



City of Fredericksburg

REGULAR CITY COUNCIL MEETING AGENDA MONDAY, DECEMBER 17, 2018 ~ 6:00 P.M. LAW ENFORCEMENT CENTER ~ 1601 EAST MAIN STREET

Linda Langerhans, Mayor
Jerry Luckenbach, Council Member
Tom Musselman, Council Member

Gary Neffendorf, Council Member
Charlie Kiehne, Council Member
Kent Myers, City Manager

The City of Fredericksburg City Council will meet in a regular session on Monday, December 17, 2018 at 6:00 p.m. in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on December 14, 2018 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

(Please turn off all pagers and phones, except emergency on-call personnel.)

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. EMPLOYEE RECOGNITIONS

4. PUBLIC COMMENTS

This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.

5. 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 December 3, 2018 City Council Regular Meeting Minutes.
(Agenda Packet Pages 3-6)

6. PUBLIC HEARING

- A. Hold a public hearing to receive comments for or against amending the HEB PUD Plan to allow the enlarging of the produce area approximately 3000 square feet, add 1800 square feet enclosed outdoor display area, 2000 square feet building for corn storage, modify signage, enlarge the Business Center under front canopy, and replace granite gravel with river rock in front island.
(Agenda Packet Pages 7-32)

- B. Hold a public hearing to receive comments for or against amending the change in zoning from M-2, Medium Manufacturing to C-2 Commercial on approximately 7.28 acres of land located at 1589 E. Main Street.
(Agenda Packet Pages 33-45)

7. ORDINANCE

- A. Consider approval of Ordinance 2018-028 amending the Zoning Ordinance of the City to approve an amendment to the Planned Unit Development pertaining to 10.23 acres of land being Lot 1 HEB-Fredericksburg Subdivision, situated in the City of Fredericksburg, Texas.
(Agenda Packet Pages 7-32)
- B. Consider the approval of Ordinance 2018-29 amending the Zoning Ordinance of the City and changing the Zoning District as to 7.09 acres of land, part of the Wm. H. Anderson Survey No. 197, Abstract No. 2, and 0.19 acre of land, part of the John Owens Survey No. 54, Abstract No. 537, situated in the City; changing said property from M-2 Medium Manufacturing to C-2 Commercial; and providing for an effective date.
(Agenda Packet Pages 33-45)

8. RESOLUTIONS - ACTION ITEMS

- A. Consider approval of Resolution 2018-05R approving the financing for Professional Services and building construction for the Electric Department Building.
(Agenda Packet Pages 46-48)
- B. Consider approval of the Professional Services Agreement with SKT Architects to perform professional services consisting of preliminary and final design, project bid and construction phase services for the proposed Electric Department Building for a fee not to exceed \$220,000.
(Agenda Packet Pages 49-53)

9. CITY MANAGER'S REPORT

- A. Holiday Schedule
- B. City Council Retreat-January 15th
- C. Legislative Update

10. ITEMS FOR FUTURE AGENDA

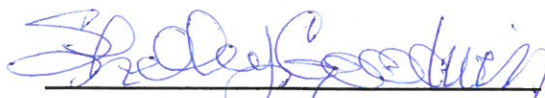
(Agenda Packet Pages 54-55)

11. COUNCIL COMMENTS

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

12. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 10:35 a.m. on December 12, 2018 on the entrance door and bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC
City Secretary



City of Fredericksburg

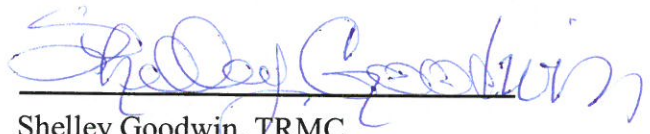
ADDENDUM TO AGENDA OF CITY COUNCIL REGULAR MEETING MONDAY, DECEMBER 17, 2018 ~ 6:00 P.M. LAW ENFORCEMENT CENTER ~ 1601 EAST MAIN STREET

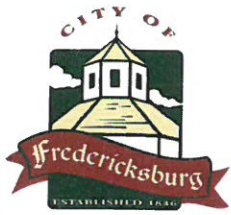
Notice is hereby given of a Regular Meeting of the Fredericksburg City Council, to be held on Monday, December 17, 2018 at 6:00 p.m. in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas.

The following item is hereby added to the previously posted agenda for the City Council Regular Meeting on Monday, December 17, 2018:

- 9. CITY MANAGER'S REPORT**
 - D. Regulation of Electric Scooters**

This is to certify that I, Shelley Goodwin, posted this Addendum to Agenda at 2:15 p.m. on December 12, 2018 on the entrance door and bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.


Shelley Goodwin, TRMC
City Secretary



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING DECEMBER 3, 2018

Members Present:

Mayor Linda Langerhans
Council Member Charlie Kiehne
Council Member Jerry Luckenbach
Council Member Tom Musselman
Council Member Gary Neffendorf

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director Public Works and Utilities
Daniel Jones, City Attorney
Laura Hollenbeak, Director of Finance
Russell Immel, Information Technology Director
Steve Wetz, Police Chief
Andrea Schmidt, Parks & Recreation Director
Lea Feuge, Public Information Officer
Garret Bonn, Assistant City Engineer
Justin Hagendorf, Parks Department
Shelley Goodwin, City Secretary

1. Pledge of Allegiance

Mayor Langerhans led the Pledge of Allegiance.

2. Call to Order

With all members of the City Council members present, Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, December 3, 2018, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. Employee Recognitions

Kent Myers, City Manager, stated he did not have any recognitions.

4. Public Comments

No one signed up to speak.

5. Consent

A. Consider approval of the November 19, 2018 City Council Regular Meeting Minutes.

B. Consider approval of the reappointment of Stephen Harris and Julie Kuhlke, City representatives to the Gillespie County Economic Development Commission Board Members (terms expiring December 31, 2018).

Motion: A motion was made by Council Member Luckenbach seconded by Council Member Musselman, for the approval of the Consent Agenda Items 5 A. and 5 B. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

6. Ordinance

A. Consider approval of Ordinance 2018-026 amending Article 24.000 – Recreational Fees, of Appendix A – Fee Schedule, of the Code of Ordinances, to provide authority for the Director of Parks and Recreation to utilize temporary or seasonal fee reductions to encourage additional use of certain City Parks and Recreation Facilities.

Andrea Schmidt, Parks & Recreation Director, stated she is requesting Ordinance 2018-026 be amended to allow the Parks Department the ability to increase the capacity of the RV Park, pool, and other areas of the parks during slow times. She reviewed the different ideas that she has to increase the usage. She also stated if this amendment does not increase capacity, then she will request to remove the seasonal fee reductions.

The City Council discussed the different ideas and the potential uses of the Town Pool and RV Park.

Motion: A motion was made by Council Member Luckenbach seconded by Council Member Musselman, for the approval of Ordinance 2018-026 amending Article 24.000 – Recreational Fees, of Appendix A – Fee Schedule, of the Code of Ordinances, to provide authority for the Director of Parks and Recreation to utilize temporary or seasonal fee reductions to encourage additional use of certain City Parks and Recreation Facilities. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Ordinance 2018-27 authorizing and allowing, under the Act Governing the Texas Municipal Retirement System (TMRS), “Updated Service Credits” in said system on an annual basis for service performed by qualifying members of such system who at the effective date of the allowance are in the employment of the City; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; electing for the City to make current service and prior service contributions to the City’s account in the Benefit Accumulation Fund of the TMRS at the actuarially determined rate of total employee compensation; and establishing an effective date for the Ordinance.

Tammie Loth, Human Resources Director, stated at the last City Council Regular Meeting staff was asked to proceed with the necessary steps to use the money budgeted for the merit raises to increase retirement benefits. She also stated the City Council has received a copy of the proposed Texas Municipal Retirement System Ordinance and the corrected calculation of the cost for the change to Updated Service Credit in lieu of the 2% merit raises.

The City Council discussed the Ordinance and replacing the 2% merit increase with 100% Updated Service Credits for FY 2019.

Motion: A motion was made by Council Member Neffendorf seconded by Council Member Musselman, for the approval of Ordinance 2018-27 authorizing and allowing, under the Act Governing the Texas Municipal Retirement System (TMRS), “Updated Service Credits” in said

system on an annual basis for service performed by qualifying members of such system who at the effective date of the allowance are in the employment of the City; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; electing for the City to make current service and prior service contributions to the City's account in the Benefit Accumulation Fund of the TMRS at the actuarially determined rate of total employee compensation; and establishing an effective date for the Ordinance and in lieu of the 2% merit increases for FY 2019. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. Resolutions - Action Items

A. Consider awarding a Professional Sidewalk Agreement to Hazelett Concrete Contractors for the Annual Sidewalk Improvement Program.

Garret Bonn, Assistant City Engineer, provided the history of the Annual Sidewalk Improvement Program and the bid process for the new construction contract, which Hazelett Concrete Contractors was the lowest bid. He also stated the City approved \$50,000 in the FY 2019 budget for the annual sidewalk improvement program. He reviewed the recommended priority, estimated cost and projects; he also recommended using City crews in certain areas to reduce the cost.

The City Council reviewed the projects and priorities. They recommended the priorities be the following:

- 1) S. Milam Phase II – Live Oak to Walsh - \$15,083.75
- 2) S. Orange-St. Mary's School to Pedestrian Bridge - \$26,955.50
- 3) 900 Block W. Main St. - \$31,125.88
- 4) N. Milam – Cross Mountain Dr. to Cross Mountain Park Entrance - \$33,349.25

Motion: A motion was made by Council Member Neffendorf and seconded by Council Member Luckenbach, for the award of the Professional Sidewalk Agreement to Hazelett Concrete Contractors for the Annual Sidewalk Improvement Program. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

8. CITY MANAGER'S REPORT

A. January City Council Retreat

Kent Myers, City Manager, reviewed the possible dates for the City Council Retreat in January. The City Council agreed by consensus to hold the City Council Retreat on Tuesday, January 15, 2019 at 8:30 a.m. in the Cardinal Room. He also stated some of the topics that have been suggested for the agenda are:

- New Sex Offender Regulations
- RV Parking regulations
- Affordable Housing
- Utility rate increase
- Tax incentives for Historic District
- Parks Bond Election

B. New Year's Eve Event

Kent Myers, City Manager, stated last year was the first year the City held a New Year's Eve event and even with the weather the event was a success, so this year the City will be hosting the event again with additional activities:

- New Year's Eve Children Event at 4 p.m. which will include games, DJ, special performances, and a ball drop at 6 p.m.

- New Year's Eve Adult Event at 10:30 p.m. which will include ice carving, food, music, and a ball drop at midnight.

9. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the upcoming agenda items for December 17, 2018 and January 7, 2019.

10. COUNCIL COMMENTS

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

Council Member Luckenbach stated he was watching the Austin news and they were promoting the Fredericksburg Christmas Parade.

Council Member Musselman stated he attended the November 11th CVB Meeting where the marketing plan for Fredericksburg was reviewed. He stated it was interesting on how the marketing plan targets different activities and age groups. He also spoke regarding the proposed CVB's website and how user friendly it will be.

11. ADJOURN

Motion: A motion was made by Council Member Luckenbach, seconded by Council Kiehne to adjourn the Monday, December 3, 2018 City Council Regular Meeting at 6:39 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Linda Langerhans
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: December 10, 2018

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Amend the HEB PUD Plan to allow the following changes:

1. Enlarge Produce area approximately 3000 square feet,
2. Add 1800 square feet enclosed outdoor display area,
3. Add 2000 square feet building for corn storage,
4. Modify signage,
5. Enlarge the Business Center under front canopy,
6. Replace granite gravel with river rock in front islands.

Summary:

The existing store is located on approximately 10.3 acres. The existing store is approximately 80,445 square feet, and 458 parking spaces are provided, with 402 parking spaces being required. In 2011, the applicant requested an amendment to the PUD to add a shade canopy over the sidewalk in front of the building, between the two entrances, and add a single diesel fueling dispenser island under a canopy cover near the fueling area. The shade canopy was approved and the fuel dispenser was denied. Other changes to the PUD are outlined in the staff brief.

Recommendation:

The Planning Commission voted unanimously to recommend approval of this zoning change. One letter was received in support and one in opposition. Approval of the zoning request is recommended.

Background / Analysis:

The building proposed for storage of corn is to be located near the pharmacy drive-through. Several parking spaces will be removed to accommodate the building. The proposed outdoor display area will be enclosed by fencing and will be located in the northwest corner of the building where plants and outdoor items are typically displayed now. The produce expansion will occur on the northwest corner of the building. Signage changes are minor in nature and will include a new sign over the easternmost entrance to essentially match the other entrance sign (see attached site plan and elevations). The enlarged business center will be located in front of the building under the existing canopy.

The original application included a request to add two diesel fueling dispensers under another canopy, closing of the drive between the fueling area and the parking lot, relocation of the existing driveway into the fueling area and the removal of the large pecan tree on the west side of the building. These items were removed from the request prior to the Planning and Zoning Commission Meeting.

Attachments:

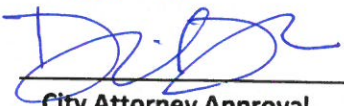
Zoning Map, PUD Plan, Elevations, Staff Brief, Property Owner map and List, Ordinance



Department Approval



City Manager Approval



City Attorney Approval

ZONING AMENDMENT BRIEF

Request # Z-1816

OWNER: HEB Grocery Company, L.P.

APPLICANT: Mark Vaclavik

SIZE: 10.3 acres

LOCATION: 407 S. Adams Street

EXISTING ZONING: PUD, Planned Unit Development

PROPOSED CHANGE: Amend the PUD Plan to allow the following changes:

1. Enlarge Produce area approximately 3000 square feet,
2. Add 1800 square feet enclosed outdoor display area,
3. Add 2000 square feet building for corn storage,
4. Modify signage,
5. Enlarge the Business Center under front canopy,
6. Replace granite gravel with river rock in front islands.

FINDINGS:

- The existing store is located on approximately 10.3 acres.
- The existing store is approximately 79,500 square feet in size, with an addition of 945 square feet planned, for a total building area of 80,445 square feet.
- 458 parking spaces are provided, and 402 parking spaces are required.
- In 2011, the applicant requested an amendment to the PUD to add a shade canopy over the sidewalk in front of the building, between the two entrances, and add a single diesel fueling dispenser island under a canopy cover near the fueling area. The shade canopy was approved and the fuel dispenser was denied.

HEB PUD Zoning Summary:

- 12/3/2001 - Original PUD and Conditional Use Permit approved.
- 9/6/2002 - Administrative Approval of an amendment to the circulation around the pharmacy.
- 10/25/2002 - Administrative approval of an amendment to the parking and drive located on the eastern portion of the site near Ufer Street.
- 12/18/2006 - City Council approval of an amendment to the PUD allowing for an outdoor sales area in the parking lot.
- 4/15/2011 - Administrative approval of a building addition on the east side of the existing building near the pharmacy drive-through.

- 6/20/2011 - PUD amendment approved to allow the shade canopy over the area in front of the store.
- 10/27/2017- Administrative approval for the addition of a 954 square foot curbside pick-up building on the east side of the site near the drive-through pharmacy.

STAFF COMMENTS: The building proposed for storage of corn is to be located near the pharmacy drive-through. Several parking spaces will be removed to accommodate the building. The proposed outdoor display area will be enclosed by fencing and will be located in the northwest corner of the building where plants and outdoor items are typically displayed now. The produce expansion will occur on the northwest corner of the building. Signage changes are minor in nature and will include a new sign over the easternmost entrance to essentially match the other entrance sign (see attached site plan and elevations). The enlarged business center will be located in front of the building under the existing canopy.

The original application included a request to add two diesel fueling dispensers under another canopy, closing of the drive between the fueling area and the parking lot, relocation of the existing driveway into the fueling area and the removal of the large pecan tree on the west side of the building. These items were removed from the request prior to the Planning and Zoning Commission Meeting.

OPPOSITION/SUPPORT OF REQUEST: One letter in support and one letter in opposition.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Commission voted unanimously to recommend approval of the proposed PUD amendments.

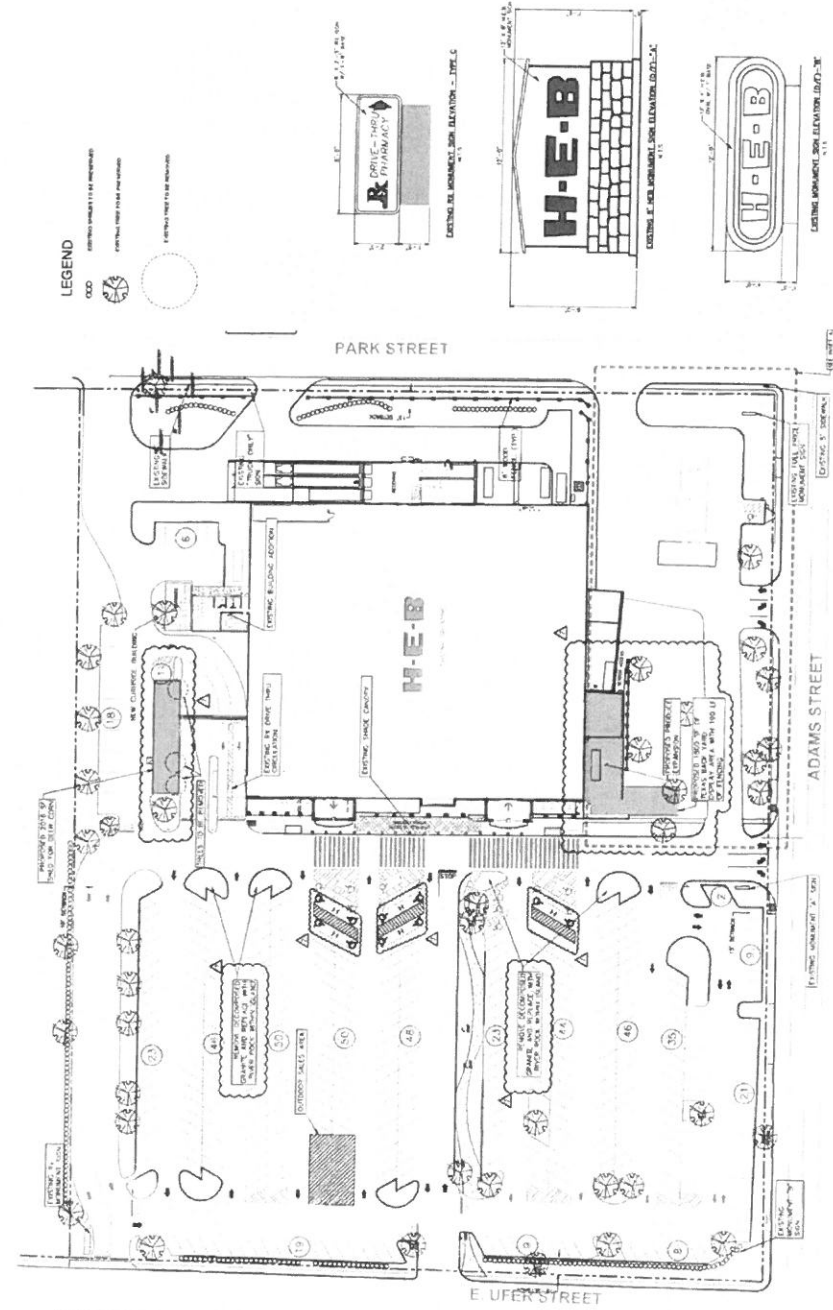
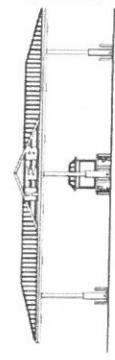
STAFF RECOMMENDATION: Staff recommends approval of the PUD amendments as requested.

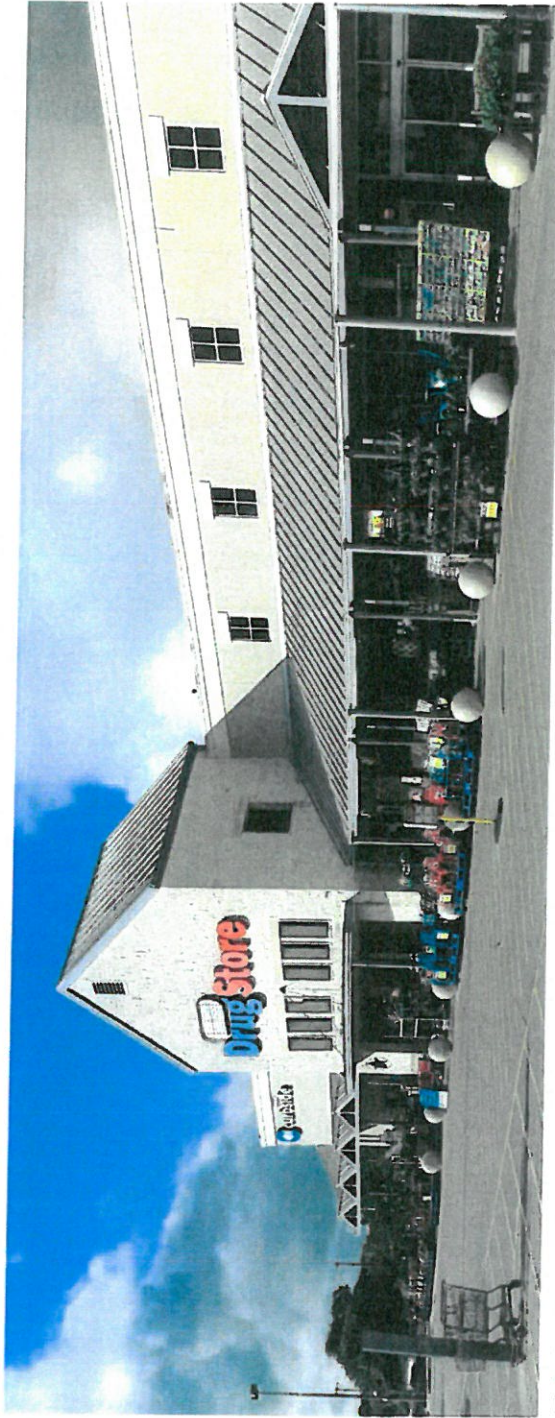
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SITE SUMMARY	
LAND AREA	10,322.5 SQ.FT.
TOTAL BUILDING AREA	79,500 SQ.FT.
WORKING DRAWINGS	364 S.F.
STREET FRONTAGE	80.45 S.F.
VEHICLE TRAILER PARKING	40
DRIVE THRU PARKING	YES (2 LANE)

PARKING SUMMARY	
PARKING RATIO REQUIRED	700:1
STAGING REQUIRED	△
LOADING REQUIRED	△
TRUCK PARKING REQUIRED	△
HAZARDOUS MATERIAL PARKING REQUIRED	△
PARTNER PARKING	△
PARKING RATIO	700:1
TOTAL BUILDING AREA/1001 (SPACES)	70

PROPOSED IMPERVIOUS COVER		EXISTING IMPERVIOUS COVER	
TOTAL LOT AREA	449,678 SF (10,323 AC.)	TOTAL LOT AREA	449,678 SF (10,323 AC.)
IMPERVIOUS COVER:	376,909 SF	IMPERVIOUS COVER:	373,561 SF
PERVIOUS COVER:	72,769 SF	PERVIOUS COVER:	76,117 SF
83.82% IMPERVIOUS COVER		83.07% IMPERVIOUS COVER	





Existing Elevation



Existing Elevation



11.02.2018

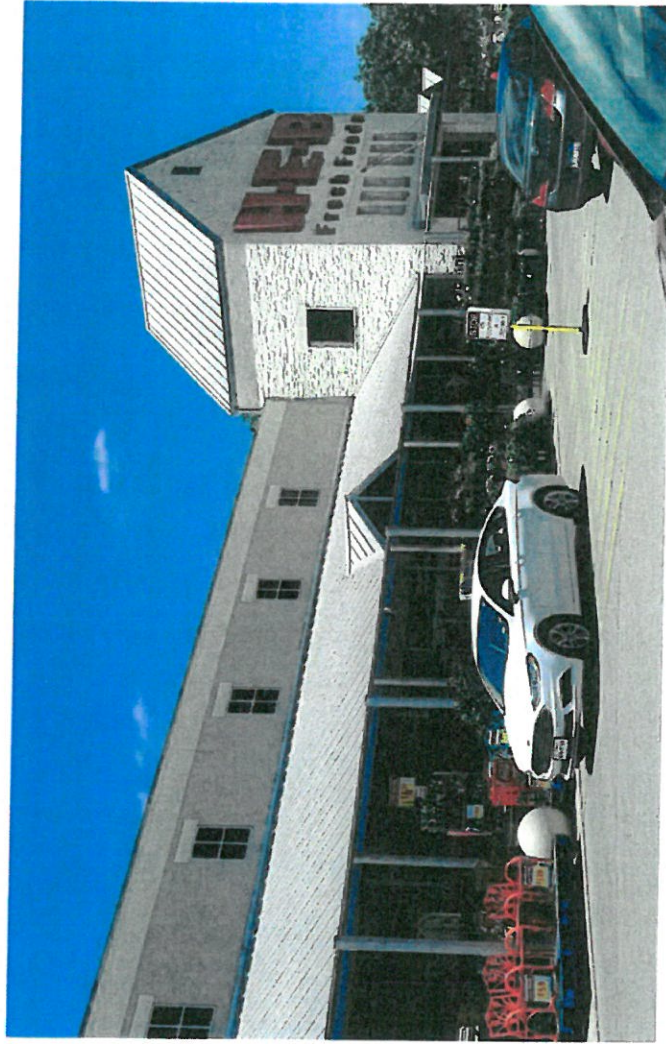
Fredericksburg

Elevation - Colors

ENR



Existing Elevation



Existing Elevation

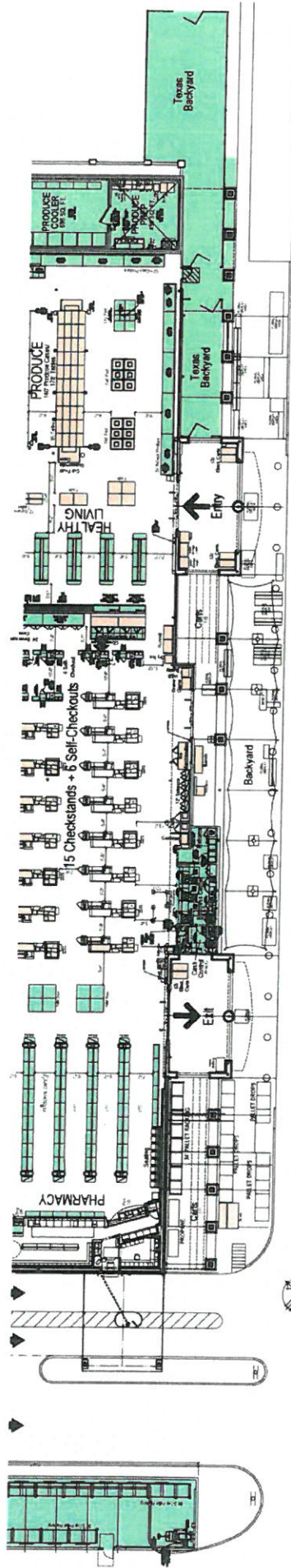


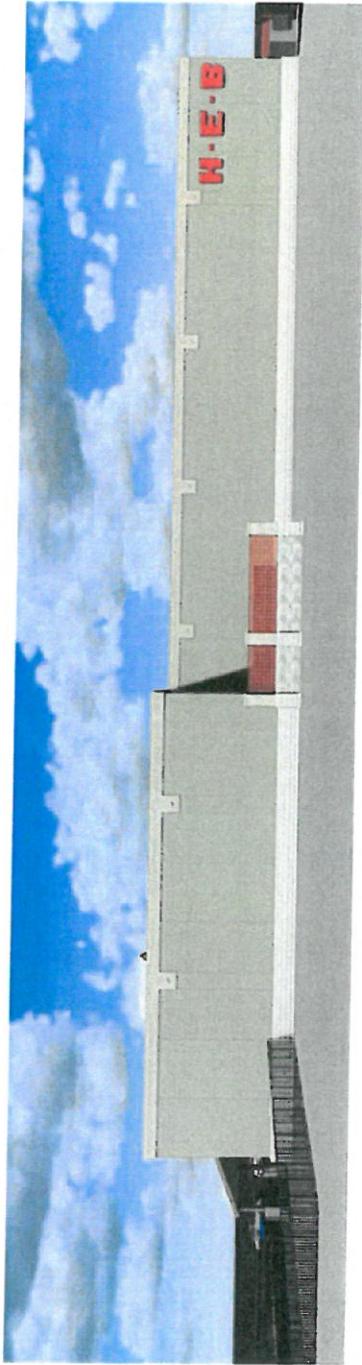
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Fredericksburg

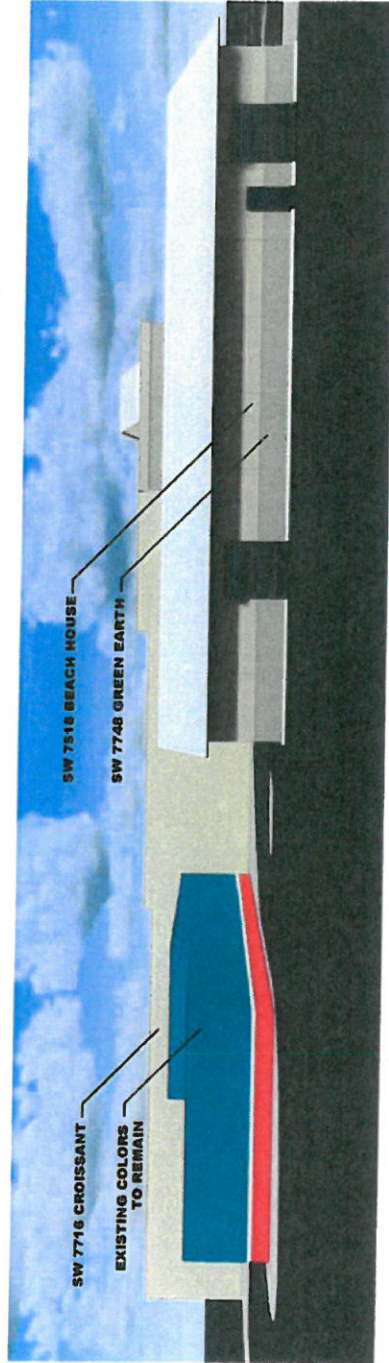
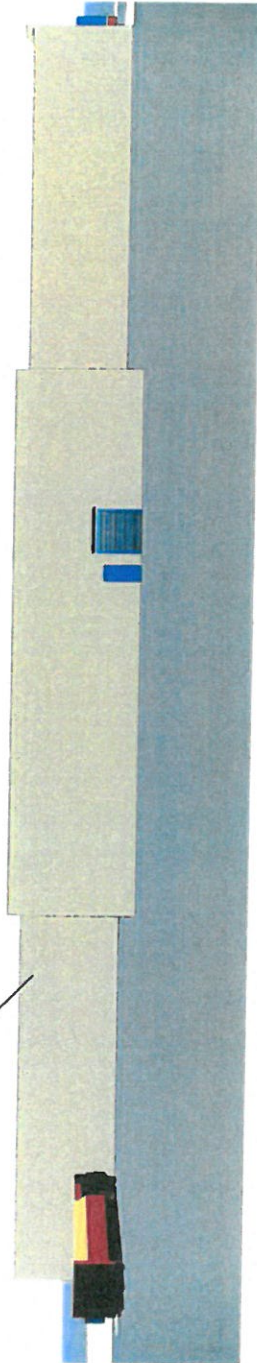
Elevation - Colors

EMR





SW 7716 CROISSANT



SW 7716 CROISSANT

EXISTING COLORS
TO REMAIN

SW 7516 BEACH HOUSE

SW 7748 GREEN EARTH

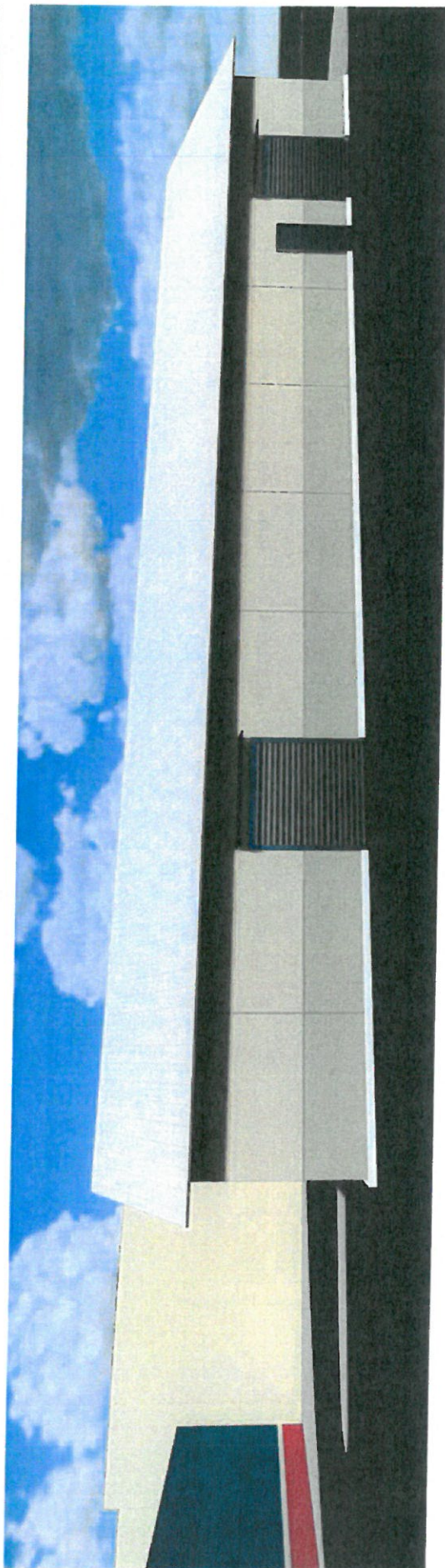
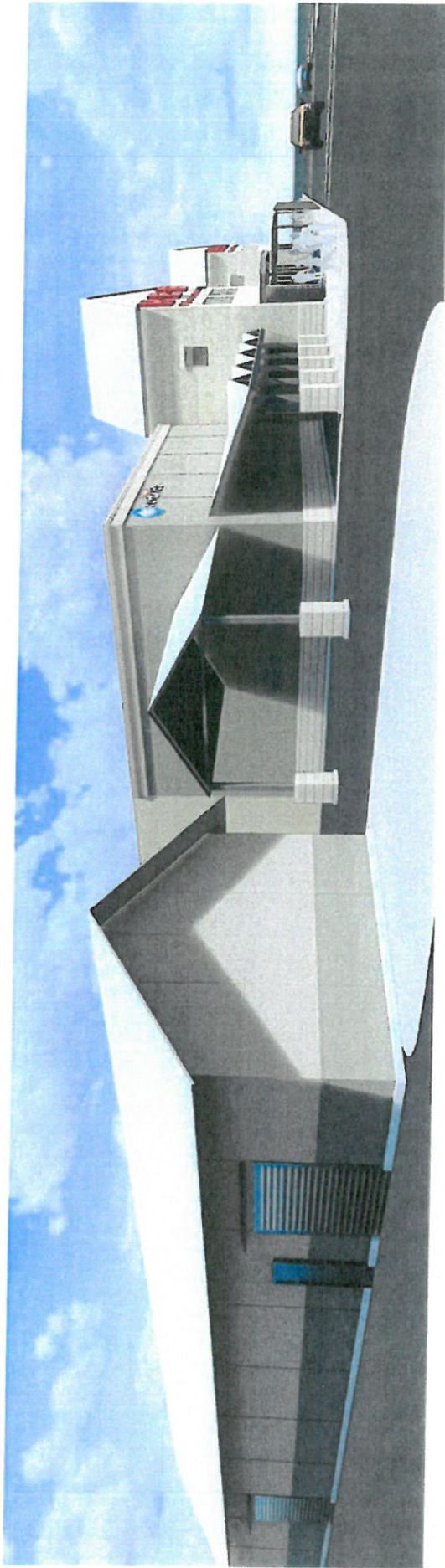


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Fredericksburg

Elevation - Colors

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Fredericksburg

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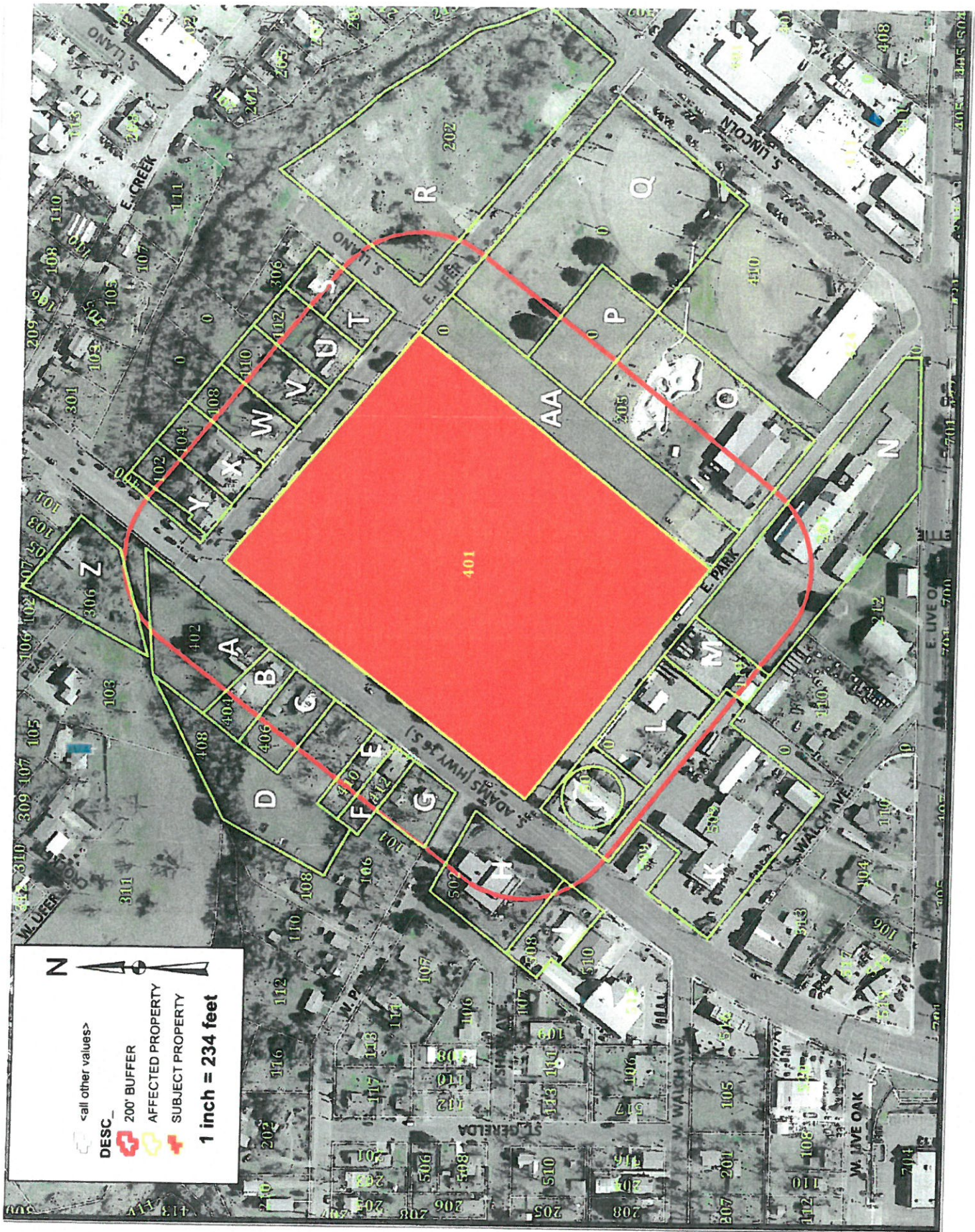


11.02.2018

Fredericksburg

Elevation - Colors

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Letter	Owner	Address
A	KENNETH KELLER	302 W. MULBERRY FREDERICKSBURG, TX 78624
B	KARLA BURG	809 S. RANCH RD 1623 STONEWALL, TX 78671
C	ROMARA LTD	912 ROMARA LTD FREDERICKSBURG, TX 78624
D	DAVID TRAN	1209 JENNIFER LN FREDERICKSBURG, TX 78624
E	DAVID TRAN	1209 JENNIFER LN FREDERICKSBURG, TX 78624
F	STEPHEN & CAROL FELLER	2619 VALLEY MANOR KINGWOOD, TX 77339
G	MARGARET CERVANTES LIFE ESTATE	414 S. ADAMS FREDERICKSBURG, TX 78624
H	ARROWHEAD BANK	108 W. SANDSTONE ST LLANO, TX 78642
I	BLAKER HOLDINGS LLC	185 FANNIN DR KERRVILLE, TX 78028
J	A & JD RANCHING LLC	11306 JANUARY DR AUSTIN, TX 78753
K	STROEHER & SON INC	509 S. ADAMS FREDERICKSBURG, TX 78624
L	SUPPLY POINT INC	3564 FM 2093 FREDERICKSBURG, TX 78624
M	STROEHER & SON INC	509 S. ADAMS FREDERICKSBURG, TX 78624
N	BRAVO 14 LLC	P.O. BOX 2778 FREDERICKSBURG, TX 78624
O	CITY OF FREDERICKSBURG	126 W. MAIN FREDERICKSBURG, TX 78624
P	CITY OF FREDERICKSBURG	126 W. MAIN FREDERICKSBURG, TX 78624
Q	CITY OF FREDERICKSBURG	126 W. MAIN FREDERICKSBURG, TX 78624
R	CMC BARONS CREEK LTD	5121 BEE CAVE RD STE 207 AUSTIN, TX 78746
S	HAMUK LLC	P.O. BOX 294059 KERRVILLE, TX 78028
T	HAMUK LLC	P.O. BOX 294059 KERRVILLE, TX 78028
U	HAMUK LLC	P.O. BOX 294059 KERRVILLE, TX 78028
V	HAMUK LLC	P.O. BOX 294059 KERRVILLE, TX 78028
W	HAMUK LLC	P.O. BOX 294059 KERRVILLE, TX 78028
X	PAUL & DOROTHY PANACECK	537 CRENWELGE RD FREDERICKSBURG, TX 78624
Y	PAUL & DOROTHY PANACECK	537 CRENWELGE RD FREDERICKSBURG, TX 78624
Z	WILLIAM BOHNERT	306 S. ADAMS FREDERICKSBURG, TX 78624
AA	HEB GROCERY COMPANY	P.O. BOX 839999 SAN ANTONIO, TX 78283

ORDINANCE NO. 2018-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY TO APPROVE AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT PERTAINING TO 10.23 ACRES OF LAND BEING LOT 1 HEB-FREDERICKSBURG SUBDIVISION, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS.

WHEREAS, an Application for Rezoning to amend the Planned Unit Development (PUD) Zoning which currently exists on the property which is described as 10.23 acres of land being Lot 1 HEB-Fredericksburg Subdivision, a plat of which is found of record in the Plat Records of Gillespie County, has been submitted by the owner of the property to maintain the present zoning classification of PUD but to amend one or more of the conditions of said PUD; 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 amendment to the PUD 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 such amendment signed by owners of twenty percent (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 changes as follows:

A. That the zoning classification of 10.23 acres of land being Lot 1 HEB-Fredericksburg Subdivision, a plat of which is found of record in the Plat Records of Gillespie County situated in the City of Fredericksburg, Gillespie

County, Texas, be and is hereby amended to permit the alteration and modification of multiple signs, as set forth in detailed specifications in Exhibit A, a copy of which is attached hereto and incorporated herein by reference, and as additionally shown on the revised PUD site plan in Exhibit B, a copy of which is attached hereto and incorporated herein by reference.

B. That the zoning classification of 10.23 acres of land being Lot 1 HEB-Fredericksburg Subdivision, a plat of which is found of record in the Plat Records of Gillespie County situated in the City of Fredericksburg, Gillespie County, Texas, be and is hereby amended to permit the expansion of the Produce area by approximately 3000 square feet, the addition of 1800 square feet for enclosed outdoor display area, the addition of a 2000 square foot building for corn storage, the expansion of the Business Center under the front canopy, and the replacement of granite gravel with river rock in front islands, as specifically shown on the revised PUD site plan in Exhibit B, a copy of which is attached hereto and incorporated herein by reference.

Section 2. Other than as hereby amended, the conditions of the original PUD adopted on December 3, 2001, and as having been thereafter amended, are ratified and confirmed, and incorporated herein for all purposes.

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

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

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

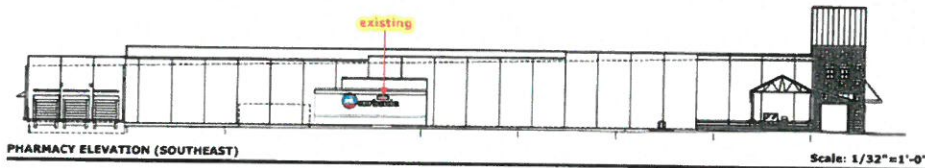
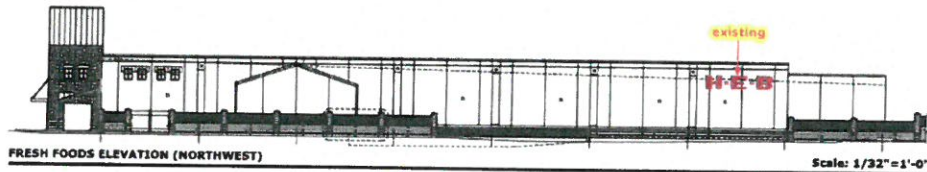
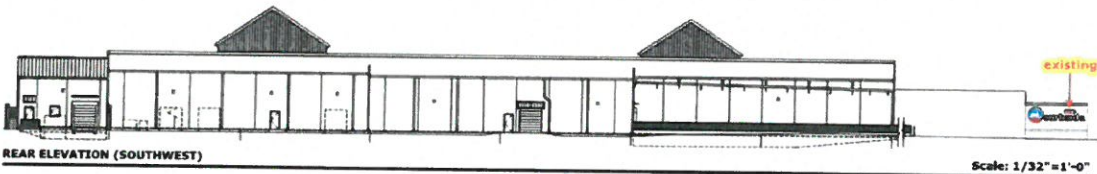
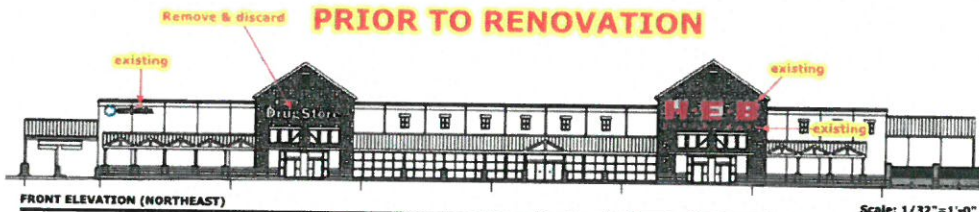


Exhibit A



☐ Proposal Drawing
☒ Final Drawing

Client: HEB
Location: 407 South Adams,
Fredericksburg, TX 78624
Salesperson: Pete Sitterle
P.O. Mgr.: Tommy Colson
Date: 9-11-18
Designer: David Gamet
File Name: 43449 HEB
Fredericksburg Remodel R4
Proposal #: 43449
Job #: 18-0495

Revisions
R1: 8/2/18-31-18/04. Added reflect 'HEB' to 'R' & reflect electrical to LED, re-vised to 'C'. Re-vised 'Fresh Foods' to 'F'. Added reflect electrical to LED. Added sign 'F' (refurbish requirement price).
R2/31-2-18/04. Sign 'F' now approved.
R3: 11/27/18 AS: pg 7 Sign 8 rev 10 now provided by HEB design.



TOLL #: 18010

Corporate Office
San Antonio
6200 West Tower
San Antonio, TX 78238
PH: (214) 341-7000

Corporate Office
13000 S. Freeway, Suite 100
Dallas, TX 75240
PH: (972) 875-1000

Regional Offices
8800 Greenhouse Rd
Houston, TX 77064
PH: (281) 465-4000

Regional Offices
8407 S. Loop W, Suite 10
Dallas, TX 75210
PH: (214) 978-8200

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Page 1 of 9

NEW CHANNEL LETTERS: A B
EXISTING CHANNEL LETTERS - REFACE & RETROFIT ELECTRICAL: C D

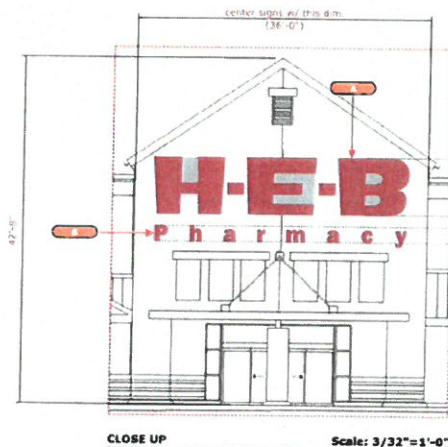
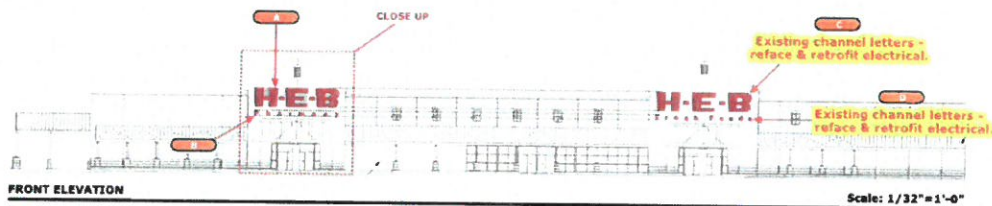


Exhibit A



☐ Proposal Drawing
☒ Final Drawing

Client: HEB
 Location: 407 South Adams,
 Fredericksburg, TX 78624
 Salesperson: Pete Sitterle
 Est. Mgr.: Tammy Cohen
 Date: 9-11-18
 Designer: David Gamez
 File Name: 43449 HEB,
 Fredericksburg Remodel R4
 Proposal #: 43449
 Job #: 18-3695

Revisions

R1
 R2/10-11-18/DO: Added reface "HEB"
 Box & retrofit electrical to LED re-
 place to "C". Added "Fresh Foods"
 to "D". Added retrofit electrical to LED.
 Added sign "T" (retail/market monument
 sign).
 R3/11-2-18/DO: Sign "T" new
 approved.
 R4/11-27-18 AS: Pg 2 Sign E rev to
 new provided by HEB design



TDL # 18010

San Antonio
 830 West Turbo
 San Antonio, TX 78210
 PH: (214) 341-7344
 Dallas, TX
 13308 S. Irving Highway Dr.
 Irving, TX 75060
 PH: (972) 870-1854
 Houston, TX
 8500 Brookhollow Dr.
 Houston, TX 77056
 PH: (281) 488-6581
 Austin, TX
 3402 W. Lake Austin Rd
 Austin, TX 78793
 PH: (512) 878-8200

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 SIGNS, LLC.

Page 2 of 9

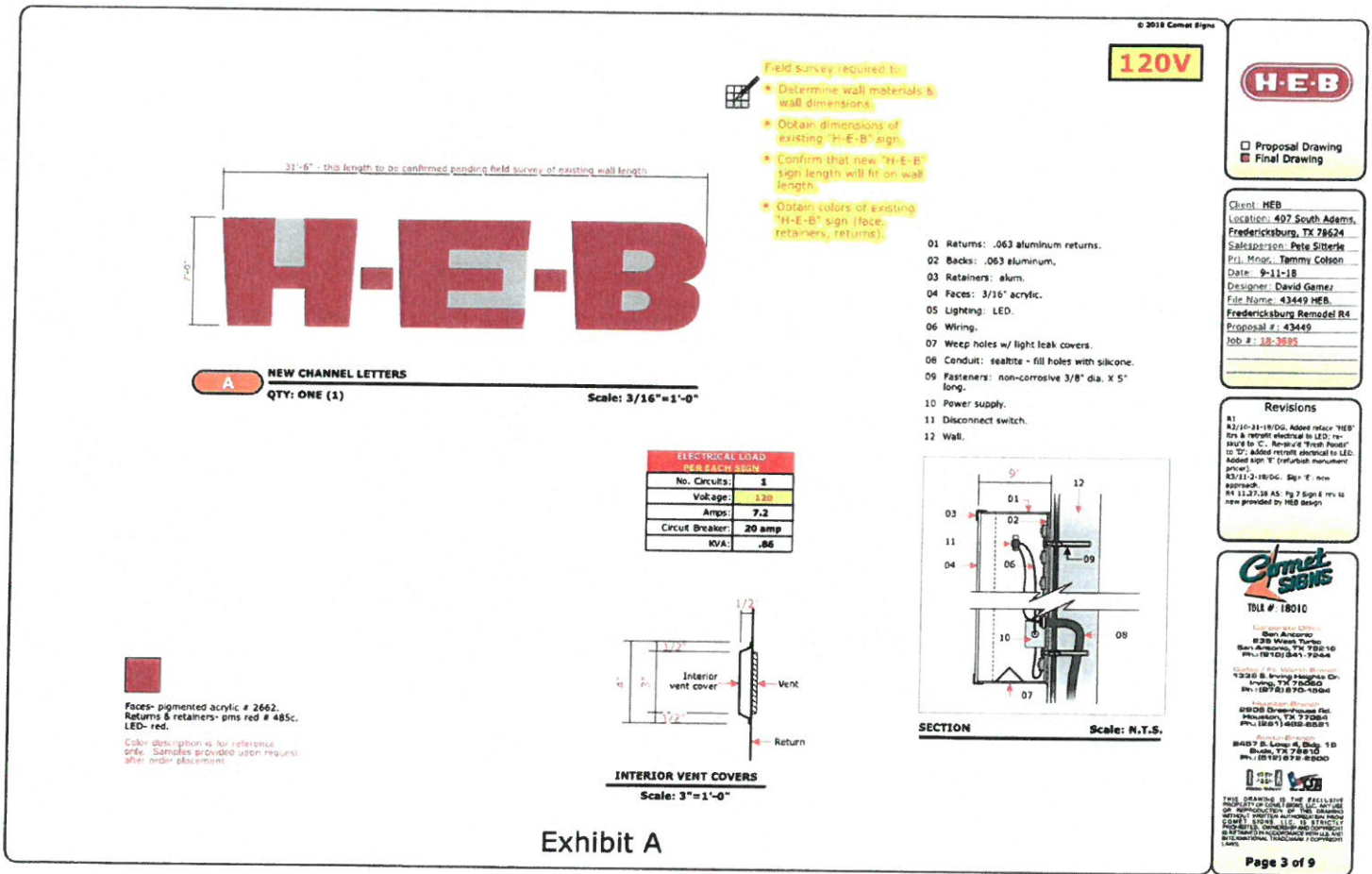
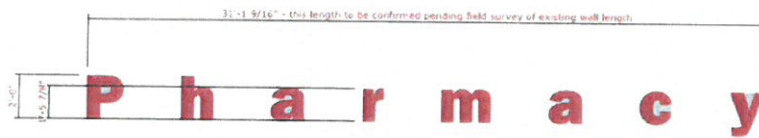
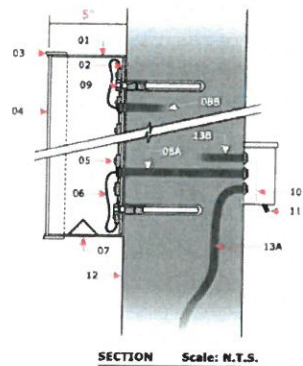


Exhibit A



B NEW CHANNEL LETTERS
QTY: ONE (1)

Scale: 1/4"=1'-0"



SECTION Scale: N.T.S.

- 01 Returns: .040 aluminum.
- 02 Backs: .040 aluminum.
- 03 Trims: 1"
- 04 Faces: 3/16" acrylic with vinyl overlay where applicable.
- 05 Lighting: match existing "Fresh Foods" lighting. Field survey required.
- 06 Wiring.
- 07 Weep holes w/ light leak covers.
- 08A Sealitic conduit from power supply to letter; silicone seal.
- 08B Letter jump - sealitic conduit from one letter to another.
- 09 Fasteners: 3/8" bolt - 5" long minimum.
- 10 Power supply.
- 11 Disconnect switch.
- 12 Wall.
- 13A Greenfield conduit (primary electrical) from electrical box to power supply - by electrical contractor.
- 13B Power supply jump - greenfield conduit from one power supply to another - by electrical contractor.

Field survey required to:

- Determine wall materials & wall dimensions.
- Confirm that new "Pharmacy" sign length will fit on wall length.
- Obtain dimensions of existing "Fresh Foods" sign.
- Obtain colors of existing "Fresh Foods" sign (face, trim caps, returns).

ELECTRICAL LOAD	
No. Circuits	1
Voltage	120
Amps	3.2
Circuit Breaker	20 amp
WVA	25

120V



☐ Proposal Drawing
☒ Final Drawing

Client: HEB
Location: 407 South Adams,
Fredericksburg, TX 78624
Salesperson: Pete Sillars
Proj. Mgr.: Tammy Celson
Date: 9-11-18
Designer: David Gamez
File Name: 43449 HEB,
Fredericksburg Remodel R4
Proposal #: 43449
Job #: 18-3891

Revisions

R1
R2/10-31-18/DG: Added reflect "HEB" for & retrofit electrical to LED; re-
sized to 1" - Added "Fresh Foods" to "T"; added retrofit electrical to LED.
Added sign "T" (retrofit - monument price)
R3/11-2-18/DG: Sign "T" new
approach.
R4 11-27-18 AB: Pg 7 Sign 8 rev to
new provided by HEB design



TRA # 18010

San Antonio
8300 West Loop
San Antonio, TX 78216
Ph: (210) 341-7548

Dallas & Ft. Worth
13200 E. Irving Avenue Dr.
Irving, TX 76039
Ph: (972) 870-1654

San Antonio
8300 West Loop
San Antonio, TX 78216
Ph: (210) 341-7548

Fredericksburg
8407 S. Loop W. Bldg. 1B
Fredericksburg, TX 78624
Ph: (210) 870-1654

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OR BY ANY INFORMATION STORAGE AND
RETRIEVAL SYSTEM, WITHOUT PERMISSION
IN WRITING FROM COMET SIGNS, INC.

Page 4 of 9

Exhibit A



☐ Proposal Drawing
☒ Final Drawing

Client: HEB
Location: 407 South Adams,
Fredericksburg, TX 78624
Salesperson: Pete Sitterle
Proj. Mgr.: Tammy Colson
Date: 9-11-18
Designer: David Gamez
File Name: 43449 HEB,
Fredericksburg Remodel R4
Proposal #: 43449
Job #: 18-3693

Revisions

R1
R2/10-31-18/DG: Added replace "HEB"
Rev & retrofit electrical to LED; re-
placed by "C" - Revised "Fresh Faces"
to "T"; added retrofit electrical to LED.
Added sign "T" (retail merchandise
center).
R3/11-3-18/DG: Sign "T" now
approved.
R4 11-27-18 AD: R2 Sign E rev is
now provided by HEB design.



TOL # 18010

For Customer Contact:
Bart Anderson
6200 Wilshire, Suite 100
Bart, Anderson, TX 78816
PH: (817) 581-7000

Customer & Rep. Material Received:
10/26/18 R. Strong, Margaret Ch.
Arrived: 10/26/18
PH: (817) 818-7000

USDBB Environmental Res.
Houston, TX 77058
PH: (833) 458-6100

USDBB Environmental Res.
Houston, TX 77058
PH: (833) 458-6100

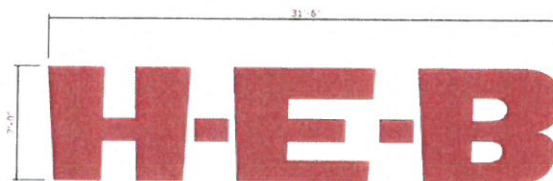
USDBB Environmental Res.
Houston, TX 77058
PH: (833) 458-6100

USDBB Environmental Res.
Houston, TX 77058
PH: (833) 458-6100

Page 5 of 9

Field survey required to:

- Obtain dimensions of existing sign.
- Obtain rubbings of all letters.
- Obtain face materials.



C/R2

REFACE EXISTING CHANNEL LETTERS

QTY: ONE (1)

Scale: 1/4"=1'-0"

REVISION #2

Remove & discard existing faces.
Manufacture & install new replacement faces to match existing materials.
Retrofit electrical from neon to red LED.



Faces- pigmented acrylic # 2662
LED- red.

Color description is for reference
only. Samples provided upon request
after order placement.

Exhibit A

- Field survey required to:
- Obtain dimensions of existing sign.
 - Obtain rubbings of all letters.
 - Obtain face materials.



☐ Proposal Drawing
☒ Final Drawing

Client: MEB
Location: 407 South Adams,
Fredericksburg, TX 78624
Salesperson: Pete Sitterle
Proj. Mgr.: Tammy Colson
Date: 9-11-18
Designer: David Gamez
File Name: 43449 MEB,
Fredericksburg Remodel R4
Proposal #: 43449
Job #: 18-3695

Revisions

R1
R2/10-11-18/DG: Added reface "MEB"
by & retrofit electrical to LED; re-
placed "C" - "Retrofitted Fresh Foods"
to "F"; added retrofit electrical to LED.
Added sign "C" (refinish manufacturer
panel).
R3/11-20-18/DG: Sign "C" now
approved.
R4/12-27-18 AS: By T Sign E rev 12
now provided by MEB design.



TOL # 18010

Customer Also Owns:
Barn, Antonio
928 Main, Tumble
Barn, Antonio, TX 78818
Ph: (512) 341-7044

Client: Mr. John D. Smith
1336 B. Prong Highway Dr.
Irving, TX 76060
Ph: (972) 970-1004

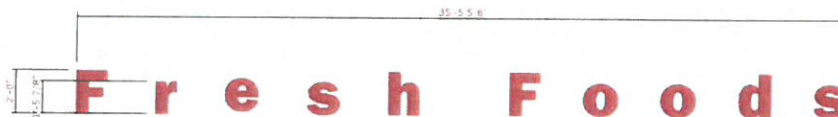
Manufacturer: MEB
8808 Grangerwood Rd.
Houston, TX 77064
Ph: (281) 410-0101

BA07 B. Long & Bldg. 10
Dallas, TX 75240
Ph: (214) 870-8800



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Page 6 of 9



REFACE EXISTING CHANNEL LETTERS

QTY: ONE (1)

Scale: 1/4"=1'-0"

REVISION # 2

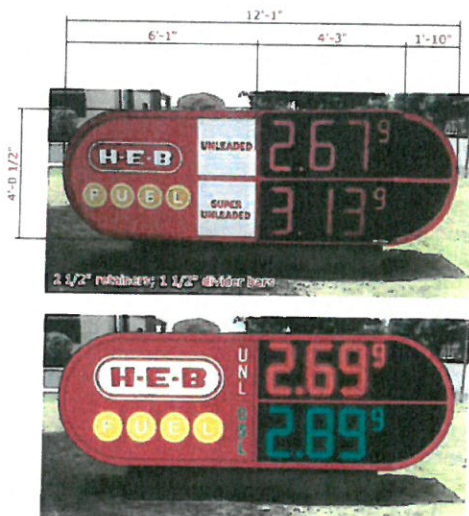
Remove & discard existing faces.
Manufacture & install new replacement faces to match existing materials.
Retrofit electrical from neon to red LED.



Faces- pigmented acrylic # 2662.
LED- red.
Color description is for reference
only. Samples provided upon request
after order placement.

Exhibit A

General Note: Products to be "ON" during the night only. LED prices to be "ON" during the day & night. Two (2) separate circuits required.



REVISION # 4

- Standard White. Pms Process Blue.
- Pms 485c. Galvanized metal.
- Pms 130. Pms 348c.

Color description is for reference only. Samples provided upon request after order placement.



E/R4

REFACE / REPAINT

QTY: 2 FACES REQ'D. FOR 1 EXISTING D/F CABINET

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

REVISION # 3

1. Remove & discard existing flat plastic faces. Manufacture & install new replacement polycarbonate faces with digital print graphics. Colors: pms red # 485c, white, pms # 130c & pms 348c.
2. Remove & discard existing red LED unit. Manufacture & install new retrofit green LED unit.
3. Remove & discard existing red LED unit. Manufacture & install new retrofit red LED unit.
4. Repaint existing cabinet, retainers & divider bars. Apply red vinyl to cover encroaching LED flanges over retainers/divider bars. Color- pms 485c.
5. Repaint existing base. Color- dk. bronze # 313.

Exhibit A

H-E-B

Proposal Drawing
Final Drawing

Client: HEB
Location: 407 South Adams,
Fredericksburg, TX 78624
Salesperson: Pete Sitterle
Est. Mgr.: Tammy Coburn
Date: 9-11-18
Designer: David Gamez
File Name: 43449 HEB
Fredericksburg Remodel R4
Proposal #: 43449
Job #: 18-1695

Revisions

R1: 8/20/18-18/00. Added reflect "HEB" to "FUEL" & "UNLEADED" to "LED" re-
sponse to "C". Re-added "Fuel Price" to "LED" added retrofit circuit to LED.
Added sign "E" (retrofit) monogram price.
R3/11/18-18/00. Sign "E" monogram.
R4 11/27/18 AS. Pg 7 Sign E rev 10
text provided by HEB design.

Comet Signs
TOL # 18010

Comet Signs Office
200 West Tupper
San Antonio, TX 78201
PH: (210) 541-7044

13368 E. Irving Highway Dr.
Spring, TX 77060
PH: (281) 870-1054

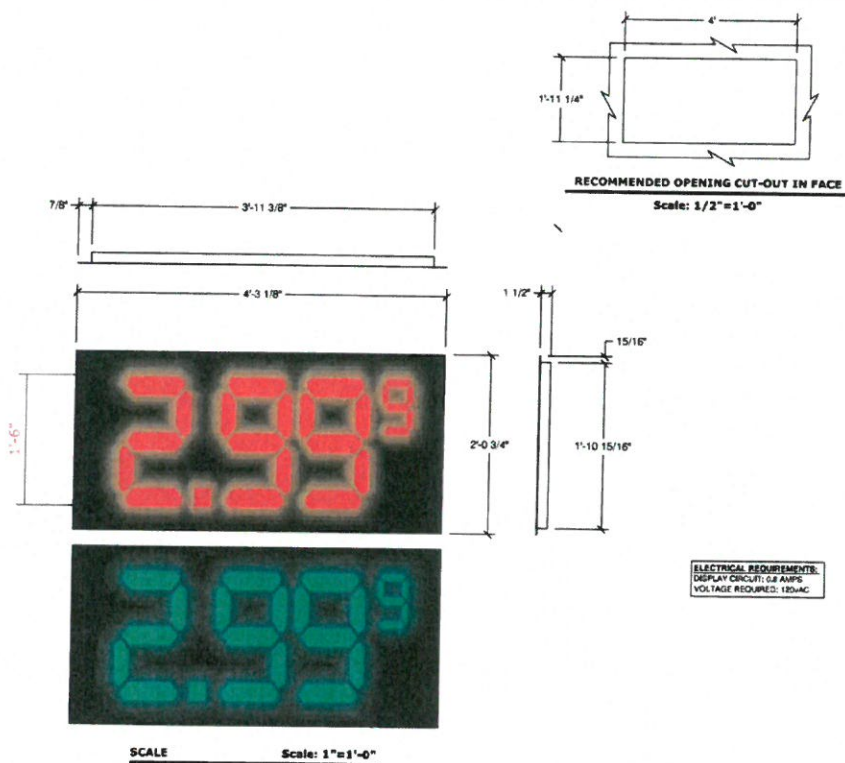
2800 Greenway Rd.
Houston, TX 77061
PH: (281) 460-0011

18427 E. Loop W. Suite 1B
Beaumont, TX 77705
PH: (409) 870-8000

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THIS SHEET IS
REFERENCE
FOR
E/R3



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H-E-B

☐ Proposal Drawing
☒ Final Drawing

Client: HEB
Location: 407 South Adams,
Fredericksburg, TX 78624
Salesperson: Pete Sitterle
Proj. Mgr.: Tammy Colson
Date: 9-11-18
Designer: David Gamez
File Name: 43449 HEB,
Fredericksburg Remodel R4
Proposal #: 43449
Job #: 18-2595

Revisions

R1
R2/10-21-18/DC: Added notice "HEB"
to sign & retrofit electrical to LED. re-
vised to "C. Re-sign & Refresh Paint"
to "C. added retrofit electrical to LED.
Added sign "E" (refurbish monument
sign)
R3/11-2-18/DC: Sign "E" re-
designed.
R4 11-27-18 AS: Pg 7 Sign E rev 18
now provided by HEB design

**Comet
SIGNS**
TOL # 18010

Don Amador
838 West Turner
San Antonio, TX 78210
Ph: (214) 341-7844

1338 S. Irving
Irving, TX 76039
Ph: (972) 870-1054

8808 Greenhouse Rd.
Houston, TX 77064
Ph: (281) 466-1054

8402 F & Lamar Blvd. 10
Austin, TX 78750
Ph: (512) 878-8000

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LAWS.

Page 8 of 9

Exhibit A



AERIAL VIEW

Scale: N.T.S.

REVISION # 4

Exhibit A



☐ Proposal Drawing
☒ Final Drawing

Client: HEB
 Location: 407 South Adams,
 Fredericksburg, TX 78624
 Salesperson: Pete Sitterle
 Proj. Mgr.: Tammy Colton
 Date: 9-11-18
 Designer: David Gomez
 File Name: 43449 HEB
 Fredericksburg Remodel R4
 Proposal #: 43449
 Job #: 18-3499

Revisions

R1
 01/30/21-18/DG: Added refice "HEB"
 box & retrofit electrical to LED, re-
 placed to "C" Retrofitted "Fresh From"
 to "U" added retrofit electrical to LED.
 Added sign "E" (retrofit monument
 arch)
 R2/11/21-18/DG: Sign "E" new
 approach
 R4 11/27/18 AS: pg 7 Sign E rev 1a
 new provided by HEB design



TOL # 18010

San Antonio
 8708 Walnut Turnpike
 San Antonio, TX 78216
 PH: (214) 581-7000

Fredericksburg, TX 78624
 1530 E. Spring Meadows Dr.
 PH: (512) 870-1000

HOUSTON Greenhouse Inc.
 Houston, TX 77004
 PH: (281) 458-4551

San Antonio
 8708 Walnut Turnpike
 San Antonio, TX 78216
 PH: (214) 581-7000

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CITY COUNCIL MEMO

DATE: December 10, 2018

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Change in zoning from M-2, Medium Manufacturing to C-2 Commercial on approximately 7.28 acres of land located at 1589 E. Main Street

Summary:

The property currently has a retail building fronting Main Street, with an RV Park on the rear portion of the property. The property is very long and narrow, with a width of approximately 240' and a depth of approximately 1300'. Land uses surrounding this property include the Law Enforcement Center, Jail and James Avery to the south, vacant land and Sutherlands to the north, the Wastewater Treatment Plant to the east and residential homes outside the city limits to the west. Surrounding zoning is PUD and Industrial Park to the north, Public Facilities to the east, Public Facilities and Medium Manufacturing to the south and un-zoned area outside the City Limits to the west (see attached zoning map). The Land Use Plan identifies the subject property at Mixed Use Corridor. The Land Use Plan for the surrounding area includes Mixed Use Corridor and Commercial Center to the north, Public/Semi-Public to the east, Public/Semi Public and Industrial to the south and Rural Residential to the west (see the attached Land Use Plan).

Recommendation:

The Planning Commission voted unanimously to recommend approval of this zoning change. No letters were received concerning this request. Approval of the zoning request is recommended.

Background / Analysis:

Agenda Packet Page 33

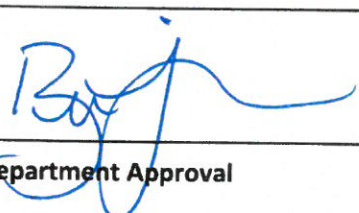
The City of Fredericksburg

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

The existing M-2 Zoning designation does not really fit the existing use of the property as a retail center and RV Park. The differences between the existing M-2 District and the proposed C-2 District are in the uses allowed and those prohibited. The applicant has proposed a few uses that would be allowed in the C-2 District but not the M-2 District. Although there is no C-2 zoning district adjoining this property, the adjoining zoning is commercial in nature and would not in our opinion conflict with a C-2 zone. So, to assure that the spot zoning question is answered, it would need to be determined that the proposed C-2 zone is consistent and compatible with the surrounding zones, along with the future land uses in the area.

Attachments:

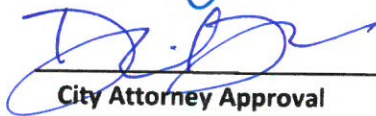
Zoning Map, Property Owner Map, Property Owner List, Staff Brief, Ordinance.



Department Approval



City Manager Approval



City Attorney Approval

LAND USE PLAN AND ZONING CHANGE BRIEF

Rezoning Request # Z-1815

APPLICANT: Michael Barnes and Jeff DeForge

LOCATION: 1589 E. Main Street

SIZE: Approximately 7.28 acres

EXISTING ZONING: M-2 Medium Manufacturing

LAND USE PLAN: Mixed Use Corridor

PROPOSED CHANGE: Change in zoning from M-2, Medium Manufacturing to C-2 Commercial

FINDINGS:

- The property currently has a retail building fronting Main Street, with an RV Park on the rear portion of the property.
- The property is very long and narrow, with a width of approximately 240' and a depth of approximately 1300'.
- Land uses surrounding this property include the Law Enforcement Center, Jail and James Avery to the south, vacant land and Sutherlands to the north, the Wastewater Treatment Plant to the east and residential homes outside the city limits to the west.
- Surrounding zoning is PUD and Industrial Park to the north, Public Facilities to the east, Public Facilities and Medium Manufacturing to the south and un-zoned area outside the City Limits to the west (see attached zoning map).
- The Land Use Plan identifies the subject property at Mixed Use Corridor. The Land Use Plan for the surrounding area includes Mixed Use Corridor and Commercial Center to the north, Public/Semi-Public to the east, Public/Semi-Public and Industrial to the south and Rural Residential to the west (see the attached Land Use Plan).

LAND USE PLAN: The Commercial Centers are located at the intersection of two-existing or planned major arterials. They are intended to include community and regional serving shopping centers and malls. Some office or service uses may also locate here. Residential or hospitality uses may also be considered if they can be included in a compatible way. For new centers, the design should reduce the need for multiple automobile trips between stores.

The proposed Land Use of Mixed Use Corridor represents an effort to change the typical pattern of strips of underperforming commercial development that often line highways

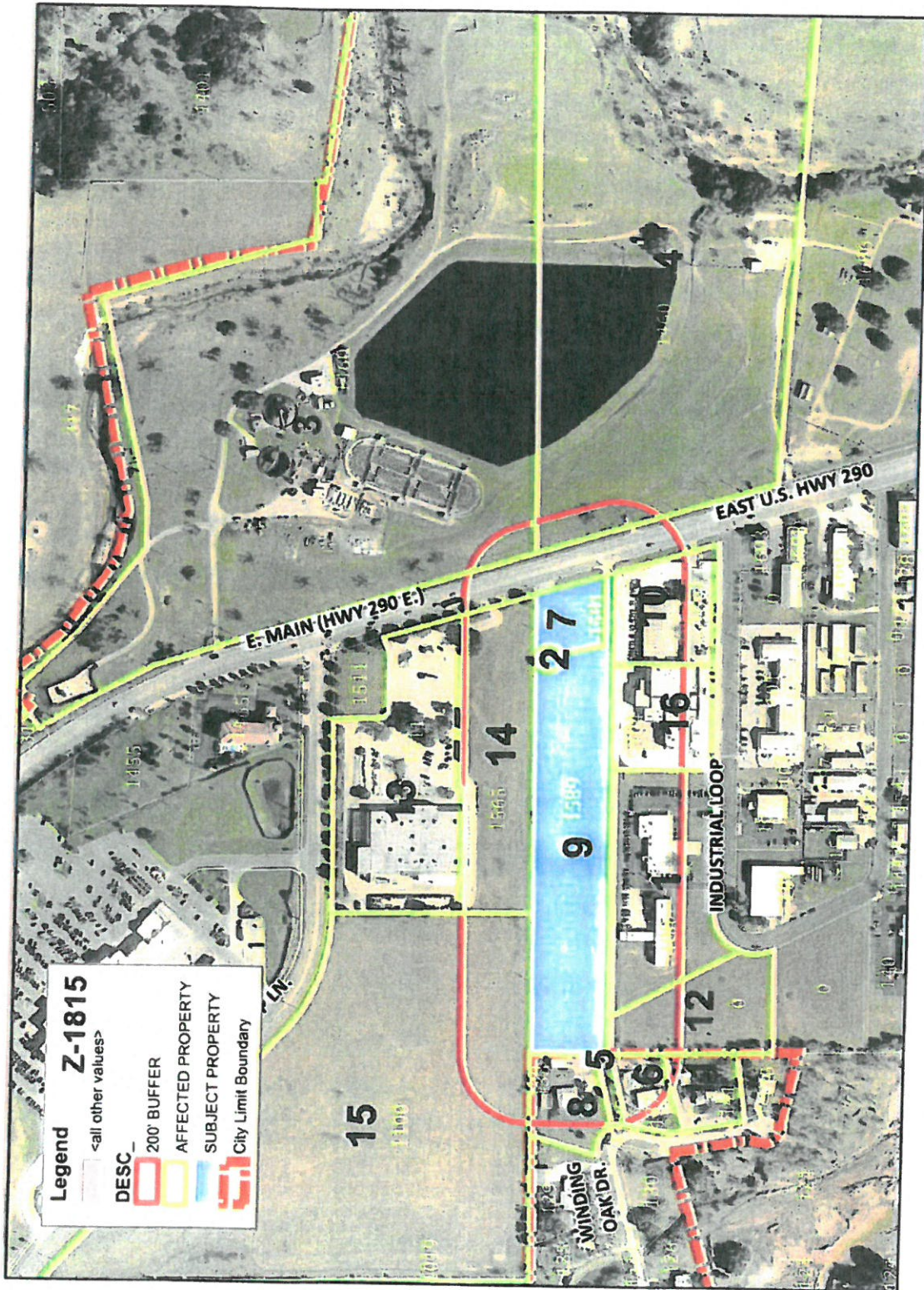
and arterials. Rather than limiting the properties along major entry corridors to commercial uses, this category offers a variety of higher density residential and mixed use opportunities. The policy of allowing this mix of uses along major roadways supports a change in development from a pattern of older commercial structures to new projects with a variety of uses, including mixed use within an individual project or building. In the process, it reduces the excess commercial capacity along these corridors and creates locations for more affordable housing. Combined with Fredericksburg's existing landscape and signage regulations, this development pattern may create entry corridors that clearly tell the driver that they are entering a special community. As you are aware, we are currently working on a mixed use district. Until adopted, we are only able to utilize our current zoning options.

ZONING: The existing M-2 Zoning designation does not really fit the existing use of the property as a retail center and RV Park. The differences between the existing M-2 District and the proposed C-2 District are in the uses allowed and those prohibited. The applicant has proposed a few uses that would be allowed in the C-2 District but not the M-2 District. Although there is no C-2 zoning district adjoining this property, the adjoining zoning is commercial in nature and would not in our opinion conflict with a C-2 zone. So, to assure that the spot zoning question is answered, it would need to be determined that the proposed C-2 zone is consistent and compatible with the surrounding zones, along with the future land uses in the area.

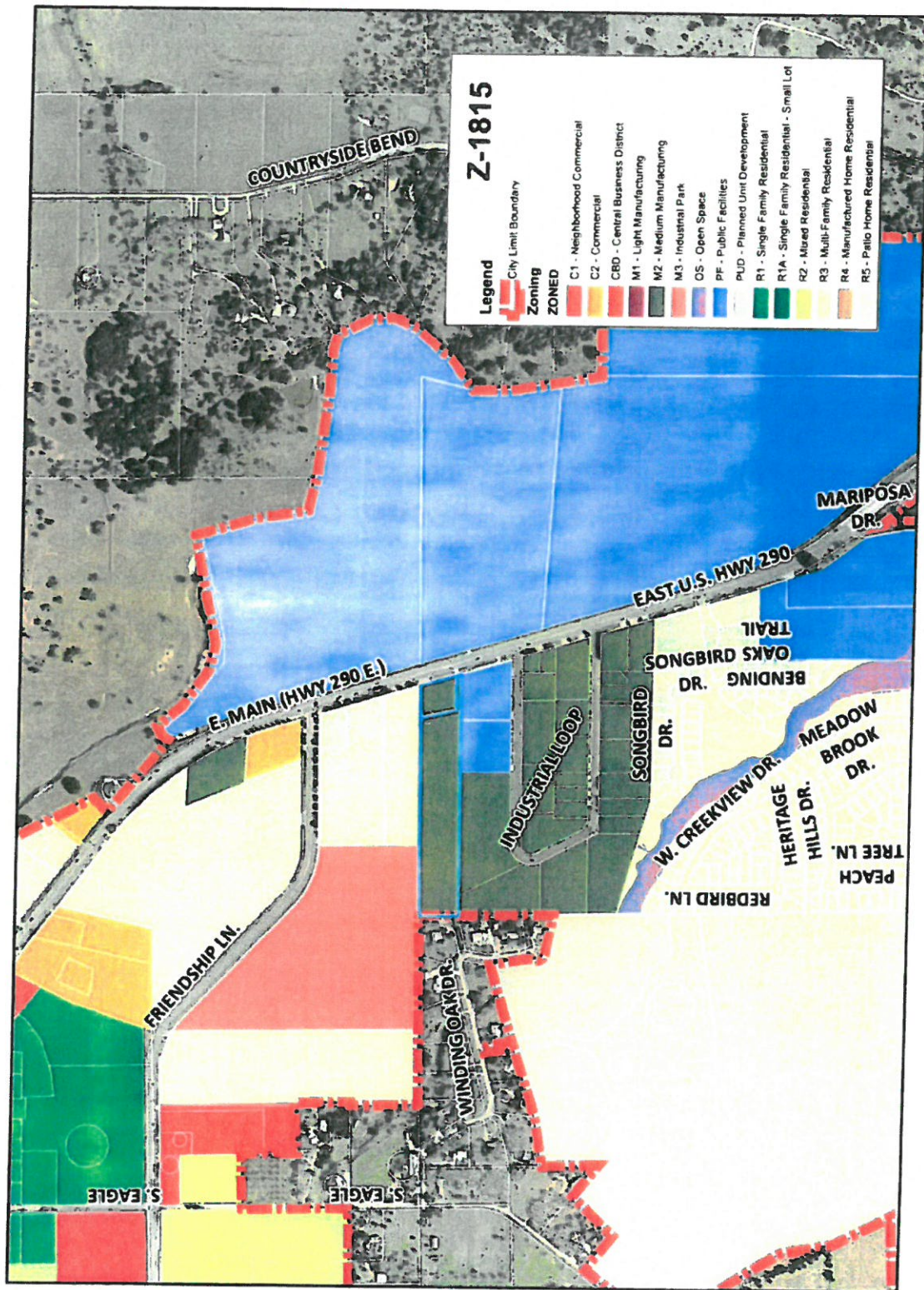
OPPOSITION/SUPPORT OF REQUEST: No comments to date.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Commission voted unanimously to recommend approval of the zoning change.

STAFF RECOMMENDATION: Based on the Land Use Plan designation, this property falls within the Mixed Use Corridor designation. Without a Mixed Use District available, the C-2 Commercial district is reasonable to consider rather than the M-2 Medium Manufacturing District. Given the compatibility with surrounding uses and zoning, we do not believe spot zoning is an issue. Approval is recommended.



Letter	Owner	Address
1	JAMES AVERY CRAFTSMAN INC	P.O. BOX 291367 KERRVILLE TX 78028
2	MICHAEL BARNES & JEFREY DEFORGE	489 GOEHMANN OAK RD FREDERICKSBURG, TX 78624
3	CITY OF FREDERICKSBURG	126 W. MAIN FREDERICKSBURG, TX 78624
4	CITY OF FREDERICKSBURG	126 W. MAIN FREDERICKSBURG, TX 78624
5	MICHAEL BARNES & JEFREY DEFORGE	489 GOEHMANN OAK RD FREDERICKSBURG, TX 78624
6	DORCAS SCHNEIDER LIFE ESTATE	137 WINDING OAKS DR FREDERICKSBURG, TX 78624
7	MICHAEL BARNES & JEFREY DEFORGE	489 GOEHMANN OAK RD FREDERICKSBURG, TX 78624
8	PATRICK CLAYTON & EVELYN KLUMP	133 WINDING OAKS DR FREDERICKSBURG, TX 78624
9	MICHAEL BARNES & JEFREY DEFORGE	489 GOEHMANN OAK RD FREDERICKSBURG, TX 78624
10	GILLESPIE COUNTY & CITY OF FREDERICKSBURG	126 W. MAIN FREDERICKSBURG, TX 78624
11	DENNIS SEGNER	141 WINDING OAK DR FREDERICKSBURG, TX 78624
12	JAMES AVERY CRAFTSMAN INC	P.O. BOX 291367 KERRVILLE TX 78028
13	INDIAN CREEK LAND & INVESTMENT CO LP	4000 MAIN ST KANSAS CITY MO
14	JUDY FELLER	4400 GREYSTONE DR AUSTIN TX
15	JUDY FELLER	4400 GREYSTONE DR AUSTIN TX
16	GILLESPIE COUNTY	101 W. MAIN ST UNIT #9 FREDERICKSBURG, TX 78624
Z-1815		



ORDINANCE NO. 2018-29

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 7.09 ACRES OF LAND, PART OF THE WM. H. ANDERSON SURVEY NO.197, ABSTRACT NO. 2, AND 0.19 ACRE OF LAND, PART OF THE JOHN OWENS SURVEY NO. 54, ABSTRACT NO. 537, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM M-2 MEDIUM MANUFACTURING TO C-2 COMMERCIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of property located within the City of Fredericksburg, Texas, to change the present zoning district of said property, from M-2 Medium Manufacturing to C-2 Commercial; and

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, BEING 7.28 acres of land, comprised of 7.09 acres of land, part of the Wm. H. Anderson Survey No. 197, Abstract No. 2; and 0.19 acre of land, part of the John

Owens Survey No. 54, Abstract No. 537; and being part of that 7.14 acre tract of land and all of that 0.19 acre tract of land described in a deed dated March 2, 1993, executed by Carroll Bryla, Trustee, to Arthur A. Danz and wife, Mary A. Danz, found of record in Volume 243, Pages 978-982, Real Property Records, Gillespie County, Texas, said 7.28-acre tract of land being described more particularly by metes and bounds on Exhibit "A", a copy of which is attached hereto and made a part hereof for all pertinent purposes, is 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____.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

Exhibit "A"

BEING 7.28 acres of land situated in Gillespie County, Texas, and comprises parts of the following surveys with the following approximate acreages: 7.09 acres of land, part of the Wm. H. Anderson Survey No. 197, Abstract No. 2; 0.19 acre of land, part of the John Owens Survey No. 54, Abstract No. 537; and being part of that 7.14 acre tract of land and all of that 0.19 acre tract of land described in a conveyance to Arthur A. Danz et ux, by Carroll J. Bryla, Trustee, dated March 2, 1993, found of record in Volume 243, Pages 978-982 of the Real Property Records of Gillespie County, Texas. Said 7.28 acre tract of land is described more particularly by metes and bounds as follows, to-wit:

Field notes of a survey of 7.28 acres of land, more or less, made at the request of Arthur Danz et al. Said land is situated in Gillespie County, Texas, and comprises parts of the following surveys with the following approximate acreages;

7.09 acres of land, part of the Wm. H. Anderson Survey No.197, Abstract No. 2;

0.19 acre of land, part of the John Owens Survey No. 54, Abstract No. 537;

and being part of that 7.14 acre tract of land and all of that 0.19 acre tract of land described in a conveyance to Arthur A. Danz et ux, by Carroll J. Bryla, Trustee, dated March 2, 1993, found of record in Volume 243, Pages 978-982 of the Real Property Records of Gillespie County, Texas.

Said 7.28 acre tract of land is described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch steel bar set in the West Right-of-Way line of U.S. Highway No. 290, for the S.E. corner of Tract Three, Feller Subdivision, Phase I, plat found of record in Volume 1, Page 154 of the Plat Records of Gillespie County, Texas, for the N.E. corner of said 7.14 acre tract of land described in said conveyance to Arthur A. Danz et ux, by Carroll J. Bryla, Trustee, found of record in Volume 243, Pages 978-982 of said Real Property Records, for the N.E. corner of this tract of land;

THENCE with the West Right-of-Way line of U.S. Highway No. 290, S. 15°59' E., 242.14 feet to a ½ inch steel bar found set in an occupational South line of the Wm. H. Anderson Survey No. 197, Abstract No. 2, for the N.E. corner of a 4 acre tract of land, more or less, described in a conveyance found of record in Volume 245, Pages 248-250 of the Real Property Records, for the S.E. corner of said 7.14 acre tract, for the S.E. corner of this tract of land;

THENCE with the North line of said 4 acre tract, N. 89°56'10" W., 563.0 feet to a ½ inch steel bar found set at a fence corner post for the N. W. corner of said 4 acre tract, for the N.E. corner of a 4.30 acre tract of land described in conveyance found of record in Volume 117, Pages 33-35 of the Deed Records of

Gillespie County, Texas, for a corner of this tract of land;

THENCE with the general course of a fence along the North line of said 4.30 acre tract, N. 89°46'55" W., 707.55 feet to a ½ inch steel bar found set near a manhole, for the N.W. corner of said 4.30 acre tract, for the N.E. corner of Tract 7, Morin Subdivision, plat found of record in Volume 1, Page 102 of said Plat Records, for a corner if this tract of land;

THENCE with the general course of a fence along the North line of said Tract 7, N. 89°52'20" W., 109.65 feet to a ½ inch steel bar set at a fence corner post in the occupational East line of the John Owens Survey No. 54, Abstract No. 537, and in the East line of a 0.79 acre tract of land described in a conveyance found of record in Volume 219, Page 678 of said Real Property Records, for the occupational N.W. corner of the Wm. O. Merriwether Survey No. 36, Abstract No. 488, for the N.W. corner of said Tract 7, for the S. W. corner of said 7.14 acre tract, for the S. W. corner of this tract of land;

THENCE with the East line of said 0.79 acre tract and West line of said 7.14 acre tract, N. 0°24 W., 0.66 feet to a ½ inch steel bar found set, for the N.E. corner of said 0.79 acre tract, for the S. E. corner of said 0.19 acre tract of land also described in said conveyance to Arthur A. Danz et ux, fund of record in Volume 243, Pages 978-982 of said Real Property Records, for a reentrant corner of this tract of land;

THENCE with the North line of said 0.79 acre tract, S. 76°13'50" W., 207.46 feet to a ½ inch steel bar found set in the East line of Winding Oak Drive

(county road), for the N.W. corner of said 0.79 acre tract, for the S. W. corner of said 0.19 acre tract, for the S. W. Corner of this tract of land;

THENCE with the East line of Winding Oak Drive, being the arc of a curve to the left having a radius of 72.89 feet and a central angle of 32°05'45", in a northerly direction, distance of 40.83 feet to a ½ inch steel bar found set, for a S.W. corner of 1.24 acre tract of land described in a conveyance found of record in Volume 267, Page 700 of said Real Property Records, for the N.W. corner of said 0.19 acre tract, for the W.N.W. corner of this tract of land;

THENCE with a South line of said 1.24 acre tract, N. 76°15'40" E., 212.92 feet to a ½ inch steel bar found set in fence in said occupational survey line and in the West line of said 7.14 acre tract, for the S.E. corner of said 1.24 acre tract, for the N.E. corner of said 0.19 acre tract, for a reentrant corner of this land;

THENCE with the general course of a fence along the East line of said 1.24 acre tract, N.

0°05'30" W., 182.96 feet to a ½ inch steel bar set at a corner post in the South line of a 63.52 acre tract of land, more or less, described in a conveyance found of record in Volume 111, Pages 746-748 of said Deed Records, for the occupational N. E. corner of said Survey No. 54, for the N.E. corner of said 1.24 acre tract, for the N.W. corner of said 7.14 acre tract, for the N.N.W. corner of this tract of land;

THENCE with the general course of a fence along the South line of said 63.52 acre tract, N. 89°48'15"E., at 402.6 feet a ½ inch steel bar found set, for the S.W.

corner of said Tract Three, Feller Subdivision, continuing with the South line of said Tract Three, 1,314.09 feet in all to the PLACE OF BEGINNINGS.



CITY COUNCIL MEMO

DATE: December 17, 2018

TO: Mayor and City Council

FROM: Kris Kneese, P.E. – Assistant Director of Public Works and Utilities

SUBJECT: Financing for the Electric Department Building

Summary:

The 2019 adopted City Electric Department Budget approved funding for the first of three annual payments to finance the design and construction of a new Electric Department Building.

The design and construction cost of \$2,500,000 will be financed. The financing was bid with the only bid received from Texas Regional Bank with an interest rate of 3.80%. As part of the finance documentation, the City Council is required to adopt a Resolution authorizing the Finance Agreement with Texas Regional Bank.

Furthermore, the adoption of this resolution will give authorization to the City Manager to execute all documents related to this Finance Agreement.

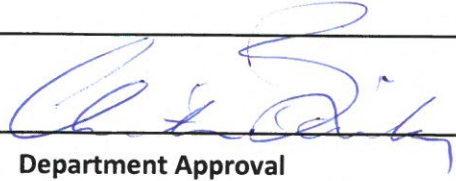
Recommendation:

Staff recommends that the Council adopt the resolution approving the financing of the design and construction of the new Electric Department Building.

Background / Analysis:

Attachments:

- Resolution approving the Financing of the new Electric Department Building



Department Approval



City Manager Approval



City Attorney Approval

RESOLUTION 2018-05R

A RESOLUTION OF THE CITY OF FREDERICKSBURG, TEXAS, APPROVING THE FINANCING FOR PROFESSIONAL SERVICES AND BUILDING CONSTRUCTION

WHEREAS, the City of Fredericksburg ("City") desires to procure Professional Services and Building Construction using financing; and

WHEREAS, the City has previously awarded the right to provide said financing to *Texas Regional Bank*, based on competitive bidding and procurement practices as required by Texas Law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Fredericksburg, Texas, that:

1. The City Council hereby approves the financing of the professional services and building construction using financing provided by *Texas Regional Bank*; and
2. The City Council hereby authorizes Kent Myers, in his capacity as City Manager, to execute the *Financing Documents* on behalf of the City.

PASSED AND APPROVED this _____ day of December, 2018.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney



CITY COUNCIL MEMO

DATE: December 17, 2018

TO: Mayor and City Council

FROM: Kris Kneese, P.E. – Assistant Director of Public Works and Utilities

SUBJECT: Professional Services Agreement for Electric Department Building

Summary:

As part of the fiscal year 2019 budget discussion, the City Council approved funding for the design and construction of a new Electric Department Building at the City of Fredericksburg Consolidated Warehouse Complex.

Design and construction cost estimates for the new Electric Department Building is in the amount of \$2,500,000.

Recommendation:

City Engineering Staff recommends approval of the Professional Services Agreement with SKT Architects to perform professional services as outlined in the attached agreement which includes basic and non-basic services consisting of preliminary and final design, project bid and construction phase services for the proposed Electric Department Building for a fee not to exceed \$220,000.

Background / Analysis:

In 2000, SKT Architects completed the drawings for the City's Consolidated Warehouse Complex located on Friendship Lane, which currently houses the Electric, Water and Street Departments. Because of SKT's familiarity with the Consolidated Warehouse Complex, City Staff requested that SKT develop a draft contract proposal for providing professional services including the preliminary and final

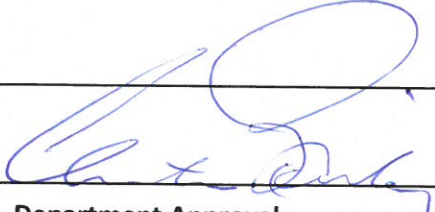
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The City of Fredericksburg

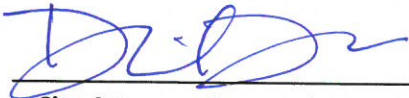
architecture/engineering design and construction management for the City's proposed new Electric Department Building. After review and deliberation of the draft contract submittal by SKT, City Staff is recommending it be approved by the City Council.

Attachments:

- SKT Architects Agreement for Professional Services



Department Approval

City Manager Approval

City Attorney Approval



October 31, 2018

City of Fredericksburg
Kent Myers
126 West Main Street
Fredericksburg, Texas 78624

**RE: Proposal for Architectural Services
City Electric Department Building**

Dear Mr. Myers:

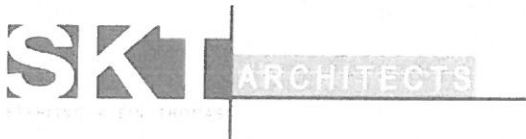
Thank you for inviting us to provide this proposal for Architectural and Engineering services in connection with the design and construction of a new Electric Department Facility located at the City Consolidated Warehouse Complex on Friendship Lane.

Project Scope: The scope for Electric Department Facility is based on the early work of the project when the initial Electric Department was developed and built. The services for the building are proposed to utilize the initial schematic design of the Main Building, hardscape, landscape and parking areas with modifications. The basic footprint of the project is to essentially remain the same with some additions and embellishments.

Architectural Services: The following outlines Architectural Services anticipated on this project at this time include but are not limited to:

1. A Design meeting with you to reestablish and confirm original design layout and discuss any potential changes in the building program or scope.
2. Site evaluation to determine an updated site plan for the immediate building area including parking, sidewalks, utility enclosures, and general hardscape
3. Consulting with applicable building codes and Texas Accessibility Standards.
4. Coordination with the City of Fredericksburg Engineering Department with site infrastructure.
5. Coordination with the City of Fredericksburg Planning Department with the project Development.
6. Compilation of budget figures for the project with the General Contractor.
7. Design updates, coordination and the Design Development of the original Electric Department Warehouse Facility.
8. Development and production of the Construction Drawings and Specifications.
9. Coordination with Geotechnical, Civil, Structural and MEP Engineers.
10. Project Bidding and Negotiation.
12. Consulting for Contractor negotiation.
13. Construction administration:
 - a. Site visits and construction observation & clarifications
 - b. Coordination of construction with Contractor
 - c. Review of Contractor's Submittals
 - d. Finish and color selections

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15. Assistance with representing the project in meeting with all regulating boards or commissions having jurisdiction on the project site.

16. Evaluate existing structures for maintenance and repair issues and prepare a report indicating suggested courses of action to bring building all buildings back into good shape and eliminate issues. The goal would be to define this work and have it be a part of the contract for construction. Since this portion of work is undefined and the scope is unknown the work, the report will be developed as part of this agreement and construction documents will be produced under separate agreement.

We request that all work associated with the project be coordinated through our office and the design team and implemented under the contractors contract and supervision.

The fee for our services including normal civil, structural and MEP engineering services will be billed monthly at the hourly rates quoted, **plus** reimbursable expenses. Reimbursable expenses would include the cost of reproductions such as Océ blackline prints, printed in our office at \$ 3.50 per 24" x 36" sheet, photo copies, postage, shipping, long distance telephone and fax calls, travel (mileage), TAS fees, required permits, and any other expenses incurred directly relating to the project. All structural and MEP engineering services performed for the project will be billed through our office at a direct rate. Individual Structural and MEP lump-sum proposal agreements are signed and dated by the Architect.

Project Compensation: Compensation for Basic Architectural and Engineering Services shall be hourly, not to exceed **\$ 220,000.00** based on the services listed above. The fee for Principal Architect's services will be billed on an hourly basis of **\$ 95.00** per hour **plus** reimbursable expenses. The fee for services provided by our staff Associate Architect will be billed at a rate of **\$ 75.00** per hour **plus** reimbursable expenses. The City will be invoiced for only the time spent on the project.

Geotechnical Investigation done for the project is done after the design development of the facility be used as the basis for the quote for the geotechnical investigation and report. The fees expected can be expected to be in the range of about **\$ 5,500.00**. Any additional geotechnical investigation that may be required shall be done through separate proposal reviewed and accepted by the City.

Additional services beyond those outlined above, including revisions to drawings when such revisions are inconsistent with directions previously given by you, and additional architectural services due to a change in the scope of the project will be billed at the hourly rates listed above. Significant change orders will also be billed hourly outside of the proposed not to exceed amount above. Building presentation media (renderings and/or animated models) for promotion will be proposed and implemented under a separate agreement.

You will be billed monthly for services rendered and expenses incurred. Payments will be **due and payable 10 days from the date of invoices**. Unpaid invoices after 60 days of the invoice date shall bear interest at the rate of 5% per annum.



Under the Federal Copyright Act and the Architectural Works Copyright Protection Act all work of the Architect, drawings, specifications, and other documents, including those in electronic form (pdf), prepared by the Architect, shall be entitled to copyright protection. They are the instruments of service for use solely with respect to this specific project. The intent of the documents is to provide the Owner with a unique design that is not to be duplicated or reused. The Owner shall not reuse or allow the reuse of the Architect's documents except by mutual signed written agreement.

Preliminary Estimates of Construction Cost shall represent our best judgment as design professionals familiar with the building industry. It shall be recognized however that neither you nor us have control over cost of labor, materials or equipment, over the Contractor's methods of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly, we cannot and do not warrant or represent that bids or negotiated prices will not vary from your Project budget or from any estimate of construction or project cost prepared by us.

If it satisfactorily sets forth your understanding of our agreement, we would appreciate you signing a copy of this letter agreement in the space provided below and returning one copy to us for our records.

Thank you for the opportunity to present this proposal and to continue to work on this project. If you have any questions, please don't hesitate to call my office.

Sincerely,
Stehling Klein Thomas Architects, P.L.L.C.

Steven N. Thomas, AIA
Project Architect

Accepted by (Client)

Signature: _____

Date: _____

STATEMENT OF CERTIFICATION

The Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337 (512) 305-9000, has jurisdiction over individuals licensed under the **Architect's Registration Law**, Texas Civil Statutes, Article 249a.

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Future Agenda Items

City Council

January 7, 2019

Regular Meeting

City Council = Red

Planning & Zoning = Green

Historic Review Board = Purple

Board of Adjustment = Blue

City Events = City Council Retreat (1-15-19)

Sun	Mon	Tues	Wed	Thur	Fri	Sat
		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		

Recognitions:

Consent:

1. 12-17-18 City Council Regular Meeting Minutes.

Public Hearing

1. Stormwater Utility Fee

Ordinances:

1. Consider amending Ordinance for Stormwater Utility Fee
2. Consider amending Ordinance to Standardized Business.

Resolutions:

Approvals-Misc.:

Presentations, Discussions and Updates:

1. STR Report

Executive Session

1. Annual Evaluation of City Manager and City Attorney

January 21, 2019

Regular Meeting

Recognitions:

Consent

1. 1-7-19 City Council Regular Meeting.

Ordinances

1. Calling for the May 4, 2019 City Election

Resolutions:

1. Professional Services Agreement for Electric Department Building
2. Financing for Electric Department Building.

Approvals-Misc.

1. Review of the Hotel/Motel Tax application

Presentations, Discussions and Updates: