County maintenance standard, however, the City will not be required to reconstruct or upgrade such streets to a higher standard.

It is the responsibility of a developer to construct or provide new roads, streets, street lighting, and drainage infrastructure necessary to serve the demands of new development in the areas to be annexed. The City may accept the dedication of public streets and/or drainage infrastructure constructed in accordance with applicable development regulations of the City.

f. Maintenance of Parks, Playgrounds and Swimming Pools. There are no public parks, public playgrounds, or public swimming pools within the area to be annexed.

g. Maintenance of any other Public Building, Facility or Service. Annexation does not transfer ownership of public buildings, facilities or services,

all of which should continue to be maintained or provided by the public entity that currently owns or provides them. Privately owned facilities, including privately owned and operated storm water detention facilities, are not affected by the annexation.

An appropriate City Department will be assigned to assume responsibility for the maintenance or provision of any required facilities or services which become the responsibility of the City and are not expressly provided for by this service plan.

IV. CAPITAL IMPROVEMENTS PLAN

Construction of the following capital improvements related to the annexation will be substantially completed within 2½ years, except for certain services that the City cannot reasonably provide within that period, and for which the City proposes a schedule set forth below to provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation.

a. Police Protection. No additional capital improvements are needed at this time to provide police services.

b. Fire Protection. No capital improvements are needed at this time to provide fire protection services.

c. Solid Waste Collection. No capital improvements are needed at this time to provide solid waste collection services.

d. Water and Wastewater Facilities. The City cannot reasonably provide full water and wastewater services to the annexed area within 2½ years. To provide for the provision of full municipal water and wastewater services to the annexed area no later than 4 ½ years after the effective date of the annexation, the City proposes a schedule set forth below:

Water Service - Design and construction of water infrastructure including, but not limited to water lines, water valves, fire hydrants, and other appurtenances necessary.

Design of water line infrastructure to be complete by May 2023.

Construction of water line infrastructure to be complete by September 2025.

Wastewater Service - Design and construction of wastewater infrastructure including, but not limited to gravity sanitary sewer system, and other appurtenance necessary.

Design of wastewater infrastructure to be complete by May 2023.

Construction of wastewater infrastructure to be complete by September 2025.

e. Roads, Streets, Street Lighting, and Drainage Infrastructure. No new roads, streets, street lights, or drainage infrastructure is needed at this time. It will be the responsibility of a developer of any property to provide the new roads, streets, and drainage infrastructure necessary to serve new development within the annexed area.

f. Parks, Playgrounds and Swimming Pools. No capital improvements are needed at this time to provide recreational services.

g. Other Public Buildings, Facilities or Services. No capital improvements are needed at this time to provide other public services.

V. WATER AND WASTEWATER SERVICE EXTENSION POLICIES

The City provides fee based water and wastewater services to the portions of the City which are not within the service area of another water or wastewater utility provider. For lots that have water or wastewater lines in an abutting street or easement, the owner may receive water or wastewater service by applying for a City tap and paying any required fees.

The provision of water and wastewater facilities for new development within the City is primarily governed by the City's building code and subdivision ordinances that are found in Chapters 14 and 94 of the City Code of Ordinances. New development must be served by owner/developer provided public water and wastewater facilities that meet the City's standard requirements. Upon construction and dedication by the owner/developer the City may agree to provide services via the facilities and thereafter to maintain them.

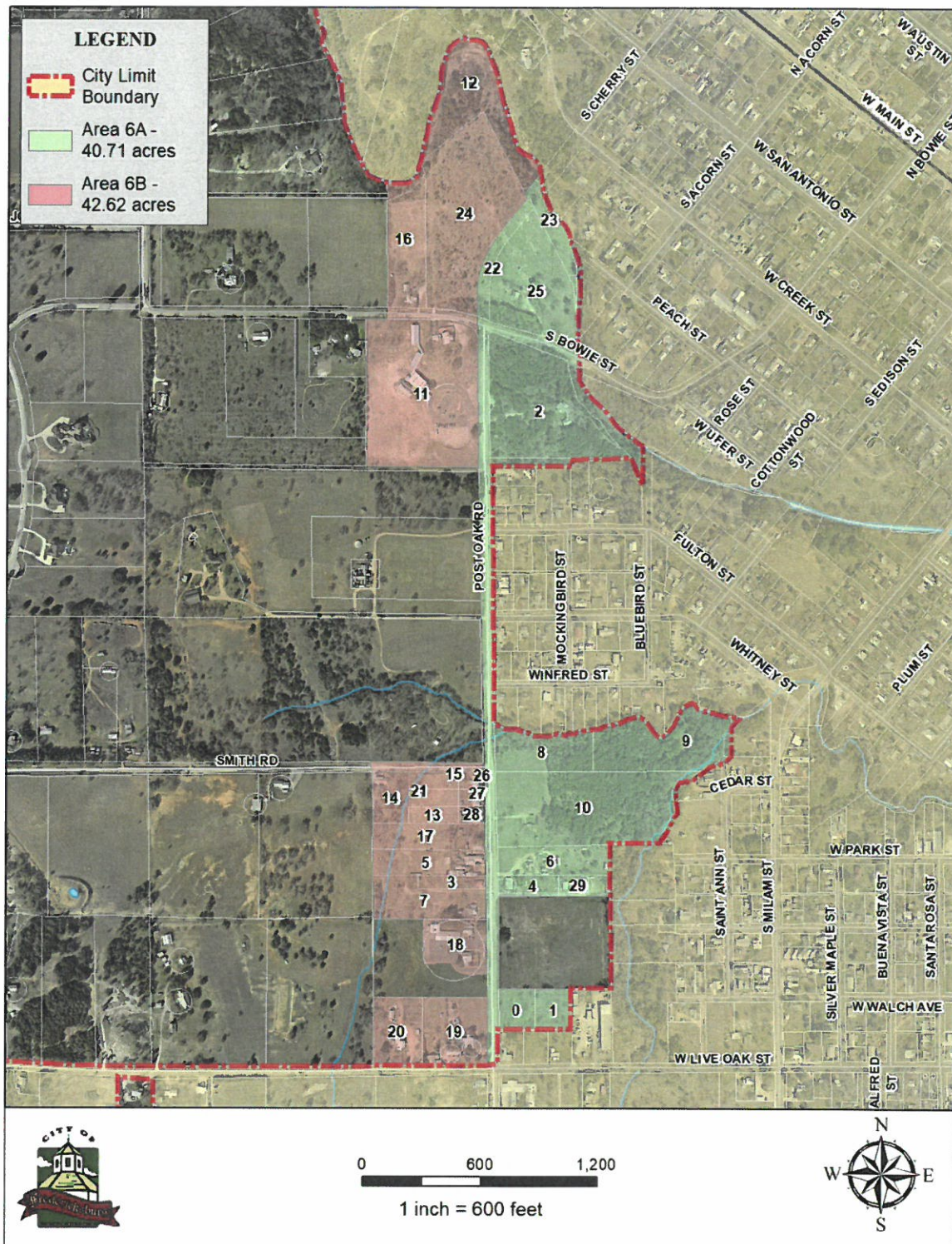
Facilities necessary to serve any new development are generally provided at the sole cost of the developer. Such facilities include not only those which are located within the developer's property, but also any exterior mains which must be extended to connect the property under development to the point of connection with the City's existing facilities. The City need not compensate the developer for the ordinary costs of extending exterior mains.

The City may require that the developer provide oversized water or wastewater facilities. In such cases the City will pay the reasonable cost of such oversizing. Whether or not a particular line sizing constitutes "oversizing," is determined upon the basis of generally accepted sound engineering design practices.

In newly annexed areas the City examines the need for line extensions to

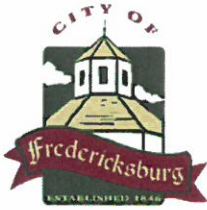
serve existing development that does not currently receive water or wastewater services. The City will determine the need for the construction of lines and facilities to serve existing development after giving due consideration to the topography, land use, population density, the adequacy of existing private water wells and septic tanks and anticipated levels of demand. The City will not undertake line extensions to serve such existing development unless the new lines will be logical, reasonable and prudent extensions of the City's existing facilities. From time to time, upon the request of an interested property owner the City will consider whether or not line extensions previously deemed unnecessary have become necessary as a result of changed conditions. The City may recover the capital costs of extending water or wastewater facilities to serve existing development through the use of impact fees, assessments or any other method authorized by law.

EXHIBIT "A"



The City of Fredericksburg

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



CITY COUNCIL MEMO

DATE: November 15, 2021

TO: Mayor and City Council

FROM: Garret Bonn, P.E., CFM - Asst. City Engineer

SUBJECT: City of Fredericksburg Short-Term Transportation Improvement Project Update

Summary:

Kimley-Horn & Associates, Inc. will provide an update regarding the Short-Term Transportation Improvement Project.

Recommendation:

N/A

Background / Analysis:

The City's Transportation Master Plan and subsequent Traffic Impact Study identified a number of short-term transportation improvement projects that, when combined, would provide immediate benefits to both public safety and efficiency of the City and TxDOT's transportation network. During the planning and design stages of the project, City staff and Kimley-Horn representatives have worked closely with TxDOT Austin District and Burnet Area Office staff to ensure any questions or concerns relating to the State-maintained roadway modifications or improvements are addressed in the study. This includes breaking the projects into five different types for funding considerations, as recommended by Burnet Area Office staff.

The City of Fredericksburg

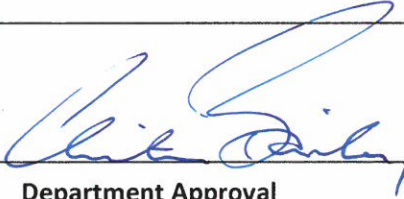
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TxDOT has reviewed 90% plans and Kimley-Horn is working toward finalizing plans pending funding decisions. As currently proposed, the “shovel-ready” set of plans will be delivered to TxDOT who will be responsible for construction of the project at no additional cost to the City. The Burnet Area Office intends to submit the project, along with several mill and overlay projects that TxDOT has planned for Main Street, for unallocated funding under the 2021 Highway Safety Improvement Program (HSIP). The intent is to use 2021 HSIP funds for the project but may TxDOT could separate out some portions of the project to complete at a later date during roadway resurfacing projects currently in development.

Kimley-Horn representatives will be present to provide an update and address any questions or concerns Council may have relating any aspects of the project.

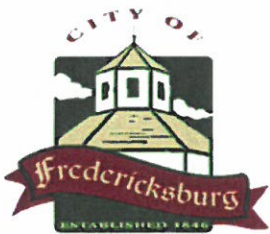
Attachments:

Presentation


Department Approval


City Manager Approval

The City of Fredericksburg



THE CITY OF
Fredericksburg, Texas

Short-Term Transportation Improvements: Project Update

November 15, 2021

Kimley»Horn

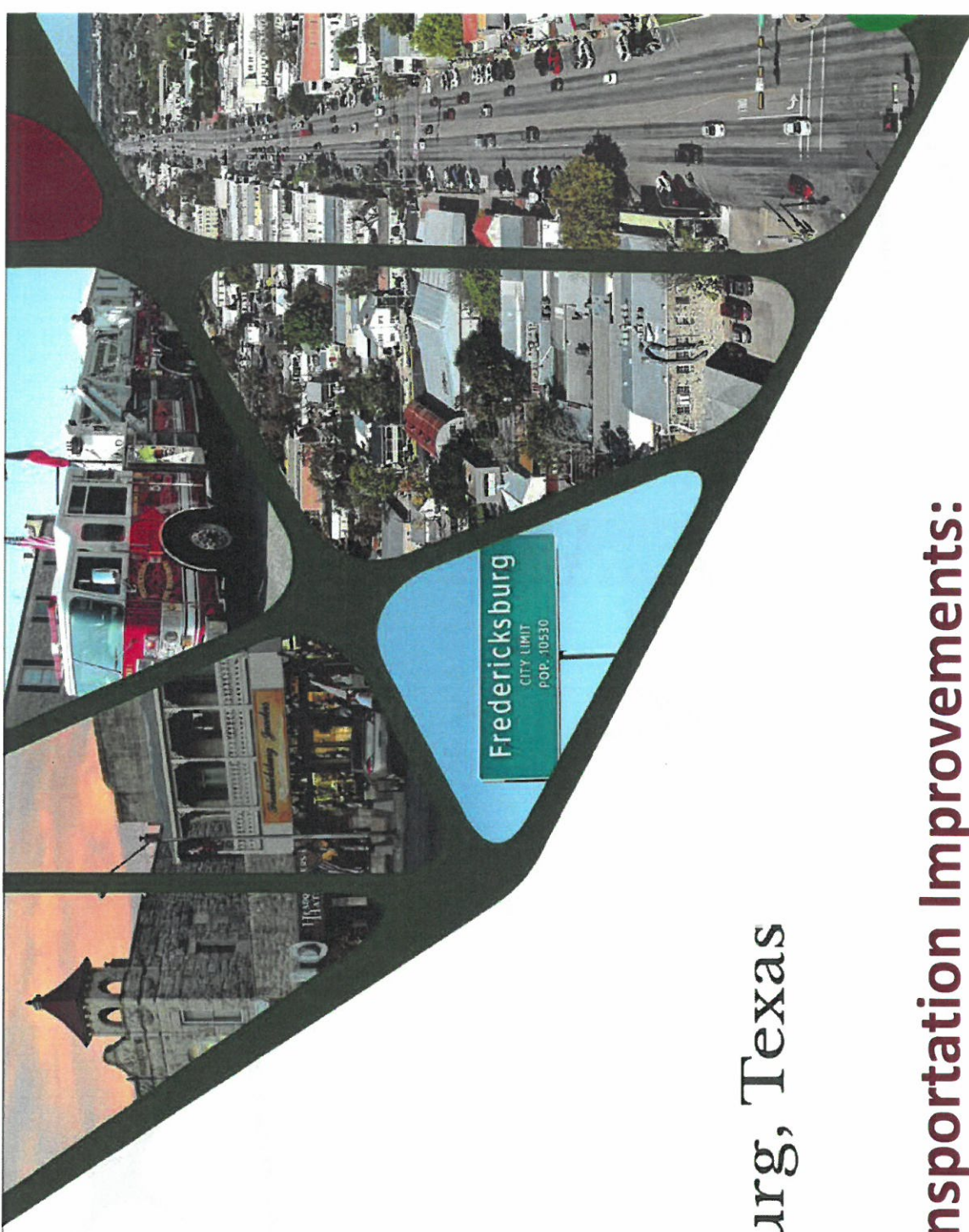


THE CITY OF Fredericksburg, Texas

Short-Term Transportation Improvements: Project Update

November 15, 2021

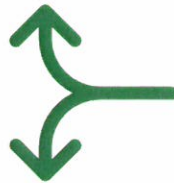
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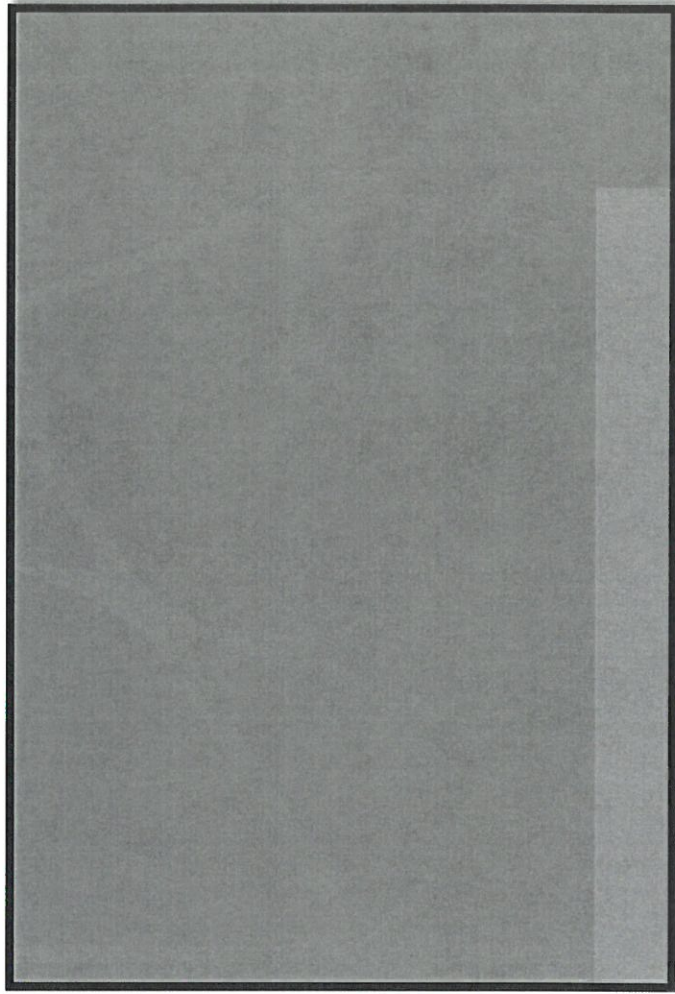
Short Term Projects Overview



Intersection
Improvements – 23
locations with short-term
enhancements



Restriping Main in 2 areas
to improve left turns



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Project Types

✓ 4 Primary Project Types:

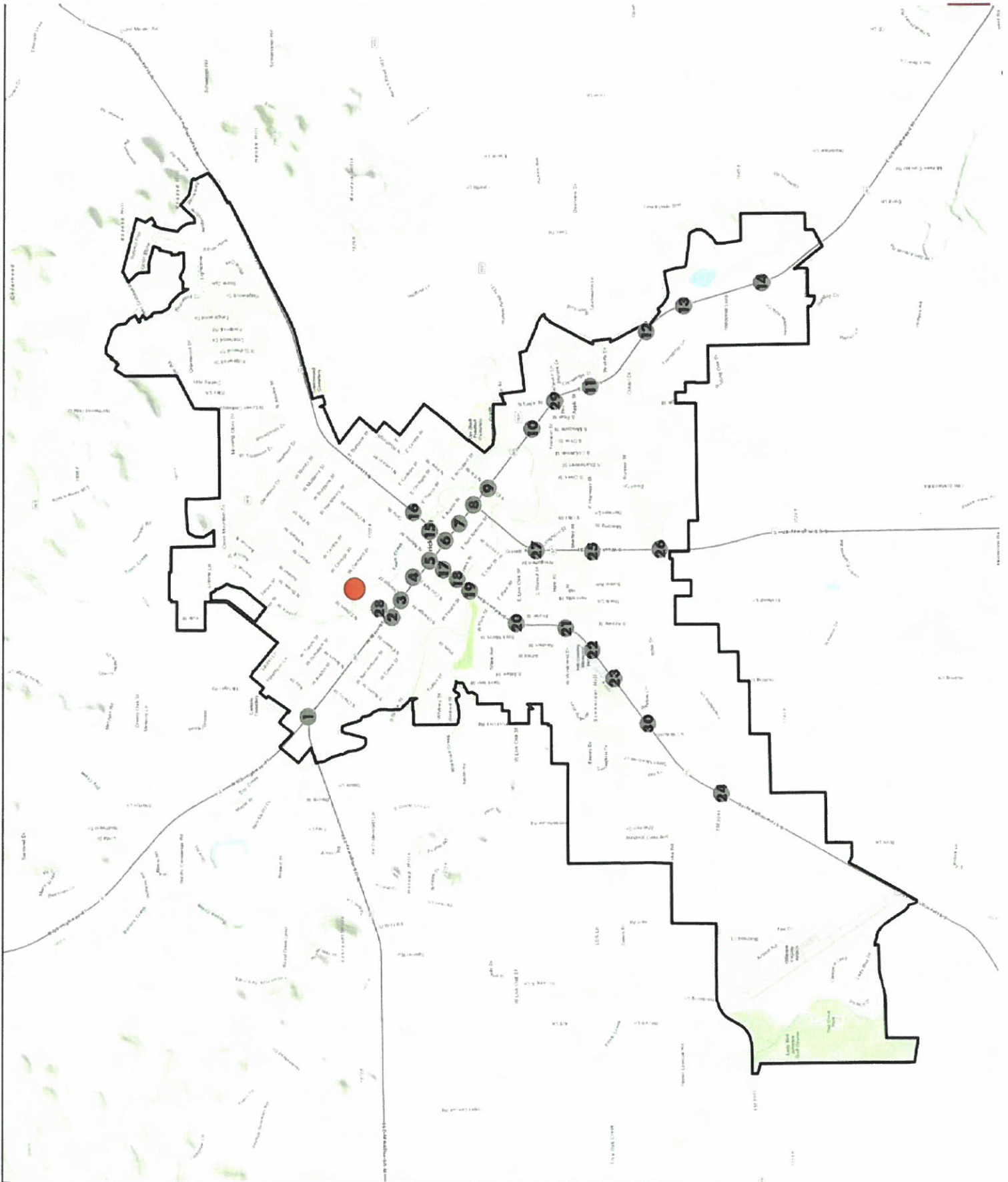
1. Intersection-Specific Improvements
2. Access Management (curb work & flexible posts)
3. One-Way Conversions
4. Corridor Improvements (restriping for turn lanes and parking)

✓ Project Types 1, 2, and 3 anticipated to be completed simultaneously, independent of other TxDOT work

✓ Project Type 4 may require scheduling adjustments to align with TxDOT resurfacing jobs & City utility work



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INTERSECTION PROJECTS

New Turn Lanes

- ✓ Re-assigning existing pavement space for turn lanes increases capacity
 - In tandem with turn arrows with protected left and right turns, even greater benefit
- ✓ Locations with new turn lanes (13):
 - Main at Orange
 - Main at Washington
 - Main at Elk
 - Main at Olive
 - US 290 at Highway
 - Llano at Austin
 - Llano at Travis

Main at Elk Left Turn Lane and Arrow



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Signal Adjustments

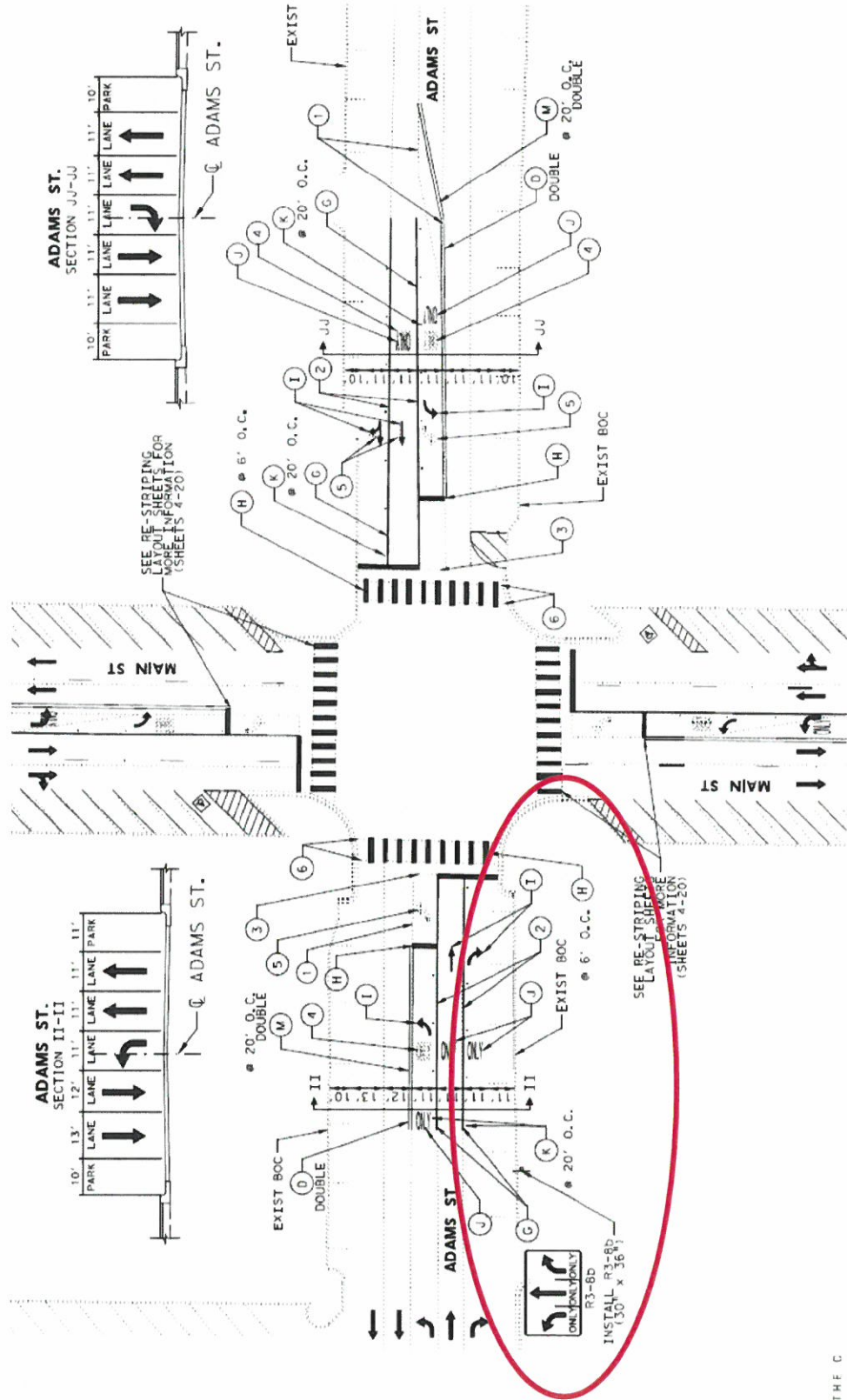
- ✓ New turn arrows that allow for “protected” turns and more capacity where high turn volumes expected
- ✓ Leveraging places where turn lanes are being added
- ✓ Signal operational changes with existing equipment to get better performance



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Adams at Main



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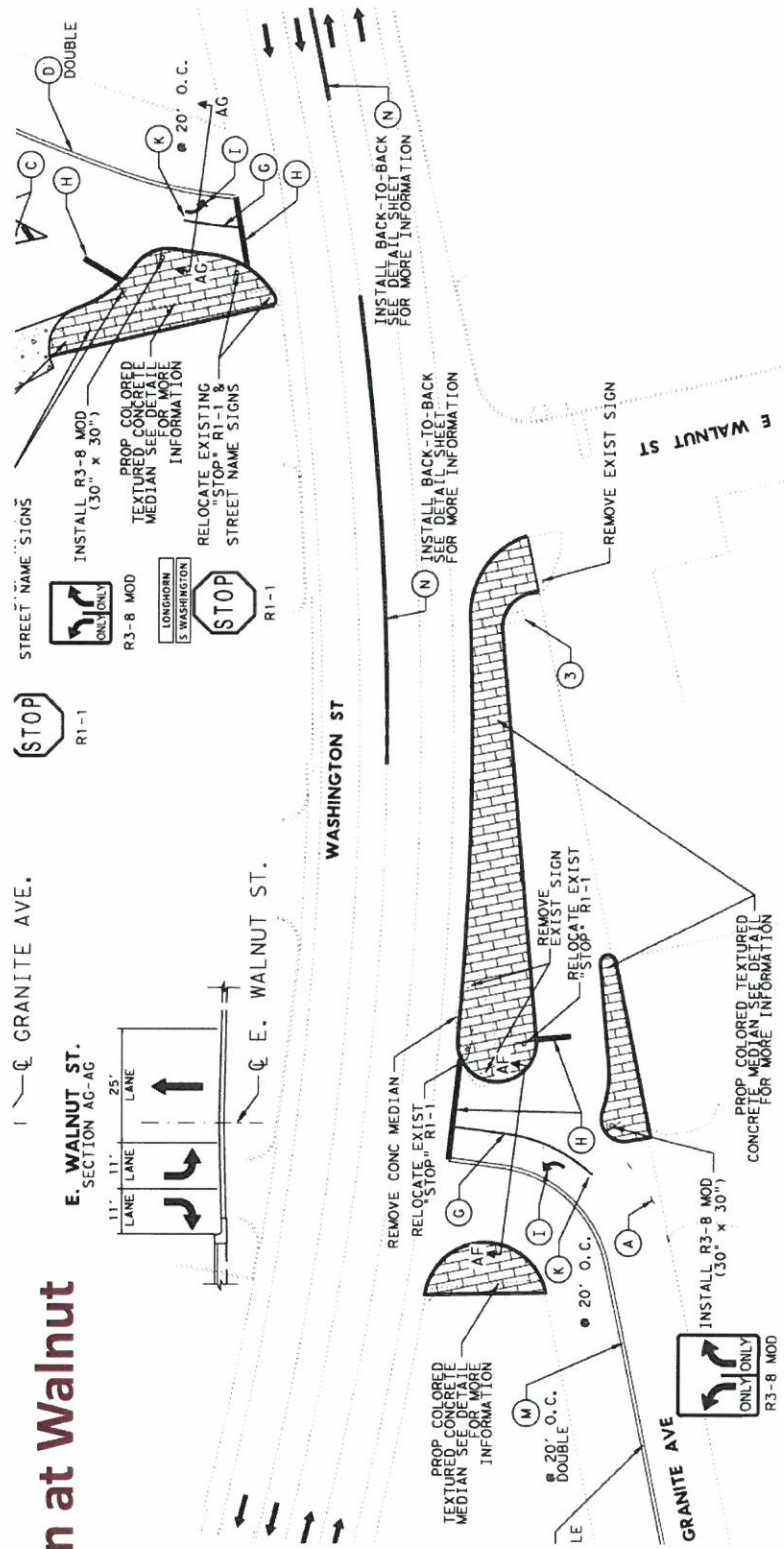
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ACCESS MANAGEMENT PROJECTS

Access Management

- ✓ At some locations, changing access and adding space for left turns can help improve safety, reduce conflicts:
- Washington at Walnut (over 20 crashes last 3 years)

Washington at Walnut



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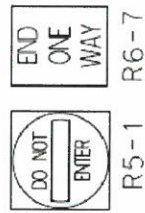
ONE-WAY CONVERSIONS

One Way Conversions

- ✓ Will involve adding signs for one-way only
- ✓ Will remove signals no longer needed with one-way
- ✓ Washington north of Main – one-way northbound
- ✓ Creek Street east of Adams – one-way eastbound

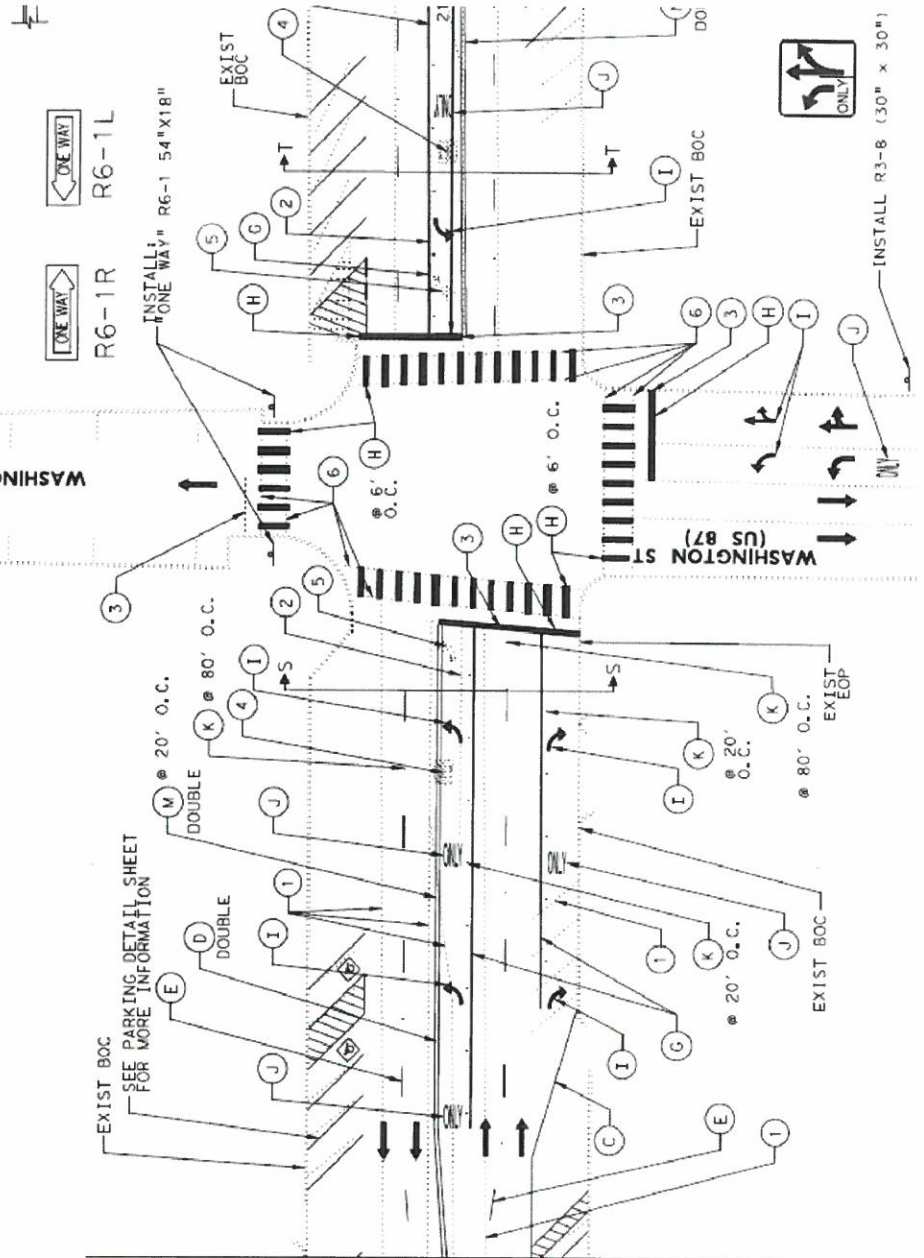


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AT WASHINGTON ST AND AUSTIN ST
"DO NOT ENTER" R5-1 36" X 36"
"END ONE WAY" R6-7 30" X 36"

R5-1 R6-7



INSTALL R3-8 (30" x 30")

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CORRIDOR IMPROVEMENTS

These projects add turn lanes or improve turning capacity and parking conflicts along Main and US 290.

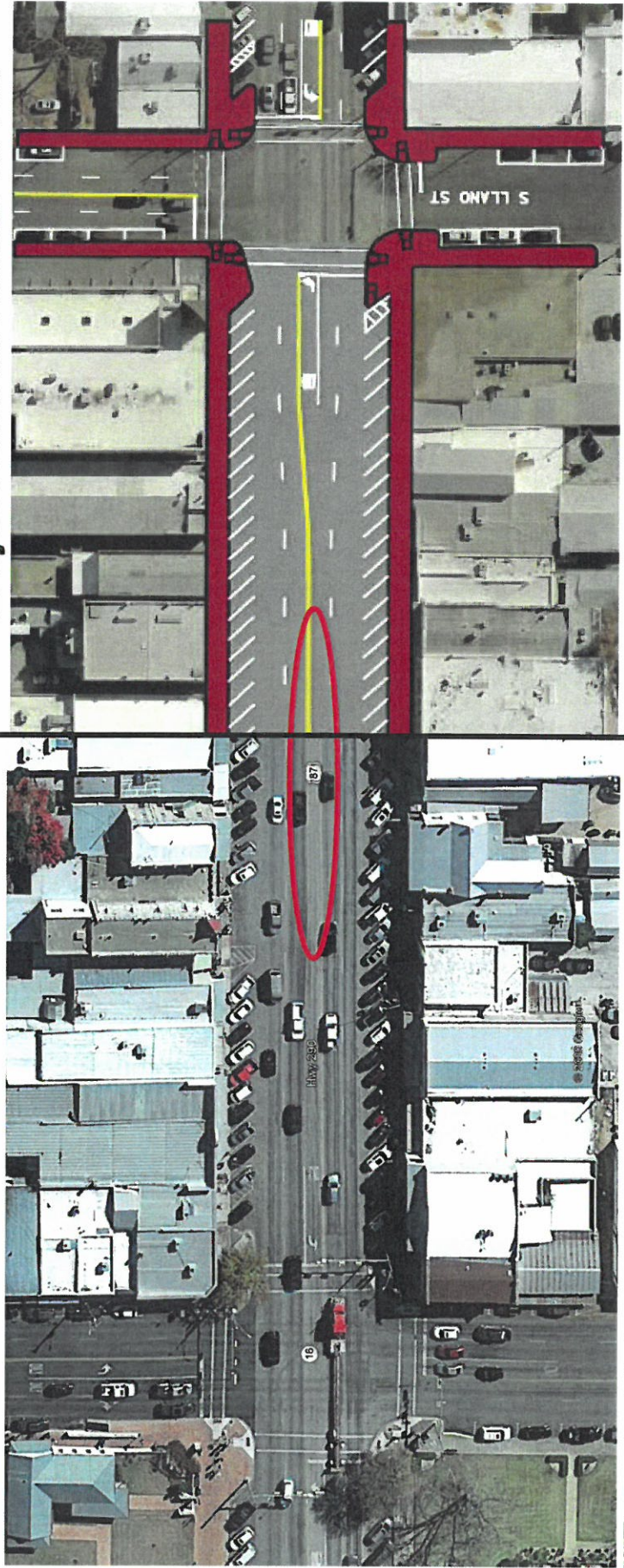


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Downtown Main Turn Lanes

- ✓ Removing “double yellow” in middle of main street to accomplish 3 things:
 - Extend parking stall length to be adequate & prevent large vehicle conflicts
 - Removes “waiting area” for pedestrians in middle to prevent unsafe crossings
 - Extend left turn lane queue storage (prevents blocking inside through lanes)

Project Limits: Milam to Elk



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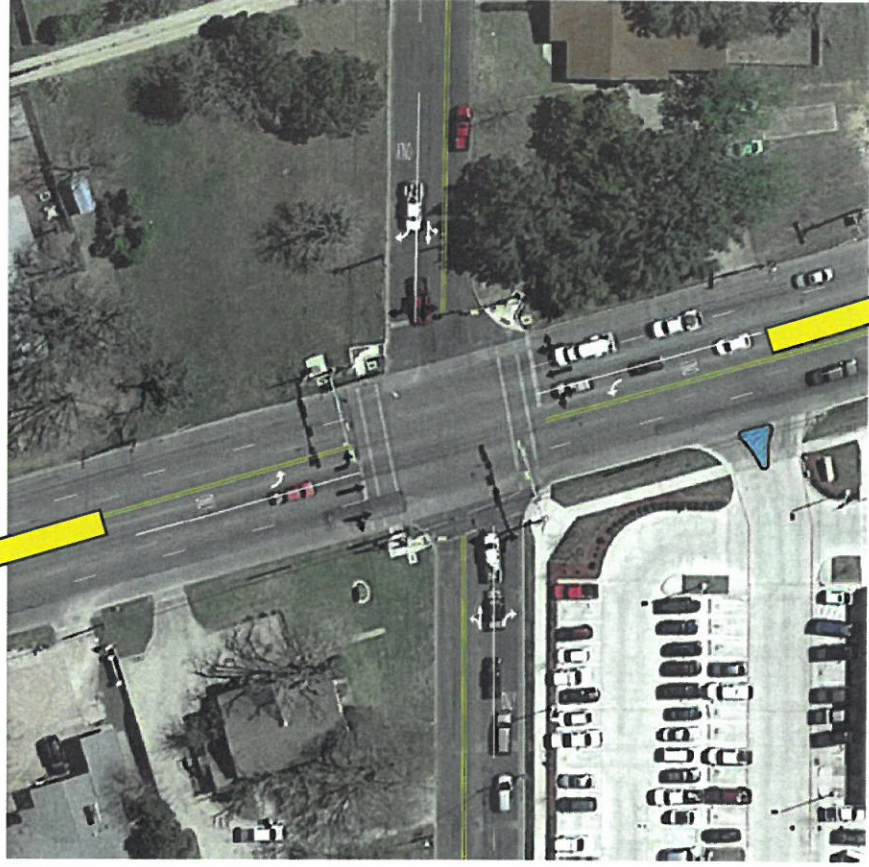
US 290 East Center Turn Lane

NOTE: This project will be delayed until completion of waterline work in this area under US 290 / Main Street

- ✓ Re-stripe to have center turn lane where there currently is no center turn lane
- ✓ Will improve operations and allow for safer turns to occur without blocking through traffic at both Main at Olive (FM 1631) and Main at Highway
- ✓ About 1 mile in length

Main Center Turn Lane at Highway

Extend to Baron's Creek

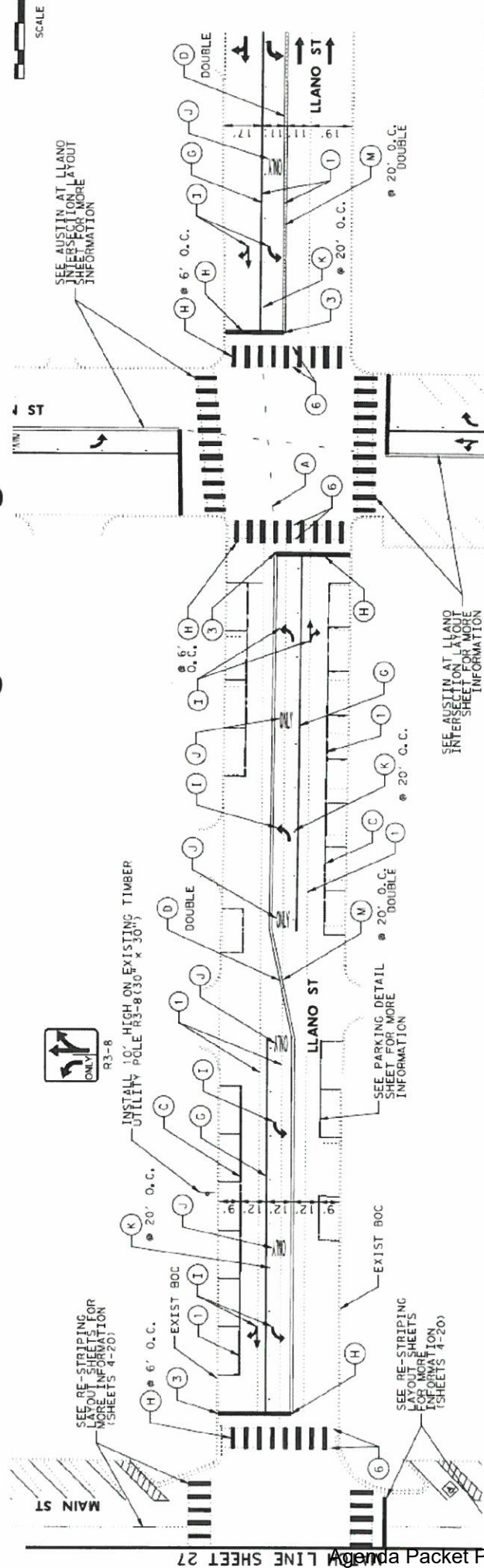


Extend to Cristol

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Llano St Conversion

- ✓ Converting to center turn lane with following considerations:
 - Clearer lane assignment southbound
 - Better flow without inside lanes blocked by left turners mid-block
 - Adequate section to handle traffic based on traffic data modeled
- ✓ New turn lanes on Travis at Llano with signal changes



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CONCLUSIONS

*Intent is to secure funding by TxDOT with City's contribution
being the design plans for construction.*

Summary of Costs – TIS Memo May 2021

Project Type	Project Subtype	Estimated Engineering Costs	Estimated Implementation Costs
1) Minor Pavement Markings & Signs	Stop Bar Relocation	n/a ¹	\$10,000
	Lane Assignment	n/a ¹	\$70,000
2) Signal Timing and Phasing Adjustments	n/a	n/a ¹	\$10,000
3) Designed Intersection Improvements	n/a	\$30,000 to \$40,000	\$85,000 to \$95,000
4) Designed Striping and Signs (2 projects on 290)	n/a	\$35,000	\$150,000
5) Designed Structural Improvements	Operational	\$75,000 to \$90,000	\$355,000 to \$370,000
	TOTAL COSTS	\$140,000 to \$165,000	\$660,000 to \$685,000²
		GRAND TOTAL	\$810,000²

1 To be determined in coordination with TxDOT if design is necessary.

2 Assumes striping project on US 290 in project Type 4 moves forward, reducing project costs at Olive and Main and US 290 at Highway by \$20,000 combined.



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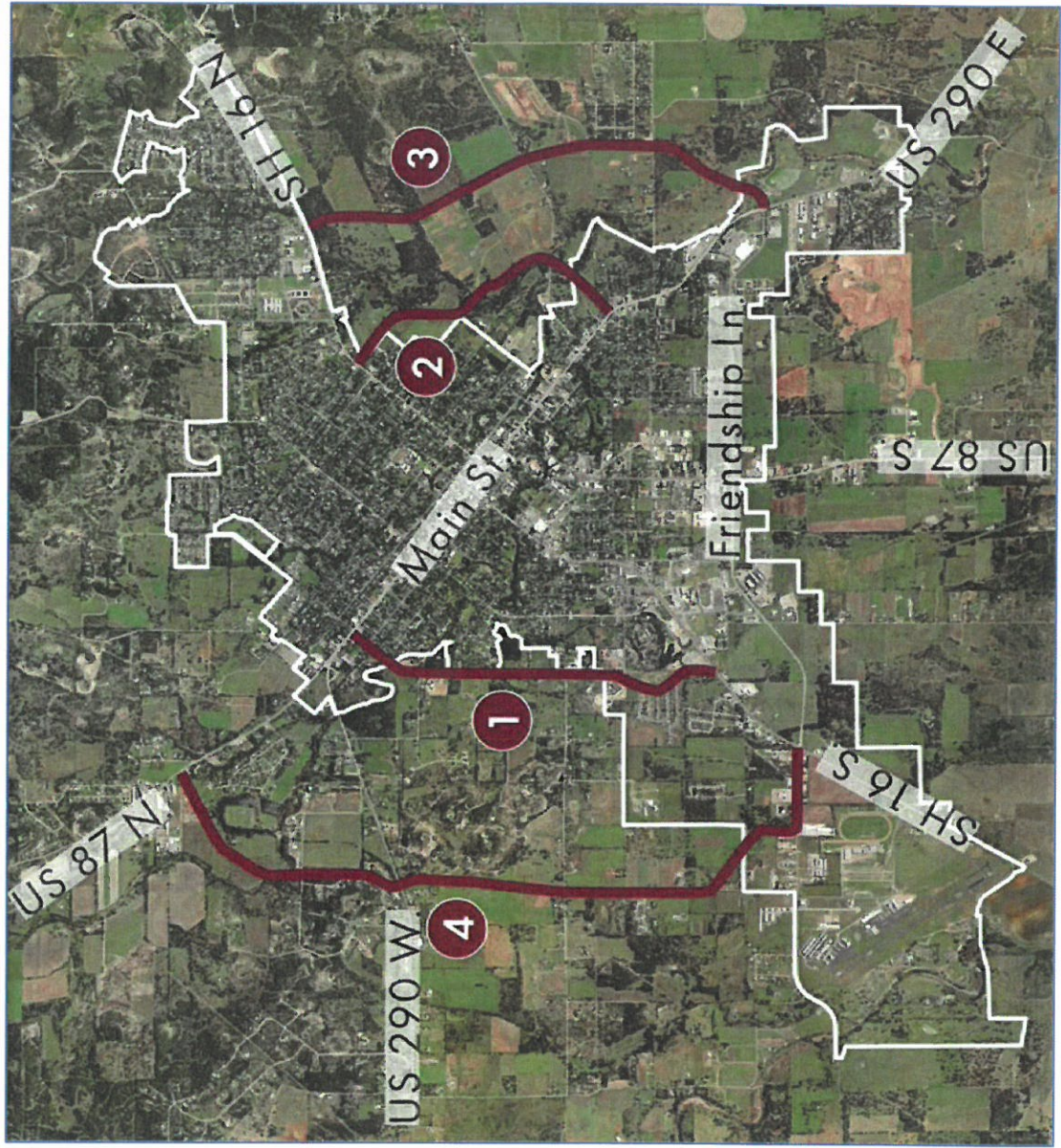
Key Messages

- ✓ Short-Term Projects
 - Recommend doing them all at once for greatest benefit
 - More efficiency when doing multiple projects of same type
 - For restriping – need to happen at right time
- ✓ Short term projects alone will not solve the congestion problem long term
 - Completing individual short-term projects will result in a highly localized benefit only, collectively have a greater impact
- ✓ Coordination with TxDOT on funding partnerships and agreements is ongoing, but likely through HSIP



Long Term Projects Overview

- Short term projects will help local routes using or crossing Main Street and other arterials
- Regional traffic needs to be addressed by long term project new connections to fill in gaps in connectivity



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QUESTIONS?



CITY COUNCIL MEMO

DATE: 11/15/2021

TO: Mayor and City Council

FROM: Evan Williamson, P.E. Staff Engineer

SUBJECT: City Sidewalk Improvement Program – Contract Renewal

Summary:

This Engineering Department is seeking renewal of the contract with Hazelett's Concrete and guidance on proposed sidewalk improvement projects for fiscal year 2022.

Recommendation:

Staff recommends renewing the construction contract for the third time with Hazelett Concrete Contractors, the low bidder from the contract award in fiscal year 2019 at the same rates, for the sidewalk program and other concrete flatwork improvements throughout the City of Fredericksburg.

Background / Analysis:

In 2013, the City Council made a commitment to improve pedestrian access throughout the City by implementing the Annual Sidewalk Improvement Program. The initial construction contract was awarded to Hazelett Concrete Contractors and exercised the option to renew for a maximum of five years. The contract was renewed for five years and a new construction contract was advertised for bid for fiscal year 2019. Hazelett Concrete Contractors was awarded the contract as the low bidder. In recent years, the City budgeted between \$50,000 to \$150,000.

The FY 2019 contract included the option to renew for up to five years. Hazelett Concrete Contractors has agreed to honor the unit costs from the initial contract award. If the construction contract is renewed,

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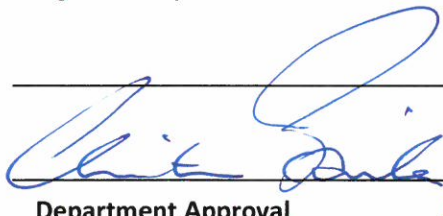
this would be the third year the contract is renewed. The approved FY 2022 budget includes \$100,000 for the annual sidewalk improvement program. The projects below are a short list of possible areas to be addressed. During the presentation Council will be able to provide input on order of priority for these projects or add or remove projects from this list.

- 1) 100 Block N. Milam Street – From W. Main to W. Austin Street
- 2) 900 Block S. Adams Street – From existing sidewalk at Guadalupe back to proposed sidewalk at the Wellness Center
- 3) 300 Block of N. Llano Street – From the Town Creek Bridge to the fuel station on E. Travis and N. Llano
- 4) N. Washington Street – From proposed sidewalk at The Inn above Town Creek to existing sidewalk at the corner of E. Travis and N. Washington
- 5) 1500 Block of N. Milam – From Cross Mountain Drive to Cross Mountain Trail Drive

Based on the unit costs of construction and added 10% contingency three to four of these projects may be constructed. The remainder of the budget will be used to address problematic portions of sidewalk around town where repairs or modifications may be needed. A map showing existing and proposed sidewalks across town is attached.

Attachments:

Figure 1: City Sidewalk Plan

 _____ Department Approval	 _____ City Manager Approval
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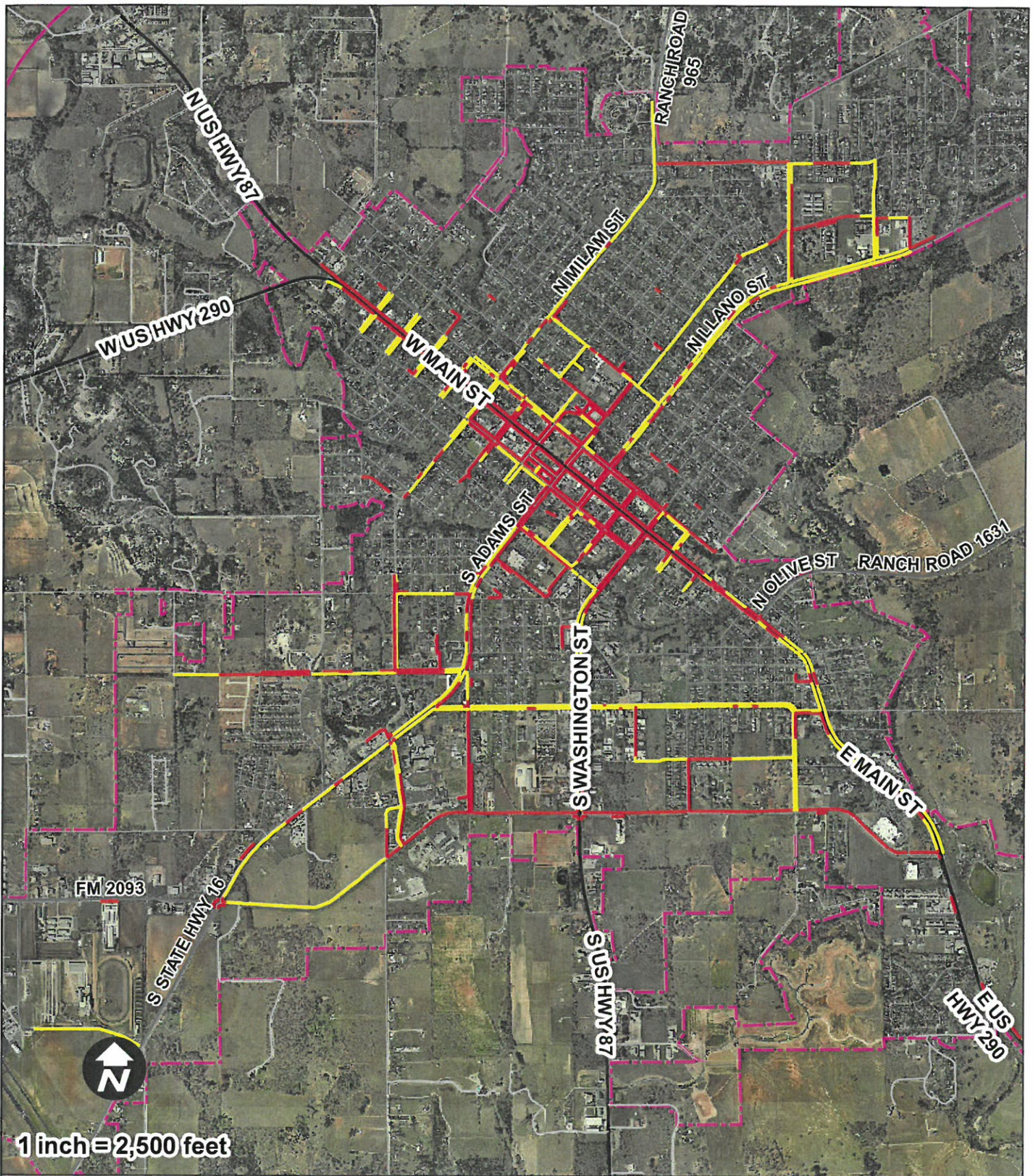


FIGURE 1
City of Fredericksburg
Sidewalk Plan

LEGEND

- | | |
|------------------|---------------------|
| Sidewalks | City Limit Boundary |
| Existing | 1-Mile ETJ Boundary |
| Proposed | |

Future Agenda Items

City Council

December 6, 2021 Regular Meeting

City Council = Red

6th and 20th Regular Meetings @ 6p.m.

Planning & Zoning = Green on 8th @ 5:30 p.m.

Historic Review Board = Purple on 14th @ 5:30 p.m.

Zoning Board of Adjustment = Blue on 16th @ 5:30 p.m.

City Events

23rd and 24th Christmas Holiday

31st New Year's Day Holidays

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Proclamation

1.

Consent

1. 11-15-2021 City Council Regular Meeting Minutes

Public Hearing

1.

Ordinances

1. Z-2123 – Future Land Use Change request from Whitney Koch-possible 2nd reading
2. Z-2123 – Zoning Change request from Whitney Koch-possible 2nd reading
3. Z-2122 – Future Land Use Change request from John Hewitt-possible 2nd reading
4. Z-2122 – Zoning Change request from John Hewitt-possible 2nd reading
5. Z-2115 – Voluntary Annexation & zoning request from Carolyn Ellebracht-possible 2nd reading
6. Changing Fire Pit regulations
7. Changing Noise regulations
8. Institute Post Oak Annexation proceedings - possible 2nd reading

Resolutions

Approvals-Misc.

1. RFP for janitorial services –
2. Marktplatz paver bid approval
3. Pool Plaster bid approval
4. LBJ Restroom bid approval
5. Salary Survey Plan

Presentations, Discussions and Updates:

Executive Session

1.

December 20, 2021

Regular Meeting

City Council = Red

6th and 20th Regular Meetings @ 6p.m.

Planning & Zoning = Green on 8th @ 5:30 p.m.

Historic Review Board = Purple on 14th @ 5:30 p.m.

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City Events

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Proclamation

1.

Consent

1. 12-6-2021 City Council Regular Meeting Minutes

Public Hearing

1.

Ordinances

1. Changing Fire Pit regulations - possible 2nd reading
2. Changing Noise regulations - possible 2nd reading
3. Z-2124 – Ordinance amendments to clarify the measurement of building

Resolutions

Approvals-Misc.

Presentations, Discussions and Updates:

Executive Session

1.