



CITY OF FREDERICKSBURG

ZONING BOARD OF ADJUSTMENT

MEETING AGENDA

THURSDAY SEPTEMBER 28, 2022, ~ 5:30 P.M.

LAW ENFORCEMENT CENTER – 1601 E. MAIN STREET

Devin Mullen, Chair
Marcus Vidrine, Vice Chair
Clay Sears, Member
Vacant, Member

Ashley Hunter, Member
Jim McAfee, Member
Vacant, Member

The City of Fredericksburg Zoning Board of Adjustment will meet in a regular session on **Thursday, September 28, 2022, at 5:30 p.m.** The meeting will be in person at the Law Enforcement Center 1601 E. Main Street. 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/channel/UCrhnIFjVfDS1SPBJD2pYKcQ/featured>

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENTS ON ITEMS LISTED ON AGENDA**

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific information or recitation of existing policy. TEX. GOV'T CODE § 551.042.

Written Comments: to be submitted remotely:

1. Must be received by 2 p.m. on Sept 28, 2022.
2. Complete the Citizen Comment Form online at www.fbgtx.org; or
3. Email your comments to scollier@fbgtx.org

Verbal Comments: You will be limited to 3 minutes to speak.

1. Sign up in-person between 5:00 p.m. and 5:30 p.m. at the Law Enforcement Center, 1601 E. Main Street, in order to comment.

4. ACTION ITEMS

- A. Receive recommendation and consider (ZBA2022-03)

5. ADJOURN

This is to certify that I, Anna Hudson, posted this Agenda ~~before 5:00 PM. on September 23, 2022,~~ on the entrance door and bulletin board at the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Anna Hudson, Historic Preservation Officer



ZONING BOARD OF ADJUSTMENT MEMO

DATE: September 28, 2022
TO: Zoning Board of Adjustment
FROM: Anna Hudson
SUBJECT: ZBA2022-03 – Request by Bruce Moore to consider a Variance to Signage Chapter 29-7 (6)

Summary: A variance request has been submitted to allow the applicant to install two 8’ tall monument signs in lieu of one 15’ monument sign.

This application was reviewed for its conformity with relevant City Ordinances including [Sec. 5.650](#), Board of Adjustment, Findings.

Applicant: Bruce Moore for Fixin’ Fred LLC
Zoning: C1.5, Medium Commercial within the Historic District
Location: 206 N. Milam
Findings: The property in question was last used as a grocery store with a C1- Neighborhood Commercial zoning designation. When a new zoning category, C1.5 Medium Commercial, was created, the property was re-zoned to offer more opportunities for redevelopment of the large commercial building. The proposed Fredericksburg Market project represents an appropriate reuse of an otherwise underutilized property and the Planning & Zoning Commission and City Council have approved a Conditional Use Permit for the proposed usage of the site.

After consultation with City staff and review of various options, the applicant submitted a signage application for the multi-

The City of Fredericksburg

tenant (integrated) business. Per signage for C1.5 zoning one monument sign up to 15' tall is allowed. However, given the location within the Historic District, the Historic Review Board recommends two 8' tall signs be used instead of one 15' tall monument sign

The site and building are unique in the Historic District. The proximity of the property to Main Street and numerous short-term rentals/commercial uses within walking distance create pedestrian traffic in the area. The standard signage allowance for C1.5 shopping/retail properties does not adequately respond to the design/aesthetic considerations for properties within the Historic District.

Illumination of the sign must be compliant with the Dark Skies Lighting Ordinance.

The Board of adjustment may grant a variance **if it makes affirmative findings of fact on each of the criteria described below:**

Signs: Criteria – The Board may grant a Variance to a regulation prescribed by the Sign Ordinance with respect to the placement of signs, the height of signs or the area of signs if it affirmatively finds each of the following:

- a. That a sign is being replaced. For the purpose of this Section, replacement shall include the erection of a new or different sign due to the removal of another sign for any reason, including the change in name of a business, whether from change of ownership, business being conducted, or otherwise, the change of a sign for a continuing business containing the same or different information as the sign being replaced, and the replacement of signs due to damage or vandalism. **One of the proposed monument signs (southernmost sign) is in the same location as the former “Super S” monument sign and will not impact vehicular traffic sight lines.**
- b. That all structures on the property for which the sign is proposed that would impede the replacement of a sign were constructed prior to February 17, 1986. **The most recent sign was removed sometime between 2008 and 2011.**

The City of Fredericksburg

- c. That it is impractical to abide by existing placement, height, or area regulations due to the placement, size of construction of existing structures in relationship to the physical characteristics of the site. For the purposes of illustration, physical characteristics may include topography of the site or the surrounding sites, structures on surrounding sites, traffic conditions, street layouts and existing natural vegetation. **Pedestrian traffic in the area has increased substantially over the past couple of year. With the recent installation of an all-way stop condition at the intersection of W. Austin and N. Milam and continuation of sidewalk improvements as part of the City's annual sidewalk improvement program, pedestrian traffic will continue to increase. Given the amount of pedestrian and slow-moving vehicular traffic in the area due to the newly installed stop signs and the school zone in the area, two 8' monument signs represent a more appropriate sign package as opposed to a single 15' sign.**
- d. That the other types of signs which are permitted by the Ordinance cannot practically be used. In making this determination of practicality, the Board may consider:
1. The undesirability of altering a historic site to accommodate a sign which would be permitted with no variance under this ordinance, or
A code-compliant 15' tall monument sign is not compatible with the location in the historic district and was not supported by the Historic Review Board or Historic Preservation Officer.
 2. That alternatives permitted by this ordinance would involve extensive reconstruction of structures; or
 3. That alternatives permitted by this ordinance are prohibitively expensive; or
 4. That alternatives permitted by this ordinance will not effectively identify the subject of the sign.
Relying only on wall signage would not be feasible and would not provide sufficient visibility given the distance the building is set back from the street.
- e. That the proposed sign has been reviewed by the Historic Review Board if applicable.

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Yes, the Historic Review Board voted in favor of the proposed sign package, including support for a variance for two 8' tall monument signs on September 13, 2022. The Certificate of Appropriateness is included in the exhibits.

- f. That the proposed variance is as close to the requirements of the sign ordinance as is feasible.

The proposed two signs are a reasonable alternative. The overall size of total signage would otherwise be permitted. Illumination of the signs will only occur during the operating hours allowed by the CUP and lighting shall comply with all applicable City ordinances.

OPPOSITION/SUPPORT OF REQUEST: None to date.

STAFF RECOMMENDATION:

Approval of the variance for two monument signs in lieu of one 15' monument sign, as recommended by the Historic Review Board.

Attachments:

1. Application
 2. Location & Use Map
 3. Photos, Drawings, & Renderings
 4. Chapter 29 - Signs
 5. Certificate of Appropriateness (HRB)
 6. CUP Conditions
-

The City of Fredericksburg



VARIANCE APPLICATION TO BOARD OF ADJUSTMENT

City of Fredericksburg - Development Services Department
126 W. Main St., Fredericksburg, TX 78624 – (830)997-7521

1. Applicant: Bruce Moore
2. Owner: Fixing Fred LLC
3. Phone: 512-731-4507 Email: bruce.moore@fsgi.com

4. Description of property involved in this request.
Address: 206 N Milam
Legal Description: Tract comprising lot 21 & parts of 19, 20, 53 & 54
Lot Size: 1.6 Acres Zoning District: Historic

5. Request is made to the Board of Adjustment that a variance be granted to the following provisions of the Zoning Ordinance.
Section: 5.650 Subsection: 5.652
Item: Findings Relating To: Signs
Requiring: Additional wall sign square footage for center ID and client identity (allowed 80 sq ft) on building
"Grand Central at Milam" 69.28 sq ft, "Fresh Pickens Market" 39.03 Sq ft
"NobiliTea" 12.15 sq ft, Monument signs 15.67 sq ft each

6. INFORMATION TO BE SUBMITTED BY THE APPLICANT:

A. Site plans, preliminary building elevations, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to the Variance application:

- i. Existing and proposed location and arrangement of uses on the site, and on abutting sides within 50-feet.
- ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
- iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.

- iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvements related to or necessitated by the proposed use.

The Board of Adjustment may grant a variance if it makes affirmative findings of FACT on EACH of the criteria. The applicant shall give a reason why the request complies with the following criteria:

1. The Zoning Regulations applicable to the property do not allow for a reasonable use.
developer is asking for a sign to identify the center and give two of his clients storefront signage

2. The plight of the owner of the property is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial and are not due to or the result of general conditions in the zoning district in which the property is located.
2 tenants would like storefront signage...complete name of business

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purposes or regulations to the Zoning District in which the property is located.
the developers tenants will add to the Fredericksburg Historic District experience

- B. **PARKING: ADDITIONAL CRITERIA**-The Board may grant a Variance to a regulation prescribed by this ordinance with respect to the number of off-street spaces required if it makes findings of fact that the following additional criteria are also satisfied:

Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.
does not

The granting of the Variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets.
developer providing sufficient parking

The granting of the Variance will not create a safety hazard or any other condition inconsistent with the objectives of this ordinance.
will not

The Variance shall run with the use or uses to which it pertains and shall not run with the site.
yes

- c. **SIGNS: ADDITIONAL CRITERIA**-The Board may grant a Variance to a regulation prescribed by the Sign Ordinance with respect to the placement of signs, the height of signs or the area of signs if it affirmatively finds each of the following.

That a sign is being replaced. For the purposes of this Section, replacement shall include the erection of a new or different sign due to the removal of another sign for any reason, including the change of name of a business, whether from change of ownership, business being conducted, or otherwise, the change of a sign for a continuing business containing the same or different information as the sign being replaced, and the replacement of signs due to damage or vandalism.

N/A

That all structures on the property for which the sign is proposed that would impede the replacement of a sign were constructed prior to February 17, 1986.

N/A

That it is impractical to abide by existing placement, height or area regulations due to the placement, size of construction of existing structures in relationship to the physical characteristics of the site. For purposes of illustration, physical characteristics may include topography of the site or the surrounding sites, structures on surrounding sites, traffic conditions, street layouts and existing natural vegetation.

developer is attempting to brand the center & provide clients opportunity to promote location of their enterprise without truncating the spelling of their brand

That the other types of signs which are permitted by this Ordinance cannot practically be used. In making this determination of practicality, the Board may consider

- A. The undesirability of altering a historic site to accommodate a sign which would be permitted with no variance under this Ordinance; or
- a. That alternatives permitted by this Ordinance would involve extensive reconstruction of structures; or
 - 1. That alternatives permitted by this Ordinance are prohibitively expensive; or
 - 2. That alternatives permitted by this Ordinance will not effectively identify the subject of the sign.

2. will not effectively identify the subject of the sign

ii. That the proposed sign has been reviewed by the Historic Review Board if applicable.

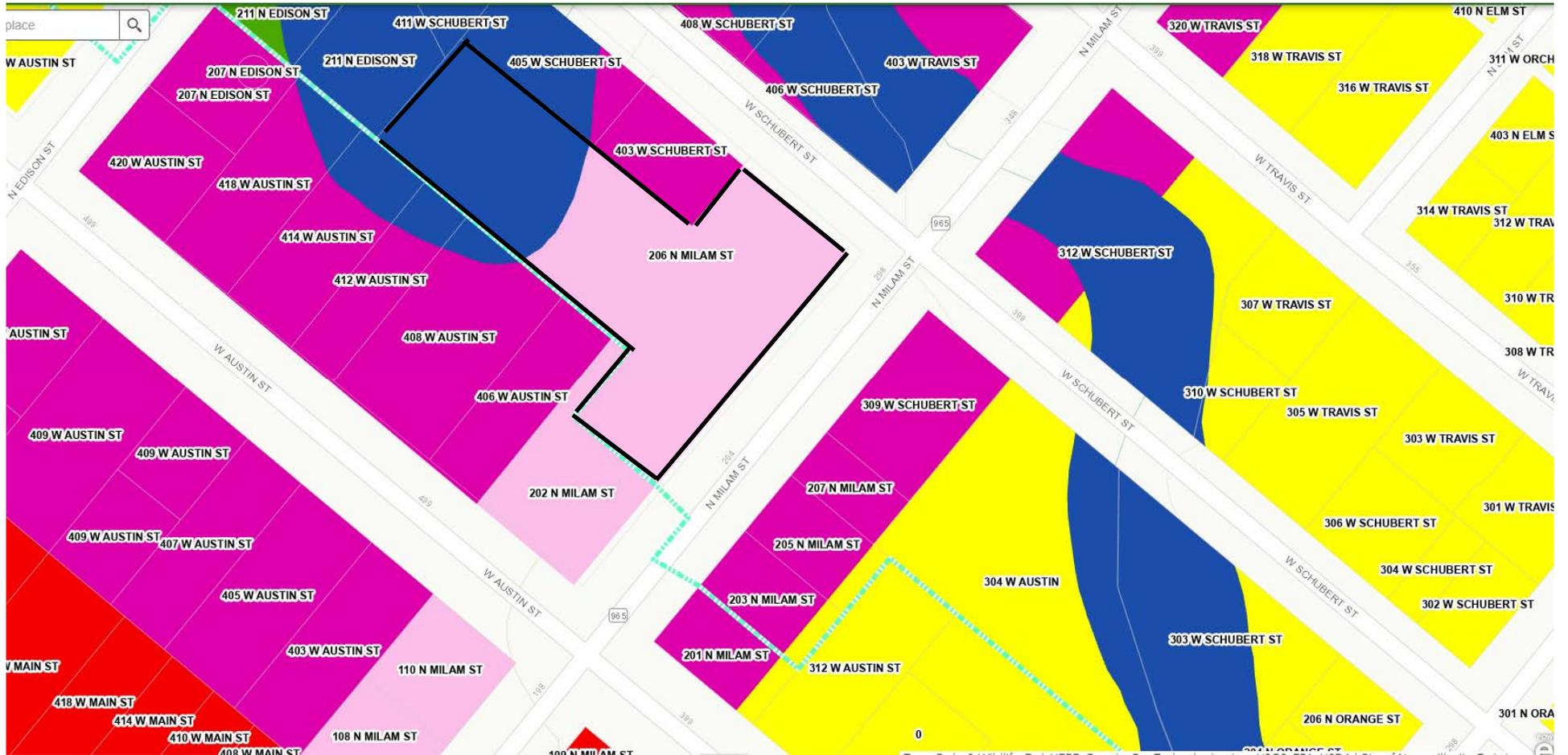
monument signs reviewed by Anna Hudson

iii. That the proposed variance is as close to the requirements of the sign ordinance as is feasible.

yes

Staff Use Only

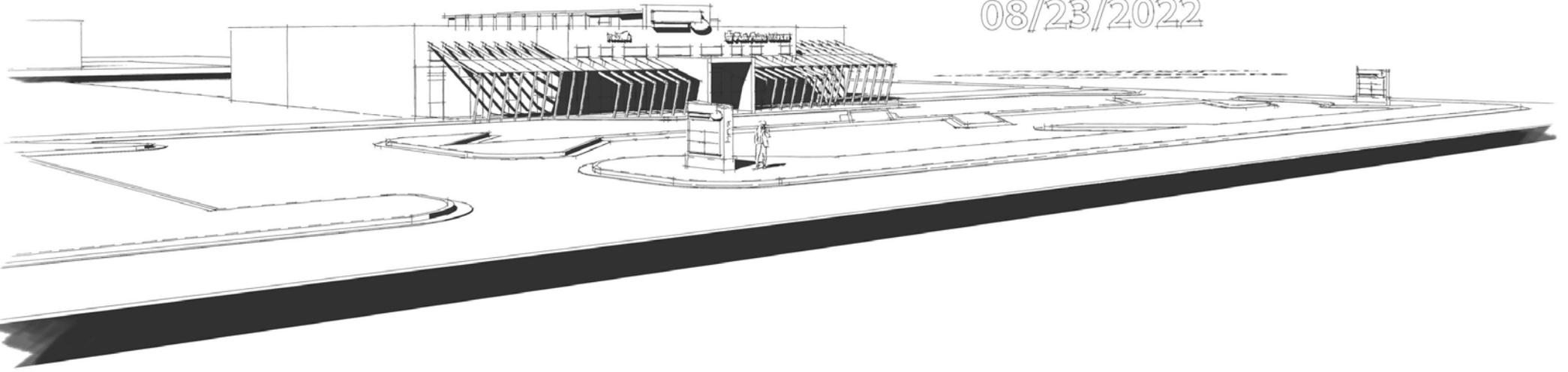
Application No: 8BA2022-03 Date: 07/27/22
Payment Type: CH# 52679 \$150.00



GRAND CENTRAL
AT MILAM

LOCATION RENDERS

08/23/2022

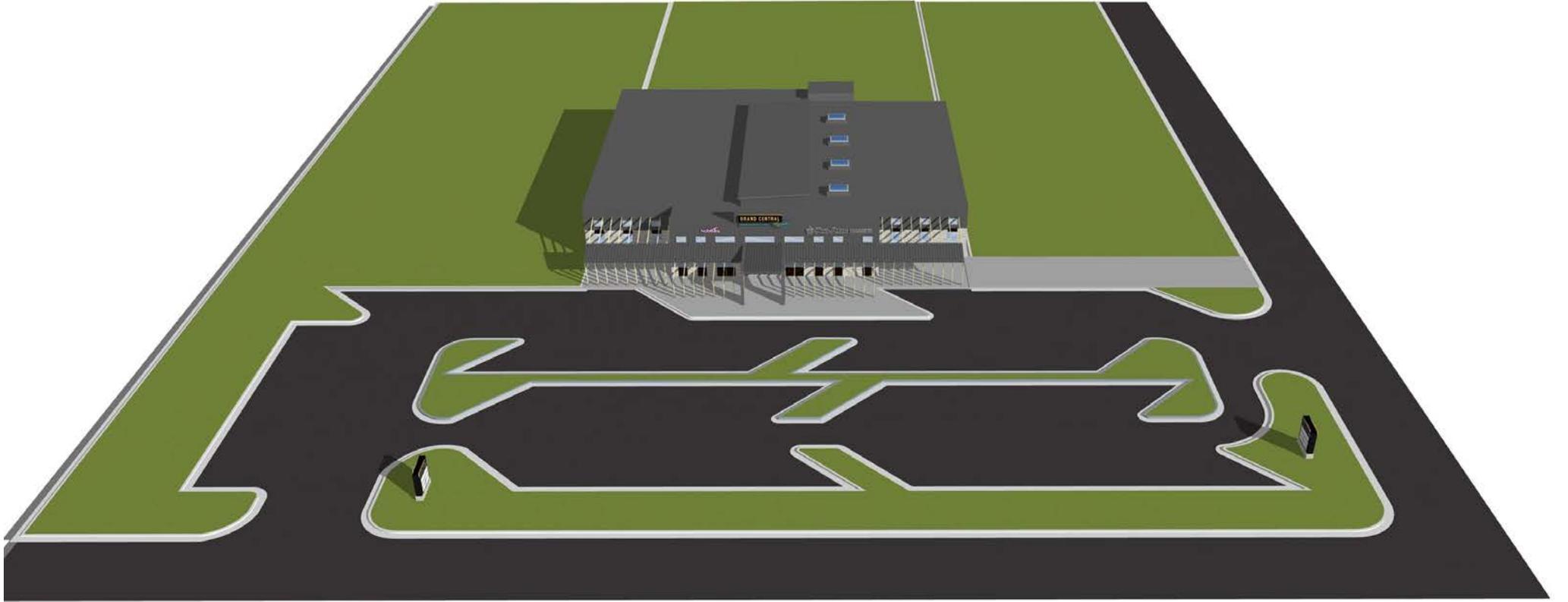


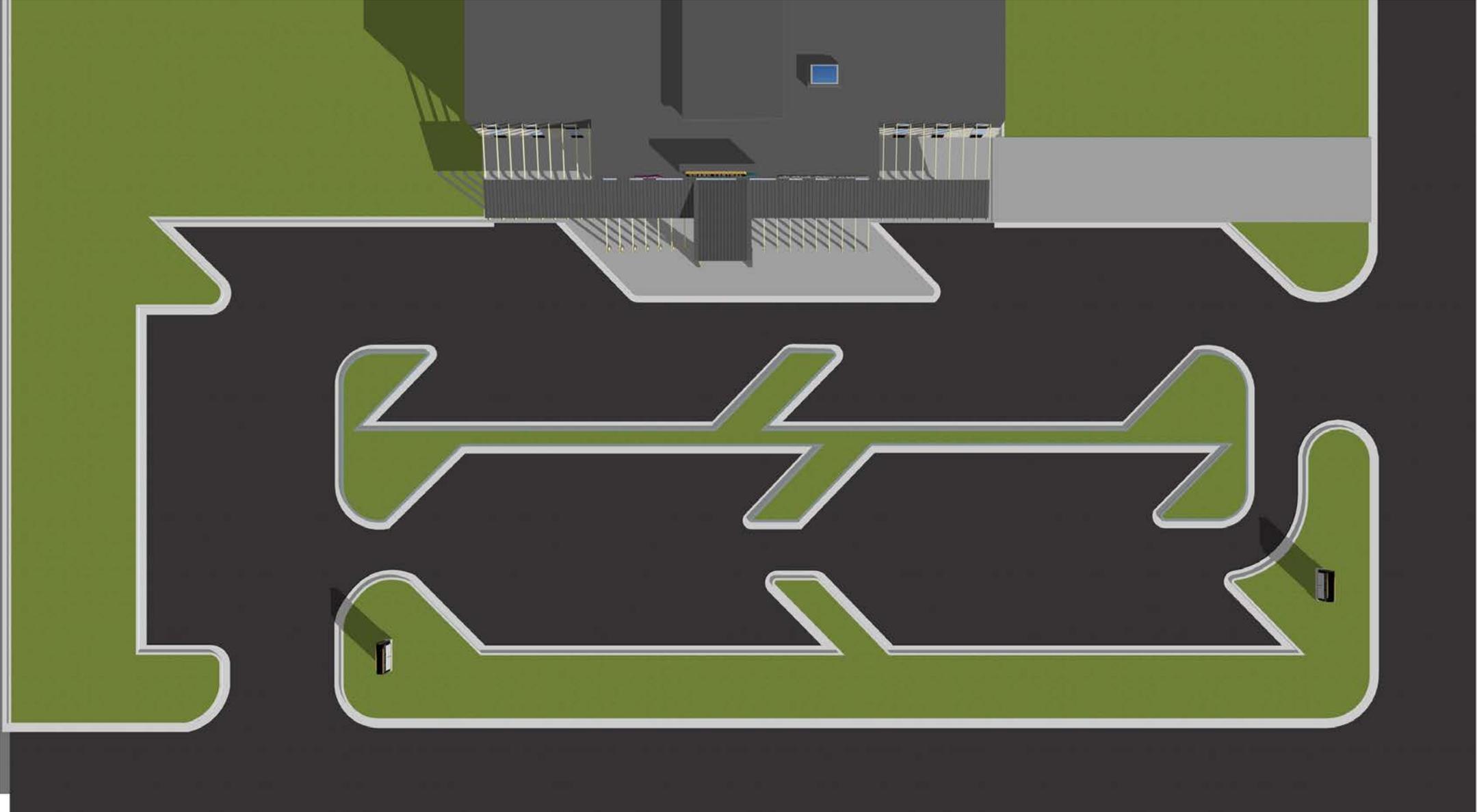








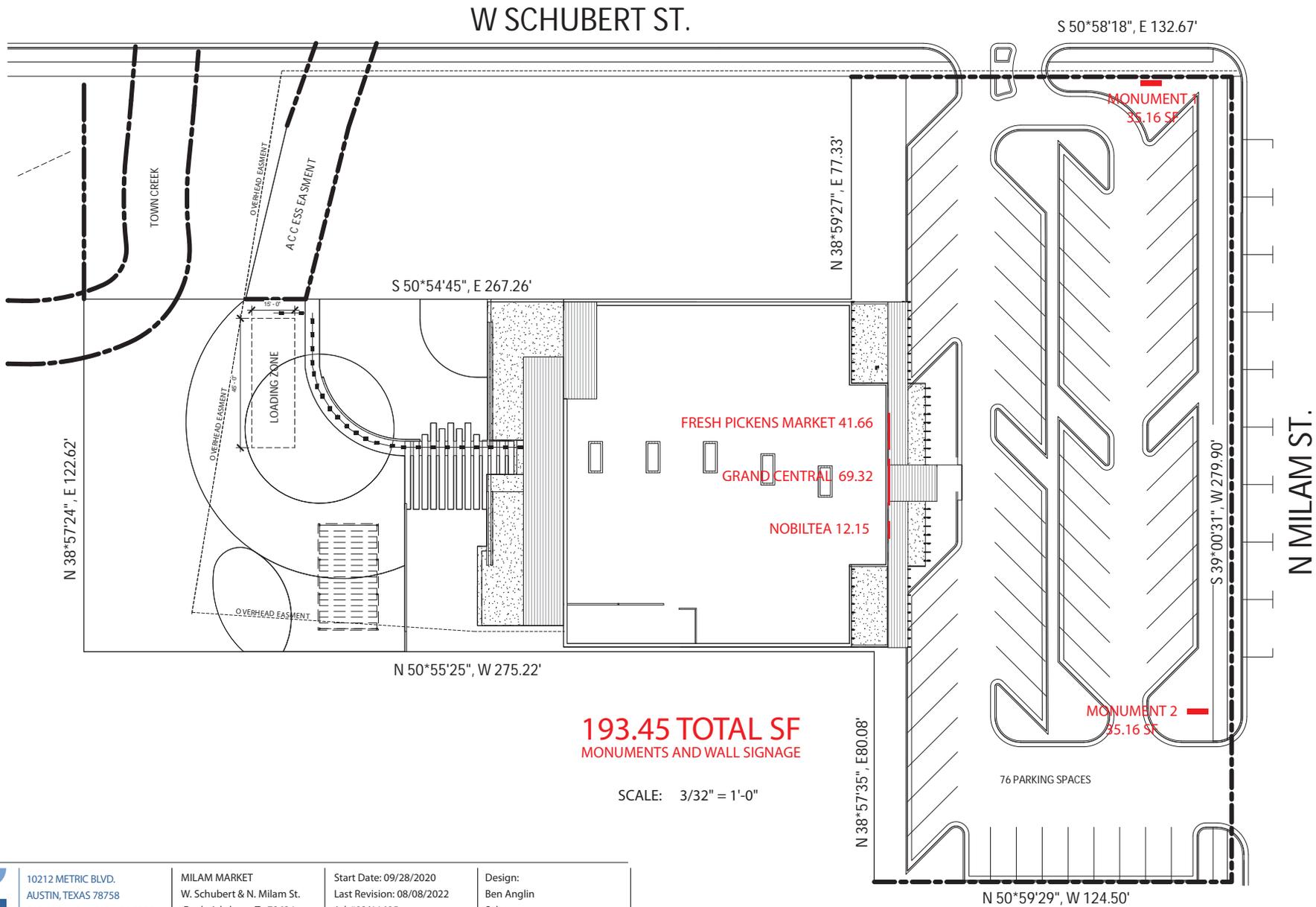












193.45 TOTAL SF
MONUMENTS AND WALL SIGNAGE

SCALE: 3/32" = 1'-0"



10212 METRIC BLVD.
AUSTIN, TEXAS 78758
800-327-1104 / 512-494-0002
fsgi.com

MILAM MARKET
W. Schubert & N. Milam St.
Fredericksburg, Tx 78624

Start Date: 09/28/2020
Last Revision: 08/08/2022
Job#92J11695
Dwg. #92J11695AV3S4_COMP

Design:
Ben Anglin
Sales:
BRUCE MOORE

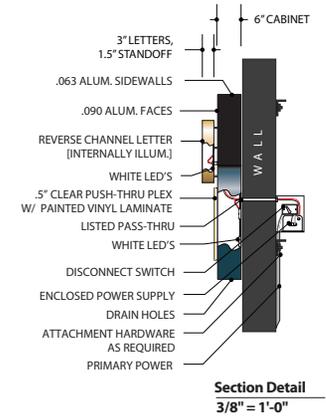
MILAM MARKET / STOREFRONT SIGNAGE / FREDERICKSBURG, TEXAS

B Storefront Signage
Scale: 3/8" = 1'-0"

- Fabricate and install one Identity sign built to UL specifications;
- **Sign cabinet** to have welded tubular aluminum framework and .090 aluminum plate finished in Matthews Black polyurethane;
- **Border pinstripe** to be masked and finished MP to match PMS 135;
- **"GRAND CENTRAL"** to be 3"-deep reverse halo-lit channel letters with .090 alum. faces / .063 alum. sidewalls / White translucent Lexan backs / White GE™ LED illumination / Pin-mounted to cabinet with a 1.5" standoff; Letters finished MP to match PMS 135 C; **White vinyl on cabinet behind letters for increased illumination;**
- **"AT MILAM"** oval cabinet portion to have a routed-out face with .5" push-thru copy; First surface vinyl laminate painted to match PMS 135 C to halo-illuminate; Second-surface diffuser; Finished in MP 00017 Montserrat Blue; White GE™ LED illumination;
- **"FREDERICKSBURG, TEXAS"** to be a **non-illuminated**, 2"-deep reverse-pan with routed .5" push-thru acrylic letters finished in Matthews to match PMS 135 C;
- Cabinets to mount flush to corrugated wall surface with non-corrosive hardware as needed;
- LED power supply located in aluminum enclosure mounted behind wall; Service switch to be mounted on enclosure;
- Electrical requirement: 120v to be supplied at sign location by others;



East Elevation / Detail
3/8" = 1'-0"



Section Detail
3/8" = 1'-0"



NIGHT VIEW



*Tenants shown for example, only.

East Elevation
3/32" = 1'-0"

- MP 00017 MONTSERRAT BLUE
- MP 00547 MUDSTONE
- PMS 135 C
- MP BLACK

5/10/21: Revised notes/spec's per review meeting and for added clarity, added section detail of lighting components and wall v



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Start Date: 09/28/2020
Last Revision: 03/04/2022
Job# 92J11695
Dwg. # 92J11695BV451

Design:
Ben Anglin
Sales:
BRUCE MOORE

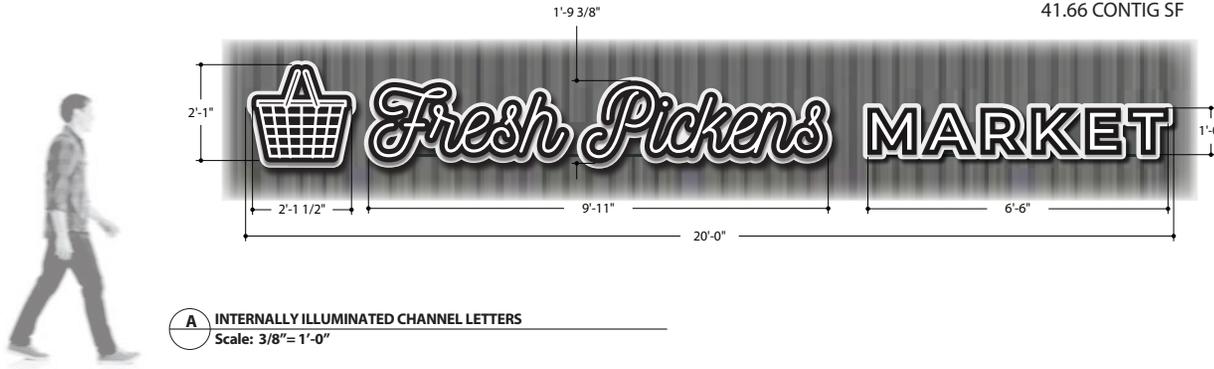
CLIENT APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation.
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UL Installation Requirements:
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

FRESH PICKINS MARKET / REVERSED HALO-ILLUMINATED CHANNEL LETTERS / FREDERICKSBURG, TEXAS

(33.42 SF)
41.66 CONTIG SF

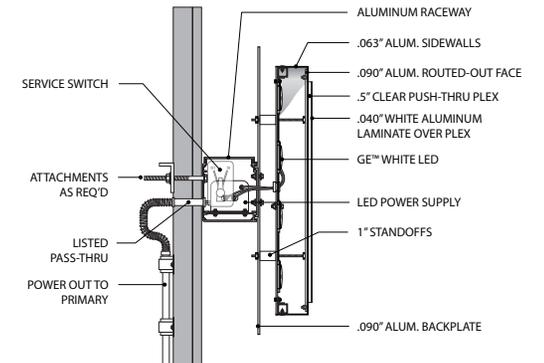
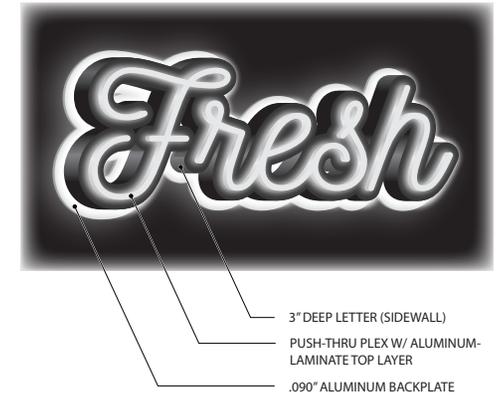


A INTERNALLY ILLUMINATED CHANNEL LETTERS
Scale: 3/8"=1'-0"

- Fabricate and install one (1) set of internally illuminated channel letters and logo built to UL specifications;
- 3" deep .063" aluminum sidewalls / .090" aluminum faces routed-out / .5" Clear push-thru plex strokes on letters / .040" White aluminum laminate over strokes;
 - Push-thru plex to have white diffuser film applied second-surface;
 - Backs of letters to be white acrylic for halo-illumination against routed .090" aluminum backplates; Letters to stand-off from backplate 1";
 - Letters/logo to have White GE™ LED illumination;

- Letters/logo finished in Matthews Black polyurethane;
- Backplates finished in Matthews Brushed aluminum polyurethane;
- Backplates to attach to 7" x 7" aluminum raceways; Raceways finished in Matthews to matchwall coloration;
- Service switch to mount @ end of raceway;
- Raceway attachment method to be determined;
- Electrical requirement: 120v to be supplied at sign location by others;

PERSPECTIVE DETAIL



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FRESH PICKENS MARKET
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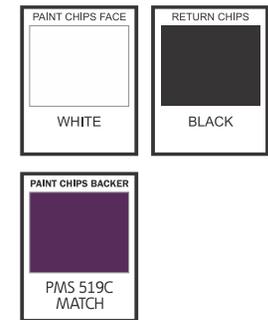
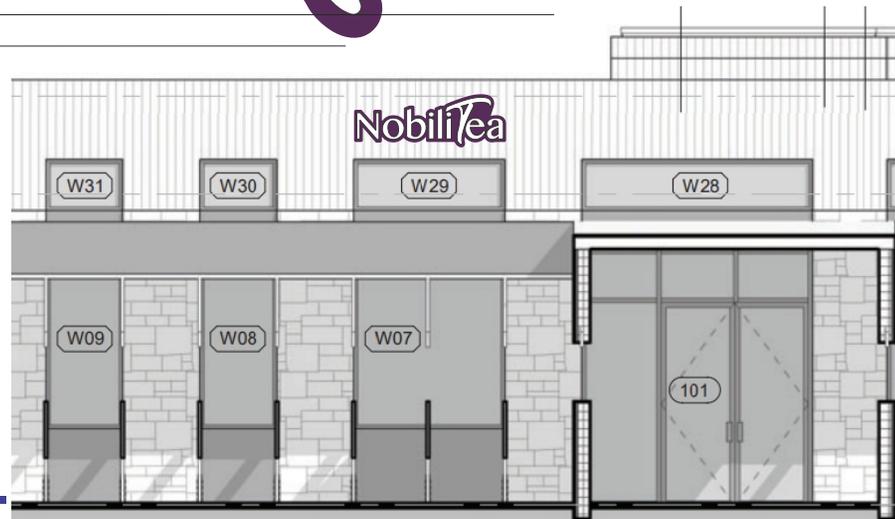
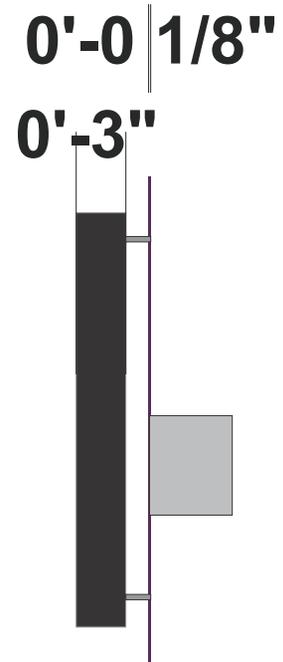
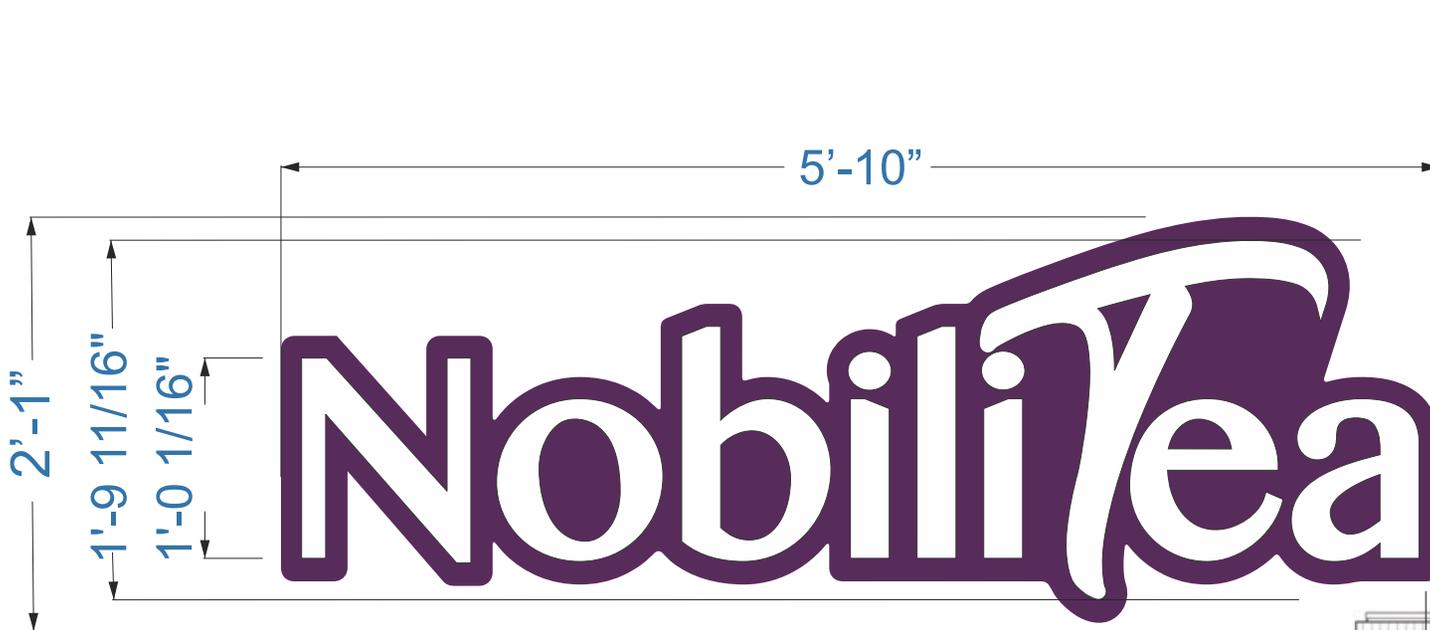
Start Date:07/28/2020
Last Revision:
Job#92J12494
Dwg. #92J12494AV1S1

Design:
Ben Anglin
Sales:
BRUCE MOORE

CLIENT APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation.
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UL Installation Requirements:
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.



Channel Letters and Backer

Provide one (1) set of backlit channel letters to read: "Nobilitea".

Specifications: Channel letters with painted backer per approved brand standards. White Faces, Black Returns.

Exact Install Location To Be Determined After Site Survey



<p>SALES ART</p>	<p>851 East Northeast Loop 323 Tyler, Texas 75708 903-597-7731 Fax 903-597-1599 LeonsSignsInc.com Texas Electrical Sign Contractor License #18080</p>	<p>CLIENT NAME: Nobilitea ADDRESS: 206 N Milam St. Fredericksburg, TX 78624</p>	<p>ACCOUNT REP: Margaret M. DATE: 03-10-2022 QUOTE #: 211046-02 Scope 6 FILE: \\fileserv\DATA\Art & Production\ Master Drawings\ Nobilitea\211046 Fredricksburg.cdr</p>	<p>ARTWORK APPROVAL</p> <ul style="list-style-type: none"> - Please review all colors, spelling, sizing, and quantity before approving. - Colors are a representation only. Artwork is NOT an exact color match. - Primary Electric Supply is to be Supplied by Customer at Time of Installation. - Artwork does not represent a proposal. - All Artwork changes require a Signed Approval. <p>Date: _____ Customer: _____ Sales: _____</p>	<p>All Artwork Created by Leon's Signs Inc. remains the sole property of Leon's Signs and cannot be reproduced, transmitted or used without written permission.</p>
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MILAM MARKET / PYLON DESIGN / FREDERICKSBURG, TEXAS

A Internally Illuminated Pylon
Scale: nts

- Fabricate and install TWO (2) IdentityS sign built to UL specifications;
- Single Steel pole support set in concrete to grade;
- Welded tubular aluminum framework with .090 aluminum plate finished in Matthews Black polyurethane;
- [Grand Central at Milam] cabinets to have routed-out faces backed with clear Push-thru 3/4" plex letters, overlaid with 3M™ Marigold translucent vinyl 3630-75;
- [Fredericksburg, Texas] cabinet to have [non-illum.] MP 07791 Glen Ridge Gold lettering;
- Logo-cabinet(s) face colors: Matthews Black and MP14521 St.Barts Bay. Sidewalls finished MP14521 St.Barts Bay.
- Cabinets illuminated with White GE™ LED components;
- Borders on logo cabinets to be MP 07791 Glen Ridge Gold;
- Spine to have vertical alum. rails finished MP 00547 Dk. Grey; Fill area between rails to be finished MP 07791 Glen Ridge Gold;
- Tenant cabinets (one per side) to have white plex faces overlaid with translucent vinyl graphics; 2"-deep cabinets to be finished in MP Black;
- Cabinet(s) illuminated with GE™ White LED components;
- Base to be White Limestone;
- Address numerals to be 3M™ Duronodic Grey; One set / streetside only;



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MILAM MARKET
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Fredericksburg, Tx 78624

Start Date: 09/28/2020
Last Revision: 03/04/2022
Job#92J11695
Dwg. #92J11695AV3S3

Design:
Ben Anglin
Sales:
BRUCE MOORE

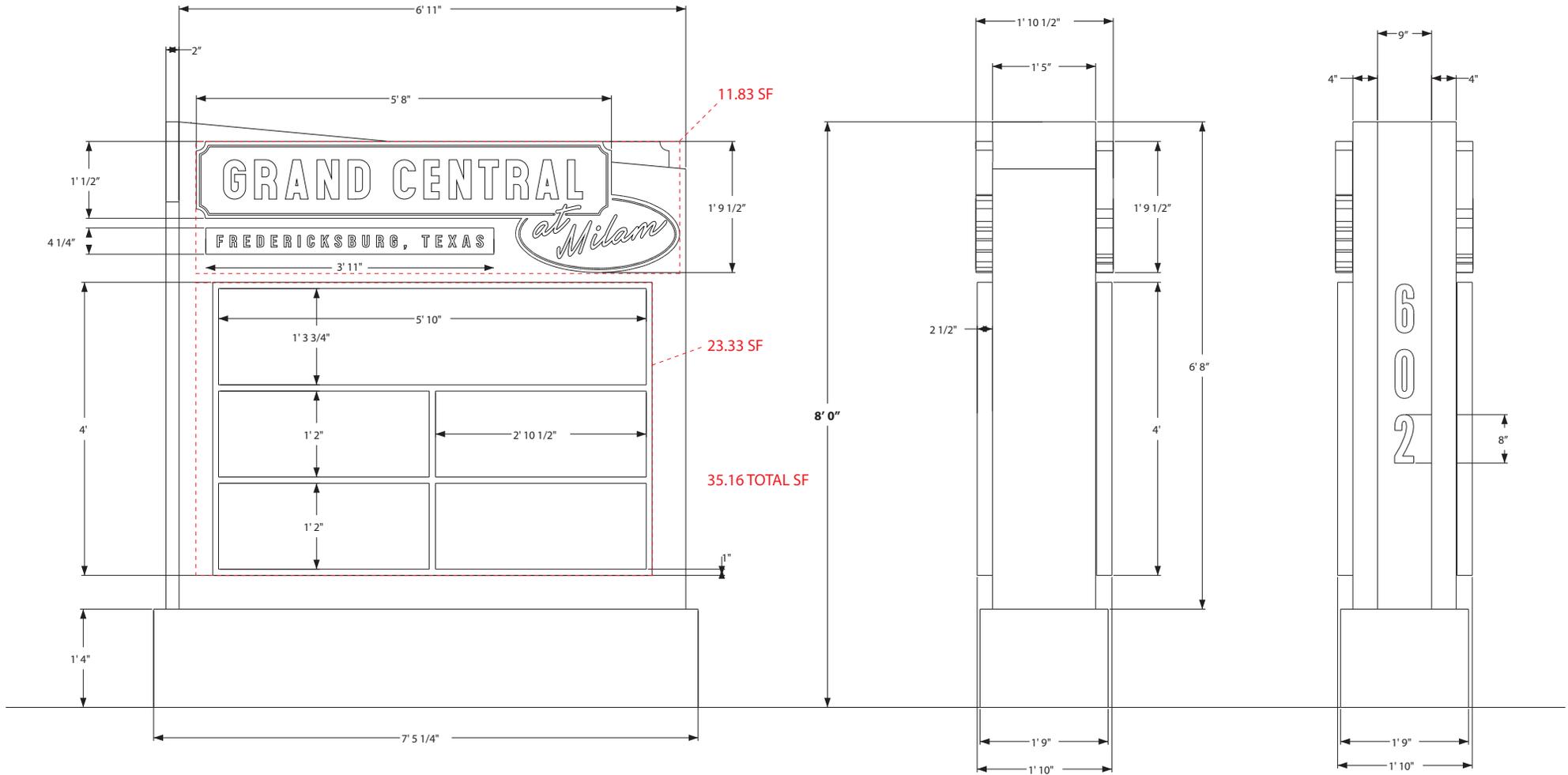
CLIENT APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation.
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UL Installation Requirements:
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

MILAM MARKET / PYLON DESIGN / FREDERICKSBURG, TEXAS

A Internally Illuminated Pylon
 Scale: 3/4" = 1'-0"



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Start Date: 09/28/2020
 Last Revision: 03/04/2022
 Job#92J11695
 Dwg. #92J11695AV252

Design:
 Ben Anglin
 Sales:
 BRUCE MOORE

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UL Installation Requirements:
 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

3.2.11. Signage

Signage: Marking our Place in Time

The function of signage intends to change as building tenants change. As a result, signs communicate not only a district's historic character, but how the present-day community has agreed to manage the appearance of historic districts. Signage is a tool that can be used to create a cohesive look and feel within historic districts, connecting low-priority buildings to the surrounding historic fabric. As a result, new signage on low-priority buildings is regulated to a higher degree than most other building elements.

Refer to the City's Signage Ordinance- Chapter 29- for maximum size area, placement and types of signs allowed by zoning district.

Maintenance

- (a) Preserve and maintain all elements of a historic sign unless deteriorated beyond repair (SOI Standards 2, 5, 6).

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

- (b) Maintain and repair historic signs according to accepted preservation techniques (*Appendix G*); preventing rust on attachments is especially important to prevent expansion and damage to the surrounding wall materials (SOI Standards 5, 6, 7).

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

- (c) Where possible, patch the smallest feasible portion of a deteriorated sign, matching the historic material, dimensions, profile, and configuration (SOI Standard 6).

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

Alterations

- (d) Design new signs—including the configuration, shape, and profile—to reflect the historic character of the building, looking at other examples of the same style and era in the Fredericksburg Historic District or from historic catalogs (SOI Standard 9).

High Priority	Medium Priority	Low Priority
Required	Required	Required

- (e) Appropriate materials for new signs include wood, metal, and fiber-cement; vinyl and plastics are not appropriate (SOI Standard 9).

High Priority	Medium Priority	Low Priority
Required	Required	Recommended

- (f) Allow the lettering and graphics depicted on new signs to represent the present day to avoid creating a false sense of history (SOI Standards 3, 9).

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

- (g) Position new signs so that they do not obscure historic character-defining features (SOI Standard 9).

High Priority	Medium Priority	Low Priority
Required	Required	Recommended

- (h) Attempt to position new signs so that they highlight and enhance the building's significant character-defining features (SOI Standards 3, 9).

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

- (i) Attach new signs in a manner that does not damage the original exterior wall material; for masonry walls, all attachments should anchor into the mortar rather than the masonry unit; use galvanized stainless-steel anchors to avoid rust (SOI Standard 10).

High Priority	Medium Priority	Low Priority
Required	Required	Recommended

Restoration

- (j) If the extant signage is non-historic, consider researching the historic signage and, if documented, replicate and restore the historic storefront (SOI Standard 3).

High Priority	Medium Priority	Low Priority
Recommended	Recommended	Recommended

Figure 3-40. Example of a preserved historic sign at 307 E Main Street.
Photo source: Historic Preservation Officer



Figure 3-41. Examples of pedestrian-oriented signage under canopy.



National Trust for Historic Preservation Guidance for Decisions about Signs

The recommendations below may be helpful when designing a sign:

1) Determine the purpose of the sign.

- To identify the store?
- To project the store's individuality or uniqueness?
- To provide product information?

2) Determine the type of sign desired.

- Awning - A sign that is painted, printed, or attached flat to the surface of an awning or canopy.
- Flags - A rectangular piece of fabric attached on one side to a supporting rod or pole; it can be either a free-standing pole, or mounted on a building façade.
- Marquee - A permanent roof-like structure supported by and extended from the façade of a building.
- Monument - A sign affixed to the ground, usually for auto-oriented businesses.
- Product Display - A sample of products that can be purchased at that particular store, usually lively and changing.
- Projecting - A sign that is attached to and projected from a building wall.
- Short Free-Standing - A sign, resting on the ground, supported by poles or braces, not attached to any building.
- Wall - A sign that is parallel to the wall of a building.
- Window - A sign installed on a window, to be viewed from the outside.

3) Determine the materials to be used.

- See the standards and guidelines above (*Section 3.2.10*).

4) Determine what kind of signs were used on the building in the past.

- Refer to the "Historical Research Resources" in *Appendix H*.

5) Determine the dimensions of the sign.

- See the maximum dimensions in the standards and guidelines above.

6) Determine the placement of the sign.

- It should be visible without disrupting character-defining features.

7) Determine the message the sign is to convey.

- Keep the message direct and simple, not cluttered.

8) Determine the color scheme for the sign.

- Refer to the period-appropriate color palettes in *Appendix G*.

9) Determine the type of lighting to be used.

- If illuminating the sign at night, use a light source that is as inconspicuous as possible; keep it subtle.

10) Determine what is to be expressed in this sign and how to do so.

- This can be done by choosing a lettering style that best represents the character of the store. There are three main types of lettering:
 - Serif Face - historically appropriate, ranging from simple to elaborate
 - Sans Serif - more contemporary with clean, bold lines
 - Script - more decorative; historically often painted on glass

11) Determine a craftsman to create and design the sign.

- Remember that quality of craftsmanship and construction is vital in having a sign that lasts.

from the end of the canopy shall be provided, except that a canopy at a street corner is required.

- (5) The following signs shall be permitted in industrial (M-1, M-2 and M-3) districts:
 - a. Banners/temporary signs as permitted in subsection (3)b of this section.
 - b. Areas zoned for industrial uses shall have the same regulations for wall signs and ground signs as permitted in subsections (3)d and e, respectively, of this section.
- (6) The following signs shall be permitted for integrated businesses in commercial (C-1, C-1.5 and C-2) districts and industrial (M-1, M-2 and M-3) districts:
 - a. *Banners/temporary signs.* Banners/temporary signs as permitted in subsection (3)b of this section.
 - b. *Freestanding sign.* One freestanding sign shall be permitted for each integrated business property.
 1. *Total sign area.* The total sign area for a freestanding sign shall not exceed the greater of:
 - i. 32 square feet; or
 - ii. One square foot for each five linear feet of lot frontage, with a maximum of 100 square feet.
 2. *Total height.* The total height of the sign shall not exceed 15 feet and the lowest point of the sign face shall not exceed 24 inches above the adjacent ground, provided that such sign advertises more than one business. In the event that only one business is advertised, the height limitation shall be five feet.
 - c. *Wall signs.* Regulations for wall signs shall be the same as provided in subsection (3)d of this section but shall be limited to a maximum of 80 square feet of sign area per business or tenant. For buildings with multiple businesses or tenants arranged in such a fashion that each business or tenant does not have a separate building frontage, the wall signage per business or tenant shall be calculated as 0.03 square feet of sign area per square foot of business or tenant lease space, but shall not exceed 80 square feet of sign area per business or tenant.
- (7) Historic district.
 - a. Signs, other than exempted signs under section 29-5, to be placed in the historic district shall also be subject to the review requirements of the historic preservation ordinance.
 - b. Businesses located in the historic district shall have the option of erecting a medallion or shield sign in lieu of a ground sign as described in subsection (2)d, (3)e, or (4)e of this section. Any such sign shall not exceed nine square feet of sign area and shall be mounted no more than nine feet high.

(Code 1992, § 3.1007; Ord. No. 18-009, § 29-7, 11-3-2008)

Sec. 29-8. Reserved.

Editor's note(s)—Ord. No. 22-022, adopted Aug. 20, 2012, repealed § 29-8, which pertained to required address signs and derived from Ord. No. 22-010, adopted April 14, 2012.



**Historic Review Board
Certificate of Appropriateness**

Application Number: 22-093
Date: September 13, 2022
Address: **206 N Milam**
Zoning: C1.5
Owner: Fixin' Fred
Applicant: Bruce Moore
Rating: Low
Proposal: new signage

Request:

The applicant is requesting a Certificate of Appropriateness to:

Install two monument signs measuring 8' tall each in lieu of one 15' tall monument sign.

Install 3 wall signs totaling 123 sf – one identifying the property and two identifying two tenants.

Total proposed signage (monument & wall) 193.45 sf

Relevant Sections Fredericksburg Historic District Design Guidelines/Standards:

3.2.11. Signage

The function of signage intends to change as building tenants change. As a result, signs communicate not only a district's historic character, but how the present-day community has agreed to manage the appearance of historic districts. Signage is a tool that can be used to create a cohesive look and feel within historic districts, connecting low-priority buildings to the surrounding historic fabric. *As a result, new signage on low-priority buildings is regulated to a higher degree than most other building elements.*

(e) Appropriate materials for new signs include wood, metal, and fibercement; vinyl and plastics are not appropriate (SOI Standard 9).

Low Priority – Recommended

Chapter 29- Sign Ordinance

Sec 29-7 Permanent Signs permitted by District

(7) b. Freestanding sign. One freestanding sign shall be permitted for each integrated business property. 1. Total sign area. The total sign area for a freestanding sign shall not exceed the greater of:

i. 32 square feet; or

ii. One square foot for each five linear feet of lot frontage, with a maximum of 100 square feet.

2. Total height. The total height of the sign shall not exceed 15 feet and the lowest point of the sign face shall not exceed 24 inches above the adjacent ground, provided that such sign advertises more than one business. In the event that only one business is advertised, the height limitation shall be five feet.

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Staff Recommendation/Findings:

Staff has worked with the applicant to reduce the height of the monument sign. As an integrated business a 15' sign is allowed per C1.5 zoning. Given the pedestrian nature of this neighborhood a 15' tall sign would be out of character. As such, the applicant has proposed to create two 8' tall monument signs to be located at opposite ends of the lot along N. Milam.

Case Comments:

The zoning ordinance does not speak to allowing two smaller monument signs in lieu of one large monument sign. If the Historic Review Board recommends this design the applicant must obtain a variance from the Zoning Board of Approval scheduled for September 22, 2022

Board Action:

Approved as submitted – support for variance for 2 smaller monument signs in lieu of one 15’ monument sign.



Anna Hudson

Historic Preservation Officer



Applicant Michael Linehan

Case Number Z-2218

Location 206 N. Milam

NOTICE OF ACTION

YOUR APPLICATION FOR:

- LAND USE CHANGE
- RE-ZONING
- CONDITIONAL USE PERMIT
- SITE PLAN
- VARIANCE
- CERTIFICATE OF APPROPRIATENESS

PLANNING & ZONING COMMISSION RECOMMENDATION:

- APPROVAL
 - DISAPPROVAL
- ON DATE: September 7, 2022

CITY COUNCIL ACTION:

- APPROVAL
 - DISAPPROVAL
- ON DATE: September 19, 2022

BOARD OF ADJUSTMENT ACTION:

- APPROVAL
 - DISAPPROVAL
- ON DATE: _____

HISTORIC REVIEW BOARD ACTION:

- APPROVAL
 - DISAPPROVAL
- ON DATE: _____

CONDITIONS OF APPROVAL:

Approved per Staff and Planning & Zoning recommendation.

Signed: Shelby Collier
Digitally signed by Shelby Collier
 DN: cn=Shelby Collier, o=City of Fredericksburg, ou,
 email=shcollier@cityof Fredericksburg.org, c=US
 Date: 2022.09.20 09:44:23 -0500

Shelby Collier, Associate Planner

Date: 09/20/22



CITY COUNCIL MEMO

DATE: September 19, 2022

TO: Mayor and City Council Members

FROM: Garret Bonn, P.E., CFM – Asst. City Engineer/Interim Director of Development Services

SUBJECT: Z-2213 – Public Hearing, Consideration, and Action regarding a request by Land Strategies, Inc., to consider a Conditional Use Permit (CUP) per section 3.205 to allow additional outdoor amenities at rear of property located at 206 N. Milam

Summary:

On behalf of the owner, Fixing Fred LLC, Land Strategies, Inc. is requesting an updated Conditional Use Permit (CUP) per Sec. 3.205 of the City's Zoning Ordinance to allow for additional amenities at the rear of the building. A CUP was originally approved for the property in September 2020 and included conditions which are detailed in the original CUP approval documents (attached).

Background / Analysis:

The subject tract has frontage on both N. Milam and W. Schubert. The site is zoned C1.5 and is bordered by a combination of C1 and Open Space (floodplain) zoning to the West, North, and East and C1.5 Zoning to the South. As documented in the original CUP approval, the project is intended to be an adaptive reuse of the vacant Super S Grocery Store site with a mixture of general retail services, cocktail lounge, food sales, liquor sales, and a mini distillery. As development of the site has progressed and program uses and physical characteristics have become more defined, the developer has proposed additional uses of the rear portion of the site (western side) for food vending kiosks, a yoga lawn, and a stage which were not included in the original CUP approval. Because this would be considered an expansion of the current CUP, additional approvals are required.

The Planning and Zoning Commission held a public hearing on September 7, 2022, and unanimously recommended approval of City staff's recommendation, with conditions. Public notification, including letters being sent to property owners within 200 feet, resulted in two responses: one for and one against. A copy of each letter is attached for reference.

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CUP Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- The use of the site appears to comply with applicable zoning regulations.

B. COMPATIBILITY WITH EXISTING OR PERMITTED USES IN ABUTTING SITES:

- The use of the property for a mix of retail and restaurant uses within the existing building would support the retail and commercial activities within the area. Although the proposed stage and kiosks are situated in such a way as to minimize disturbance, if a CUP including the backyard programming is to be approved, additional landscaping and buffering is recommended to mitigate any potential negative impacts to adjacent uses, keeping in mind potential negative impacts to the flood zones.

C. POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:

- As discussed during the original CUP approval process, outdoor amplified sound or music could be a nuisance to the adjoining properties to the west. The City currently has an ordinance in place prohibiting amplified music adjacent to residentially zoned property. The applicant has stated that hours of operation and sound decibel levels under the original CUP will be complied with but additional details relating to the backyard program narrative should be defined as they relate to movie nights, sports screenings, and musical performances. Additionally, City staff recommends backyard programming comply with the recently adopted City of Fredericksburg quiet hours (10pm to 7am in residential zones).

D. MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:

- Additional buffering and screening are recommended to mitigate potential impacts to adjacent properties. The applicant has also been advised to coordinate with adjacent property owners regarding concerns that were brought up during the original approval process.

E. SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:

- The proposed drive access into and out of the property would be an improvement to the current conditions. Pedestrian access is to be taken from N. Milam.

F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:

- A portion of the property currently lies within the 100-year floodplain (refer to floodplain exhibit). As such, any development or substantial improvements that lie within the FEMA Special Flood Hazard Area will require submission of a floodplain development permit application and compliance with the City's Flood Hazard

The City of Fredericksburg

Reduction Ordinance. A floodplain development permit has been issued for the redevelopment of the building, but as currently proposed, the covered stage and kiosks, along with a CMU wall appear to lie within the regulatory floodway zone. In order to develop in this area, the design engineer will be required to submit a "No Rise Certification" or the project will need be approved through the FEMA Letter of Map Change (LOMC) process. The "no detention" study will also need to be updated to reflect updated site conditions.

G. LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:

- All lighting shall be shielded and City-ordinance compliant.

H. ADEQUACY AND CONVENIENCE OF OFF-STREET PARKING AND LOADING FACILITIES:

- Sufficient parking is provided based on the code. Not knowing the ultimate mix of uses, the applicant has based the parking on a ratio of 1 space per 200 square feet and parking spaces are provided for kiosk food vendors. The fire marshal will need to approve the updated access plan, specifically as it relates to deliveries (loading zone) and fire access requirements.

I. DETERMINATION THAT THE PROPOSED USE IS IN ACCORDANCE WITH THE OBJECTIVES OF THESE ZONING REGULATIONS AND PURPOSES OF THE ZONE IN WHICH THE SITE IS LOCATED:

- The intent of the C-1.5 Medium Commercial District is to provide a district between the Neighborhood Commercial District and the Commercial District. Uses have been selected from each of the various districts, with the intent that the proposed uses could function as a transition between highway commercial and residential neighborhoods but could also provide a lower impact zone along major roadways.

J. DETERMINATION THAT THE PROPOSED USE WILL COMPLY WITH EACH OF THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE:

- The project has received approval of a Certificate of Appropriateness by the Historic Review Board and the Historic Preservation Officer.

K. DETERMINATION THAT THE PROPOSED USE AND SITE DEVELOPMENT, TOGETHER WITH ANY MODIFICATIONS APPLICABLE, THERETO, WILL BE COMPATIBLE WITH EXISTING OR PERMITTED USES IN THE VICINITY:

- Affirmative.

L. DETERMINATION THAT ANY CONDITIONS APPLICABLE TO APPROVAL ARE THE MINIMUM NECESSARY TO MINIMIZE POTENTIALLY UNFAVORABLE IMPACTS ON NEARBY USES AND TO ENSURE COMPATIBILITY OF THE PROPOSED USE WITH EXISTING OR PERMITTED USES IN THE SAME DISTRICT AND THE SURROUNDING AREA:

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- No additional changes are recommended.

M. DETERMINATION THAT THE PROPOSED USE TOGETHER WITH THE CONDITIONS APPLICABLE THERETO, WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OR MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY:

- No additional changes are recommended.

Recommendation:

The proposed Fredericksburg Market project represents an appropriate reuse of an otherwise underutilized property. City staff recommends approval of the requested CUP with the following conditions, as recommended by the P&Z Commission:

- All conditions of original CUP approval shall remain in effect.
- Use of the backyard area shall comply with the City of Fredericksburg Quiet Hours for Residential Zones (no programming between 10pm to 7am).
- Provide landscaping and buffering/sound wall to mitigate any potential negative impacts to adjacent uses, keeping in mind potential negative impacts to the flood zones.
- Fire marshal approval of updated access plan, specifically as it relates to deliveries (loading zone) and fire access requirements.
- Building Permit approval for additional facilities.
- Obtain floodplain development permit for all development within FEMA-designated floodplain areas and conformance with City's Stormwater Control Ordinance (update no-detention study).

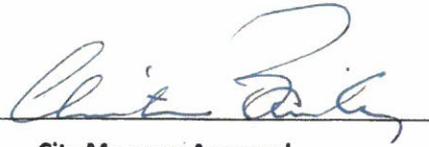
Attachments:

1. Zoning/Location Map
2. Public Hearing Map
3. FEMA Flood Zone Map
4. Adjacent Use Map
5. Original Approved CUP
 - a. Notice of Action
 - b. Approved Fire Plan
 - c. Approved Impervious Cover Plan
6. Project Application & Backyard Program Narrative
7. Revised Site Plan & Response to Comments
8. CUP Condition Options (Sec. 5.471)
9. Responses to Public Hearing Letter

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Department Approval



City Manager Approval



City Attorney Approval

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