



City of Fredericksburg

REGULAR CITY COUNCIL MEETING AGENDA

TUESDAY, OCTOBER 18, 2022 ~ 9:00 A.M.

CITY HALL – FIRE TRAINING ROOM

126 W. MAIN STREET

FREDERICKSBURG, TEXAS 78624

Jeryl Hoover, Mayor
Tony Klein, Councilmember
Bobby Watson, Councilmember/Pro Tem

Sharon Joseph, Councilmember
Emily Kirchner, Councilmember
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Tuesday, October 18, 2022, at 9:00 a.m. Link to City of Fredericksburg YouTube Channel (Fredericksburg, Texas USA - YouTube <https://www.youtube.com/c/FredericksburgTexasUSA>).

The City Council welcomes citizen participation and comments at all City Council Meetings on Agenda Items.

Online Comment Card for Written or Verbal Comments-submitted by 4:00 p.m. the day before meeting.

- i. Complete the Comment Card online at www.fbgtx.org;
- ii. Make sure to check the appropriate box (verbal or written)
- iii. Only one (1) agenda item per comment card.

Sign up in-person between 8:30 a.m. and 9:00 a.m. at the meeting location.

- i. Comments will be made by the agenda item
- ii. Only one (1) agenda item per comment card
- iii. Speakers will be limited to 3 minutes to speak. **Please Note:** The Mayor has the option to reduce the number of minutes for all speakers during Public Comment on a single agenda item, depending on the number of people who sign up for the item.
- iv. Any citizen handouts should be provided to the City Secretary prior to speaking. If you wish the City Council to receive your handouts for the meeting, please provide 10 copies, otherwise the City Council will receive your handouts the following day.

1. CALL TO ORDER

2. INVOCATION

(Colby Friday, Pastor of Willow City Church)

3. PLEDGE OF ALLEGIANCE

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

A. Hill Country Night Sky Month

B. Code Enforcement Month

5. COUNCIL COMMENTS (551.0415)

6. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO

SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF THE CITY COUNCIL.

- A. Consider approval of City Council Minutes for the following meetings: (Shelley Goodwin, City Secretary)
 - i. October 4, 2022, Special Meeting
(Agenda Packet Pages 9 - 38)

- B. Consider approval of the following purchases allocated in the Fiscal Year 2023 Budget:
 - i. County Wide Radio System Purchase Agreement (Lynn Bizzell, Fire Chief)
(Agenda Packet Pages 39 - 48)
 - ii. Lease Purchase Agreements with BankFunding, LLC, for the acquisition of a Fire – EMS Radio System for the Fire and EMS Departments in the amount of \$1,124,625.00
(Laura Hollenbeak, Finance Director)
(Agenda Packet Pages 49 - 58)
 - iii. Lease Purchase Agreement with BankFunding, LLC, for the acquisition of City vehicles and equipment in the amount of \$933,977.65 (Laura Hollenbeak, Finance Director)
(Agenda Packet Pages 59 - 70)
 - iv. Parks Equipment – Groundskeeper 4000, Groundskeeper 5900, Workman with sprayer, Infield Groomer with a broom, and Workman for Marktplatz for an estimated total of \$386,246.84 (Andrea Schmidt, Parks & Recreation Director)
(Agenda Packet Pages 71 - 76)
 - v. Renewing the construction Contract for the fourth time with Hazelett Concrete Contractors for the Sidewalk Program and other Concrete Flatwork Improvements (Evan Williamson, Staff Engineer)
(Agenda Packet Pages 77 - 94)

7. ORDINANCES, RESOLUTIONS, AND PUBLIC HEARINGS

- A. Request by Travis Jacko to consider a Land Use Change from Low-Density Residential (LDR) to Medium Density Residential (MDR) and a Zoning Change from (R-1) Single Family Residential to (R-2) Mixed Residential for properties located at 611 & 613 East Austin Street and 106 & 108 North Columbus Street (Z-2219) (Garret Bonn, Interim Development Services Director/City Engineer)
 - i. Presentation
 - ii. Hold a public hearing to receive comments for or against the request
 - iii. Consider the approval of Ordinance 2022-32 adopting a change in the Comprehensive Plan of the City, specifically in the Land Use Map, as to lots located at 611 and 613 East Austin Street, and 106 and 108 North Columbus Street; changing said property from Low Density Residential (LDR) to Medium Density Residential (MDR); providing that the change become a part of the Comprehensive Plan and providing for an effective date.
 - iv. Consider the approval of Ordinance 2022-33 amending the Zoning Ordinance of the City and changing the Zoning District as to lots located at 611 and 613 East Austin Street, and 106 and 108 North Columbus Street, situated in the City; Changing said property from Single Family Residential (R-1) to Mixed Residential (R-2); and providing for an effective date
(Agenda Packet Pages 95 - 110)

- B. Request by John Needham with Seco Enterprises, LLC, to consider an amendment to the Planned Unit Development Zoning District (PUD) to allow food sales and consumer

convenience services as a Conditional Use for the Seco Development located at the southwest corner of the intersection of Friendship Lane and South Eagle Street (Z-2220) (Garret Bonn, Interim Development Services Director/City Engineer)

- i. Presentation
- ii. Hold a public hearing to receive comments for or against the request
- iii. Consider the approval of Ordinance 2022-34 amending the Zoning Ordinance of the City to approve an amendment to the Planned Unit Development pertaining to 32.55 acres of land located at the southwest corner of Friendship Lane and South Eagle Street, situated in the City, to amend the Conditional Land Uses allowed in said Planned Unit Development

(Agenda Packet Pages 111 - 134)

- C. Request by Skip Prebble to consider an amendment to the Planned Unit Development Zoning District (PUD) to allow hotel/motel as a principle permitted use in the CD District for the development known as Frieden located at 133 Otto Eckhardt Road (Z-2221) (Garret Bonn, Interim Development Services Director/City Engineer)

- i. Presentation
- ii. Hold a public hearing to receive comments for or against the request
- iii. Consider the approval of Ordinance 2022-35 amending the Zoning Ordinance of the City to approve an amendment to the Planned Unit Development pertaining to approximately 219.4 acres of land located adjacent to US Hwy 87 South, situated in the City, commonly known as the Frieden Subdivision, to amend the uses allowed in the Commercial Zone of said Planned Unit Development

(Agenda Packet Pages 135 - 176)

- D. Request by Skip Prebble to consider a Zoning Change from R-1 Single Family Residential to R-5, Patio Home Residential for approximately 70.175 acres located at 256 Pyka Road (Z-2222) (Garret Bonn, Interim Development Services Director/City Engineer)

- i. Presentation
- ii. Hold a public hearing to receive comments for or against the request
- iii. Consider the approval of Ordinance 2022-36 amending the Zoning Ordinance of the City and changing the Zoning District as to approximately 70.175 acres located at 256 Pyka Road, situated in the City; changing said property from Single Family Residential (R-1) to Patio Home Residential (R-5); and providing for an effective date

(Agenda Packet Pages 177 - 214)

- E. Request by Gordon Sauer to consider a Conditional Use Permit per Section 3.220 to construct a Single-Family Residence on property located at 112 East Austin (Z-2223) (Garret Bonn, Interim Development Services Director/City Engineer)

- i. Presentation
- ii. Hold a public hearing to receive comments for or against the request
- iii. Consider the approval of the Conditional Use Permit

(Agenda Packet Pages 215 - 230)

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider, discuss, and take possible action on Short-Term Rental uses, code violations, and enforcement matters, and consider possible initiation of a text amendment to the City's Zoning Ordinance related to same (Clinton Bailey, City Manager)

(Agenda Packet Pages 231 - 232)

B. Consider the approval of the appointment of Joe Mirsky as the Civil Hearing Officer (Daniel Jones, City Attorney) (This item will be considered after Agenda Item 11)

C. Consider approval of a Collateral Assignment of the Chapter 380 Agreement, and a Ground Lessor's Subordination Agreement, related to the Ground Lease Agreement and Chapter 380 Agreement with the Former Texas Rangers Foundation (This item will be considered after Agenda Item 11)

9. CITY MANAGER'S REPORT

A. Town Hall Update

B. City Manager Coffee Update

C. Comprehensive Plan Update

10. ITEMS FOR FUTURE AGENDA

(Agenda Packet Page 233)

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - 551.074 (Personnel Matters) and 551.072 (Real Estate)

- A.** Consider and discuss the appointment, evaluation, reassignment, and/or duties of a public officer or employee, specifically the hearing officer for the City's civil adjudication process (Sec. 551.074); and
- B.** Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of East Main Street at Heritage Hills Drive, in the City of Fredericksburg, Texas (551.072).

12. BUSINESS ITEM

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

13. ADJOURN

CERTIFICATION

This is to certify that I, Shelley Goodwin, posted this Agenda at 3:30 p.m. on October 13, 2022, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC/CMC
City Secretary



PROCLAMATION

WHEREAS, the aesthetic beauty and wonder of star-filled skies are the heritage of all humankind and locally to the inhabitants of the City of Fredericksburg, Texas and are therefore worthy of celebration; and

WHEREAS, the experience of standing beneath a star-filled night sky inspires feelings of wonder and awe, and may encourage interest in science and nature especially among young peoples; and

WHEREAS, the opportunity to view star-filled skies attracts tourists to our region and therefore economic benefit to the City of Fredericksburg, Texas; and

WHEREAS, preserving the rich historic heritage and starry night skies of the City of Fredericksburg, Texas is important to its residents; and

WHEREAS, "light pollution," which is wasted light that performs no function or task and artificial light that goes where it is not supposed to go, is created by glare, light trespass, sky glow, and overlighting; and

WHEREAS, light pollution wastes natural resources amounting to at least \$2 billion per year and contributes to diminished American energy independence; and

WHEREAS, the historical view of the night skies has been eroding in many nearby areas and generations are growing up with limited, if any, view of the wonders of the universe; and

WHEREAS, the influx of people into the Texas Hill Country region and the accompanying light pollution from area lighting fixtures has been steadily on the rise; and

WHEREAS, solving the problem of light pollution involves making better use of outdoor lighting to direct light down to where it is needed instead of upward into the sky, putting outdoor lights on timers and using outdoor lighting only where necessary; and

WHEREAS, Hill Country communities are increasingly dedicated to the preservation of the region's night skies, as evidenced by the frequent educational activities conducted in our region and by the increasing number of places in our region recognized as International Dark-Sky Places by the International Dark-Sky Association, including: Enchanted Rock State Natural Area, South Llano State Park, the City of Dripping Springs, the Wimberley Valley, the City of Fredericksburg, the City of Horseshoe Bay, U Bar U Camp & Retreat Center, River Hills Neighborhood of Travis County, and Lost Creek Neighborhood of Travis County; and

WHEREAS, this regional effort and the preservation and celebration of our night skies is worthy of a month-long celebration

NOW, THEREFORE, I, Jeryl Hoover, Mayor of the City of Fredericksburg, Texas, in the State of Texas, by virtue of the authority vested in me, do hereby proclaim the month of October 2022 as

Hill Country Night Sky Month

In the City of Fredericksburg and encourages citizens to enjoy the night sky and to participate in regions events and programs celebrating the night sky and promoting the ways in which communities are working to preserve it.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 18th day of October 2022.

Jeryl Hoover
Mayor



PROCLAMATION

WHEREAS, Code Enforcement Officers provide for safety and welfare of the citizens throughout the City of Fredericksburg through the enforcement of local codes or ordinances facing various issues of building, zoning, housing, animal control, environmental, health and life safety; and

WHEREAS, Code Enforcement Officers often have a challenging and demanding role and often do not receive recognition for the job that they do in improving living and working conditions for residents and businesses of local communities; and

WHEREAS, Code Enforcement Officers are dedicated, and high qualified professionals who share the goals of preventing neighborhood deterioration, enhancing and ensuring safety, and preserving property values through knowledge and application of housing, zoning, and nuisance codes and ordinances; and

WHEREAS, Code Enforcement Officers often have a highly visible role in the communities they serve and regularly interact with a variety of state officials, county officials, first responders, legislative boards, commissions, agencies, and bodies; and

WHEREAS, Code Enforcement Officers are called upon to provide quality customer service and excellence to the residents and businesses of the communities in which they serve; and

WHEREAS, the City of Fredericksburg wants to recognize and honor Code Enforcement Officers and bring awareness to the Importance of Code Enforcement to the communities; and

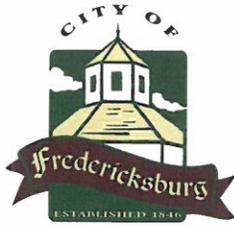
NOW, THEREFORE, I, Jeryl Hoover, Mayor of the City of Fredericksburg, Texas, in the State of Texas, by virtue of the authority vested in me, do hereby proclaim the month of October 2022 as

Code Enforcement Officers Month

In the City of Fredericksburg and urge all citizens assist them by being good neighbor and resident.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 18th day of October 2022.

Jeryl Hoover
Mayor



City of Fredericksburg

CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, OCTOBER 4, 2022 ~ 9:00 A.M.

FIRE TRAINING ROOM

126 W. MAIN STREET

FREDERICKSBURG, TEXAS 78624

Members Present:

Mayor Jeryl Hoover
Mayor Pro-Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Sharon Joseph

Members Absent:

None

City Staff Present:

Clinton Bailey, City Manager
Daniel Jones, City Attorney
Brian Vorauer, Police Chief
Lynn Bizzell, Fire Chief
Eric Whiting, Director of Information Technology
Garret Bonn, Interim City Engineer/Interim Director of Development Services
Kris Kneese, Interim Director of Public Works and Utilities
Andrea Schmidt, Parks & Recreation Director
Derek Seelig, Police Lieutenant
Braxton Roemer, Police Lieutenant
Justin Calhoun, Emergency Management Coordinator
Evan Williams, Staff Engineer
Anna Hudson, Historic Preservation Officer
Ray Ortegon, Code Enforcement Officer
Ted Boyer, Code Enforcement Officer
Shelby Collier, Associate Planner
Janelle Chapman, Purchasing Coordinator
Leslie Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Special Meeting of the Fredericksburg City Council to order at 9:00 a.m. on Tuesday, October 4, 2022. He announced a quorum had been met.

2. INVOCATION

John Willome, Good Samaritan Center, provided the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

A. Native Plant Society of Texas

Mayor Hoover read the Proclamation and proclaimed October 16th – 22nd as Texas Native Plant Week. He presented the proclamation to four members of the Fredericksburg Chapter of the Native Plant Society of Texas.

B. Employee Recognition

Clinton Bailey, City Manager, recognized Sergeant Chris Ayala for going above and beyond the call of duty and holding a Safety and Security Workshop.

5. COUNCIL COMMENTS

Councilmember Kirchner provided updates on the following items:

- Friends of Nature Center trip
- Commissioner’s Court
- New President/CEO of Convention Visitor Bureau is Brady Closson, CDME.

6. ACTION ITEMS AND UPDATES

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

- i. September 14, 2022, Special Meeting**
- ii. September 19, 2022, Regular Meeting**

Motion: A motion was made by Councilmember Kirchner seconded by Councilmember Klein, to approve the Consent Agenda items 6 A. i. – ii. with corrections. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2022-20R appointing individuals to fill vacancies in the membership of the City’s Zoning Board of Adjustment

This item will be considered after Agenda Item # 10.

Motion: A motion was made by Councilmember Watson seconded by Councilmember Klein, to appoint Eric Hammersen and Taylor Williams to fill the two alternate positions to terms of office expiring July 2024. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider, discuss, and take action regarding Agenda format of future Special Council Meetings and Work Sessions and discuss a list of discussion topics for these meetings

Clinton Bailey, City Manager, reviewed the process of the meeting. He also reviewed the Agenda Items for the Special Meetings/Work Session and the proposed discussion topics.

Jeannette Hormuth, City resident, spoke regarding the agenda format and feels the City Council Regular Meetings should be held in the evening.

The City Council provided additional discussion topics.

D. Consider, discuss, and take action regarding the Kickoff of the Comprehensive Plan

Garret Bonn, Interim City Engineer/Interim Director of Development Services, provided a Public Engagement Plan for the development of the Comprehensive Plan Update and Parks Master Plan. He stated Halff Associates have begun their work regarding the Comprehensive Plan. He noted there are six phases to complete the project. He reported that this project will take an approximately sixteen months to complete.

The City Council discussed the different ways to reach the public and how the public can be involved.

E. Consider, discuss, and take action regarding a six-month review of the Short-Term Rental “STR” permitting statistics, implementation of Granicus software, enforcement matters, and potential next steps

Garret Bonn, Interim City Engineer/Interim Director of Development Services, provided an update regarding Granicus software and Ordinance. He stated he and staff have been working with Granicus to get the full program up and running.

Mayor Hoover provided a PowerPoint on Housing & STRs in Fredericksburg (attached). He also stated in the FY2023 budget, there are three new employees to assist with the STR process (additional Code Enforcement Officer, STR Permit Specialist, and Tax Collection Specialist).

Mike Mahoney, City resident, choose not to speak.

Leland Geistweidt, City resident, spoke on issues regarding Short-Term Rentals in neighborhoods.

Charlie Kiehne, City resident, spoke on the current Ordinance and the current enforcement laws.

Jeffery Morin, City resident, spoke on issues regarding Granicus software.

Shelby Collier, Associate Planner, spoke about the process used to collect data, applications, and renewal applications. She also reviewed the process used to return calls.

Ray Ortegon, Code Enforcement Officer, reviewed the working hours and all the different issues.

Ted Boyer, Code Enforcement Officer, reviewed the process used when out in the field and contacting the owners. He also reviewed the process used when a STR are not permitted.

Randy Briley, City resident, reviewed different ideas that can be used to address several STR issues.

Bill Snyder, City resident, encouraged the City Council to assist with those who have been living with the STR issues for seven plus years.

Mike Mahoney, City resident, encouraged the City Council to find a product and process that will work for our City.

The City Council discussed the process used when STRs are not paying their Hot Occupancy Tax “HOT”.

Janelle Chapman, Purchasing Coordinator, reviewed the process for collecting HOT and the process used when individuals do not pay their HOT.

Garret Bonn, Interim City Engineer/Interim Director of Development Services, reviewed the procedures used when violations are routed through Municipal Court. He also reviewed the process for the new Civil Administrative Court.

7. CITY MANAGER’S REPORT

A. Town Hall Meetings

Clinton Bailey, City Manager, reviewed the process used to divide the City up into 27 sections. He noted the goal is to have at least two meetings a month possibly the 2nd and the 4th week and either on a Monday or Tuesdays in the evenings beginning at 6:00 p.m.

B. Development Services Director

This item was postponed until the October 19th City Council Regular Meeting.

8. ITEMS FOR FUTURE AGENDA

Clinton Bailey, City Manager, reviewed the Future Agenda spreadsheet.

9. EXECUTIVE SESSION

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

- A. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of N. Adams at Travis Street, in the City of Fredericksburg (Sec. 551.072),**
- B. Consider, discuss, and receive legal advice on Chapter 2, Article VI, of the City Code of Ordinances, concerning administration of the City's ethics ordinance (Sec. 551.071(2)),**
- C. Consider and discuss the appointment and evaluation of a public officer, specifically the appointment of persons to fill vacancies on the City's Board of Adjustment (Section 551.074), and**
- D. Consider and discuss evaluation, appointment, and/or duties of a public officer or employee, specifically the City Attorney (Sec. 551.074).**

Motion: A motion was made by Councilmember Joseph, seconded by Councilmember Watson, to go out of the Special Meeting and into the Executive Session at 10:51 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Joseph, to go out of the Executive Session and into the Regular Meeting at 11:51 a.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

10. BUSINESS ITEM

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Joseph, to approve Resolution 2021R authorizing the City Manager to execute any and all documents necessary to purchase property from Fredericksburg Social Turn Verein, said property described as being 33,700 square feet of land, more or less, situated adjacent to town pool in the City of Fredericksburg, Gillespie County, Texas, being all of Townlot No. 532, and part of Townlot No. 533, as said Townlots are shown on the map of Fredericksburg, Texas, and environs by the German Emigration Company, in the deed records of Gillespie County, Texas, in the amount of \$850,000; and ratifying all prior acts of the City Manager in relation to all matters pertaining to the negotiations entered into by the City as potential buyer of said property. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

The City Council then considered Agenda Item #6B.

11. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to adjourn the Tuesday, October 4, 2022, City Council Special Meeting at 11:55 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Jeryl Hoover
Mayor

Shelley Goodwin, TRMC/CMC
City Secretary

Housing & STRs in Fredericksburg

October 4, 2022



“How Airbnb Short-Term Rentals Exacerbate Los Angeles’s Affordable Housing Crisis”

Harvard Law and Policy Review - Feb 2016

A housing unit previously a residence that becomes an STR has essentially been added to the community’s supply of hotel rooms, which leads to a real increase in rents and reduces the already-limited supply of affordable housing. They essentially become “cottage hotels.”





"The Effect of Home-Sharing on House Prices and Rents"

Study published by the National Bureau of Economic Research - July 2017

Properties in the areas of hot Airbnb listings increased rents 1-3%.



“Is Home Sharing Driving Up Rents? Evidence from Airbnb in Boston”

***University of Massachusetts Economics
Study - March 2016***

A 10% increase in Airbnb listings leads to a 4% increase in rents and .76% increase in house prices.

The effect of Airbnb is smaller in areas with a larger share of owner-occupiers.



“Is Home Sharing Driving Up Rents? Evidence from Airbnb in Boston”

***University of Massachusetts Economics
Study - March 2016***

The STR industry grew 800% from 2011-2016. If a 10% increase in the number of STRs elevates rents by .42%, an 800% increase would be responsible for a 33.6% increase over the same period. This was at a time when median HH income grew only 18% [between 2011-2016 when this report was published].



"Is Home Sharing Driving Up Rents? Evidence from Airbnb in Boston"

***University of Massachusetts Economics
Study - March 2016***

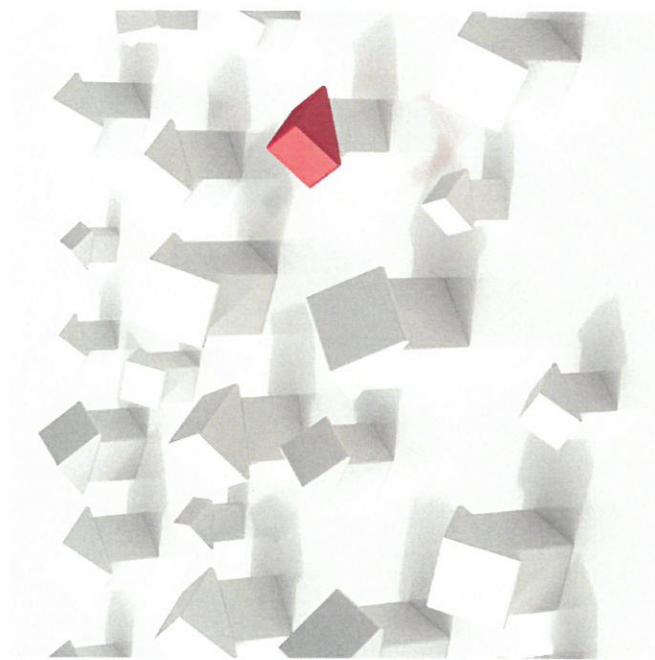
"To conclude, recent academic research seems to justify that citizens and local politicians have good reasons to be concerned about the impact of STRs on housing affordability. The good news is that these problems can easily be mitigated by adopting best practice regulations for STRs."

What is happening in Fredericksburg?

Of the estimated 5500 residential lots in the City, about 1300 (24%) are established as current or potential "on the books" STR properties, essentially removing them from the inventory of housing stock.

R-1 = 3,785 total and 629 STRs (16%)

R-2 = 842 total and 334 STRs (39%)



Affordable Housing Study

Quote #1

"The older, smaller legacy housing stock which typically fulfills a housing market's need for affordable homes for first time buyers is instead being rebranded as a business opportunity and priced relative to its ability to generate income."

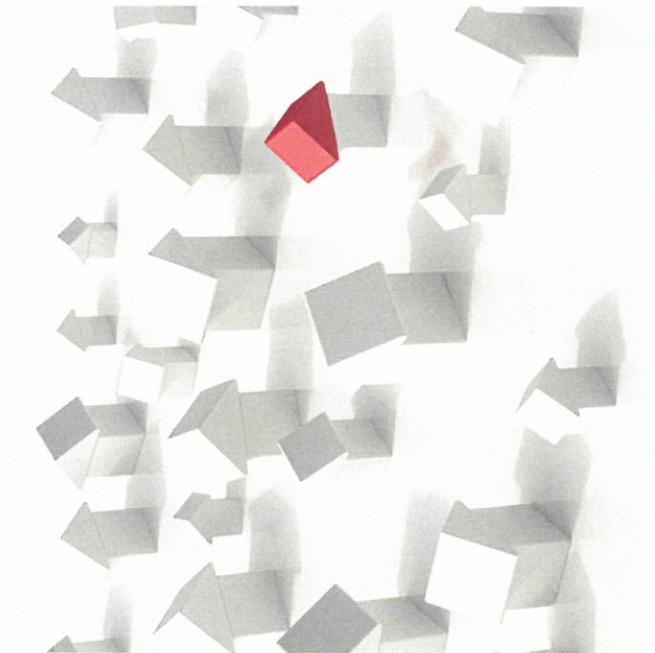




Affordable Housing Study

Quote #2

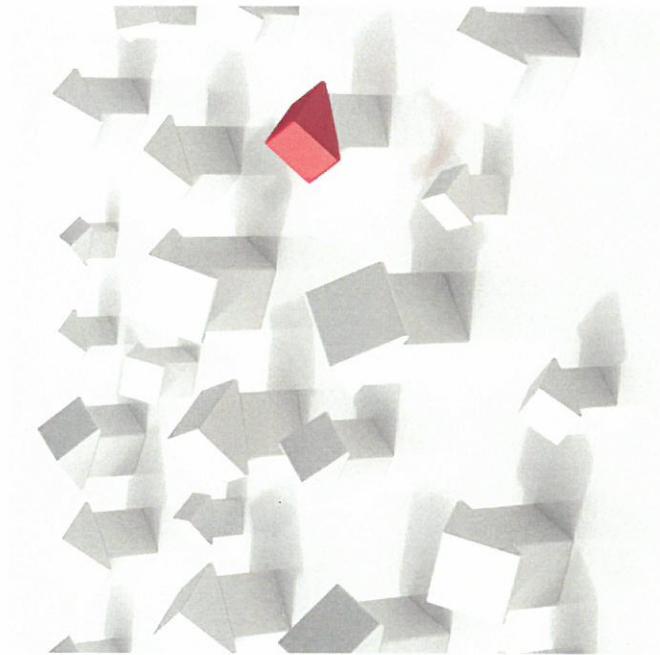
“Based on income data [relative to home prices in GC], it is estimated that only 11% of the county’s households could afford the average priced home, and a staggering 89% are priced out of the market.”



Affordable Housing Study

Quote #3

"Gillespie County's rents have been, and are currently considered extremely high, being 87% higher than all other markets nationally and 92% higher than all other Texas markets."

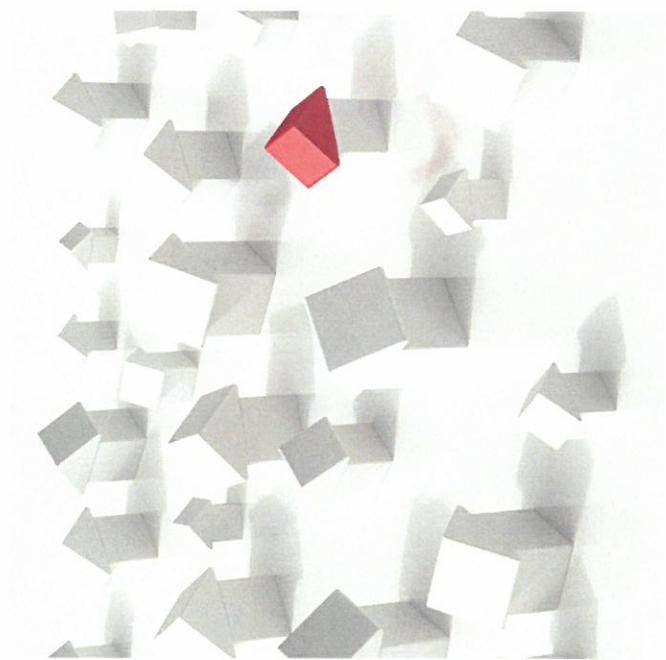


Affordable Housing Study

Quotes #4 and #5

"Pent up local housing demand (for workforce commuting more than 25 minutes) is close to 1900 units of housing."

"Posting boards show over 700 job openings currently being advertised by employers [in all of GC] with only 10 rental properties below \$1500 per month."





What we've seen is a major displacement of potential homeowners, leaving neighbors without actual neighbors, and shutting down the flow of new residents who could contribute to many key areas of community excellence.



We should be bold in stating we prioritize the housing needs of residents over the needs of tourists when the two aims conflict.



What can we do?

Take control of the STR presence in the City for the purpose of serving the bigger objective of addressing our residential housing challenges.



What can we do?

Begin the process for amending
the ordinance passed in March





What can we do?

Impose a moratorium on new applications for R-1 and R-2 permits while we do so





Amending the Ordinance

1. Expand the restrictions to R-2
2. Prohibit transferability of permits
3. Set a time limit for acting on a permit application
4. Increase the magnitude of penalties for repeat violators



Amending the Ordinance

5. Specify the terms for permit suspension or revocation
6. Aggressively enforce the local contact requirements for being on-site or able to respond in 30 minutes.



Amending the Ordinance

- 7. Clarify advertising requirements regarding house rules, capacity, and parking limits.
- 8. Cap the share of housing units that can be used as STRs.





Amending the Ordinance

9. Set up an Administrative Adjudication Process for watering, trash, noise, and outdoor lighting violations.
10. Shift enforcement of STR compliance to the Police Department.

What are our
immediate, near-
term, and long-
term housing
objectives?



Immediate

1. Consider a resolution declaring housing a public facility
2. Strategize the “trickle back” of STR properties for homeownership and rentals
3. Meet with County gov’t to set joint objectives
4. Determine pros/cons of each suggested approach in the Affordable Housing Study



Near-term

1. Develop a hard-edge strategic plan to move housing objectives forward
2. Incorporate these objectives into the new Comprehensive Plan
3. Keep the objectives and action steps in the forefront of every consideration for new or repurposed development
4. Stay alert and nimble to employ new approaches to meet new circumstances





Long-term

1. Have sufficient appropriately-priced opportunities for housing for the people who want to live and work here
2. Prioritize City planning that sustains and expands those opportunities
3. Be able to tout the quality of all our neighborhoods



CITY COUNCIL MEMO

DATE: October 18, 2022
TO: Mayor and City Council
FROM: Lynn Bizzell, Fire Chief
SUBJECT: County Wide Radio System Purchase Agreement .

Summary:

The approved fiscal year 2022-2023 budget included the purchase of a County wide radio system for the Fire EMS Departments. The attached agreement between the City of Fredericksburg and Lower Colorado River Authority (LCRA) totals \$3,099,000. This cost is split between the City of Fredericksburg and Gillespie County. The City of Fredericksburg will fund \$1,549,500 and Gillespie County will fund \$1,549,500.

Recommendation:

Staff recommends approval of the agreement between the City of Fredericksburg and Lower Colorado River Authority.

Background / Analysis:

The past several years the Gillespie County Fire Chiefs have worked to upgrade our aging County wide Fire EMS radio system. During our recent budget cycle, the City Council and County Commissioners approved funding for the radio project. The system will provide improved communications between Fire EMS Departments, improve our safety while responding to, on the scene and returning from emergency calls.

Attachments:

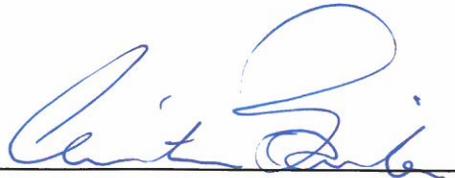
- Radio Services And Equipment Binding Proposal
-

The City of Fredericksburg

Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

**RADIO SERVICES AND EQUIPMENT
BINDING PROPOSAL**

October 05, 2022

**Mr. Reagan Rabke
Fire Marshall
City of Fredericksburg
101 West Main Street
Fredericksburg, TX
78624**

RE: City of Fredericksburg/Gillespie County Fire Consortium – New Tower & Radio Equipment

OVERVIEW

The Lower Colorado River Authority (“LCRA”) is pleased to submit this binding proposal for new radio tower infrastructure and radio equipment described below to improve radio communication in the city and county. This Proposal and the information set forth herein shall be subject to the terms and conditions of the Additional Interlocal Participant Agreement between City of Fredericksburg and LCRA (the “Interlocal Agreement”) dated May 12, 1999, and the Terms and Conditions attached hereto as Attachment B.

PROJECT SCOPE

This Proposal shall include:

- **One 6 Channel P25, Phase II Site in the Tierra Linda area, including communications site foundation, grounding, shelter, and backup generator**
- **Microwave/Transport Router**
- **Expansion channel/combiner for Doss, Fowler Hill, Fredericksburg, and Luckenbach sites**
- **3 Conventional Interfaces**
- **Engineering labor**
- **Dispatch Update of Zetron Console**
- **186 Motorola APX8000 700/800 VHF Portable Radios**
- **74 Motorola APX4500 700/800 Mobile Radios**
- **Development of Talk Groups; Radio Programming**
- **Mobile Radio Installations at 221 Friendship Lane, Fredericksburg, Texas**

- **Monthly electricity service and backhaul from the Tierra Linda site**

PRICING

The pricing included in the tables attached hereto as Attachments A1 and A2 include the binding pricing proposal for the equipment and installations outlined for this Project. The pricing indicated in Attachments A1 and A2 is valid through October 19th, 2022.

ACCEPTANCE

If you would like for us to proceed with this work, please have an authorized representative sign below and return to Marilyn Bessire (Marilyn.Bessire@LCRA.org.) If you should have any questions, please don't hesitate to contact me at (512) 626-3756.

DISCLAIMER

This Proposal is not intended and shall not be construed as a public offering of communications services. Nothing in this Proposal shall be interpreted to characterize LCRA as a common carrier of communications services.

[signature page follows]

ACCEPTED AND AGREED TO BY:
City of Fredericksburg

By: _____

Name (Printed): _____

Title: _____

Date: _____

Lower Colorado River Authority

By: _____

Name (Printed): _____

Title: _____

Date: _____

Attachment A1 – Radio Infrastructure

Infrastructure For County Wide Communications Improvement	Cost
One 6 Channel P25, Phase II Site, Tierra Linda	\$ 594,000.
Microwave / Transport Router	\$ 122,000.
Tower Upgrades, Structural Analyses	\$ 155,000.
3 Conventional Interfaces	\$ 19,000.
Engineering and Labor	\$ 97,000.
Outside Services	\$ 59,000.
Dispatch Upgrades to Zetron Console	\$ 21,000.
Total Price*:	\$1,067,000.

**The pricing indicated in this Attachment A1 is valid until October 19th, 2022.*

NOTE: Pricing does NOT include the monthly lease payments to the tower owner, Texas RSA 15B2 Limited Partnership, dba West Central Wireless. The lease is currently estimated at \$1350 per month, with an annual 3% price increase. LCRA will pass the tower lease costs on to Gillespie County with zero markup each month. The West Central Wireless tower is located at 13309 S. Ranch Road 783 in Gillespie County.

Tower upgrades include expansion of regional radio capacity at the Fredericksburg, Luckenbach, Doss, and Fowler Hill sites. All radios sites include installation, maintenance, resilient shelters, grounding, uninterruptible power supplies, propane generators, and ongoing propane refueling services. All shipping and handling is included.

LCRA support is available 24x7x365.

Attachment A2 – Radio Equipment

Motorola APX8000 700/800/VHF Portables & APX4500 700/800 Mobiles with Installation	Cost
186 Motorola APX8000 Portable Radios 700/800/VHF bands with Phase 2 TDMA, P25 Link Layer Authentication, P25 9600 Baud Trunking, SmartZone Operation, Astro Digital CAI Operation, ADP, Single Unit Charger, Battery, Antenna, Holder and APX Wireless RSM W/ DUC US/NA/JP/TW microphones. 5-year warranty included. Includes talk group development, initial programming of 186 radios, shipping, and handling.	\$1,593,000.
74 Motorola APX4500 Enhanced Mobile Radios, 700/800 band with 9600 Baud trunking single system, Advanced System Key-Hardware Key, APX 02 Control Head (Grey), Remote Mount, Keypad Mic GCAI, Speaker 15W Water Resistant, Antenna 3DB Low-Profile 762-870, TDMA Operation, Multi-key Encryption Operation, AES Encryption, 60 Coax Cables, 60 Mini UHF Connectors. 5-year warranty included. Includes talk group development, initial programming of 74 radios, shipping, and handling.	\$403,000.
74 Mobile Radio Onsite Installations with faceplates included.	36,000.00
Total Price*:	\$2,032,000.

**The pricing indicated in this Attachment A2 is valid until October 19th, 2022.*

LCRA Radio Airtime fees: \$20 per radio per month. Radio fees will be invoiced to the agency which radios are assigned.

Payment Terms

City of Fredericksburg will be invoiced on the following terms for this Project:

- **25% upon execution of this Proposal**
- **50% upon receipt of materials (shelter, microwave, generator, antenna, and radios) at LCRA**
- **15% upon installation and testing**
- **10% upon Acceptance. Acceptance shall mean thirty calendar days of system operation without any major interruption in radio service after installation of the radio system infrastructure described in Attachment A1**

ATTACHMENT B

TERMS AND

CONDITIONS

This Proposal is subject to the following terms and conditions:

- 1. LCRA shall perform construction and/or installation services as described in the Proposal.**
- 2. LCRA will perform the work for a firm, fixed fee amount. All monetary payments under this Proposal shall be due and payable within thirty (30) days after receipt of invoice. If payment is not timely made, interest shall accrue on the unpaid balance at the lesser of the maximum lawful rate, or one percent per month, from the due date until paid.**
- 3. Changes in the Proposal may be made only by a written change order signed by representatives of Customer and LCRA. Verbal change orders shall not be given nor accepted, except in case of an emergency which endangers people or property, and such order shall be followed up with a written confirmation as soon as practicable.**
- 4. The term of this Proposal shall be the duration of the work. The Proposal may be terminated at any time by either party upon written notice to the other party. When the Proposal is terminated by either party, the Customer shall pay for services rendered under this Proposal up to the date of termination.**
- 5. There are no third-party beneficiaries to this Proposal and the provisions of this Proposal shall not create any legal or equitable right, remedy or claim enforceable by any person, firm, or organization other than the parties and their permitted successors and permitted assigns.**
- 6. Limited Warranty.**
 - (a) LCRA shall perform all services in accordance with acceptable industry practice, in a good and workmanlike manner, and in accordance with installation instructions and requirements of any applicable equipment manufacturer and supplier. During a period of thirty (30) days after acceptance of the work by Customer, LCRA shall correct any work not conforming to the foregoing warranties by reperforming the services.**
 - (b) LCRA shall assign to Customer, as the end-user, any applicable equipment or supply warranties provided by LCRA's vendors. All warranty documentation shall be furnished to the Customer.**
 - (c) THE WARRANTIES CONTAINED IN THIS SECTION 6 ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND CUSTOMER'S REMEDIES ARE LIMITED TO LCRA'S**

OBLIGATIONS AS EXPRESSLY STATED IN THIS SECTION 6.

THE TOTAL LIABILITY OF LCRA ARISING OUT OF THIS PROPOSAL AND THE WORK PERFORMED HEREUNDER WILL NOT EXCEED AN AMOUNT EQUAL TO THE FEES PAID TO LCRA UNDER THIS PROPOSAL, AND LCRA WILL NOT BE LIABLE FOR INDIRECT, PUNITIVE, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS. IN NO EVENT SHALL ANY OFFICER, DIRECTOR, EMPLOYEE OR AFFILIATE (OR AFFILIATE'S OFFICER, DIRECTOR OR EMPLOYEE) OF LCRA BE LIABLE TO CUSTOMER UNDER THIS PROPOSAL, AND CUSTOMER'S SOLE RECOURSE UNDER THIS PROPOSAL SHALL BE AGAINST LCRA AND NOT AGAINST SUCH OTHER PERSONS. THE LIMITATIONS LIABILITY AND REMEDIES IN THIS PARAGRAPH WILL APPLY REGARDLESS OF WHETHER THE LIABILITY OR CAUSE OF ACTION ARISES IN CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE. NOTHING IN THIS PROPOSAL SHALL BE CONSTRUED TO WAIVE LCRA'S GOVERNMENTAL IMMUNITY.

- 1. This Proposal and the Interlocal Agreement together represents and contains the entire agreement and understanding between the parties with respect to the subject matter of this Proposal and supersedes any and all prior or contemporaneous oral and/or written agreements and understandings. No representations, warranty, condition, understanding or agreement of any kind with respect to the subject matter of this Proposal shall be relied upon by the parties unless incorporated into this Proposal. This Proposal may not be amended or modified except by a writing executed both by an authorized representative of LCRA and by an authorized representative of the Customer.**



CITY COUNCIL MEMO

DATE: October 18, 2022
TO: Mayor and City Council
FROM: Laura Hollenbeak, Finance Director
SUBJECT: Lease Purchase Financing for Acquisition of Fire-EMS Radio System

Summary:

The FY 2023 adopted City Budget approved funding for lease purchase payments for the acquisition of a Fire-EMS Radio System for the Fire and EMS Departments.

The purchase price of \$1,124,625 will be financed. The financing was bid with the low bid received from BankFunding, LLC with an interest rate of 3.850%.

Recommendation:

Staff recommends that the Council award the financing to BankFunding, LLC. The City Attorney will review the lease documentation.

Background / Analysis:

Attachments:

Summary of Bids Received
Proposal and Terms Sheet

The City of Fredericksburg

Kaura Hollenback

Department Approval

Chris...

City Manager Approval

D.D.

City Attorney Approval

The City of Fredericksburg

City of Fredericksburg - \$1,124,625 Fire/EMS Radio System Equipment Lease / Purchasing Financing, FY 2023

Summary of Bids Received

Bidder	Interest Rate	Principal Amount	Total Interest		Total P & I &		Rank
			Cost	Fee if any	Fees	Annual Payment	
BankFunding, LLC	3.850%	1,124,625.00	86,533.90	N/A	1,211,158.90	242,231.78	1
Signature Public Funding Corp	4.406%	1,124,625.00	99,009.15	N/A	1,223,634.15	244,726.83	2
Baystone Government Finance	4.930%	1,124,625.00	110,758.55	N/A	1,235,383.55	247,076.71	3



BankFunding, LLC

a subsidiary of a MBE/SWAM-certified firm

Stanley G. Oldroyd
Managing Director
BankFunding, LLC
14024 Clopper Road
Boys, MD 20841
Phone 301-518-4360
Email sol_droyd@comcast.net

October 6, 2022

Ms. Krista Wareham
Finance Manager
City of Fredericksburg
126 W. Main St.
Fredericksburg, TX 78624

via email: kwareham@fbgtx.org

Re: RFP - Lease Purchase Financing EMS Radio System

Dear Ms, Wareham:

BankFunding, LLC is pleased to propose the following terms to provide tax-exempt lease/purchase financing of the new EMS Radio System equipment for the City, in accordance with your Request For Proposals.

BankFunding, LLC is not a registered Municipal Advisor with the SEC or MSRB, and is not acting as a municipal or financial advisor. The information provided in this document is not intended to be and should not be construed as "advice" within the meaning of Section 15B of the Securities Exchange Act of 1934 and the municipal advisor rules of the SEC.

Lessee: **City Council of the City of Fredericksburg, TX.**
Lessee is a state or political subdivision within the meaning of Section 103(e) of the Internal Revenue Code of 1986, as amended (the "Code").

Lessor: **BankFunding, LLC, Boys, MD, on behalf of its Assignee/Designee.**

Type of Financing: Schedule(s) under a tax-exempt Lease/Purchase Agreement (the "Agreement"). Said Agreement shall be a net lease arrangement whereby Lessee is responsible for all costs of operation, maintenance, insurance and taxes. Payments due under the Agreement shall be based on the annual appropriation of funds during each year of the lease.

Ms. Krista Wareham
October 6, 2022
Page 2

- Equipment Type:** new EMS Radio System Equipment, as outlined in the RFP, subject to review and acceptance by the Lessor.
- Date of Funding:** assumed to be on or around November 15, 2021.
- Amount Financed:** assumed to be \$1,124,625. in the aggregate.
- Lease Term / Rate:** 5 years / 3.85%, or as adjusted with movements in Treasury rates (see Proposal Expiration below).
- Payments:** Five (5) payments of \$242,231.78, payable annually in advance, approximately as shown on the attached amortization schedule.
- Escrow Funding:** Subject to the terms of acceptance of this proposal, Lessor is willing to fund the final Amount Financed for this transaction into an escrow account as a means of holding the Lease Rate. In the event an escrow account is utilized, the escrow account will be used to pay equipment vendors, contractors, and any escrow expenses. Lessor will review and approve disbursement requests prior to disbursement of funds by the Escrow Agent.
- Pre-Payment:** Lessee will have the option to pre-pay the remaining lease balance on any payment due date after the first anniversary for 101% of the remaining balance.
- Reimbursement:** If Lessee intends to be reimbursed for any equipment costs associated with this Agreement, intent for reimbursement from the proceeds of this Agreement must be evidenced, and must qualify under Treasury Regulation Section 1.150.2.
- Authorized Signors:** Lessee's governing board shall provide Lessor with its resolution or ordinance authorizing this Agreement and shall designate the Individual(s) to execute all necessary documents used therein.
- Legal Title:** Title to the equipment will be in the name of the Lessee. Lessor will be granted a security interest or lien on all collateral being financed.
- Insurance:** Lessee shall furnish confirmation of all-risk physical damage insurance coverage for the full cost of the property plus one million dollars (\$1,000,000) combined single limit property damage and bodily injury insurance covering the property. In the event the Lessee maintains self-insurance, or alternative coverage, Lessor must approve the final insurance arrangements.

Documentation: Documentation will be industry-standard and will be furnished by Lessor subject to negotiation between the parties.

Legal Opinion: Lessee's counsel shall furnish Lessor with an opinion covering this transaction and the documents used herein. This opinion shall be in a form and substance satisfactory to Lessor.

Proposal Expiration: In order to hold the interest rate through the date of funding into escrow, Lessee must notify Lessor that the Lessor is the apparent winner of the bid by October 10, 2022. If notification occurs by this date the Lessor will honor the quoted Lease Rate for a closing on or before November 15, 2022.

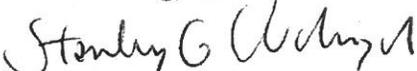
However, if notice is not received by October 10, 2022, or if funding does not take place by November 15, 2022, the Lease Rate and Lease Payment Amounts may be adjusted up or down in accordance with 79% of any change in the 3-year ICE swap rate (currently 4.25%).

Financial Statements: Lessee shall provide to Lessor updated financial statements as needed so that the Lessor has at least the last three consecutive years of financial information, as well as a current budget, demographics, and proof of appropriation for the ensuing fiscal year and such other financial information relating to the ability of Lessee to continue this Agreement as may be reasonably requested by Lessor.

This proposal is subject to final credit approval by the Credit/Investment Committee of the Lessor, and to mutually-acceptable documentation. To render a credit decision, Lessee shall provide Lessor with the information requested above.

Upon receipt of the signed proposal, we will endeavor to provide you with a timely commitment. It is a pleasure to offer this proposal to the City. We look forward to your favorable acknowledgment.

Sincerely,
BankFunding, LLC


Stanley G. Oldroyd
Managing Director

The proposed financing terms as outlined above are hereby agreed to and accepted by:

(Name)

(Title)

(Date)

PROPOSAL FORM

The City will make a total of three annual payments in equal installments beginning 11/15/2022. Payments will be made on November 15 of each year.

	Totals	General Fund Fire Dept	EMS Fund
Term (Number of Years)	5	5	5
Amount to be Financed	1,124,625.00	562,312.50 349,875.	562,312.50 774,750.

Interest Rate: 3.85%

Fee, if any: -0-

Total Interest Cost: \$86,533.90

Payment Amount: \$242,231.78

Total Payments: \$1,211,158.90

Proposal submitted by:

Stanley G. Oldroyd
Name (Print or Type)

BankFunding, LLC
Name of Financial Institution

14024 Clopper Road
Address (mailing & physical, if different)

301-518-4360
Telephone Number

Stanley G. Oldroyd
Authorized Signature

Managing Director
Title

Boyds, MD 20841
City, State, & Zip

sol_droyd@comcast.net
Email Address

Separate amortization schedules are required for the General Fund Fire Department & EMS Fund portion of the financing.

Lessor: BankFunding, LLC
Lessee: City of Fredericksburg, TX

Fire Dept

	payment	3.85% interest	principal	balance	pre-payment
11/15/2022				\$ 349,875.00	N/A
11/15/2022	\$ 75,359.20	0.00	75,359.20	274,515.80	N/A
11/15/2023	75,359.20	10,568.86	64,790.34	209,725.46	211,822.71
11/15/2024	75,359.20	8,074.43	67,284.77	142,440.69	143,865.10
11/15/2025	75,359.20	5,483.97	69,875.23	72,565.45	73,291.11
11/15/2026	75,359.20	2,793.75	72,565.45	0.00	0.00
	\$ 376,796.00	\$ 26,921.00	\$ 349,875.00		

Lessor: BankFunding, LLC
Lessee: City of Fredericksburg, TX

EMS Fund

	payment	3.85% interest	principal	balance	pre-payment
11/15/2022				\$ 774,750.00	N/A
11/15/2022	\$ 166,872.58	0.00	166,872.58	607,877.42	N/A
11/15/2023	166,872.58	23,403.28	143,469.30	464,408.12	469,052.20
11/15/2024	166,872.58	17,879.71	148,992.87	315,415.25	318,569.41
11/15/2025	166,872.58	12,143.49	154,729.09	160,686.16	162,293.02
11/15/2026	166,872.58	6,186.42	160,686.16	(0.00)	(0.00)
	\$ 834,362.90	\$ 59,612.90	\$ 774,750.00		



CITY COUNCIL MEMO

DATE: October 18, 2022
TO: Mayor and City Council
FROM: Laura Hollenbeak, Finance Director
SUBJECT: Lease Purchase Financing for Acquisition of Vehicles and Equipment

Summary:

The FY 2023 adopted City Budget approved funding for lease purchase payments for the acquisition of Vehicles and Equipment including, a Bucket Truck for the Electric Department, a Tractor and Shredder for the Sanitation Department, 4 Ventilators, 5 LUCAS Chest Compression systems, and an Ambulance for the EMS fund, and a Bucket Truck for the Drainage/Vegetation Management Fund.

The purchase price of \$933,977.65 will be financed. The financing was bid with the low bid received from BankFunding, LLC with an interest rate of 3.820%.

Recommendation:

Staff recommends that the Council award the financing to BankFunding, LLC. The City Attorney will review the lease documentation.

Background / Analysis:

Attachments:

Summary of Bids Received
Proposal and Terms Sheet

The City of Fredericksburg

Laura Hollenback

Department Approval

Chris Farley

City Manager Approval

D. D.

City Attorney Approval

The City of Fredericksburg

City of Fredericksburg - \$933,977.65 Vehicles & Equipment Lease / Purchasing Financing, FY 2023
Summary of Bids Received

Bidder	Interest Rate	Principal Amount	Total Interest		Total P & I & Fees		Annual Payment	Rank
			Cost	Fee if any	Cost	Fees		
BankFunding, LLC	3.820%	933,977.65	35,223.86	N/A	969,201.51	323,067.17	1	
US State Bank	4.482%	933,977.65	41,235.88	N/A	975,213.53	325,071.18	2	
Signature Public Funding Corp	4.501%	933,977.65	41,408.03	N/A	975,385.68	325,128.56	3	
Baystone Government Finance	4.850%	933,977.65	44,566.13	N/A	978,543.78	326,181.26	4	



BankFunding, LLC
a subsidiary of a MBE/SWAM-certified firm

Stanley G. Oldroyd
Managing Director
BankFunding, LLC
14024 Clopper Road
Boys, MD 20841
Phone 301-518-4360
Email sol_droyd@comcast.net

October 6, 2022

Ms. Krista Wareham
Finance Manager
City of Fredericksburg
126 W. Main St.
Fredericksburg, TX 78624

via email: kwareham@fbgtx.org

Re: RFP - Lease Purchase Financing Vehicles and Equipment

Dear Ms, Wareham:

BankFunding, LLC is pleased to propose the following terms to provide tax-exempt lease/purchase financing of the new vehicles and equipment for the City, in accordance with your Request For Proposals.

BankFunding, LLC is not a registered Municipal Advisor with the SEC or MSRB, and is not acting as a municipal or financial advisor. The information provided in this document is not intended to be and should not be construed as "advice" within the meaning of Section 15B of the Securities Exchange Act of 1934 and the municipal advisor rules of the SEC.

Lessee: **City Council of the City of Fredericksburg, TX.**
Lessee is a state or political subdivision within the meaning of Section 103(e) of the Internal Revenue Code of 1986, as amended (the "Code").

Lessor: **BankFunding, LLC, Boys, MD, on behalf of its Assignee/Designee.**

Type of Financing: Schedule(s) under a tax-exempt Lease/Purchase Agreement (the "Agreement"). Said Agreement shall be a net lease arrangement whereby Lessee is responsible for all costs of operation, maintenance, insurance and taxes. Payments due under the Agreement shall be based on the annual appropriation of funds during each year of the lease.

- Equipment Type:** various new vehicles and equipment, as outlined in the RFP, subject to review and acceptance by the Lessor.
- Date of Funding:** assumed to be on or around November 15, 2022.
- Amount Financed:** assumed to be **\$933,977.65** in the aggregate.
- Lease Term / Rate:** **3 years / 3.82%**, or as adjusted with movements in Treasury rates (see Proposal Expiration below).
- Payments:** **Three (3) payments of \$323,067.17**, payable annually in advance, approximately as shown on the attached amortization schedule.
- Escrow Funding:** Subject to the terms of acceptance of this proposal, Lessor is willing to fund the final Amount Financed for this transaction into an escrow account as a means of holding the Lease Rate. In the event an escrow account is utilized, the escrow account will be used to pay equipment vendors, contractors, and any escrow expenses. Lessor will review and approve disbursement requests prior to disbursement of funds by the Escrow Agent.
- Pre-Payment:** Lessee will have the option to pre-pay the remaining lease balance on any payment due date after the first anniversary for 101% of the remaining balance.
- Reimbursement:** If Lessee intends to be reimbursed for any equipment costs associated with this Agreement, intent for reimbursement from the proceeds of this Agreement must be evidenced, and must qualify under Treasury Regulation Section 1.150.2.
- Authorized Signors:** Lessee's governing board shall provide Lessor with its resolution or ordinance authorizing this Agreement and shall designate the Individual(s) to execute all necessary documents used therein.
- Legal Title:** Title to the equipment will be in the name of the Lessee. Lessor will be granted a security interest or lien on all collateral being financed.
- Insurance:** Lessee shall furnish confirmation of all-risk physical damage insurance coverage for the full cost of the property plus one million dollars (\$1,000,000) combined single limit property damage and bodily injury insurance covering the property. In the event the Lessee maintains self-insurance, or alternative coverage, Lessor must approve the final insurance arrangements.

Documentation: Documentation will be industry-standard and will be furnished by Lessor subject to negotiation between the parties.

Legal Opinion: Lessee's counsel shall furnish Lessor with an opinion covering this transaction and the documents used herein. This opinion shall be in a form and substance satisfactory to Lessor.

Proposal Expiration: In order to hold the interest rate through the date of funding into escrow, Lessee must notify Lessor that the Lessor is the apparent winner of the bid by October 10, 2022. If notification occurs by this date the Lessor will honor the quoted Lease Rate for a closing on or before November 15, 2022.

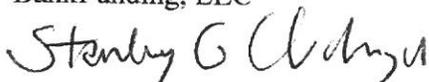
However, if notice is not received by October 10, 2022, or if funding does not take place by November 15, 2022, the Lease Rate and Lease Payment Amounts may be adjusted up or down in accordance with 79% of any change in the 3-year ICE swap rate (currently 4.25%).

Financial Statements: Lessee shall provide to Lessor updated financial statements as needed so that the Lessor has at least the last three consecutive years of financial information, as well as a current budget, demographics, and proof of appropriation for the ensuing fiscal year and such other financial information relating to the ability of Lessee to continue this Agreement as may be reasonably requested by Lessor.

This proposal is subject to final credit approval by the Credit/Investment Committee of the Lessor, and to mutually-acceptable documentation. To render a credit decision, Lessee shall provide Lessor with the information requested above.

Upon receipt of the signed proposal, we will endeavor to provide you with a timely commitment. It is a pleasure to offer this proposal to the City. We look forward to your favorable acknowledgment.

Sincerely,
BankFunding, LLC


Stanley G. Oldroyd
Managing Director

The proposed financing terms as outlined above are hereby agreed to and accepted by:

(Name)

(Title)

(Date)

PROPOSAL FORM

The City will make a total of three annual payments in equal installments beginning 11/15/2022. Payments will be made on November 15 of each year.

	Totals	Electric	Sanitation	EMS	Drainage
Term (Number of Years)	3	3	3	3	3
Amount to be Financed	933,977.65	200,000.00	43,000.00	525,977.65	165,000.00

Interest Rate: 3.82%

Fee, if any: -0-

Total Interest Cost: \$35,223.86

Payment Amount: \$323,067.17

Total Payments: \$969,201.51

Proposal submitted by:

Stanley G. Oldroyd
Name (Print or Type)

BankFunding, LLC
Name of Financial Institution

14024 Clopper Road
Address (mailing & physical, if different)

301-518-4360
Telephone Number

Stanley G Oldroyd
Authorized Signature

Managing Director
Title

Boys, MD 20841
City, State, & Zip

sol_droyd@comcast.net
Email Address

Lessor: BankFunding, LLC
Lessee: City of Fredericksburg, TX

Electric

	payment	3.82% interest	principal	balance	pre-payment
11/15/2022				\$ 200,000.00	N/A
11/15/2022	\$ 69,180.92	0.00	69,180.92	130,819.08	N/A
11/15/2023	69,180.92	4,997.29	64,183.63	66,635.45	67,301.80
11/15/2024	69,180.92	2,545.47	66,635.45	0.00	0.00
	\$ 207,542.76	\$ 7,542.76	\$ 200,000.00		

Lessor: BankFunding, LLC
Lessee: City of Fredericksburg, TX

Sanitation

	payment	3.82% interest	principal	balance	pre-payment
11/15/2022				\$ 43,000.00	N/A
11/15/2022	\$ 14,873.90	0.00	14,873.90	28,126.10	N/A
11/15/2023	14,873.90	1,074.42	13,799.48	14,326.62	14,469.88
11/15/2024	14,873.90	547.28	14,326.62	(0.00)	(0.00)
	\$ 44,621.70	\$ 1,621.70	\$ 43,000.00		

Lessor: BankFunding, LLC
Lessee: City of Fredericksburg, TX

EMS

	payment	3.82% interest	principal	balance	pre-payment
11/15/2022				\$ 525,977.65	N/A
11/15/2022	\$ 181,938.09	0.00	181,938.09	344,039.56	N/A
11/15/2023	181,938.09	13,142.31	168,795.78	175,243.78	176,996.22
11/15/2024	181,938.09	6,694.31	175,243.78	0.00	0.00
	\$ 545,814.27	\$ 19,836.62	\$ 525,977.65		

Lessor: BankFunding, LLC
 Lessee: City of Fredericksburg, TX

Drainage

	payment	3.82% interest	principal	balance	pre-payment
11/15/2022				\$ 165,000.00	N/A
11/15/2022	\$ 57,074.26	0.00	57,074.26	107,925.74	N/A
11/15/2023	57,074.26	4,122.76	52,951.50	54,974.24	55,523.99
11/15/2024	57,074.26	2,100.02	54,974.24	(0.00)	(0.00)
	\$ 171,222.78	\$ 6,222.78	\$ 165,000.00		



CITY COUNCIL MEMO

DATE: October 18, 2022

TO: Mayor and City Council

FROM: Andrea Schmidt, Parks & Recreation Director

SUBJECT: Parks equipment purchase

Summary:

As part of the FY 2023 budget, funds were approved for the purchase of several pieces of equipment for the parks department. The purchase of a workman with sprayer, infield groomer with broom, workman for Marktplatz, a groundsmaster 4000 and a groundsmaster 5900 was approved with a total budget amount of \$421,200. The Buyboard quotes for these five pieces of equipment total \$386,246.84.

Recommendation:

Consider approval of the purchase of parks equipment for \$386,246.84 and not to exceed \$421,200.

Background / Analysis:

The quotes include a stipulation that due to the volatility of the current market, some orders may incur additional cost increases that are beyond their control. These pricing adjustments may be made from the time the order is entered through the equipment deliver. These adjustments will be communicated with the customers. If the costs rise above our budget, then we may cancel the order with fees up to 10% of the original order.

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Attachments:

Quotes



Department Approval



City Manager Approval



City Attorney Approval

The City of Fredericksburg

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



Professional Turf Products, L.P.
 9468 Selma Parkway
 Selma, Texas 78154
 Ken Bramble
 (682) 330-3676
 bramblek@proturf.com



Ship To	City Of Fredericksburg - Parks Dept.	Date:	10/4/2022
Bill To	BUYBOARD (CONTRACT # 611-20) - Credit Cards Not Accepted	Tax Rate	0.00000
Contact	Trevor Dutuis	Destination	4.50%
Address	6022 Wells Rd., Fredericksburg, TX 78624-3728	Trade-In	\$0.00
		Finance	
Phone	830-997-1870	Account Type	Contract
Email		QMS: ID	Q116430
Comments:	10% Market adjustment to cover possible price increases before delivery		

Proposal

Qty	Model #	Description	Unit	Extended
1	30609	Groundsmaster 4000-D (T4)	\$ 83,819.79	\$ 83,819.79
8	93-5974	8 Inch Foam Filled Caster Wheel Assembly	\$ 174.47	\$ 1,395.77
1	30669	Universal Sunshade, White	\$ 742.60	\$ 742.60
1	MADJ	Market Adjustment Price Increase		\$ 8,595.82
		Groundsmaster 4000-D (T4)		\$ 94,553.98
1	31698	Groundsmaster 5900 (T4)	\$ 124,560.88	\$ 124,560.88
1	30669	Universal Sunshade, White	\$ 742.60	\$ 742.60
1	MADJ	Market Adjustment Price Increase		\$ 12,530.35
		Groundsmaster 5900 (T4)		\$ 137,833.83
		SubTotal		\$ 232,387.81
		Destination		\$ 10,457.45
		Tax (Estimated)		\$ -
		TOTAL		\$ 242,845.26

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.
 For all New Equipment, Refurbished units may be available for up to 40% savings.
 Due to unexpected issues with much of our supply chain, we are experiencing longer lead times than we have seen in the past. We are doing everything we can to get products to you as quickly as possible.

Terms & Conditions:

1. Prices & Finance Rates are subject to change at any time. Monthly Payments are Estimates based on Prices & Rates when quoted.
2. Due to the volatility of inflation, rising transportation costs, and supply shortages, some orders may incur additional cost increases that are beyond the control of PTP and the vendors we represent. These pricing adjustments may be made from the time the order is entered through equipment delivery. Any adjustments will be communicated to customers with orders in the system with a new sale price as they occur.
3. Order cancellations are subject to fees up to 10% of the original order value.
4. Equipment delivery time is estimated once credit is approved & documents are executed & is contingent on Manufacturer availability.
5. Payments by Credit Card are subject to convenience fee.
6. Used and Demo equipment is in high demand and availability is subject to change.
 - A. Upon firm customer commitment to purchase & credit is approved, said equipment availability will be determined.
 - B. In the event equipment is unavailable at time of order, PTP will employ every resource to secure an acceptable substitute.
 - C. PTP strongly advises the customer to issue a firm PO as quickly as possible after acceptance of quotation.
7. "Trade In Allowances" will be treated as a credit for future parts purchases on PTP account unless other arrangements have been made.

Returns Policy:

1. All returns & Canceled PO's are subject to restocking, refurbishing, usage, and shipping fees.
2. All returns must be able to be sold as new.
3. Items missing parts are non returnable.

Payment:

1. Terms are net 10 unless prior arrangements have been made.
2. Quoted prices are subject to credit approval.
 - A. PTP will work with third party financial institutions to secure leases when requested to do so.
 - B. When using third party financiers, documentation fees & advance payments may be required.
 - C. For convenience, monthly payments are estimated based on third party rate factors in effect at time of the quotation.
 - D. PTP assumes no liability in the event credit becomes unavailable or rates change during the approval process.
3. There will be a service charge equal to 1.5% per month (18% per annum) on all past due invoices.
4. By Law we are required to file a "Notice to Owner" of our intent to file lien in the event of payment default. This notice must be sent within 60 days of the date the original invoice and will happen automatically regardless of any special payment arrangements that may have been made.

Authorized Signature: _____

Date: _____



Professional Turf Products, L.P.

9468 Selma Parkway
 Selma, Texas 78154
 Ken Bramble
 (682) 330-3676
 bramblek@proturf.com



Ship To	City Of Fredericksburg - Parks Dept.	Date:	10/4/2022
Bill To	BUYBOARD (CONTRACT # 611-20) - Credit Cards Not Accepted	Tax Rate	0.00000
Contact	Trevor Dutuis	Destination	4.50%
Address	6022 Wells Rd., Fredericksburg, TX 78624-3728	Trade-In	\$0.00
		Finance	
Phone	830-997-1870	Account Type	Contract
Email		QMS: ID	Q112505
Comments:	Includes 10% maket adjustment budget for time of delivery		

Proposal

Qty	Model #	Description	Unit	Extended
1	07384	Workman HDX - 2WD (Kubota Gas)	\$ 30,734.16	\$ 30,734.16
1	07378	4 Post ROPS Kit	\$ 691.25	\$ 691.25
1	07316	High Flow Hydraulics Kit	\$ 1,776.71	\$ 1,776.71
1	41240	Multi Pro WM Sprayer Accessory (New - Multi Pro WM Sprayer Accessory)	\$ 18,243.47	\$ 18,243.47
1	07378	4 Post ROPS Kit	\$ 691.25	\$ 691.25
1	07419	Rear PTO Kit	\$ 1,084.67	\$ 1,084.67
1	131-3302	Finish Kit - Manual Transmission	\$ 796.98	\$ 796.98
1	07408	Hand Throttle Kit	\$ 504.02	\$ 504.02
11	120-0711	White 0.80 gpm nozzle @ 40 PSI	\$ 13.34	\$ 146.77
11	121-5062	Cap and Gasket for AI Turbo TwinJet	\$ 3.63	\$ 39.97
1	127-9719	Fan Kit (Required for sprayer operation)	\$ 268.78	\$ 268.78
1	41118	Hand Spray Wand Kit	\$ 575.12	\$ 575.12
2	41216	Jack Stand (Rear lift assist jacks for Multi Pro WM (quantity 2))	\$ 333.38	\$ 666.76
1	41241	Clean Rinse Kit (New Clean Rinse Kit for Mutli Pro WM)	\$ 1,760.12	\$ 1,760.12
1	136-0459	Finish Kit, Multi Pro WM	\$ 535.73	\$ 535.73
2	131-8432	Wide Tire w/ Grey Rim	\$ 333.29	\$ 666.57
1	MADJ	Market Adjustment Price Increase	\$	\$ 5,918.23
		Workman HDX - 2WD (Kubota Gas)	\$	\$ 65,100.56
1	08745	Sand Pro 5040	\$ 22,156.34	\$ 22,156.34
1	08714	Manual Blade (40 Inch)	\$ 1,737.21	\$ 1,737.21
1	08712	Front Lift Frame Assembly	\$ 1,988.43	\$ 1,988.43
1	08733	Spring Tine Toolbar	\$ 1,153.40	\$ 1,153.40
1	08766	Sport Field Edger	\$ 4,141.18	\$ 4,141.18
1	08838	Midmount Toolbar System	\$ 1,498.63	\$ 1,498.63
1	08757	Steel Drag Mat	\$ 325.48	\$ 325.48
1	108-9427	QAS A-Frame Assembly	\$ 495.43	\$ 495.43
1	08756	QAS Drag Mat Carrier System	\$ 1,511.27	\$ 1,511.27
1	08783	Front and Rear Remote Hydraulic Kit	\$ 2,976.72	\$ 2,976.72
1	110-1314	Light Kit	\$ 264.01	\$ 264.01
1	LB-100-5040	Lip Broom - Front Mount Complete	\$ 3,175.00	\$ 3,175.00
1	Freight	Freight	\$ 350.00	\$ 350.00
1	LB400-5	Spline Collar Plate	\$ 190.00	\$ 190.00
1	LB400-6	Poly Brush (requires Spline Collar Plate)	\$ 630.00	\$ 630.00
1	Freight	Freight	\$ 350.00	\$ 350.00
1	MADJ	Market Adjustment Price Increase	\$	\$ 4,294.31
		Sand Pro 5040	\$	\$ 47,237.41
1	07235	Workman MDX	\$ 12,300.30	\$ 12,300.30
1	07389	Electric Lift Kit	\$ 795.53	\$ 795.53
1	MADJ	Market Adjustment Price Increase	\$	\$ 1,309.58
		Workman MDX	\$	\$ 14,405.41
1	44225	Topdresser 1800 - 18cu. ft.	\$ 9,283.29	\$ 9,283.29
1	92-4452	1800 Lift Kit	\$ 246.72	\$ 246.72
1	MADJ	Market Adjustment Price Increase	\$	\$ 953.00
		Topdresser 1800 - 18cu. ft.	\$	\$ 10,483.01

SubTotal	\$	137,226.39
Destination	\$	6,175.19
Tax (Estimated)	\$	-
TOTAL	\$	143,401.58

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.
 For all New Equipment, Refurbished units may be available for up to 40% savings.
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Authorized Signature: _____

Date: _____



CITY COUNCIL MEMO

DATE: 10/18/2022

TO: Mayor and City Council

FROM: Evan Williamson, P.E. Staff Engineer

SUBJECT: City Sidewalk Improvement Program – Contract Renewal

Summary:

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

Recommendation:

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

Background / Analysis:

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

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

The City of Fredericksburg

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this would be the fourth year the contract is renewed. The approved FY 2023 budget includes \$50,000 for the annual sidewalk improvement program. The projects below are a short list of possible areas to be addressed. During the presentation Council will be able to provide on priorities including but not limited to the list below.

- 1) 800 Block E. Main Street – From existing sidewalk at the southwest corner of Main and Olive to existing sidewalk at the west side of 803 E. Main Street.
- 2) Cross Mountain Sidewalk – Provide pedestrian access from Cross Mountain Drive to Cross Mountain Park.
- 3) Additional projects based on Council’s recommendations.

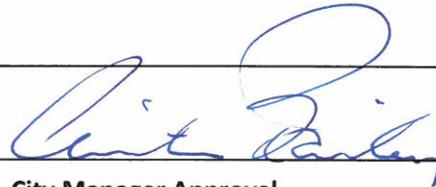
Based on the unit costs of construction and added 10% contingency three to four projects may be constructed. The remainder of the budget that is not sufficient to complete an entire project will be used to address problematic portions of sidewalk around town where repairs or modifications may be needed.

Attachments:

Sidewalk Update Presentation



Department Approval



City Manager Approval

The City of Fredericksburg

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



Sidewalk Improvement Program Project Update

City Council Meeting – October 18, 2022

Today's Discussion

- 1. Overview of Completed Projects**
- 2. TXDOT Sidewalk Project**
- 3. Proposed Projects**
- 4. Council recommendations**

Sidewalk Improvement Program

South side of 100 Block of W. Schubert Street



Sidewalk Improvement Program

East Side 100 N. Washington



Sidewalk Improvement Program

West Side 300 N. Llano Street



Sidewalk Improvement Program

West Side 100 N. Milam Street



Sidewalk Improvement Program

Sidewalk on E. Main Street Bridge



Sidewalk on N. Crockett Street Bridge

TXDOT Sidewalk Projects

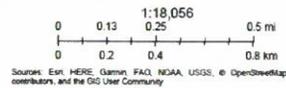
S. Milam Street to W. Park Street

SH 16 in Fredericksburg



June 9, 2021

- Museum
- County Courthouse
- National Register Districts
- Historical Marker
- ★ National Register Properties
- Cemeteries



TXDOT Sidewalk Projects

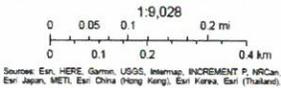
South Side of West Main Street

US 290 in Fredericksburg



June 11, 2021

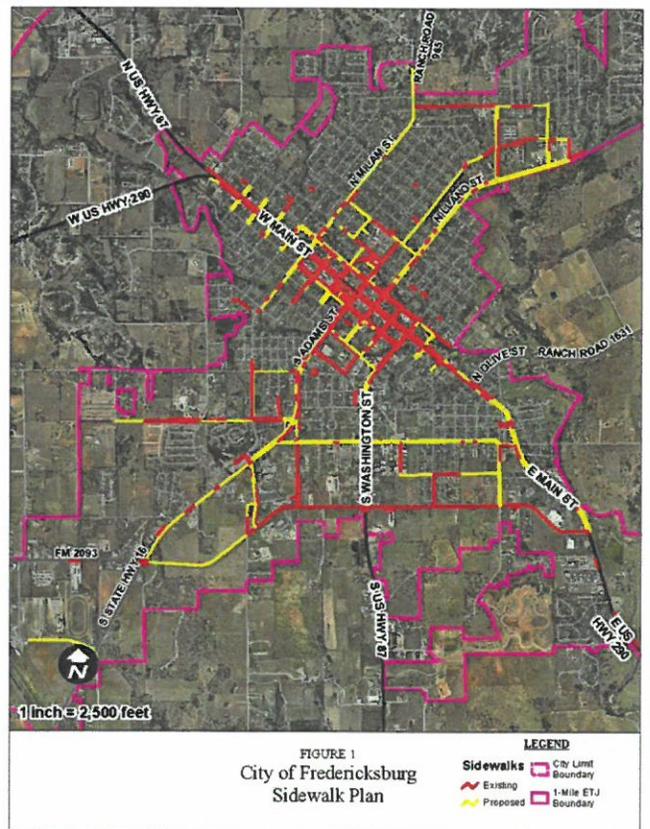
- Museum
- National Register Districts
- Historical Marker
- Cemeteries
- National Register Properties



Sidewalk Improvement Program

Fiscal Year 2023 Projects Budget \$50,000

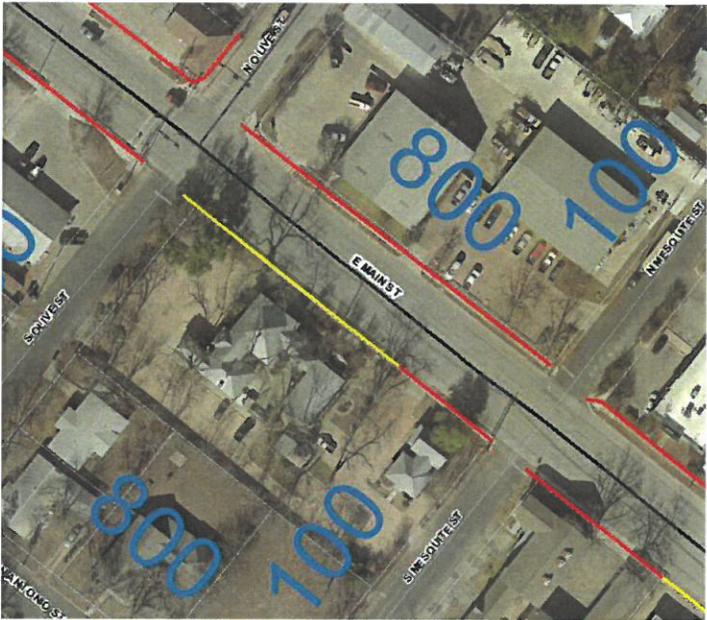
- 800 Block E. Main Street
 - \$8,500
- Cross Mountain Access
 - \$34,000
 - or-
 - \$26,000



Sidewalk Improvement Program

800 Block W. Main Street

- Fill gap in existing sidewalk along developed property



Sidewalk Improvement Program

1500 Block of N. Milam Street

- Connects Cross Mtn Dr to Cross Mtn Park via N. Milam



 City of Fredericksburg
Proposed Sidewalk Projects

LEGEND
 Project Extent
 Proposed Sidewalk



Sidewalk Improvement Program

Cross Mountain Access

- Coordinate with property owner for pedestrian access within electric easement.



Sidewalk Improvement Program

Rehabilitation in along Main Street





CITY COUNCIL MEMO

DATE: October 18, 2022

TO: Mayor & City Council

FROM: Garret Bonn – Interim Director of Development Services/City Engineer

SUBJECT: #Z-2219 – Public hearing, Consideration, and Action regarding a request from multiple property owners to consider a Land Use Change from Low Density Residential (LDR) to Medium Density Residential (MDR) and a Zoning Change from (R1) Single Family Residential to (R2) Mixed Residential for Properties Located at 611 & 613 E. Austin Street and 106 & 108 N. Columbus Street.

Summary:

The applicants are seeking a future land use classification change from “Low Density Residential” (LDR) to “Medium Density Residential” (MDR) and zoning change from “Single Family Residential” (R1) to “Mixed Residential” R2.

Background:

The owner of the lot at 611 E. Austin approached City staff regarding a request to rezone the tract from R1 to R2. After further discussion and analysis, staff advised the owner to coordinate with the adjacent property owners to determine if they would also support a change to R2. The current application is a result of those discussions and proposes to rezone the remainder of the R1 lots fronting E. Austin from R1 to R2.

Analysis:

611 & 613 East Austin and 106 N. Columbus all have a single unit located on the property while 108 N. Columbus is vacant. 611 E. Austin does have a STR-Nonconforming permit while the additional properties are primary or long-term rental residences.

Land uses surrounding this property include Low Density Residential (LDR) to the north across East Austin and east across North Columbus, Medium Density Residential (MDR) to the west, and Commercial (C) to the south abutting properties that front on East Main Street (Church’s Chicken and Del Rio Automotive).

The City of Fredericksburg

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Zoning to the north across East Austin and east across North Columbus is R1 – Single Family Residential. Zoning to the west is R2 – Mixed Residential and Zoning to the south is Commercial – C2.

This neighborhood has a mix of residential uses that include Single Family Residential, Multi-Family and Mobile Homes as well as commercial uses such as Fast Food, Automotive Sales and General Retail.

Public notification, including letters being sent to property owners within 200 feet resulted in no responses. The Planning and Zoning Commission held a public hearing on October 5, 2022, and recommended approval with one commission member voting against the motion (6-1).

Recommendation:

Given the location of the properties abutting a C2 Commercially Zoned area and the requested rezoning resulting in the same zoning for the remainder of the block fronting E. Austin, staff recommends approval of the requested land use classification change from “Low Density Residential” (LDR) to “Medium Density Residential” (MDR) and zoning change from “Single Family Residential” (R1) to “Mixed Residential” R2, as recommended by the Planning and Zoning Commission.

Attachments:

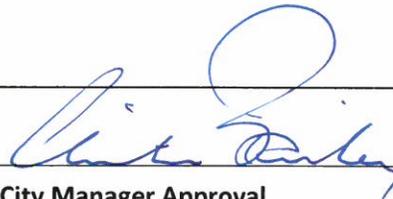
1. Future Land Use Map & Location/Zoning Map
2. Project Application
3. Map with Land Uses



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

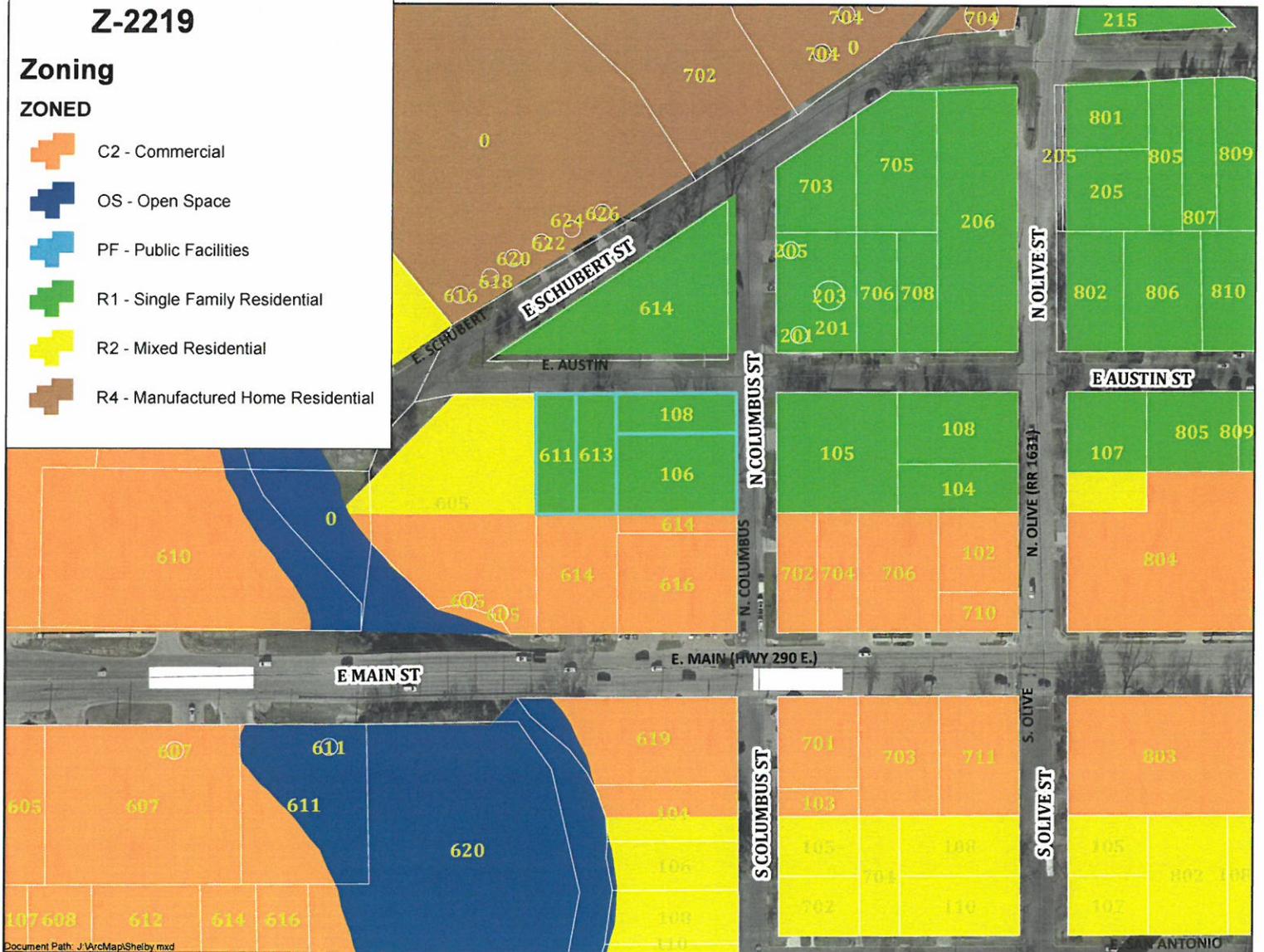
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Z-2219

Zoning

ZONED

-  C2 - Commercial
-  OS - Open Space
-  PF - Public Facilities
-  R1 - Single Family Residential
-  R2 - Mixed Residential
-  R4 - Manufactured Home Residential



Document Path: J:\ArcMap\Shelby.mxd



Project Application

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

A. Project Information (Please complete all items)

Project Name: 611 E. Austin Code Compliance (Not sure project name?)
Project Address: 611 E. Austin
Tax ID Number (s):

Application Type (Check all items that apply)

PDF COPIES ARE REQUIRED FOR ALL SUBMISSIONS

- | | | |
|---|--|--|
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Plat* | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Replat* | <input type="checkbox"/> Annexation* |
| <input checked="" type="checkbox"/> Zoning Change | <input type="checkbox"/> Amending Plat* | <input type="checkbox"/> Final Plat* |
| <input type="checkbox"/> Land Use Plan Change | <input type="checkbox"/> Preliminary Plat* | |

Revision of Approved Plan / Plat? Yes No Name:

Jurisdiction: City Limits ETJ Total Acres: No. of Lots:

Original Survey & Abstract No:

Legal Description: South hghts blk 29 Lot 10

Current Land Use Plan:

Proposed Land Use Plan:

Current Zoning: R1

Proposed Zoning: R2

Location:

Proposed Use(s): To bring property into compliance with new STR rules
To be able to add a bathroom onto the 3/1 house.

Applicant's Signature

Applicant's Role: Owner Developer Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: [Handwritten Signature]

Printed Name: Travis Jacko Date: 7/20/22

Staff Use Only Application No.: 2-2219 Date: 07/25/22

*Copy of current Title Search required with application.

\$700.00 CH#196



Project Application

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

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): *SSH Property Group, LLC*
Owner Name: *Travis + Amber Jacko Donald + Patti Watson*
Address: *249 Flat Creek Canyon Lake, TX 78133*
Phone: *210-215-5103* Fax: Email:

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role): *Owner/Manager*
Firm Name (if applicable):
Address:
Primary Contact Name: *Travis Jacko*
Phone: *210-215-5103* Fax: Email: *travisjacko52@gmail.com*
Secondary Contact Name:
Phone: Fax: Email:

III. Applicant *same as above*

Firm Name (if applicable):
Applicant Name (s):
Address:
Phone: Fax: Email:

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):
Firm Name (if applicable):
Address:
Primary Contact Name:
Phone: Fax: Email:



Project Application

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

C. Fee Schedule (Please attach appropriate fee to application.)

- Conditional Use Permit Application - \$400
- Site Plan Application Admin - \$300
- Site Plan Application P&Z - \$400
- Application for Zoning Change - \$400
- Application for Land Use Change - \$300
- Minor Plat - \$300
- Amending Plat - \$300
- Replat - \$300 plus \$20 per lot
- Preliminary Plat - \$400 plus \$20 per lot
- Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.

To whom it may concern,

The below property owners are in favor of changing the zoning of their properties from R-1 to R-2.

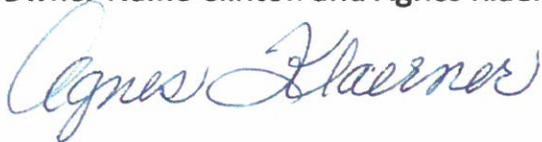
611 E. Austin

Owner Name Donald and Patti Watson, Travis and Amber Jacko



613 E. Austin

Owner Name Clinton and Agnes Klaerner



106/108 N Columbus

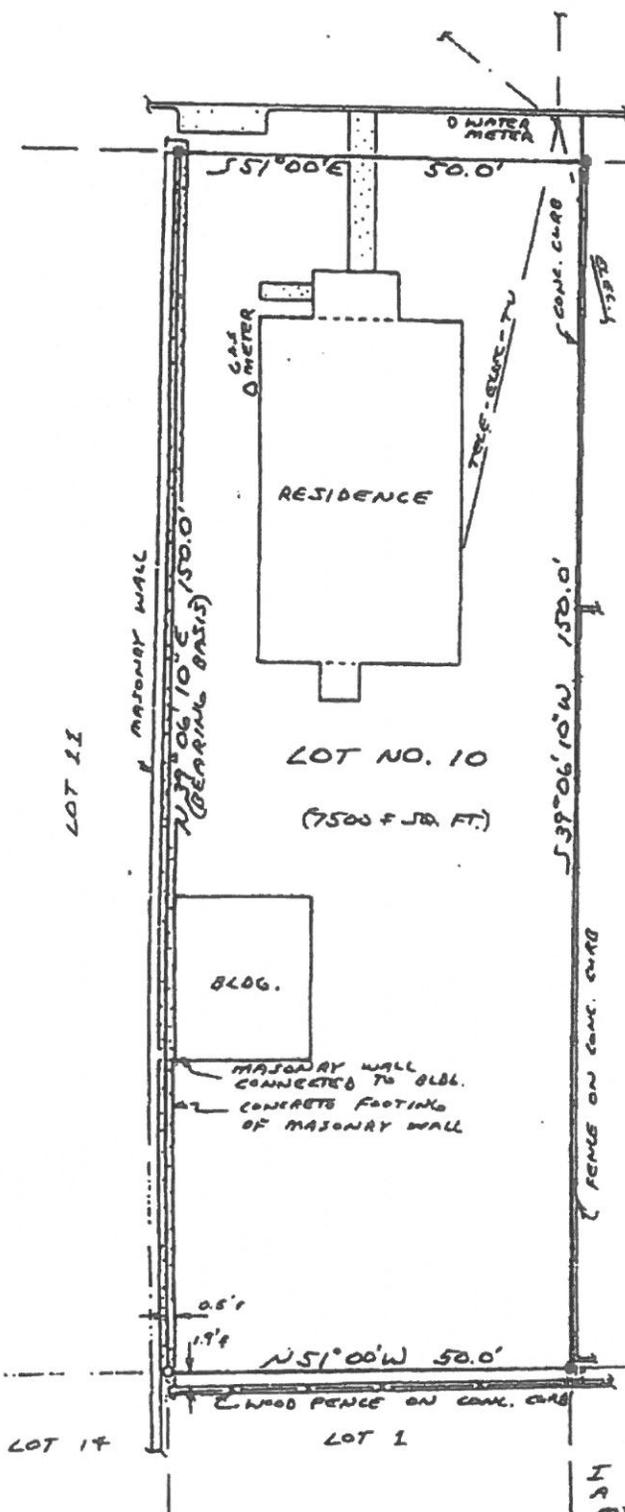
Kristopher and Leslie Kneese



FOUND OF RECORD IN PLAT 18
 PG. 301 OF THE DEED RECORDS OF
 GILLESPIE COUNTY TEXAS.
 SURVEY MADE AT THE REQUEST OF
 HAROLD LOTE

E. AUSTIN STREET

Borrower/Property Address:
 Charlotte Doris Hicks
 611 E. Austin Street
 Fredericksburg, Texas 78624



SURVEY REVIEWED AND ACCEPTED BY
[Signature]
 DATE _____

SCALE: 1" = 20'

- 1/2" ϕ STEEL BAR SET
- PK NAIL SET IN CONCRETE

THIS LOT IS NOT SHOWN WITHIN A
 100-YEAR FLOOD BOUNDARY ON
 COMMUNITY - PANEL NO. 480252
 00028, DATED MAY 19, 1981.

EASEMENTS AND RESTRICTIONS AS PER
 HILL COUNTRY TITLES, INC.,
 COMMITMENT FOR TITLE INSURANCE,
 G.F. NO. 98-598:

RESTRICTIONS: VOL. 23, PG. 246-24702



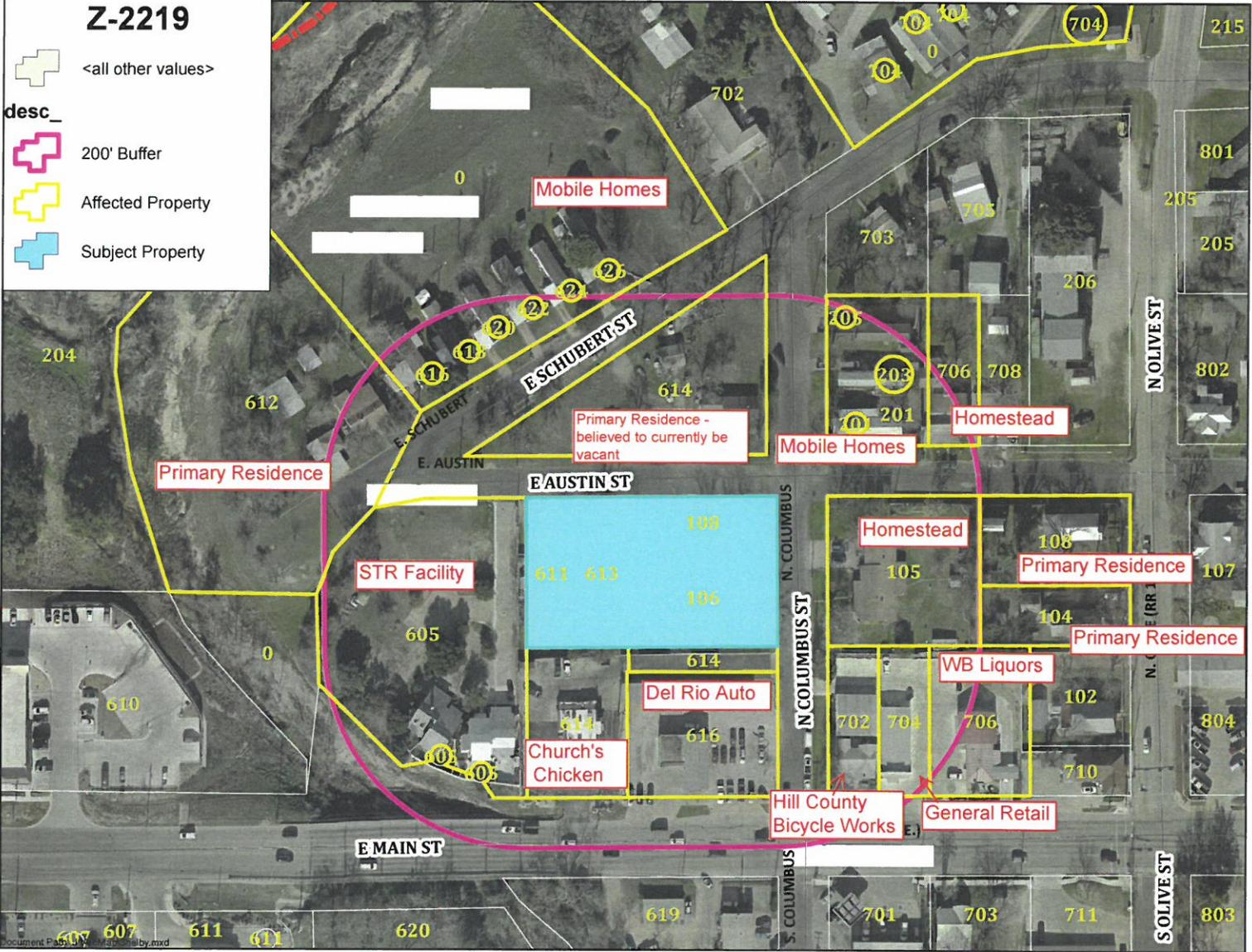
I HEREBY CERTIFY THAT THIS PLAT REPRESENTS
 A SURVEY MADE ON THE GROUND UNDER
 MY SUPERVISION AND THAT THERE ARE
 NO INTRUSIONS OR PROTRUSIONS OF
 IMPROVEMENTS VISIBLE OR APPARENT ON
 THE GROUND EXCEPT AS SHOWN HEREON.

SURVEYED OCTOBER 12, 1998

RONN SURVEYING

Z-2219

-  <all other values>
- desc_**
-  200' Buffer
-  Affected Property
-  Subject Property



Document Path: \\s:\gis\mxd\zoning\z2219\z2219by.mxd

ORDINANCE NO. 2022-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING A CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG, SPECIFICALLY IN THE LAND USE MAP, AS TO LOTS LOCATED AT 611 AND 613 E. AUSTIN STREET, AND 106 AND 108 N. COLUMBUS STREET; CHANGING SAID PROPERTY FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR); PROVIDING THAT THE CHANGE BECOME A PART OF THE COMPREHENSIVE PLAN, AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said land being known as SOUTH HEIGHTS BLOCK 29, LOTS 6, 7, 8, 9, and 10, LOCATED AT 611 AND 613 E. AUSTIN STREET, AND 106 AND 108 N. COLUMBUS STREET, and as additionally shown and designated on the map attached hereto as Exhibit A, are hereby designated as Medium Density Residential (MDR).

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

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

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

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, City Secretary, TRMC/CMC

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

ORDINANCE NO. 2022-33

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 LOTS LOCATED AT 611 AND 613 E. AUSTIN STREET, AND 106 AND 108 N. COLUMBUS STREET, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MIXED RESIDENTIAL (R-2); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of lots described as SOUTH HEIGHTS BLOCK 29, LOTS 6, 7, 8, 9, and 10, LOCATED AT 611 AND 613 E. AUSTIN STREET, AND 106 AND 108 N. COLUMBUS STREET in the City of Fredericksburg, Texas, to change the present zoning district of said lots from SINGLE FAMILY RESIDENTIAL (R-1) TO MIXED RESIDENTIAL (R-2); and

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said lots being described as SOUTH HEIGHTS BLOCK 29, LOTS

6, 7, 8, 9, and 10, LOCATED AT 611 AND 613 E. AUSTIN STREET, AND 106 AND 108 N. COLUMBUS STREET in the City of Fredericksburg, Texas, and as additionally shown and designated on the map attached hereto as Exhibit A, to be and are hereby rezoned and designated as MIXED RESIDENTIAL (R-2).

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____.

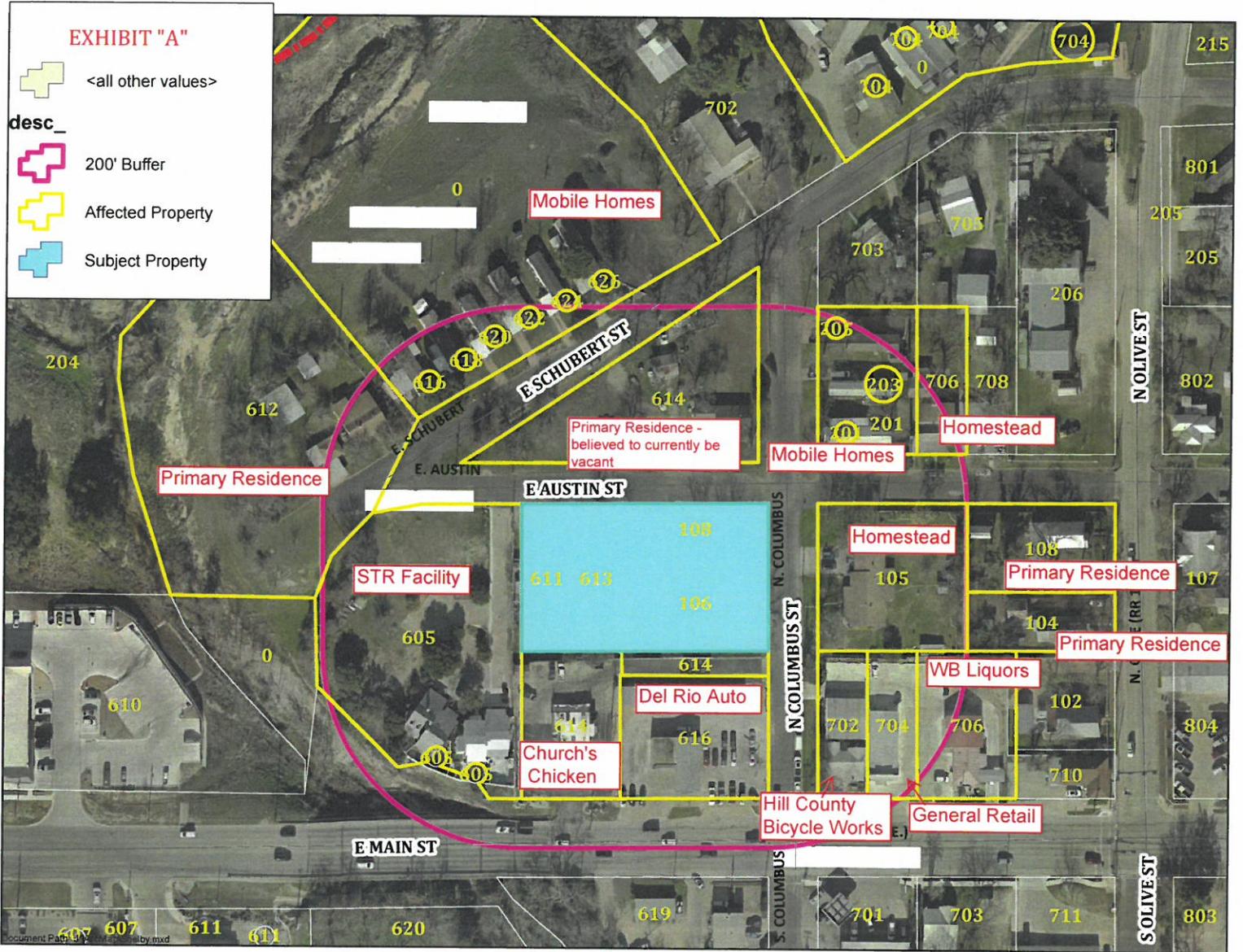
Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC/CMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney





CITY COUNCIL MEMO

DATE: October 18, 2022

TO: Mayor & City Council

FROM: Garret Bonn – Interim Director of Development Services/City Engineer

SUBJECT: #Z-2220 Public Hearing, Consideration, and Action regarding a request by John Needham with Seco Enterprises LLC, to consider an amendment to the Planned Unit Development (PUD) zoning district to allow food sales and consumer convenience services as a conditional use for the Seco Development located at the southwest corner of the intersection of Friendship Lane and S. Eagle Street.

Summary:

The applicant is seeking to amend an existing Planned Unit Development (PUD) to allow Food Sales and Consumer Convenience Services as a condition use for the Friendship Lane Mixed-Use PUD.

Background:

The Friendship Lane Mixed-Use development by Seco Ventures lies on a +/-32 acre tract of land located at the SW corner of the intersection of Friendship Lane and S. Eagle Street. The mixed-use development will contain multi-family structures, single-family type structures, commercial facilities, and office/live-work facilities.

The PUD zoning for the project was based on the City's MU-2 zoning district standards and was approved by P&Z and City Council in late Spring of 2021 (Notice of Action attached). The PUD included several prohibited uses and "convenience services" was to be allowed with a Conditional Use Permit (CUP).

As development plans for the site have progressed and program uses and physical characteristics have become more defined, the developer has submitted the proposed PUD amendment which would allow for the use of Food Sales with the issuance of a Conditional Use Permit. Food Sales are defined as "establishments or places of business primarily engaged in the retail sale of food (with incidental sale of beer and wine) for home consumption or household products. Typical uses include groceries,

The City of Fredericksburg

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

delicatessens, meat markets, retail bakeries, candy shops and ice cream parlors. Restaurants are specifically excluded from this definition.”

As part of this application, the developer has also requested to amend “Convenience Services” which is not specifically defined in the City’s zoning code. “Consumer Convenience Services” is the correct reference which is defined as “establishments which provide services, primarily to individuals, of a convenient and limited nature, often in access-controlled facilities which make twenty-four (24) hour operation possible. Typical uses include the renting of private postal and safety deposit boxes to individuals and automated banking machines.”

Analysis:

Land uses surrounding the subject tract include:

- South – ETJ property which is currently used for residential and agricultural purposes.
- West – Friendship Oaks development (MF and SF residential).
- North (across Friendship Ln.) – Majority of proposed medium density multi-family residential development with several single-family residences.
- East – Mixture of SF and MF residential along with C1 Neighborhood Commercial zoning along Friendship Ln.

As noted previously, the MU-2 zoning district was utilized as a basis for creation of the approved PUD. Although food sales were previously prohibited in the PUD, the addition of the use as a conditional use appears reasonable and would allow for consideration of food sales to benefit the overall mixed-use development.

Public notification, including letters being sent to property owners within 200 feet resulted in one letter of protest. The Planning and Zoning Commission held a public hearing on October 5, 2022, and unanimously recommended approval with one member recusing himself (Tom Musselman).

Recommendation:

Since they would require additional approvals as part of a detailed Condition Use Permit application, the proposed addition of “Food Sales” and correcting “Consumer Convenience Services” are a reasonable request. Staff recommends approval of the requested changes, as recommended by the Planning and Zoning Commission

Attachments:

Public Hearing/Location Map

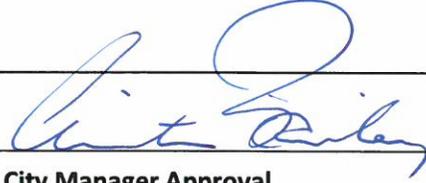
Project Application Including Zoning Maps, Site Plans, & PUD Amendment (marked-up)

Notice of Action

Protest Letter



Department Approval



City Manager Approval



City Attorney Approval

The City of Fredericksburg

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Z-2220

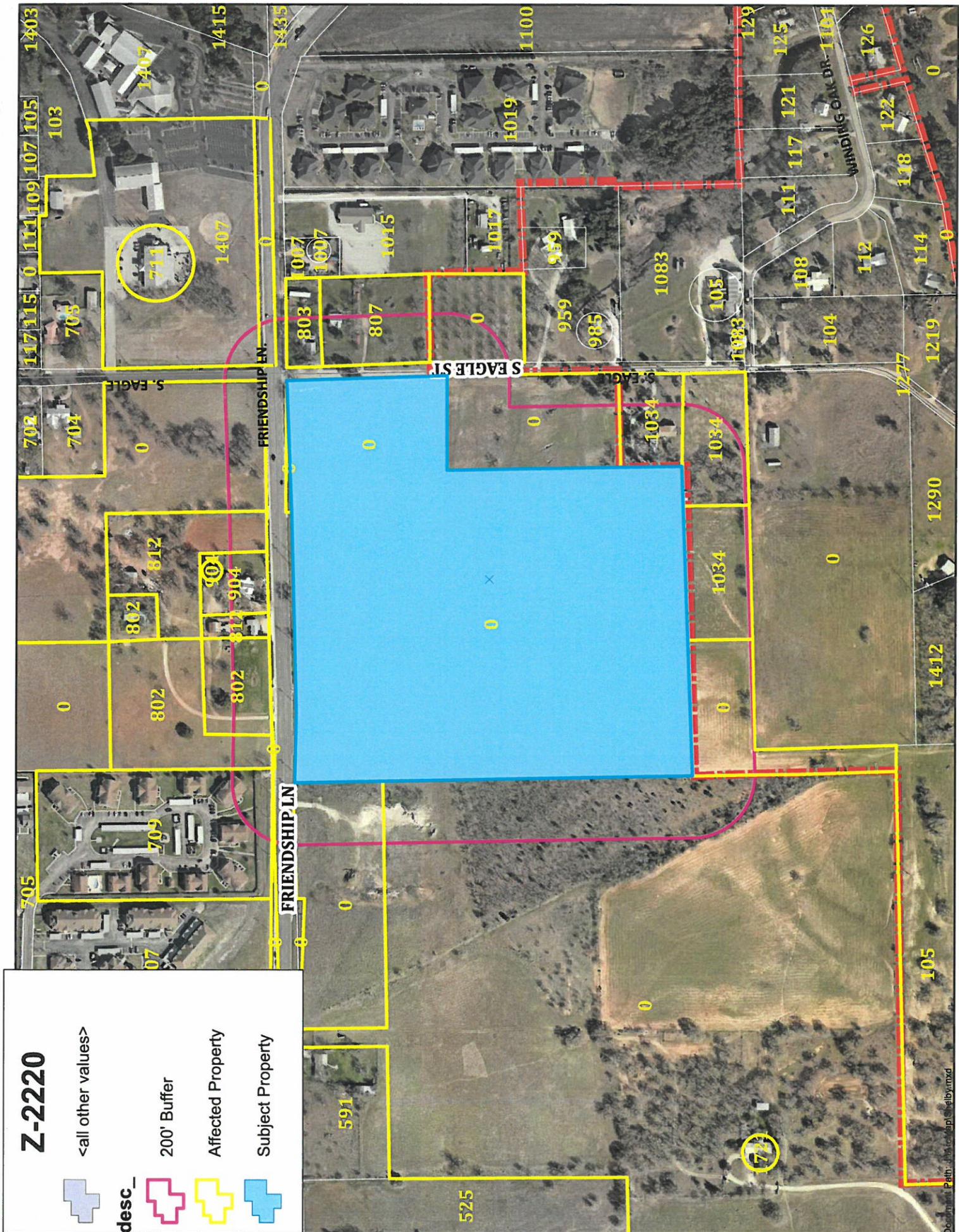
<all other values>

200' Buffer

Affected Property

Subject Property

desc_



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Project Application

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

A. Project Information (Please complete all items)

Project Name: Friendship Lane Mixed-Use
Project Address: Friendship Lane & South Eagle Street
Tax ID Number (s): 15729, 15730, 15726(partial)

Application Type (Check all items that apply)

PDF COPIES ARE REQUIRED FOR ALL SUBMISSIONS

- Conditional Use Permit
- Site Plan
- Zoning Change **PUD AMMENDMENT**
- Land Use Plan Change
- Minor Plat*
- Replat*
- Amending Plat*
- Preliminary Plat*
- Plat Vacation
- Annexation*
- Final Plat*

Revision of Approved Plan / Plat? Yes No Name:

Jurisdiction: City Limits ETJ Total Acres: 32.535 a No. of Lots: **See survey attached**

Original Survey & Abstract No: **see attached**

Legal Description: **see attached**

Current Land Use Plan: Proposed Land Use Plan: **Multifamily Mixed Use**

Current Zoning: PUD, MU-2 Proposed Zoning: **PUD Ammendment**

Location: The SW corner of Friendship Lane and South Eagle Street

Proposed Use(s): Multifamily and single-family residential (for-rent), retail, office

Applicant's Signature

Applicant's Role: Owner Developer Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: John Needham

Printed Name: John Needham Date: 08/04/2022

Staff Use Only Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

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

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): SV Friendship Lane MU, LP

Owner Name: John Needham

Address: 2204 Lake Austin Blvd., Austin, TX 78703

Phone: 512.200.3480

Fax:

Email: john@secoventures.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):

Firm Name (if applicable): Seco Enterprises LLC dba Seco Ventures

Address: 2204 Lake Austin Blvd., Austin, TX 78703

Primary Contact Name: John Needham

Phone: 512.200.3480

Fax:

Email: john@secoventures.com

Secondary Contact Name: Jordan Needham

Phone: 512.200.3480

Fax:

Email: jordan@secoventures.com

III. Applicant

Firm Name (if applicable): Seco Enterprises LLC dba Seco Ventures

Applicant Name (s): John Needham

Address: 2204 Lake Austin Blvd., Austin, TX 78703

Phone: 512.200.3480

Fax:

Email: john@secoventures.com

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):

Firm Name (if applicable):

Address:

Primary Contact Name: John Needham

Phone: Fax: Email: john@secoventures.com



Project Application

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

C. Fee Schedule (Please attach appropriate fee to application.)

- Conditional Use Permit Application - \$400
- Site Plan Application Admin - \$300
- Site Plan Application P&Z - \$400
- Application for Zoning Change - ~~\$400~~ Credit applicable to SV Friendship Lane MU, LP \$400
- Application for Land Use Change - \$300
- Minor Plat - \$300
- Amending Plat - \$300
- Replat - \$300 plus \$20 per lot
- Preliminary Plat - \$400 plus \$20 per lot
- Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.

Exhibit "B"

32.54 Acre Tract

County: Gillespie

Description: Tract of Land

Acreage: 32.54

Legal Description:

Being a 32.54 acre tract of land, more or less situated in the city of Fredericksburg, Gillespie County, Texas, being part of the following Outlots; Outlot No. 9, Outlot No. 8, Outlot No. 7, Outlot No. 2, Outlot No. 1, and an unnumbered Outlot lying east of Outlot No. 1, said Outlots are shown on the map of Fredericksburg, Texas, and Envisions, by the German Emigration Company, and being a portion of a 5.001 acre tract of land described in a conveyance to Robert L. Eckhardt by Lee Harry Eckhardt, et ux, dated June 3, 2004, found of record in Volume 555, pages 206-211 of the Official Public Records of Gillespie County, Texas (O.P.R.G.C.TX), also being a portion of a 44.435 acre tract of land described in a gift deed to Keven W. Eckhardt, dated June 3, 2004, found of record in Volume 555, pages 187 (O.P.R.G.C.TX), and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2-inch iron rod with cap stamped "BONN 4447" having a grid coordinate value of Northing: 10,059,417.00 and a Easting: 2,762,342.805, located at the southeast corner of said 5.001 acre tract of land, also being the northeast corner of a 5.13 acre tract of land described in a deed to Brenda L. Senger, et al, dated June 3, 2004, found of record in Volume 555, Page 212 (O.P.R.G.C.TX) acre tract of land, also being in the westerly right-of-way line of the South Eagle Street (County Road);

- 1.) **THENCE: South 88 Degrees 55 Minutes 51 Seconds West, 295.63 feet** with the north line of said 5.13 acre tract and south line of said 5.001 acre tract to a 1/2-inch iron rod with cap stamped "BONN 4447" found for the northwest corner of the said 5.13 acre tract;
- 2.) **THENCE: South 01 Degrees 04 Minutes 08 Seconds East, 756.24 feet** with the west line of the said 5.13 acre tract to a point at a pipe fence corner post, for the southwest corner of the said 5.13 acre tract, also being the southeast corner of the herein described tract;
- 3.) **THENCE: South 87 Degrees 50 Minutes 25 Seconds West, 999.36 feet** over and across said 44.435 acre tract to a point in the west line of said 44.435 acre tract, also being in the east line of a called 111.40 acre tract of land described in a deed to HK Fredericksburg, LLC., recorded in Document Number 20193419 (O.P.R.G.C.TX);

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- 4.) **THENCE: North 01 Degrees 06 Minutes 11 Seconds West, 777.33 feet** passing the northeast corner of the said 111.40 acre tract, also being the southeast corner of a tract of land being the Remainder of Tract 1 of Friendship Oaks recorded in Volume 2 Page 148 of the Plat Records of Gillispie County, for a total distance of **1283.59 feet**, to a point in the south right-of-way line of Friendship Lane, also being the northwest corner of said 44.435 acre tract, from which point a found 1/2-inch iron rod with cap stamped "MDS" bears North 74 Degrees 51 Minutes 18 Seconds East, 0.35 feet;
- 5.) **THENCE: South 88 Degrees 51 Minutes 28 Seconds East, 226.66 feet**, with the south line of said Friendship Lane to a 1/2-inch iron rod with cap stamped "LJA SURVEYING" to an angle point;
- 6.) **THENCE: North 88 Degrees 32 Minutes 01 Seconds East, 645.72 feet** with the south right-of-way line of Friendship Lane to a point on the west line of said 5.001 acre tract and for the southwest corner of a 3,735 square foot tract of land described in a deed to the city of Fredericksburg in Document Number 20065959 (O.P.R.G.C.TX);
- 7.) **THENCE: North 88 Degrees 31 Minutes 45 Seconds East, 423.55 feet** with the south line of said 3,735 square foot tract of land to a Pipe Fence Corner Post found for the as-fenced west line of South Eagle Street and the as-fenced south line of Friendship Lane, also being the northeast corner of the herein described tract;
- 8.) **THENCE: South 01 Degrees 03 Minutes 59 Seconds East, 432.35 feet** with the as-fenced west line of South Eagle Street to a Found Mag Nail (called Pipe Post) for angle point;
- 9.) **THENCE: South 00 Degrees 56 Minutes 49 Seconds East, 74.68 feet** with the as-fenced west line of South Eagle Street to the PLACE OF BEGINNING, containing 32.54 acres, more or less.

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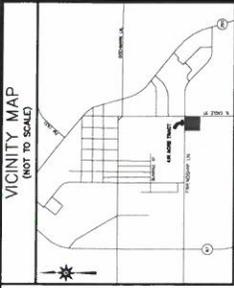
All bearings and coordinates are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), North American Datum of 1983. All distances were adjusted to surface using a combined scale factor of 1.00012.

LJA Surveying, Inc.
Texas Surveying Firm Branch Registration No. 10194533
7500 Rialto Blvd, Building II, Suite 100. Austin, Texas 78735
Phone No.: 512.439.4700

By: 

Surveyor's Name: Gordon N. Anderson
Registered Professional Land Surveyor, Texas No. 6617
Date: April 15, 2021





- LEGEND**
- △ CONTROL POINT
 - METEOROLOGICAL STATION
 - WATER VALVE
 - FIRE HYDRANT
 - POINT POLE
 - CITY-WIRE
 - TELEPHONE FURNISH
 - SMALL SUPPORT SIGN
 - SMART STREET MARKER
 - TELEPHONE POLE
 - TELEPHONE MARKER
 - MAIL
 - SIGN (DO NOT MARK)
 - PIPE POLE POST
 - MAILBOX
 - (OFF-ROAD) OVERHEAD ELECTRIC LINE
 - (OFF-ROAD) OVERHEAD TELEPHONE LINE
 - WIRE FENCE
 - BENT OF WAY
 - CENTER BOUNDARY
 - CENTER PROPERTY LINE

ALL INFORMATION ON THIS MAP WAS OBTAINED FROM THE TEXAS STATE LAND COMMISSION, STATE AND COUNTY RECORDS, AND FROM THE FIELD SURVEY. OPERATIONS WERE CONDUCTED UNDER THE SUPERVISION OF A LICENSED SURVEYOR.

THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT AND THE RULES AND REGULATIONS OF THE TEXAS BOARD OF SURVEYING AND MAPPING. THE SURVEYOR'S CERTIFICATE OF QUALITY CONTROL IS ATTACHED TO THIS MAP.

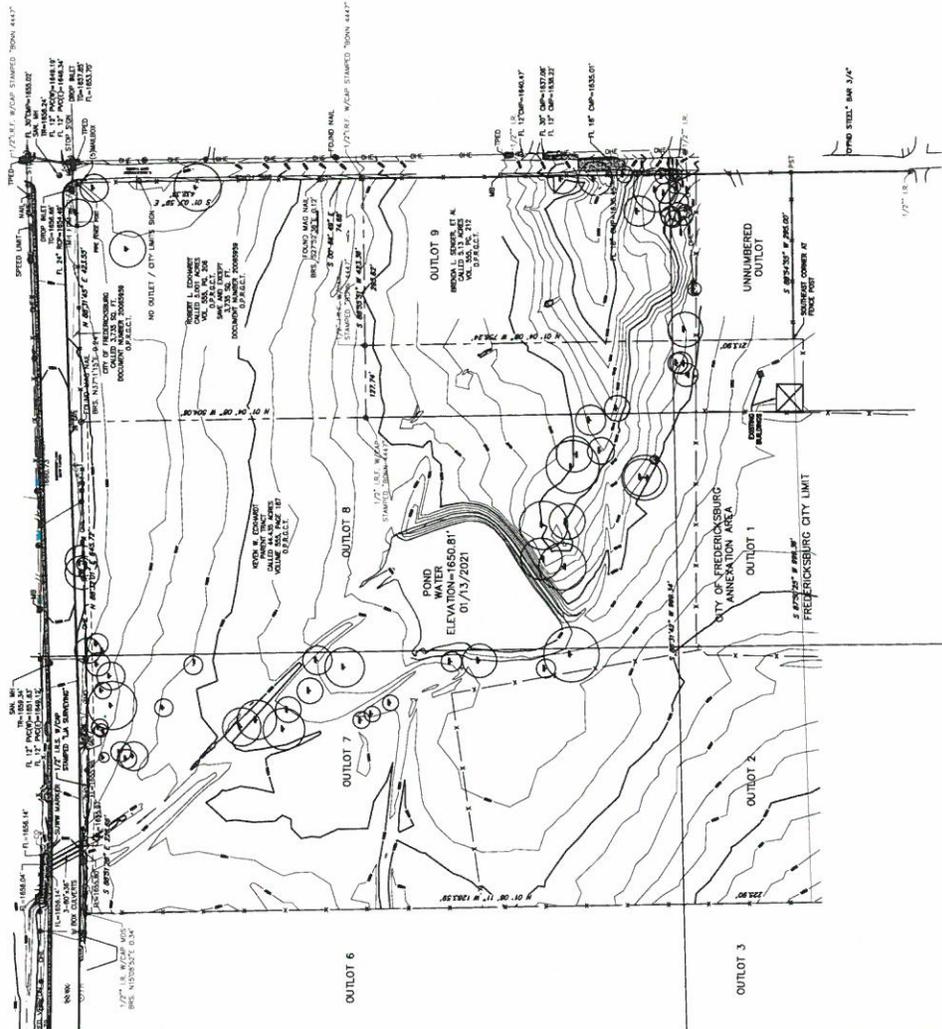
THE SURVEYOR'S CERTIFICATE OF QUALITY CONTROL IS ATTACHED TO THIS MAP.

THE SURVEYOR'S CERTIFICATE OF QUALITY CONTROL IS ATTACHED TO THIS MAP.

TOPOGRAPHIC SURVEY OF A 44.435 ACRES OF LAND LOCATED IN THE CITY OF FRESHERBURG, GILLESPIE COUNTY, TEXAS

LJA Surveying, Inc.
 7500 Route Blvd. Building II
 Austin, Texas 78735
 Phone 512.439.4700
 T.S.P.L.S. Firm No. 10194533

DATE OF SURVEY	1/11/2021	SCALE	AS SHOWN	DATE	NOV. 2021	SHEET
PROJECT NO.	2021001	OWNER	THE CITY OF FRESHERBURG	REVISION	1	OF 1
DESCRIPTION OF LAST REVISION						
ADD THESE TO E.D.W.						



Tree Tag Number	Tree Tag Number
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THIS SURVEY IS A PART OF A LARGER SURVEY OF THE CITY OF FRESHERBURG, GILLESPIE COUNTY, TEXAS. THE FIELD WORK WAS COMPLETED ON FEBRUARY 21, 2021.

[Signature]
 SURVEYOR

DATE: 01/13/2021

CONDA ANTONIO
 LAND SURVEYING AND MAPPING, INC.
 1000 W. 10TH ST., SUITE 100
 AUSTIN, TEXAS 78705

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT FOR APPROXIMATELY 27.62 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF FRIENDSHIP LANE AND SOUTH EAGLE STREET IN FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM MIXED RESIDENTIAL (R-2) TO PLANNED UNIT DEVELOPMENT (PUD) ZONING FOR SAID PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owner of approximately 27.62 acres of land located at the southwest corner of Friendship Lane and South Eagle Street, to establish Planned Unit Development (PUD) zoning upon said property; and

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

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

BEING all of that certain 27.62 acre tract of land out of the J. Bargas Survey No. 115, Abstract No. 53, Gillespie County, Texas, being portions of Outlots,

1, 2, 3, 6, 7, 8, 9 being out of the remaining portion of a called 44.435 acre tract, recorded in Volume 555, Page 187, Official Public Records of Gillespie County, Texas, situated in the City of Fredericksburg, Gillespie County, Texas, and as shown on the map attached hereto as Exhibit "A",

to be and are hereby zoned and designated as a Planned Unit Development ("PUD"), as more particularly described on the PUD Plan set forth in Exhibit "B", and the PUD Notes set forth in Exhibit "C", copies of which are attached hereto and made a part hereof.

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 15th day of March, 2006.


Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:


Shelley Goodwin, TRMC
City Secretary

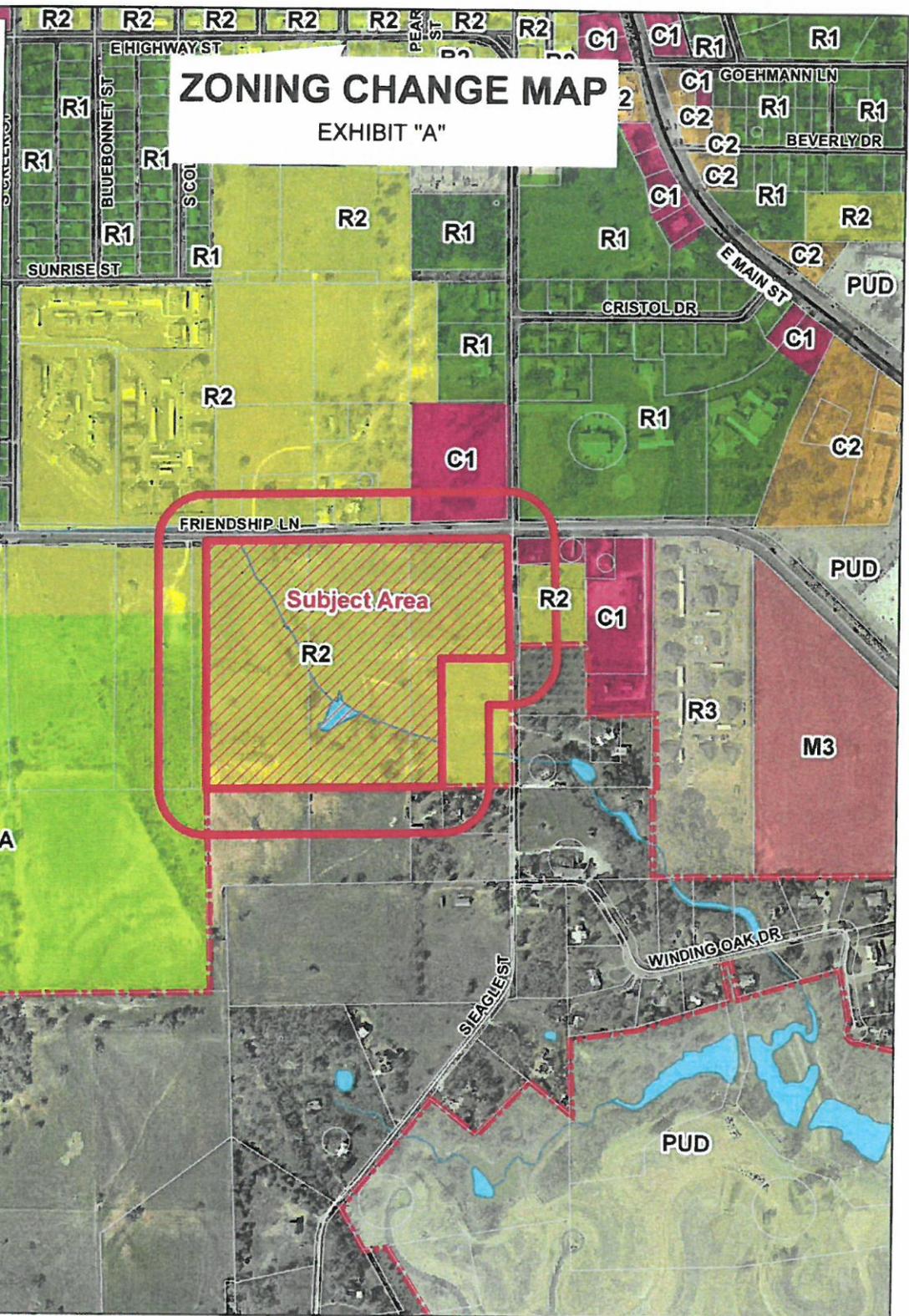
APPROVED AS TO FORM:


Daniel D. Jones, City Attorney

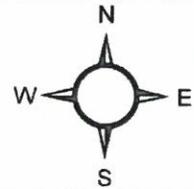
ZONING CHANGE MAP

EXHIBIT "A"

- LEGEND**
- Request #1 - Zoning Change
 - Notification Area
 - GCAD Parcels
 - City Limit Boundary
- Zoning**
- ZONED**
- C1 - Neighborhood Commercial
 - C1.5 - Medium Commercial
 - C2 - Commercial
 - M3 - Industrial Park
 - PF - Public Facilities
 - PUD - Planned Unit Development
 - R1 - Single Family Residential
 - R1A - Single Family Residential - Small Lot
 - R2 - Mixed Residential
 - R3 - Multi-Family Residential



0 150 300 600
SCALE IN FEET
1 inch = 600 feet





Lot A (Phase-1A) + Lot B (Phase-1B)	
Residential (1000 sf avg)	117 units 96 MF units / 21 SF houses <small>(96% MF, 50% 1 BR, 40% 2 BR, and 10% 3BR)</small>
Leasing/Amenity:	8,000 sf
Retail:	10,000 sf
Office/Live Work:	8,000 sf
Parking Required:	292 sps
Residential	205 sps <small>(11.7% spec/lot)</small>
Retail	67 sps <small>(Volume 100,000-1.5)</small>
Office/LW	20 sps <small>(Volume 100,000-1.5)</small>
Parking Provided:	330 sps
Residential	250 sps <small>(11.6% spec/lot)</small>
Retail	70 sps
Office/LW	30 sps <small>(Volume 100,000-1.5)</small>
Site Area Gross:	11.21 Acres
Lot C (Phase-2)	
Residential (1000 sf avg)	130 units 108 MF units / 22 SF houses <small>(92% MF, 50% 1 BR, 40% 2 BR, and 10% 3BR)</small>
Amenity:	3,000 sf
Parking Required (Residential):	228 sps <small>(1.7% spec/lot)</small>
Parking Provided (Residential):	230 sps <small>(1.7% spec/lot)</small>
Site Area Gross:	11.42 Acres
Lot D (Phase-3)	
Residential (1000 sf avg)	168 units 150 MF units / 18 SF houses <small>(90% MF, 50% 1 BR, 40% 2 BR, and 10% 3BR)</small>
Amenity:	3,000 sf
Parking Required (Residential):	294 sps <small>(1.7% spec/lot)</small>
Parking Provided (Residential):	294 sps <small>(1.7% spec/lot)</small>
Site Area Gross:	9.92 Acres
Total Tracts	
Residential (1000 sf avg)	415 units 354 MF units / 61 SF houses <small>(85% MF, 50% 1 BR, 40% 2 BR, and 10% 3BR)</small>
Leasing/Amenity:	14,000 sf
Retail:	10,000 sf
Office/Live Work:	8,000 sf
Parking Required:	814 sps
Parking Provided:	854 sps
Site Area Gross:	32.55 Acres
Density Gross:	13 Units/Acre



A FIRM WITH A VIBRANT
& EXCITING CULTURE
RECOGNIZED FOR
ELEVATED DESIGN



FREDERICKSBURG MF/MU
FREDERICKSBURG, TEXAS

EXHIBIT "B" PUD SITE PLAN

01

03.05.2021

EXHIBIT C
SECO ENTERPRISES LLC DBA SECO VENTURES
FRIENDSHIP LANE MIXED-USE
ZONING NOTES - PLANNED UNIT DEVELOPMENT (PUD)
CITY OF FREDERICKSBURG
MARCH 15, 2021

- A. The property shall be developed in accordance with the Site Plan (Exhibit B) regarding the location of land uses and structures.
 - a. Minor adjustments to the site plan may be approved by the Director of Development Services. The Director may require minor changes to the site plan to be reviewed and approved by P&Z and City Council.
- B. The property shall be developed in accordance with the MU-2 zoning district regardless of any densities, unit counts, parking, or site areas listed on the Site Plan (Exhibit B).
- C. The following land uses shall be prohibited from the Planned Unit Development (PUD);
 - a. Cocktail Lounge
 - b. Outdoor Amplified Music
 - ~~c. Food Sales~~
 - d. Laundry Services
 - e. Liquor Sales
 - f. Mobile Food
 - g. Outdoor Entertainment
 - h. Drive-In Fast Food
 - i. Custom Manufacturing
 - j. Kennels
- D. The following land uses be allowed with a Conditional Use Permit (CUP)
 - a. ~~Convenience Services~~ **Consumer Convenience Services (Drafting error by CoF)**
- E. The project will be permitted two access points on Friendship Lane and one access point on S. Eagle St.
- F. The rear yard setback shall be twenty-five (25') feet.
- G. Buildings labeled MF-1 & 2, located on Tract A at the at the northeast corner of the property, shall be limited to two stories.

Add Food Sales to land uses with Conditional Use Permit



Applicant

SECO Ventures

Case Number

Z-2101

Location

Friendship Lane & South Eagle Street

NOTICE OF ACTION

YOUR APPLICATION FOR:

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

PLANNING & ZONING COMMISSION RECOMMENDATION:

- APPROVAL
- DISAPPROVAL

ON DATE: March 3, 2021

CITY COUNCIL ACTION:

- APPROVAL
- DISAPPROVAL

ON DATE: March 15, 2021

BOARD OF ADJUSTMENT ACTION:

- APPROVAL
- DISAPPROVAL

ON DATE: _____

HISTORIC REVIEW BOARD ACTION:

- APPROVAL
- DISAPPROVAL

ON DATE: _____

CONDITIONS OF APPROVAL:

Request for a Land Use Change from Medium Density Residential to Mixed Use Corridor for approximately 27.491 Acres of Land and a Land Use change from Rural to Mixed Use Corridor for approximately 5.044 acres of land, all land located at the southwest corner of Friendship Lane and South Eagle Street. Request to change the Zoning from R2, Mixed Residential, to PUD, Planned Unit Development for approximately 27.491 Acres of Land Located at the Southwest Corner of Friendship Lane and South Eagle Street.
--

Signed: _____
Shelby Collier, Associate Planner

Date: _____

126 West Main Street~ Fredericksburg, Texas 78624~ 830-997-7521 ~ 830-997-1861 fax



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
PUD AMENDMENT

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2220

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on October 5, 2022, at 5:30 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

According to Tax Records, you are the owner of real property within 200' of the proposed changes, listed below. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**.

HEARING

DATE: October 18, 2022

TIME: 9:00 AM

REQUEST

NUMBER: Z-2220

The City of Fredericksburg City Council will meet in a regular session on October 18, 2022, at 6:00 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

REQUEST:

REQUEST #Z-2220 REQUEST BY JOHN NEEDHAM WITH SECO ENTERPRISES LLC, TO CONSIDER AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT (PUD) TO ALLOW FOOD SALES AND CONSUMER CONVENIENCE SERVICES AS A CONDITIONAL USE FOR THE SECO DEVELOPMENT LOCATED AT THE SOUTHWEST INTERSECTION OF FRIENDSHIP LANE AND SOUTH EAGLE STREET.

APPLICANT: JOHN NEEDHAM

LOCATION: THE SECO DEVELOPMENT LOCATED AT THE SOUTHWEST INTERSECTION OF FRIENDSHIP LANE AND SOUTH EAGLE STREET.

(See attached map)

REQUEST NO. Z-2220

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file Number because: subdwn ↓

Kelly Musselman

Signed

Kelly MUSSELMAN

Printed Name

9-27-22

Date

904 FRIENDSHIP LN

Address

Opposed due to traffic concerns and unsafe ingress/egress. Road traffic is already heavy and high speed on Friendship Lane. The corner of Friendship Lane and Eagle is especially hazardous. Several accidents have already occurred here as there are no stop signs or lights. Adding more vehicles entering and exiting at this location to frequent a convenience food establishment will make it even more dangerous.

Kelly M.

ORDINANCE NO. 2022-34

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 32.55 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF FRIENDSHIP LANE AND SOUTH EAGLE STREET, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS, TO AMEND THE CONDITIONAL LAND USES ALLOWED IN SAID PLANNED UNIT DEVELOPMENT.

WHEREAS, an Application for Rezoning to amend the Planned Unit Development (PUD) Zoning which currently exists on the property 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 32.55 acres of land located at the southwest corner of Friendship Lane and South Eagle Street, situated in the

City of Fredericksburg, Texas, as additionally shown on the PUD site plan in Exhibit A, is hereby amended as follows:

- i. to delete “Food Sales” as a prohibited land use in the PUD;
- ii. to delete “Convenience Services” as a use allowed in the PUD with a Conditional Use Permit (CUP);
- iii. to add “Food Sales” as a use allowed in the PUD with a Conditional Use Permit (CUP); and
- iv. to add “Consumer Convenience Services” as a use allowed in the PUD with a Conditional Use Permit (CUP).

Section 2. Other than as hereby amended, the conditions of the original PUD adopted on April 19, 2021, 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_____.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



Lot A (Phase-1A) + Lot B (Phase-1B)	
Residential (1000 sf avg):	117 units 96 MF units / 21 SF houses (Unit Mix: 50% 1 BR, 40% 2 BR, and 10% 3BR)
Leasing/Amenity:	8,000 s.f.
Retail:	10,000 s.f.
Office/Live Work:	8,000 s.f.
Parking Required:	292 sps
Residential:	205 sps (1.75 sps/unit)
Retail:	67 sps (Assume 100' x 150' ft)
Office/LW:	20 sps (100' x 100' ft)
Parking Provided:	330 sps
Residential:	230 sps (1.96 sps/unit)
Retail:	70 sps (Assume 100' x 150' ft)
Office/LW:	30 sps (100' x 75' ft)
Site Area Gross:	11.21 Acres
Lot C (Phase-2)	
Residential (1000 sf avg):	130 units 108 MF units / 22 SF houses (Unit Mix: 50% 1 BR, 40% 2 BR, and 10% 3BR)
Amenity:	3,000 s.f.
Parking Required (Residential):	228 sps (1.75 sps/unit)
Parking Provided (Residential):	230 sps (1.77 sps/unit)
Site Area Gross:	11.42 Acres
Lot D (Phase-3)	
Residential (1000 sf avg):	168 units 150 MF units / 18 SF houses (Unit Mix: 50% 1 BR, 40% 2 BR, and 10% 3BR)
Amenity:	3,000 s.f.
Parking Required (Residential):	294 sps (1.75 sps/unit)
Parking Provided (Residential):	294 sps (1.75 sps/unit)
Site Area Gross:	9.92 Acres
Total Tracts	
Residential (1000 sf avg):	415 units 354 MF units / 61 SF houses (Unit Mix: 50% 1 BR, 40% 2 BR, and 10% 3BR)
Leasing/Amenity:	14,000 s.f.
Retail:	10,000 s.f.
Office/Live Work:	8,000 s.f.
Parking Required:	814 sps
Parking Provided:	854 sps
Site Area Gross:	32.55 Acres
Density Gross:	13 Units/Acre



A FIRM WITH A VIBRANT & EXCITING CULTURE RECOGNIZED FOR ELEVATED DESIGN



FREDERICKSBURG MF/MU
FREDERICKSBURG, TEXAS

EXHIBIT "A" PUD SITE PLAN
Copyright © 2022 by Carl Marcum. All Rights Reserved. Prepared for: City of Fredericksburg, Texas. 03.05.2021 #2020075 mlf/22



CITY COUNCIL MEMO

DATE: October 18, 2022

TO: Mayor & City Council

FROM: Garret Bonn – Interim Director of Development Services/City Engineer

SUBJECT: #Z-2221 Public hearing, Consideration, and Action regarding a request by Skip Preble, to consider an amendment to the Planned Unit Development (PUD) zoning district to allow hotel-motel as a principle permitted use in the CD District for the development known as Frieden located at 133 Otto Eckhardt Road.

Summary:

The applicant is seeking to amend an existing Planned Unit Development (PUD) to allow for hotel/motel uses, including wellness, spa, and fitness, as a principle permitted use in the CD district of the Frieden development.

Background:

Frieden Subdivision is located on a +/-219-acre tract of land that was annexed by the City of Fredericksburg in 2017. The current PUD zoning was established to allow for construction of a mix of single family residential, commercial, and multi-family uses. Construction of public improvements in Phase I (single family residential) of the development has been completed and home construction is underway. A proposed multi-family development is also currently under review by the City.

Analysis:

The +/-32-acre CD District of the PUD is currently undeveloped and lies at the entrance off US 87S into the Frieden development. Land uses surrounding the subject tract include:

- South - ETJ property which is currently a mixture of residential and medical office uses (Peterson Health).
- West (across US 87S) - ETJ property which is currently a mixture of residential and commercial uses (Eckhardt Peach Stand, Fredericksburg Funeral Home, Fritztown Cinema, etc.).

The City of Fredericksburg

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

- North (Equestrian Drive development) – ETJ property which is currently a mixture of commercial uses (Friendship Veterinary, Custom Delivery Service, Spare Square Storage, etc.).
- East – Neighborhood Commercial/Multi-Family district of the Frieden development (currently undeveloped but MF plans currently under review – SP-2221 – Verandas at Frieden).

The proposed amendment only applies to the addition of Hotel-Motel, including wellness, spa, and fitness to the principle permitted uses within the CD district and no other changes to development standards are proposed.

Public notification, including letters being sent to property owners within 200 feet resulted in one letter of protest. The Planning and Zoning Commission held a public hearing on October 5, 2022, and unanimously recommended approval.

Recommendation:

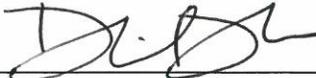
The CD District within the Frieden development lies along US 87S and currently allows for uses similar to that of the City’s C-2 zoning district. As presented, the proposed addition of hotel-motel as a principle permitted use with no changes to applicable development standards within the approved PUD represents an appropriate use for the area. Staff recommends approval of the requested change, as recommended by the Planning & Zoning Commission.

Attachments:

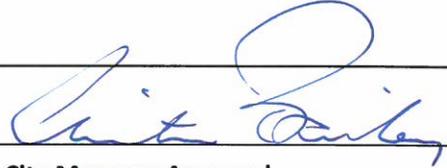
- Public Hearing/Location Map
- Project Application
- Frieden PUD Zoning Exhibit
- Proposed PUD Amendment
- Protest Letter



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg



Project Application

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

A. Project Information (Please complete all items)

Project Name: Frieden Subdivision

Project Address: 133 Otto Eckhardt Road, Fredericksburg

Tax ID Number (s):

Application Type (Check all items that apply)

PDF COPIES ARE REQUIRED FOR ALL SUBMISSIONS

- | | | |
|---|--|--|
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Plat* | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Replat* | <input type="checkbox"/> Annexation* |
| <input checked="" type="checkbox"/> Zoning Change | <input type="checkbox"/> Amending Plat* | <input type="checkbox"/> Final Plat* |
| <input type="checkbox"/> Land Use Plan Change | <input type="checkbox"/> Preliminary Plat* | |

Revision of Approved Plan / Plat? Yes No Name:

Jurisdiction: City Limits ETJ Total Acres: 70.175 No. of Lots: 1

Original Survey & Abstract No: Frieden Subdivision, See existing PUD

Legal Description: Frieden Subdivision, See existing PUD

Current Land Use Plan: Proposed Land Use Plan:

Current Zoning: PUD Proposed Zoning: PUD

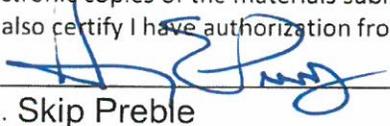
Location: 133 Otto Eckhardt Road, Fredericksburg

Proposed Use(s): PUD Revision, see attached, page 16

Applicant's Signature

Applicant's Role: Owner Developer Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: 

Printed Name: Skip Preble Date: 08/25/22

Staff Use Only Application No.: Z-2221 Date: 08/29/22

*Copy of current Title Search required with application.



Project Application

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

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): Fredericksburg Development, Inc

Owner Name: Christopher Wilde

Address: 1250 NE Loop 410, Suite 333, San Antonio, TX 78209

Phone: 210.930.5141

Fax: na

Email: cwilde@gwm-sa.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):

Firm Name (if applicable): Short Elliott Hendrickson, Inc

Address: 133 Otto Eckhardt Road, Fredericksburg, TX 78624

Primary Contact Name: Randy Jenniges, PE

Phone: 320.333.5951

Fax: na

Email: rjenniges@sehinc.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): Skip Preble

Applicant Name (s): Skip Preble

Address: 133 Otto Eckhardt Road, Fredericksburg, TX 78624

Phone: 832.771.1181

Fax: na

Email: skip@landanalytics.com

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):

Firm Name (if applicable): na

Address: na

Primary Contact Name: na

Phone: Fax: Email: na



Project Application

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

C. Fee Schedule (Please attach appropriate fee to application.)

- Conditional Use Permit Application - \$400
- Site Plan Application Admin - \$300
- Site Plan Application P&Z - \$400
- Application for Zoning Change - \$400
- Application for Land Use Change - \$300
- Minor Plat - \$300
- Amending Plat - \$300
- Replat - \$300 plus \$20 per lot
- Preliminary Plat - \$400 plus \$20 per lot
- Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.

ORDINANCE NO. 22-010

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG AND CHANGING THE ZONING CLASSIFICATION OF 219.46 ACRES OF LAND BEING OUT OF THE SAMUEL R. WILSON SURVEY NO. 38, ABSTRACT 735 AND THE JOHN OWENS SURVEY NO.54, ABSTRACT NO. 537, GILLESPIE COUNTY, TEXAS TO 32.411 ACRES THEREOF AS PLANNED UNIT DEVELOPMENT C-2 COMMERCIAL, 56.27 ACRES THEREOF AS PLANNED UNIT DEVELOPMENT C-1 NEIGHBORHOOD COMMERCIAL AND R-3 MULTI FAMILY RESIDENTIAL, AND 130.782 ACRES THEREOF PLANNED UNIT DEVELOPMENT R-1 SINGLE FAMILY RESIDENTIAL.

WHEREAS, in connection with the annexation of the properties described herein, the City Council of the City of Fredericksburg has determined that it is necessary to change the annexation default zoning classification of R-1 Single Family Residential to other zoning classifications as set forth herein; and

WHEREAS, the public hearings, before the Planning and Zoning Commission and the City Council of the City of Fredericksburg as required by Section 5.200 of the City of Fredericksburg Zoning Ordinance have been duly noticed and held regarding such application, and

WHEREAS, the Planning and Zoning Commission has determined that such zoning changes are 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 changes are consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg, and

WHEREAS, 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 200 feet (200') therefrom.

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

Section 1. The zoning ordinance of the City of Fredericksburg is hereby partially amended.

Section 2. That the zoning classification of the tracts of land described in Exhibit "A" through "C" situated in the City of Fredericksburg, Gillespie County, Texas, be and are

hereby changed to the zoning classification listed as follows:

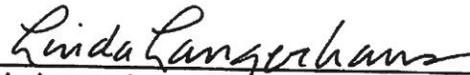
Tract One: 32.411 acres, more or less, described on Exhibit "A" as Planned Unit Development, Commercial as more particularly described on Exhibit "D" attached hereto and made a part hereof,

Tract Two: 56.27 acres, more or less, described on Exhibit "B" as Planned Unit Development, Neighborhood Commercial and Planned Unit Development, Multi-family Residential as more particularly described on Exhibit "D" attached hereto and made a part hereof, and

Tract Three: 130.782 acres, more or less, described on Exhibit "C" as Planned Unit Development, Single Family Residential, as more particularly described on Exhibit "D" attached hereto and made a part hereof,

Section 3. That this ordinance shall take effect from and after the date of its passage.

PASSED AND APPROVED this the 7th day of August, 2017.



Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:



SHELLY BRITTON, City Secretary

PAT MCGOWAN, Asst. City Attorney

TX LANDMARK SURVEYING

39350 IH 10 West, Suite 1 | Boerne, TX 78006 | 830.428.0290
TBPLS Firm No. 10164600

FIELD NOTES FOR ZONE CD 32.411 ACRES OF LAND

BEING 32.411 acres of land out of the SAMUEL R. WILSON SURVEY No. 38, ABSRACT No. 735, Gillespie County, Texas, said 32.411 acres being out of the BRT RESOURCES, LLC 63.231 acre tract recorded in Document 20154947, Official Public Records, Gillespie County, Texas (R1), said 32.411 acres being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for the northwest corner of this tract, the southwest corner of Lot 8, EQUESTRIAN PARK SUBDIVISION as shown on plat recorded in Volume 3, Page 55, Plat Records of Gillespie County, Texas (R2), located on the east ROW line of STATE HIGHWAY No. 87, from which a found 1/2" rebar with plastic cap "BONN SURVEY 4447" bears North 1°16'29" West for 341.07 feet (North 0°22'25" West for 341.25' (R2) for reference;

THENCE North 89°05'33" East generally with a fence, at 267.00 feet passing a found 1/2" rebar with plastic cap "BONN SURVEY 4447" for the southwest corner of Lot 9, said EQUESTRIAN PARK, continuing for an additional 266.95 feet to a found 1/2" rebar with plastic cap "BONN SURVEY 4447" for the southwest corner of Lot 10, said EQUESTRIAN PARK, continuing for an additional 266.95 feet for a total distance of 800.90' to a found 1/2" rebar with plastic cap "BONN SURVEY 4447" for an angle point and for the southwest corner of Lot 11, said EQUESTRIAN PARK;

THENCE North 89°05'06" East for 928.88 feet continuing generally with a fence to a found 1/2" rebar with plastic cap "BONN SURVEY 4447" for an angle point and for a southeastern corner of Lot 12, said EQUESTRIAN PARK;

THENCE North 89°06'03" East for 118.59 feet continuing generally with a fence to a point for the northeast corner of this tract, located on the centerline of a future roadway;

THENCE through the interior of said BRT RESOURCES, LLC 63.231 acre tract along the centerline of a future road way the following courses and distances:

1. South 00°57'31" East for 20.28 feet to a point at the beginning of a curve to the right;
2. Southwesterly along a curve to the right for a distance of 647.11 feet (R=450', D=82°23'31", CB=South 40°14'14" West, CH=592.77') to a point of cusp;
3. Southerly along a curve to the right having an arc length of 190.92 feet (R=300.00', D=36°27'48", CB=South 06°16'58" West, CH=187.72') to a point of tangency;
4. South 24°30'52" West for 137.17 feet to a point at the beginning of a curve to the left;
5. Southerly along a curve to the left having an arc length of 213.52 feet (R=500.00', D=24°28'01", CB=South 12°16'51" West, CH=211.90') to point of tangency;
6. South 00°02'50" West for 6.99 feet to a point for the southeast corner of this tract;

THENCE South 88°25'51" West for 25.01 feet leaving the centerline of a future roadway, along the southern boundary of this tract to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an interior corner of said BRT RESOURCES, LLC 63.231 acre tract, a northeast corner of the PEDERNALES BREWING CO. 6.84 acres / Lot 24 as recorded in Document 20112340, OPRGCT;

THENCE South 88°25'51" West for 122.63 feet (North 89°16' West for 122.5 feet, R1) continuing along a southern boundary of this tract generally with a fence to a set 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for a southwestern corner;

THENCE North 04°24'09" West for 108.22 feet (North 02°06' West for 108.1 feet, R1) along a western boundary of this tract to a set 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an interior corner;

THENCE North 89°47'03" West for 600.98 feet along a southern boundary of this tract, along the northern boundary line of said PEDERNALES BREWING CO. 6.84 acres / Lot 24 to a found 1/2" rebar with no identification for a point on line and the northeast corner of the PEDERNALES BREWING CO. 5.37 acres / Lot 1 as recorded in Document 20112340, OPRGCT;

THENCE North 89°47'03" West for 567.02 feet continuing for a total distance of 1,168.00 feet (1168.00 feet, R1) along a southern boundary of this tract, along the northern boundary line of said PEDERNALES BREWING CO. 5.37 acres / Lot 1 to a found 2" steel post for the southwest corner of this tract, the northwest corner of said PEDERNALES BREWING CO. 5.37 acres / Lot 1 located on the eastern ROW line of STATE HIGHWAY No. 87;

THENCE North 01°16'29" West for 860.80 feet along west boundary of this tract, the east ROW of said STATE HIGHWAY No. 87 to the **POINT OF BEGINNING**.

CONTAINING: 32.411 acres of land.



The Basis of Bearings is Texas State Plane Coordinate System, NAD 1983, South Central Zone (4204). This description was based on a survey made on the ground under my supervision completed on September 30, 2015.

A handwritten signature in black ink, appearing to read "R. S. Rugloski", written over a horizontal line.

Robert S. Rugloski, RPLS #6002
Job #11607051-CD (RSR) | June 19, 2017

TX LANDMARK SURVEYING

39350 IH 10 West, Suite 1 | Boerne, TX 78006 | 830.428.0290
TBPLS Firm No. 10164600

FIELD NOTES FOR ZONE NC/MF 56.270 ACRES OF LAND

BEING 56.270 acres of land out of the SAMUEL R. WILSON SURVEY No. 38, ABSRACT No. 735, Gillespie County, Texas, said 56.270 acres comprised of 30.823 acres out of the BRT RESOURCES, LLC 63.231 acre tract recorded in Document 20154947, Official Public Records, Gillespie County, Texas (OPRGCT)(R1), and 25.447 acres being out of LOT 13R, EQUESTRIAN PARK SUBDIVISION (REPLAT) as recorded in Volume 5, Page 18 of the Plat Records of Gillespie County, Texas (PRGCT)(R2), said 56.270 acres being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar with no identification for the southeast corner of this tract, the southeast corner of said BRT RESOURCES, LLC 63.231 acre tract, the northeast corner of the LISA COLLINS & JENNIFER LAKOSKIE 84.24 acre tract as recorded in Document 20125145, OPRGCT (R3), located on the west boundary of the MICHAEL HODGES 158.76 acre tract as recorded in Document 20112558, OPRGCT, from which a found 1/2" rebar with no identification for the northeast corner of said BRT RESOURCES, LLC 63.231 acre tract bears North 1°39'48" West for 1262.09 feet (North 0°33' West for 1261.7 feet, R1) for reference;

THENCE South 89°06'09" West for 771.16 feet (South 89°39'27" West for 771.15 feet, R1) along the south boundary of this tract, the north boundary of said LISA COLLINS & JENNIFER LAKOSKIE 84.24 acre tract to a found 1/2" rebar with no identification for an angle point;

THENCE South 89°06'09" West for 513.68 feet (South 89°39'19" West for 513.53 feet, R1) continuing along the south boundary of this tract, the north boundary of the RICHARD & LINDA GRAY 11.353 acre tract as recorded in Document 20104425, OPRGCT (R4), to a found 1/2" rebar with no identification for a southwest corner;

THENCE North 00°02'50" East for 271.51 feet along (North 00°43' East for 271.2 feet, R1) along a western boundary of this tract, an eastern boundary of the PEDERNALES BREWING CO. 6.84 acres / Lot 24 as recorded in Document 20112340, OPRGCT, to a found 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS#6002" for a northwestern corner of this tract;

THENCE through the interior of said BRT RESOURCES, LLC 63.231 acre tract along the centerline of a future road way, along a western boundary of this tract for the following courses and distances:

1. North 88°25'51" East for 25.01 feet to a point on line, located on the centerline of a future road way;
2. North 00°02'50" East for 6.99 feet along the centerline of a future roadway to a point of curvature;
3. Northerly along a curve to the right having an arc length of 213.52 feet (R=500.00', D=24°28'01", CB=North 12°16'51" East, CH=211.90') to a point of tangency;
4. North 24°30'52" East for 137.17 feet to a point of curvature;
5. Northerly along a curve to the left having an arc length of 190.92 feet (R=300.00', D=36°27'48", CB=North 06°16'58" East, CH=187.72') to a point for the intersection of the centerlines of two future roadways and a point of cusp;
6. Northeasterly along a curve to the left having an arc length of 647.11 feet (R=450.00', D=82°23'31", CB=North 40°14'14" East, CH=592.77') to a point of tangency;
7. North 0°57'32" West for 20.28 feet to a point for an interior corner of this tract;

THENCE South 89°06'03" West for 118.59 along a southern boundary of this tract, the north boundary of said BRT RESOURCES, INC 63.231 acre tract to a found 1/2" rebar with plastic cap "BONN SURVEY 4447" for a southern corner of this tract, the southeast corner of LOT 12, EQUESTRIAN PARK SUBDIVISION as recorded in Volume 3, Page 55, PRGCT, located on the southern ROW line of EQUESTRIAN DRIVE (60' public ROW);

THENCE North 20°37'30" East for 29.90 feet to a point for an interior corner of this tract, located on the centerline of said EQUESTRIAN DRIVE and at the point of cusp;

THENCE along the a southern boundary of this tract, the centerline of said EQUESTRIAN DRIVE the following courses and distances:

1. Northwesterly along a curve to the right having an arc length of 163.81 feet (R=400.00', D=23°27'52", CB=North 57°38'34" West, CH=162.67') to a point for tangency;
2. North 46°22'58" West for 187.25 feet to a point of curvature;
3. Northwesterly along a curve to the left having an arc length of 154.17 feet (R=388.22', D=22°45'11", CB=North 55°39'07" West, CH=153.16') to a point for the westernmost corner of this tract;

THENCE North 22°49'40" East for 30.42 feet along a western boundary to a found 1/2" rebar with no identification for an angle point of this tract, a southwest corner of said LOT 13R, the southeast corner of said LOT 7R;

THENCE along a western boundary of this tract, the common lot line between said LOT 7R and said LOT 13R the following courses and distances:

1. North 28°43'59" East for 234.85 feet to a found 1/2" rebar with plastic cap "SCHWARZ 4780" for an angle point;
2. North 00°57'32" West for 507.51 feet to a found 1/2" rebar with plastic cap "BONN SURVEY 4447" for the northwest corner of this tract, the northwest corner of said LOT 13R, EQUESTRIAN PARK SUBDIVISION (REPLAT), the northeast corner of LOT 7R of said EQUESTRIAN PARK SUBDIVISION (REPLAT), located on the south boundary of the KEVIN ECKHARDT 52.095 acre tract recorded in Volume 186, Page 374, Deed Records of Gillespie County, Texas (DRGCT);

THENCE North 89°08'47" East for 1038.00 feet to a found 1/2" rebar with no identification for the northeast corner of this tract, the northeast corner of said LOT 13R, EQUESTRIAN PARK SUBDIVISION (REPLAT), the southeast corner of the GREGORY & HOLLY TATSCH 2.00 acre tract recorded in Volume 462, Page 676, Official Public Records of Gillespie County, Texas (OPRGCT), located on the western boundary of the GREGORY & HOLLY TATSCH 0.820 acre tract recorded in Volume 186, Page 275, Deed Records of Gillespie County, Texas (DRGCT);

THENCE South 01°42'34" East for 263.97 feet along the eastern boundary of this tract to a found 1/2" rebar with plastic cap "SCHWARZ 4780" for an interior corner of this tract, the southwest corner of said GREGORY & HOLLY TATSCH 0.820 acre tract;

THENCE North 89°04'03" East for 39.94 feet to a found 1/2" rebar with plastic cap "SCHWARZ 4780" for a northeastern corner of this tract, the southeast corner of said GREGORY & HOLLY TATSCH 0.820 acre tract, located on the west boundary of the GREGORY & HOLLY TATSCH 29.550 acre tract (remainder) recorded in Volume 163, Page 590, DRGCT;

THENCE South 01°40'04" East for 109.84 along the eastern boundary of this tract to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an angle point, the northwest corner of the BRT RESOURCES, INC 14.609 acre tract recorded in Document No. 20161322, OPRGCT;

THENCE South 01°43'19" East for 221.24 feet along the east boundary of this tract to a point on the centerline of a future roadway and the point of cusp;

THENCE along the eastern boundary of this tract, through the interior of said LOT 13R, EQUESTRIAN PARK (REPLAT) following courses and distances:

1. Southwesterly along a curve to the left having an arc length of 213.66 feet ($R=860.00'$, $D=14^{\circ}14'06''$, $CB=South\ 67^{\circ}07'03''\ West$, $CH=213.12'$) to a point for an interior corner of this tract;
2. South $30^{\circ}00'00''$ East for 208.29 feet to a point for an interior corner of this tract;
3. North $89^{\circ}24'06''$ East for 99.63 feet to a found $1/2''$ rebar with no identification for a northeast corner of this tract, the southwest corner of the BRT RESOURCES, LLC 14.609 acre tract recorded in Document No. 20161322, OPRGCT (R3), and the northwest corner of the MICHAEL HODGES 158.76 acre tract recorded in Document 20112558, OPRGCT;

THENCE along the east boundary of this tract, the west boundary of said MICHAEL HODGES 158.76 acre tract for the following courses and distances:

1. South $01^{\circ}34'58''$ East for 188.06 feet to a found $1/2''$ rebar with plastic cap "BONN 4447" for an angle point, the northeast corner of EQUESTRIAN DRIVE (60' public ROW);
2. South $01^{\circ}34'02''$ East for 30.06 feet to a found $1/2''$ rebar with no identification for an angle point, the southeast corner of said EQUESTRIAN DRIVE (60' public ROW);
3. South $01^{\circ}39'48''$ East for 475.80 feet to a point located on the centerline of a future roadway (MARIPOSA DRIVE);
4. South $1^{\circ}39'48''$ East for 786.29 feet along the east boundary of this tract, the west boundary of said the MICHAEL HODGES 158.76 acre tract to the **POINT OF BEGINNING**.

CONTAINING: 56.270 acres of land.



The Basis of Bearings is Texas State Plane Coordinate System, NAD 1983, South Central Zone (4204). This description was based on a survey made on the ground under my supervision completed on September 30, 2015.


Robert S. Rugloski, RPLS #6002
Job #11607051-NC/MF (RSR) | June 19, 2017

TX LANDMARK SURVEYING

39350 IH 10 West, Suite 1 | Boerne, TX 78006 | 830.428.0290
TBPLS Firm No. 10164600

FIELD NOTES FOR ZONE SF 130.782 ACRES OF LAND

BEING 130.782 acres of land, 0.827 acres out of the SAMUEL R WILSON SURVEY No. 38, ABSTRACT No. 735, and 129.955 acres out of the JOHN OWENS SURVEY No. 54, ABSTRACT No. 537, located in the City of Fredericksburg, Gillespie County, Texas, said 130.782 acres being comprised of the following lots and tracts:

0.827 acres out of LOT 13R, EQUESTRIAN PARK (REPLAT) recorded in Volume 5, Page 18, PRGCT
8.7 acres, all of LOT 1, DANZ ORCHARDS recorded in Volume 2, Page 14, PRGCT
11.8 acres, all of LOT 2, DANZ ORCHARDS recorded in Volume 2, Page 14, PRGCT
15.35 acres, all of LOT 3AR, DANZ ORCHARDS (REPLAT) recorded in Volume 4, Page 29, PRGCT
56.933 acres, remainder of LOT 3BR, DANZ ORCHARDS (REPLAT) recorded in Volume 4, Page 29, PRGCT
7.53 acres, all of LOT 3CR, DANZ ORCHARDS (REPLAT) recorded in Volume 4, Page 29, PRGCT
2.24 acres, all of MARIPOSA ROW, DANZ ORCHARDS (REPLAT) recorded in Volume 4, Page 29, PRGCT
12.793 acres, all of the BRT RESOURCES, LLC 10.72 acre tract (Tract VI) recorded in Document No. 20151405, OPRGCT and an additional 2.073 acre tract
14.609 acres, all of the BRT RESOURCES, LLC 14.609 acre tract recorded in Document No. 20161322, OPRGCT

said 130.782 acres being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar with no identification for the southeast corner of this tract, the southeast corner of said LOT 3CR, the northeast corner of the MICHAEL HODGES 158.76 acre tract recorded in Document No. 20112558, OPRGCT, the west boundary of LOT 2, KINMAN SUBDIVISION;

THENCE South 89°18'54" West for 1513.77 feet along the south boundary of this tract, the north boundary of said MICHAEL HODGES 158.76 acre tract to a found 1/2" rebar with no identification for an angle point and the southeast corner of said BRT RESOURCES, LLC 14.609 acre tract;

THENCE South 89°24'02" West for 1374.40 feet continuing along the south boundary of this tract, the north boundary of said MICHAEL HODGES 158.76 acre tract to a found 1/2" rebar with no identification for an angle point, the southwest corner of said BRT RESOURCES, LLC 14.609 acre tract;

THENCE into the interior of said LOT 13R, EQUESTRIAN PARK SUBDIVISION the following courses and distances:

1. South 89°24'06" West for 99.63 feet along the south boundary of this tract to a point for the southwest corner of this tract;
2. North 30°00'00" West for 208.29 feet along a western boundary to a point of cusp;
3. Northeasterly along a curve to the right having an arc length of 213.66 feet (R=860.00', D=14°14'06", CB=North 67°07'03" East, CH=213.12') to a point for an interior corner, located on the west boundary of said BRT RESOURCES, LLC 14.609 acre tract;

THENCE North 01°43'19" West for 221.24 feet along the west boundary of this tract, the east boundary of LOT 13R, EQUESTRIAN PARK SUBDIVISION to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for a northwest corner, the southwest corner of the remainder of the GREGORY & HOLLY TATSCH 29.550 acre tract recorded in Volume 163, Page 590, DRGCT;

THENCE North 86°58'38" East for 1123.32 feet along a north boundary of this tract, the south boundary of said remainder of the GREGORY & HOLLY TATSCH 29.550 acre tract to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an interior corner, the southeast corner of the remainder of the GREGORY & HOLLY TATSCH 29.550 acre tract recorded in Volume 163, Page 590, DRGCT;

THENCE along a western boundary of this tract, the eastern boundary of the GREGORY & HOLLY TATSCH properties the following courses and distances:

1. North 26°47'09" West for 366.33 feet to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an angle point;
2. North 10°14'53" West for 308.48 feet to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an angle point;
3. North 31°38'46" West for 199.94 feet to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for the northeast corner of a 0.679 acre tract conveyed to TATSCH, the southeast corner of a 0.648 acre tract conveyed to SULTEMEIER;

THENCE along a western boundary of this tract, the eastern boundary of the GEORGE & JEAN O SULTEMEIER properties the following courses and distances:

1. North 31°38'47" West for 342.79 feet to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an interior corner;
2. South 80°59'27" West for 101.34 feet to a found 1/2" rebar with plastic cap "SCHWARZ 4780" for an angle point;
3. North 28°24'31" West for 210.42 feet to a found 1/2" rebar with no identification for a northwest corner of this tract, located on the southeastern ROW of SOUTH EAGLE DRIVE;

THENCE along a northwestern boundary of this tract, the northwestern boundary of said BRT RESOURCES, LLC 12.793 acre tract, southeastern ROW of said SOUTH EAGLE DRIVE the following courses and distances:

1. North 38°26'44" East for 100.81 feet to a found 1/2" rebar with no identification for an angle point;
2. North 39°29'57" East for 299.89 feet to a found 1/2" rebar with no identification for an angle point;
3. North 37°27'14" East for 212.53 feet to a found 1/2" rebar with no identification for a northern corner of this tract, a western corner of the ROBERT C BROWN 2.010 acre tract recorded in Volume 167, Page 625, DRGCT;

THENCE along a northern boundary of this tract, the southern boundary of said ROBERT C BROWN 2.010 acre tract the following courses and distances:

1. South 50°49'53" East for 249.50 feet to a found 1/2" rebar with no identification for an interior corner;
2. North 43°44'10" East for 327.34 feet to a found 1/2" rebar with no identification for a northern corner, located on the southwestern boundary of the ALICE HILTON 2.800 acre tract recorded in Document No. 20122812, OPRGCT;

THENCE along a northern boundary of this tract, the southern boundary of said ALICE HILTON 2.800 acre tract the following courses and distances:

1. South 50°52'18" East for 233.20 feet to a found 1/2" rebar with no identification for an interior corner;
2. North 01°48'37" West for 328.50 feet to a found 1/2" rebar with plastic cap "BONN 4447" for a northern corner, the southwestern corner of the LESLIE K LANDRETH 1.290 acre tract recorded in Document No. 20135413, OPRGCT;

THENCE along a northern boundary of this tract, the northern boundary of said LOT 1 & LOT 2, DANZ ORCHARDS, and the northern boundary of said LOT 3AR, DANZ ORCHARDS (REPLAT) the following courses and distances:

1. North 80°41'43" East for 287.92 feet to a found 1/2" rebar with no identification for an angle point;
2. North 72°06'07" East for 407.35 feet to a found 1/2" rebar with no identification for an angle point;
3. North 72°19'45" East for 10.23 feet to a found 1/2" rebar with no identification for an interior corner;
4. North 12°45'32" West for 166.70 feet to a found 1/2" rebar with no identification for a northern corner;

5. North 75°40'31" East for 40.06 feet to a found 1/2" rebar with no identification for a northern corner;
6. South 12°42'15" East for 164.29 feet to a found 1/2" rebar with no identification for an interior corner;
7. North 72°44'55" East for 10.29 feet to a found 1/2" rebar with no identification for an angle point;
8. North 72°40'12" East for 275.47 feet to a found 1/2" rebar with plastic cap "TXLMS.COM RPLS#6002" for an angle point;
9. North 73°42'12" East for 164.68 feet to a found 1/2" rebar with no identification for a northeast corner;
10. South 10°28'48" East for 223.71 feet to a found 1/2" rebar with no identification for an angle point;
11. South 11°03'16" West for 54.28 feet to a found 1/2" rebar with no identification for a point of curvature;
12. Southeasterly along a curve to the left having an arc length of 78.39 feet (R=50.00', D=89°49'26", CB=South 55°32'56" East, CH=70.60') to a found 1/2" rebar with no identification for an angle point;
13. South 76°35'54" East for 215.44 feet to a found 1/2" rebar with no identification for a northeast corner, located on the west boundary of LOT 6, MORIN SUBDIVISION;

THENCE South 01°30'45" East for 359.22 feet generally with a fence along the east boundary of this tract, the west boundary of said MORIN SUBDIVISION to a found 1/2" rebar with no identification for an angle point, the southwest corner of LOT 5, MORIN SUBDIVISION;

THENCE South 00°32'18" East for 297.32 feet generally with a fence continuing along the east boundary of this tract, the west boundary of the HILL COUNTRY HERITAGE SUBDIVISION, UNIT 2W to a found 1/2" rebar with no identification for an angle point, located on the west boundary of LOT 150, HILL COUNTRY HERITAGE SUBDIVISION, UNIT 2W;

THENCE South 01°21'04" East for 175.60 feet generally with a fence continuing along the east boundary of this tract, the west boundary of said HILL COUNTRY HERITAGE SUBDIVISION, UNIT 2W to a found 1/2" rebar with no identification for an angle point, located on the west boundary of LOT 153, HILL COUNTRY HERITAGE SUBDIVISION, UNIT 2W;

THENCE South 01°34'25" East for 1047.84 feet generally with a fence continuing along the east boundary of this tract, the west boundary of said HILL COUNTRY HERITAGE SUBDIVISION, UNIT 2W and the west boundary of the HILL COUNTRY HERITAGE SUBDIVISION, UNIT 1 to a found 1/2" rebar with no identification for an angle point, located on the west boundary of LOT 71, HILL COUNTRY HERITAGE SUBDIVISION, UNIT 1;

THENCE South 01°48'52" East for 317.05 feet generally with a fence continuing along the east boundary of this tract, the west boundary of said HILL COUNTRY HERITAGE SUBDIVISION, UNIT 1 to a found 1/2" rebar with no identification for an angle point, the southwest corner of LOT 67, HILL COUNTRY HERITAGE SUBDIVISION, UNIT 1, the northwest corner of MARIPOSA DRIVE (60' public ROW);

THENCE South 01°49'19" East for 60.01 feet generally with a fence continuing along the east boundary of this tract, the west boundary of said MARIPOSA DRIVE (60' public ROW) to a found 1/2" rebar with no identification for an angle point, the southwest corner of said MARIPOSA DRIVE (60' public ROW), the northwest corner of said LOT 2, KINMAN SUBDIVISION;

THENCE South 01°47'34" East for 210.21 feet generally with a fence continuing along the east boundary of this tract, the west boundary of said LOT 2, KINMAN SUBDIVISION to the **POINT OF BEGINNING**.

CONTAINING: 130.782 acres of land.



The Basis of Bearings is Texas State Plane Coordinate System, NAD 1983, South Central Zone (4204). This description was based on a survey made on the ground under my supervision completed on September 30, 2015.

Robert S. Rugloski

Robert S. Rugloski, RPLS #6002
Job #11607051-SF (RSR) | June 19, 2017

Exhibit D



F R I E D Ë N

Frieden Master Planned Community

There are many *master planned developments* in Texas, but most are simply large tracts of land subdivided into blocks for sale to a group of builders without a foundation that identifies the area beyond an elaborate entrance and a major collector street or two. There may be a parkway or a golf course, but little that enhances the livability, improves the economics, reduces the maintenance and energy use, or lessens the environmental impact on the community.

To create a community that is both financially viable and 'livable' for the long term, we needed to develop a better plan to create a common vision that encourages better design over the life of this community

This document will serve as a tool to achieve these goals.

Optimum Standards

Municipalities strive for sustainable growth whereby a city ages gracefully; however the typical regulatory system reduces land development code to a set of minimums. To set a higher standard for this project, this document was developed to supplement the existing code of Fredericksburg, Texas which suggests only minimums lacking design controls to strive for more efficient and attractive design and construction.

For the most part, within this document there is little that reduces existing minimums in the Fredericksburg code. In most cases, the specifications provided herein are more restrictive and demanding than the minimums required by the city ordinance. If there are any instances where exceptions are required, this document attempts to explain the logic and justification behind reducing an existing control. For the most part, following these guidelines should produce more livable neighborhoods that age well and retain their value.

The methods, techniques, and technology behind the Frieden Community introduces new terminology and may differ from some of the existing Fredericksburg definitions. For the sake of clarity, some of the terms that may be different or require explanation are listed in the definitions section of this document.

The Purpose & Intent of this document

- (1) Expand on the Fredericksburg Subdivision Ordinance (Adopted March 2014)
- (2) Protect against incompatible uses that may devalue property over time.
- (3) Provide for safe and efficient pedestrian connectivity.
- (4) Encourage patterns that create more attractive development than possible using a 'minimums based' regulatory system, thus improving future resale values while adding to the Fredericksburg property tax base.
- (5) Separate pedestrian and vehicular traffic as much as practical and provide for safer transportation system without undue roadblocks or restrictions to vehicular flow.



FRIEDEN

- (6) Create a more flexible land use that allows the Frieden Master Plan to evolve to changing market conditions, innovations in design, technique, and materials, as well as changes in lifestyle or living standards.
- (7) Encourage design of housing, floor plans, views, and landscaping in a coordinated effort to maximize value, livability, and efficiency.
- (8) Minimize monotony, encourage variation, and reward innovative design practices within Fredericksburg heritage.
- (9) Maximize exposure and connectivity for commercial entities to aid in the success of the individual businesses.

DEFINITIONS

The following words, terms and phrases, differ in definition to the Fredericksburg regulations, either by addition or revision:

Coving:

Coving defines a pattern whereas the front setback meanders in a manner where each home front is part of a curved pattern that forms a shape separate of the street right-of-way line. Unique to coved design, all minimum setbacks are to be held per this regulatory body.



The front setback line of a coved lot is dimensioned along the side lot lines where the front line exceeds the minimum setback. This front setback is the build-to line requiring the homes to be at the same angle as the front setback or close to it as possible.

Depth of Lot:

Depth of Lot refers to the minimum horizontal distance between the front and rear lot lines.

Dwelling Unit:

Dwelling Unit means a permanent structure used for residential use.

Front Lot Line:

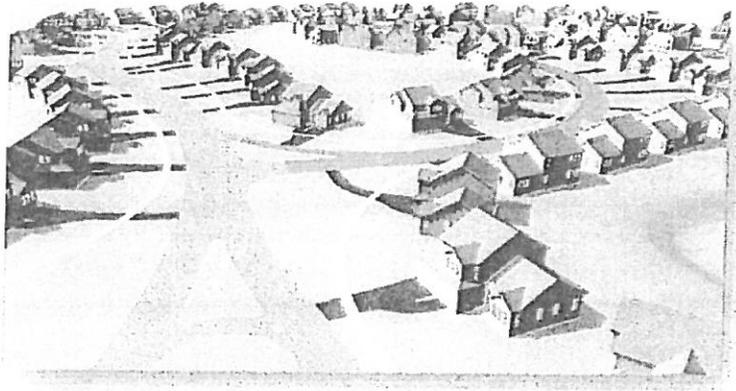
Front lot Line means the property line between the front yard and the contiguous street right-of-way boundary as defined by dimensions on the plat.

Front Yard:

Front Yard means a yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the right-of-way line and wall of the main building or any projections thereof other than projections of the usual uncovered steps, uncovered balconies or uncovered porches. Front yards are encouraged to exceed minimums to create more of a meandering, open, and exciting streetscape.

Meandering Walkway:

Meandering Walkway is a sidewalk which is a minimum of 5 feet wide that is placed in an access/utility easement when meandering outside the right-of-way. The radii used shall form sweeping graceful arcs that avoid jagged patterns or make it difficult to negotiate. When a meandering walkway extends beyond the street right-of-way, an easement is defined at the same setback (right-of-way



to outer edge of the walk) for access and utility purposes. In no instance shall the walk meander in such a way as to be less distance from front setback line to closest edge of the walks as if it were built in a standard Fredericksburg subdivision.

Neighborhood:

Neighborhood defines a pod or section of housing defined on the Friedën Master Plan as an independent section for housing that can be developed by a single developer or entity.

Open Space:

Open Space, is defined as a minimum allowed area within a neighborhood reserved for the neighborhoods community facilities, parks, landscaped buffers, decorative ponding, traffic



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islands, and pedestrian ways. Credit for ½ of a coved front yard that extends beyond the minimum can apply towards the open space minimums.

Pedestrian Way:

Pedestrian Way, meaning a walk within a defined easement or right-of-way that serves as an interlink through a block or neighborhood that can be constructed to handle emergency vehicle access if desired.

Sustainability:

Sustainability, for purposes of this document, is defined as a neighborhood designed and constructed with a balance of economic, existence, and environmental benefits. *Economic* is defined as a benefit for the resident, business owner, Frieden Property Owners Association, and/or the City of Fredericksburg due to design and construction that is above the norm. *Existence* is defined as self-worth, or sense of pride that is enhanced because of the neighborhood that individual lives within, no matter what price point or social status. *Environment* is defined as viable non-trendy solutions that reduce environmental impact without undue economic or existence impacts.

Consideration of these three factors (*Economics, Existence, and Environment*) will result in more sustainable development.

Townhouse:

Townhouse means a single-family dwelling unit constructed in a series or a group of units having common walls.

Traffic Diffuser:

Traffic Diffuser is a meandering traffic island that serves to preserve vehicular flow on the main street yet provide a safer main intersection point, identify an area or intersection, and can provide safer crossings at main pedestrian trails.





Frieden Land Uses

SFR (Single Family Residential) Use

Intent

SFR residential use is established for the following purposes:

- (1) To provide single family residential home sites to meet the present and future housing needs of the Fredericksburg market with a variety of lot sizes.
- (2) To minimize pollution, environmental hazards and other objectionable influences.
- (3) To protect residential areas, as much as possible, from the adverse impacts of through traffic in single family residential neighborhoods.
- (4) To protect residential areas against congestion, (as much as possible) by:
 - managing the density of population in and around them;
 - providing adequate off-street parking spaces; and
 - providing open areas for rest and recreation for a more desirable environment for suburban living.
- (5) Controls over the spacing and height of buildings and other structures as well as landscaping.
- (6) To encourage design and materials that are energy efficient with lower maintenance costs.
- (7) To create living standards that enhance residents experience.

As of the effective date of this application, SFR neighborhoods containing a total land area of 130.8 acres and calling for a maximum 242 single family home sites with varying size and types are planned., these single-family home sites are grouped into three distinct product types. These three residential lot types are detailed in the following table:

Product Type	Minimum Lot Size	Minimum Width	Minimum Depth
Sunday Haus	7,500 sq ft	60 feet	100 feet
Mittel Haus	10,000 sq ft	70 feet	110 feet
Farm Haus	15,000 sq ft	80 feet	120 feet



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The Preliminary Plat of Phase 1 contains the following number of each of the three lot varieties reflecting our preliminary design efforts and our best estimate of current market demand for each product type.

Phase 1 Residential Unit Mix			
Product Type	Number of Lots	Acreage	Average Size
Sunday Haus	29	6.54	9,824
Mittel Haus	29	10.439	15,680
Farm Haus	26	12.82	21,478
Totals	84	29.799	15,543

The lot mix for Phases 2 and 3 will be adjusted to reflect the data gathered from Phase 1, and to reflect any changes in the market conditions. However, the total number of lots in Phases 1 through 3 will not exceed the maximum of 240 as specified in our agreement.

The Frieden Master Plan maintains flexibility to allow for market changes as well as future innovation in design, engineering and materials, as well as flexibility to locate and change uses within neighborhoods, within reason.

Note: All references to "Sections" point to those sections of the City of Fredericksburg Zoning Ordinance, adopted March 2014.

Principal Permitted Uses -SFR

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

Single Family Residential (detached)	Local Utility Service
Model Home	Sales Office for Frieden



F R I E D E N

Uses Permitted Subject to Conditional Use Permit

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

Community Recreation	Private Primary Education
Day Care Services	Private Secondary Education
Counseling/Guidance Services	Religious Assembly

Bed and Breakfast use is specifically prohibited in SFR.

Property Development Standards

Except as specified herein, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. Unless a specific standard is addressed herein, the property development standards used are those established for R-1 uses in the City of Fredericksburg Zoning Ordinance.

Site Development Regulations

Each site in the SF district shall be subject to the following site development regulations (all references to Sections in the following table refer to the City of Fredericksburg Zoning Ordinance):

Feature	Regulations
Lot Size	Minimum Lot Area, 7,500 Square Feet
Lot Width	Minimum Lot Width, 60 feet
Height	Maximum Building Height, 2 Stories, 32 feet
Front Yard	Minimum Required Setback, 15 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet
Rear Yard	Minimum Required Setback, 10 feet
Residential Density	Maximum Dwelling Units per Lot, 1 per Lot
Minim Dwelling Areas (Living Area Only)	1,200 Square Feet
Maximum Building Coverage	Percent of Lot Area, 40%
Nonconforming Uses	Section 6.100



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Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Temporary/Accessory Building	Section 8.000
Home Occupations	Section 8.300

NC/MF (Neighborhood Commercial/Multi Family)

NC/MF is established for the following purposes:

- (1) To provide sufficient space in appropriate locations for commercial development supporting nearby neighborhoods as well as multifamily.
- (2) To minimize pollution, environmental hazards and other objectionable influences.
- (3) To protect residential areas, as much as possible, against through traffic generated by non-residential uses.
- (4) To protect against congestion, as much as possible, by maintain flow and convenience; by providing adequate parking spaces; and by encouraging multi-use sharing of facilities.
- (5) To provide for adequate exposure to the public for businesses, through controls over the spacing and height of buildings and other structures as well as landscaping.
- (6) To encourage design and materials that are energy efficient, with lower maintenance costs.
- (7) To allow for the integration of low-intensity commercial uses and higher density residential uses.

Note: All references to "Sections" point to those sections of the City of Fredericksburg Zoning Ordinance, adopted March 2014.



F R I E D E N

**Principal Neighborhood Commercial/Multi Family (NC/MF)
Permitted Uses**

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

Administrative and Business Office
Community Recreation
Condominiums (Section 7.610)
Convalescent Services
Cultural Services
Day Care Services
Duplex Residential
Group Residential
Local Utility Services
Medical Services
Multiple Family Residential
Personal Services
Private Primary Educational Services
Private Secondary Educational Facilities
Professional Office
Religious Assembly



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Single Family Residential
Townhouses (Section 7.610)

Uses Permitted Subject to Conditional Use Permit

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

Arts and Crafts
Automotive Washing
Building Maintenance Services
Business School
Business Support Services
Club or Lodge
Communication Services
Consumer Repair Services
Convenience Storage
Convenience Store/Self-Serve Gasoline
Food Sales
Guidance Services
Laundry Services
Limited Retail Sales
Liquor Sales



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Personal Improvement Services
Pet Services
Restaurant - Limited
Townhouse Residential Drive through Facilities Associated with any use

Uses Permitted with a Bed and Breakfast Compliance Use Permit:

Bed and Breakfast

Conditions in which a permit will be issued:

- Compliance with provisions of Section 5.401 of the City of Fredericksburg Zoning Ordinance
- One off street parking space for each Bed and Breakfast unit in addition to those required for other uses
- Compliance with other NC regulations

Property Development Standards

Except as specified herein, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, width and depth, dwelling unit area, lot coverage, yards and building height. Unless a specific standard is addressed herein, the property development standards used are those established for C-1 uses in the City of Fredericksburg Zoning Ordinance.

Site Development Regulations

Each site in the NC/MF district shall be subject to the following site development regulations (all references to Sections in the following table refer to the City of Fredericksburg Zoning Ordinance):

Feature	Regulations
Lot Size	Minimum Lot Area, 5,000 Square Feet
Lot Width	Minimum Lot Width, 50 feet
Height	Maximum Building Height, 3 Stories, 38 feet
Front Yard	Minimum Required Setback, 25 feet



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Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 5 feet*
Rear Yard	Minimum Required Setback, 10 feet
Maximum Impervious Coverage	Percent of Lot Area, 70%
Maximum Building Coverage	Percent of Lot Area, 50%
Residential Density	Section 3.120
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000
Special Yard Regulations	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Temporary/Accessory Building	Section 8.100
Signs	Sign Ordinance
*10 feet when adjacent to a residential use	

General Dimensional Standards

Minimum neighborhood requirements.

Open space areas:

1. A total of 10% of the land area shall be provided in common open space.
2. The open space shall be coordinated with the pedestrian connectivity through the neighborhood that allows for easy pedestrian connection through the neighborhood while interconnecting with the main trail systems within the Friedén Master plan.
3. Open space areas should be connected by a main trail and/or internal walks and distributed to be reasonably convenient and accessible to the majority of units within a neighborhood.
4. If detention ponding is required, or there is an existing pond, 75% of the pond area (taken at maximum top of water level) can be used towards the open space requirement.

Residential Parking Minimums:



1. Driveway areas from garage door to curb (or walk) greater than 22' in length can be used to meet a portion of the minimum parking requirement or guest parking.
2. Guest parking for residential uses shall be no less than 1 space per 4 residential units.

Public Street Minimums:

1. All public streets will be built in accordance with Section 6.12 of the City of Fredericksburg Subdivision Ordinance.

Walk & Pedestrian Ways:

1. Walks within a neighborhood shall be required on one side of a street right-of-way.
2. Walks shall be designed to interconnect the neighbors with as few conflicts to vehicular traffic as possible, and shall have at least one connection to an adjacent Frieden main trail system.
3. Pedestrian Ways shall be in a 20 feet wide minimum open space area.
4. Pedestrian Improvements shall comply with the Americans With Disabilities Act (ADA).
5. Walk widths shall use the following minimums:

Type of Walkway	Minimum Width of Walkway
Sidewalks	5 feet
Pedestrian Way	6 feet
Pedestrian Way with Emergency Access	10 feet

Private Drive (NC/MF, CD) Minimums:

1. Private drives for MF attached housing are allowed.
2. The private drive system shall avoid short runs and be designed to maintain vehicular flow.
3. Private drives shall use the following minimums:

Number of homes served	Minimum Width
Alley Drive	15 feet
Private Drive	28 feet

Utility Design Standards:



To create more efficient utility infrastructure, the Frieden Master Plan is designed to encourage options to reduce construction costs and promote innovative solutions when an alternate is demonstrated to perform as well or above that of a conventional method. **However, all alternatives are subject to approval by City of Fredericksburg Public Works Department.**

However, the following utility infrastructure options are acceptable:

1. Manholes can be placed behind the curb line instead of at centerline, but shall be within the right-of-way or easement.
2. Utilities can cut through blocks or outside right-of-way when practical and placed within an easement defined on the record plat.
3. Sanitary services can be gravity flow or pressurized.

Connectivity Minimums:

1. Street patterns that create a maze-like pattern are to be avoided.
2. Each neighborhood should have a main street(s) that defines the major vehicular pathway through the development.
3. There will be a main pedestrian system within the neighborhood that provides a convenient, safe and direct (as practical) means to walk through the area.
4. Every neighborhood bounded by a Frieden Master Plan Main Trail shall have a minimum of one tie along the border of the neighborhood to the Main Trail.
5. Long blocks greater than 1,000 feet in length (from Street centerline to street centerline) within a neighborhood (not including lots along the borders of a neighborhood) shall have a Pedestrian Way near the center of the block.



CD: Commercial District

Commercial design standards

Commercial development within Frieden Master Planned Community include retail and office intended to provide both neighborhood and regional services. A quasi-blend of commercial is offered in the form of the residential home business a transitional use.

Although the project possesses frontage along US 87, it is the intent of the developer to focus commercial development along both sides of the main parkway running east and west perpendicular to the US 87. The type of development envisioned for this area includes retail, restaurant, tasting rooms and other community and regionally -related activities in support of the recreational and tourist industry found in Fredericksburg, Texas.

The retail development in Frieden Master Planned Community shall coincide with adjacent and nearby residential uses. This document will serve as a guide to minimize these situations from occurring. For the most part, commercial will follow the existing Fredericksburg regulations with the following exceptions:

Connection to the main trail

Each retail location is convenient to the main trail system within the Frieden Master Planned Community. This system provides an alternate and additional conduit for residents and businesses beyond that of the vehicular system.

Each commercial entity shall be designed to have a convenient connection to the main trail system designed in a way to encourage its use.

Connection to the customer

Each commercial area within the Frieden Master Planned community should combine planning methods and architectural techniques to maximize exposure and awareness of the businesses.

Landscaping and landscape elements shall not create a visual barrier to a business.



F R I E D E N

Principal Permitted Uses -CD District

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

Administrative and Business Office
Arts and Crafts
Club or Lodge
Cocktail Lounge
Condominium Residential (Section 7.610)
Consumer Convenience Services
Consumer Repair Services
Cultural Services
Day Care Services
Duplex Residential
Financial Services
General Retail Sales
Guidance Services
Liquor Sales
Local Utility Services
Medical Offices
Mobile Food Establishments, but not in any right-of-way or public easement.

**Hotel/Motel
Wellness/spa/fitness**



F R I E D E N

Multiple Family Residential
Personal Improvement Services
Personal Services
Pet Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Professional Offices
Religious Assembly
Restaurant
Townhouse Residential (Section 7.610)



F R I E D E N

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in Section 5.400 of the City of Fredericksburg Zoning Ordinance.

Business or Trade School
Business Support Services
Commercial Off-Street Parking
Communications Services
Custom Manufacturing
Drive through Facilities associated with any use
Food Sales
Funeral Services
Horticulture
Hospital Services (Limited)
Indoor Entertainment
Indoor Sports and Recreation
Outdoor Entertainment
Outdoor Sports and Recreation
Single Family Residential (Detached)



Uses permitted with a Bed and Breakfast Compliance Use Permit:

Bed and Breakfast

Conditions under which a permit will be issued:

- Compliance with provisions of section 5.401, and
- Additions or new construction, taking into consideration any existing structures, shall comply with other requirements of CD, and
- Density shall comply with the provisions of the Multi-Family Residential District (R-3)
- One off street parking space for each Bed and Breakfast unit in addition to those required for other uses
- Lots may be combined to permit more than eight separate lodging units on contiguous property with a Conditional Use Permit
- Compliance with other City of Fredericksburg R-3 regulations

Property Development Standards

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered, or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. Unless a specific standard is addressed herein, the property development standards used are those established for the C-2 District in the City of Fredericksburg Zoning Ordinance.

Site Development Regulations

Each site in the CD District shall be subject to the following site development regulations (all references to Sections in the following table refer to the City of Fredericksburg Zoning Ordinance):

Feature	Regulation
Lot Size	Minimum Lot Area, 5000 Square feet
Lot Width	Minimum Lot Width, 50 feet
Height	Maximum Building Height, 3 stories, 38 feet



F R I E D E N

Front Yard	Minimum Required Setback, 0 feet
Street Side Yard	Minimum Required Setback, 0 feet
Interior Side Yard	Minimum Required Setback, 0 feet*
Rear Yard	Minimum Required Setback, 0 feet*
Maximum Impervious Coverage	Given that it is the Owner's intent to develop at least a portion of this property in a high density "Village"-type fashion, yet still maintain an appropriate overall coverage ratio, the CD portion of the project will be developed in such a way that the average of the overall Impervious Coverage and Building Coverage will be less than or equal to the current C-2 Maximums
Maximum Building Coverage	
Residential Density	Section 3.120
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000
Special Yard Regulation	Section 7.300
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Accessory Building Regulations	Section 8.200
Signs	Sign Ordinance



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
PUD AMENDMENT

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2221

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on October 5, 2022, at 5:30 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

According to Tax Records, you are the owner of real property within 200' of the proposed changes, listed below. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**.

HEARING

DATE: October 18, 2022

TIME: 9:00 AM

REQUEST

NUMBER: Z-2221

The City of Fredericksburg City Council will meet in a regular session on October 18, 2022, at 9:00 AM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

REQUEST:

REQUEST #Z-2221 REQUEST BY SKIP PREBBLE TO CONSIDER AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT (PUD) TO ALLOW HOTEL-MOTEL AS A PRINCIPLE PERMITTED USE IN THE CD DISTRICT FOR THE DEVELOPMENT KNOWN AS FRIEDEN LOCATED AT 133 OTTO ECKHARDT ROAD.

APPLICANT: SKIP PREBBLE

LOCATION: 133 OTTO ECKHARDT ROAD

(See attached map)

REQUEST NO. Z-2221

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file Number because:

Judith A. Cullison

Signed

Judith A. Cullison

Printed Name

9/27/2022

Date

21835 Tommy Trl.

Address

San Antonio TX
78266

Fredericksburg Address:
597 Otto Eckhardt

ORDINANCE NO. 2022-35

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 APPROXIMATELY 219.4 ACRES OF LAND LOCATED ADJACENT TO US HWY 87 SOUTH, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS, COMMONLY KNOWN AS THE FRIEDEN SUBDIVISION, TO AMEND THE USES ALLOWED IN THE COMMERCIAL ZONE OF SAID PLANNED UNIT DEVELOPMENT.

WHEREAS, an Application for Rezoning to amend the Planned Unit Development (PUD) Zoning which currently exists on the property 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 approximately 219.4 acres of land located adjacent to US HWY 87 SOUTH, situated in the CITY OF FREDERICKSBURG, TEXAS, commonly known as the FRIEDEN

SUBDIVISION, as additionally shown on the site plan in Exhibit A, is hereby amended as follows:

i. to add "Hotel/Motel/Wellness/Fitness/Spa" as a Principal Permitted Use allowed in the 32.4 acre Commercial District (CD) zone of the PUD.

Section 2. Other than as hereby amended, the conditions of the original PUD adopted by the City Council, 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____.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: October 18, 2022
TO: Mayor & City Council
FROM: Garret Bonn – Interim Director of Development Services/City Engineer
SUBJECT: #Z-2222 – Public Hearing, Consideration, and Action regarding a request by Skip Preble to consider a zoning change from R1, Single Family Residential to R5, Patio Home Residential for approximately 70.175 acres located at 256 Pyka Road.

Summary:

The applicant is seeking a zoning change from “Single Family Residential” (R1) to “Patio Home Residential” R5 for a +/- 70.175-acre tract located at 256 Pyka Road.

Analysis:

The subject tract is a +/- 70.175-acre tract and is zoned R1 Single Family Residential. The property is bounded by Green Meadows/Oaks of Windcrest Subdivisions (R1 zoning) to the east, Pyka Lane to the south, Windmill Oaks/Heritage School (R4 Manufactured Home Residential) to the west, and W. Windcrest to the north (refer to attached zoning exhibit).

The tract is currently designated for Low Density Residential on the City’s land use plan (exhibit attached). According to the City’s Zoning Ordinance, the requested “Patio Home Residential” (R5) zoning district “is typically associated with low to moderate density residential land use categories” so no land use change is required.

The R5 zoning would require a minimum lot area of 4500 SF, minimum lot width of 50 feet, minimum lot depth of 85 feet, and a maximum building height of 2 stories/28 feet. The R5 zoning district will allow the homebuilder to have a ten (10) feet minimum building setback on at least one side of the lot and zero feet on the opposite side. Adjoining lots shall not have a common zero lot line and no windows, doors, or other openings will be allowed on the zero-lot line. For comparison’s sake, a copy of the R1 and R5 zoning

The City of Fredericksburg

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district development regulations are attached for reference. Future development of the subject tract will be required to comply with all applicable City development regulations.

The proposed development plan includes curvilinear streets with trails/sidewalks throughout and access to shared open spaces. Public streets are proposed throughout the development with access being taken from Pyka Road (two intersections), extension of Green Meadows Blvd. (provides for second point of emergency access to existing Green Meadows Subdivision), extension of Smokey Oak Drive (out of Oaks of Windcrest Phase V), and W. Windcrest. As part of the proposed development, the developer is proposing to complete the extension of W. Windcrest to tie into Smokehouse Drive and a traffic impact analysis is currently underway to determine if any additional boundary street improvements will be required, including coordination with TxDOT for impacts to SH 16 South.

Public notification, including letters being sent to property owners within 200 feet resulted in nine letters of protest (attached). Additionally, at the Planning and Zoning Commission on October 5, 2022, numerous property owners spoke with concerns relating to proposed development of the subject tract. However, most of the concerns raised were related to traffic, utilities, and stormwater runoff and the applicant and his engineer were able to address most questions that were posed and noted that as development plans progressed, all City development regulations would be complied with. After much discussion, the Planning and Zoning Commission unanimously recommended approval of the request.

Recommendation:

As presented, the requested change from “Single Family Residential” (R1) to “Patio Home Residential” (R5) is in accordance with the City’s future land use plan and represents an appropriate zoning designation for the subject tract which lies between “Single Family Residential” (R1) and “Manufactured Home Residential” (R4) zoned areas. Staff recommends approval of the requested zoning change, as recommended by the Planning and Zoning Commission.

Attachments:

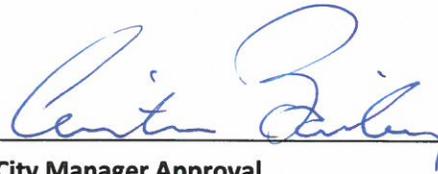
1. Public Notice Map
2. Land Use Plan
3. Zoning Map
4. R1 & R5 Zoning District Development Regulations
5. Project Application
6. Conceptual Site Plan, Boundary Survey, & Rendering
7. Protest Letters



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

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

Z-2222

<all other values>



desc_

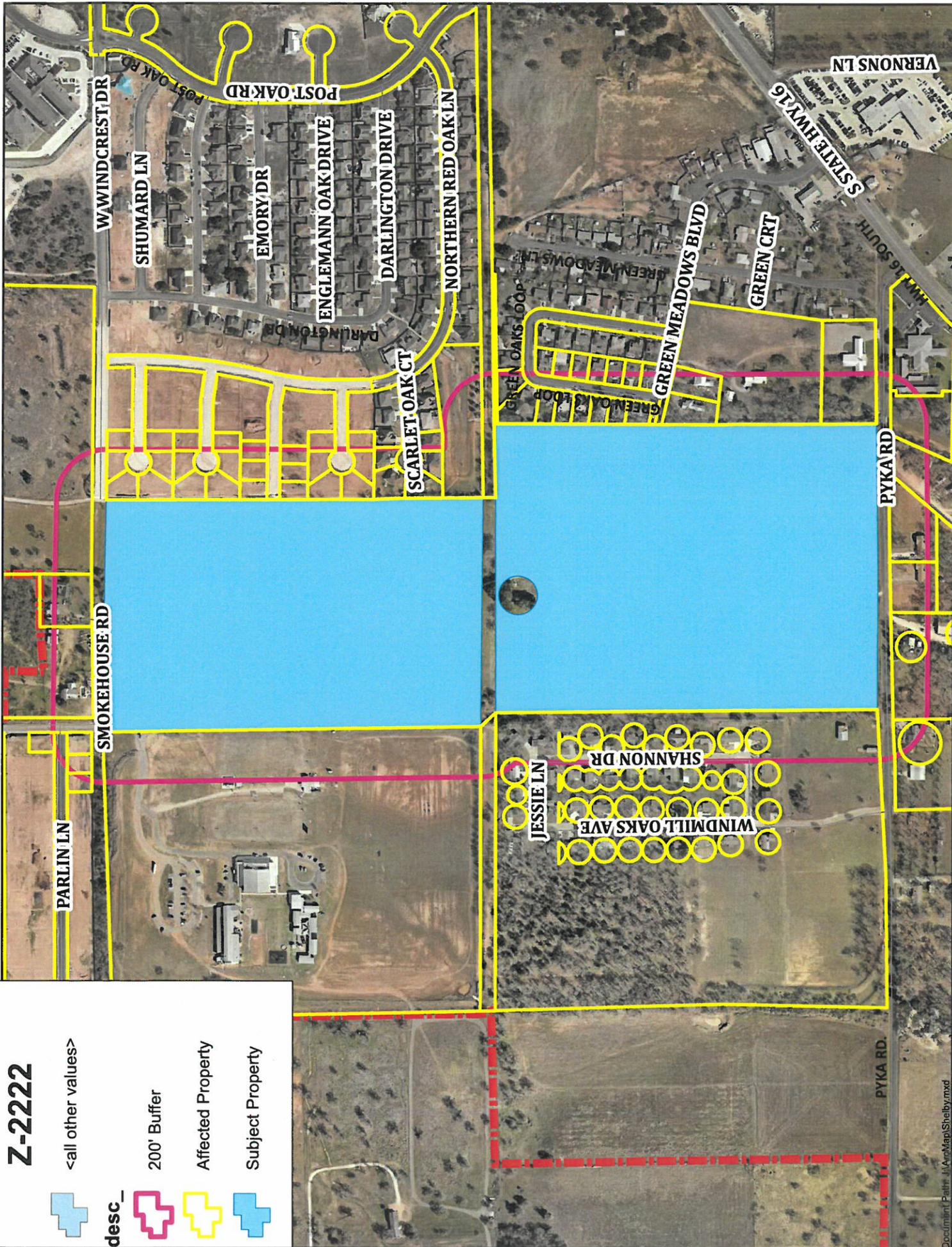
200' Buffer

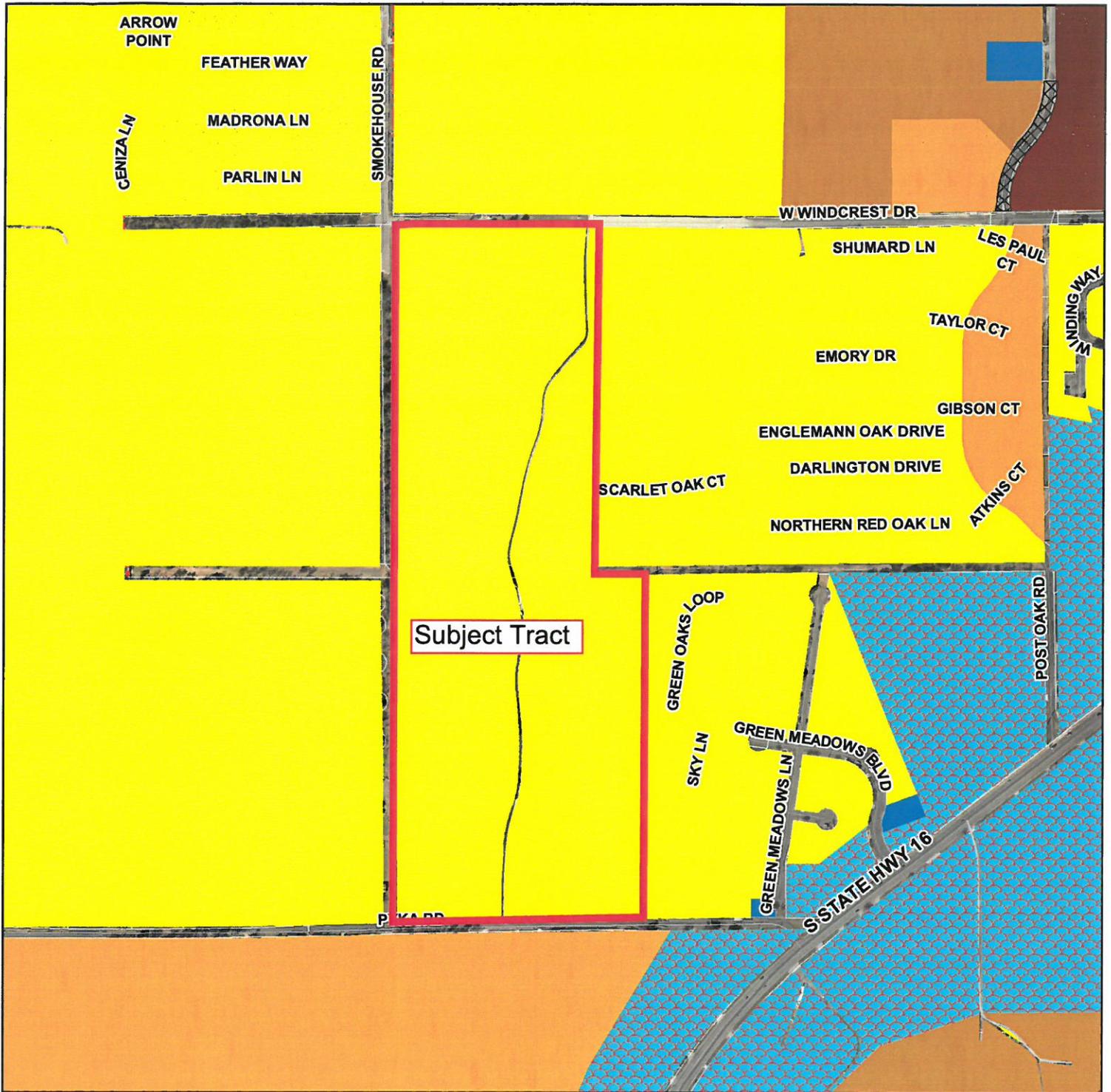


Affected Property



Subject Property





1 inch = 600 feet

FIGURE
LAND USE MAP

Landuse

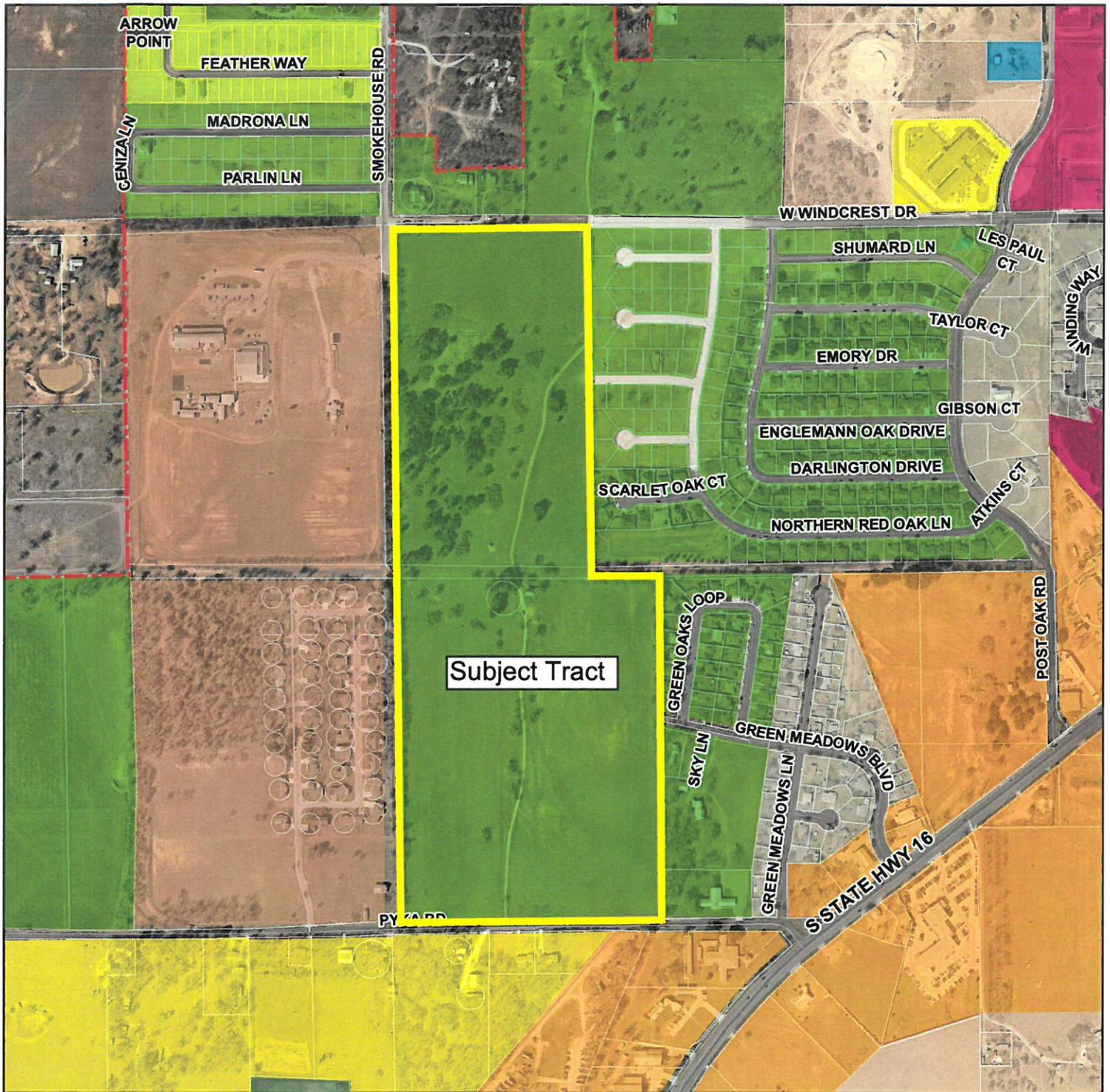
LANDUSE

-  Downtown Central Business District
-  Uptown Central Business District
-  Commercial Center
-  Commercial
-  Employment Center
-  FUTURE ROW

LEGEND

-  High Density Residential
-  Industrial
-  Low Density Residential
-  Medium Density Residential
-  Mixed Use Corridor
-  Parks & Open Space
-  Public / Semi-Public
-  Rural
-  City Limit Boundary
-  1-Mile ETJ Boundary

GCAD Parcels



1 inch = 600 feet

FIGURE
LOCATION/ZONING MAP

Zoning		LEGEND	
 C1 - Neighborhood Commercial	 PF - Public Facilities	 PUD - Planned Unit Development	GCAD Parcels
 C1.5 - Medium Commercial	 R1 - Single Family Residential	 R1A - Single Family Residential - Small Lot	
 C2 - Commercial	 R2 - Mixed Residential	 R3 - Multi-Family Residential	
 CBD - Central Business District	 R4 - Manufactured Home Residential	 R5 - Patio Home Residential	
 M1 - Light Manufacturing	 R3 - Multi-Family Residential	 R4 - Manufactured Home Residential	
 M2 - Medium Manufacturing	 R5 - Patio Home Residential	 R5 - Patio Home Residential	
 M3 - Industrial Park	 City Limit Boundary	 1-Mile ETJ Boundary	
 OS - Open Space			

Sec. 3.100. R-1: SINGLE FAMILY RESIDENTIAL.

Intent

This zone is intended to provide for a single family dwellings, with not more than one principal residence permitted on any lot to ensure an environment conducive to single family residential use. Additional uses necessary and incidental to a single family residential dwelling unit are also permitted. This zone is typically associated with the Low-Density Residential Land Use category but is conditionally allowed within all land use categories except "Open Space/Parks", "Industrial" and "Public Facilities".

Principal Permitted Uses

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

Single Family Residential (Detached)	Local Utility Services
Short-term Rental, Accessory (With a STR permit and adherence to Section 5.401)	Short-term Rental, B & B (With a STR permit and adherence to Section 5.401)

Uses Permitted Subject to Conditional Use Permit

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

Community Recreation	Private Primary Education
Day Care Services	Private Secondary Education
Guidance Services	Religious Assembly
Short-term Rental, Unoccupied (With a STR permit and adherence to Section 5.401) <ul style="list-style-type: none"> • If 2 or more lot lines (only 1 or more lot lines required for a corner lot) are abutting a lawfully permitted "STR Unoccupied" use (STR B&B and STR Accessory uses are not included in this calculation); and • If 75% or more of the properties on the same side of the street, between intersecting streets, are a lawfully permitted "STR Unoccupied" use (STR B&B and STR Accessory uses are not included in this calculation). 	

Property Development Standards

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

Site Development Regulations

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

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

(Ord. No. 23-014, 9-16-2013; Ord. No. 2022-13 , 2(Exh. B), 3-21-2022)

Sec. 3.140. - R-5: PATIO HOME RESIDENTIAL.

Intent

This zone is intended to provide for the establishment of single family dwellings with not more than one principal residence on any lot. Additional uses necessary and incidental to a Single Family Residential Dwelling Unit and also permitted. This zone is typically associated with low to moderate density residential land use category.

Principal Permitted Uses

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, attended or enlarged only for the following uses plus other uses the City Council, by resolution, may seem to be similar to those listed and not obnoxious or detrimental to the public health, safety and welfare:

Local Utility Services	Single Family Residential (Detached)
------------------------	--------------------------------------

Uses Permitted Subject To Conditional Use Permit

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

Community Recreation	Private Primary Education Facilities
Day Care Services	Private Secondary Education Facilities
Guidance Service	Religious Assembly

Bed and Breakfast use is specifically prohibited.

Property Development Standards

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

Site Development Regulations

Each site in the R-5 district shall be subject to the following site development regulations:

Feature	Regulation
Lot Size	Minimum Lot Area, 4500 Square feet
Lot Width	Minimum Lot Width, 50 feet
Depth	Minimum 85 feet
Height	Maximum Building Height, 2 stories, 28 feet
Front Yard	Minimum Required Setback, 15 feet (20 feet for garage)
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Ten (10) feet on at least one side of each lot, and zero feet on the opposite side. All zero lot lines shall be indicated on the plat and each lot shall have only one (1) zero lot line. Adjoining lots shall not have common zero lot lines. No windows, doors, or other openings shall be allowed on the zero lot line.
Rear Yard	Minimum Required Setback, 10 feet
Residential Density	Maximum Dwelling Units per Lot 1 per Lot
Minimum Number of Lots	Five (5) adjoining lots utilizing the entire frontage of one (1) side of the street in the block. Minimum Dwelling Areas
(Living Area Only)	750 Square feet
Maximum Building Coverage	Percent of Lot Area, 55%
Nonconforming Uses	<u>Section 6.100</u>
Special Yard Regulations	<u>Section 7.300</u>
Fences, Walls and Visibility	<u>Section 7.530</u>
Parking	<u>Section 7.800</u>
Temporary/Accessory Building	<u>Section 8.000</u>
Home Occupation	<u>Section 8.300</u>
Impervious Cover	Percent of Lot Area, 65%

(Ord. No. 18-014, § 3.140, 12-1-2008; Ord. No. 23-014, 9-16-2013)



Project Application

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

A. Project Information (Please complete all items)

Project Name: Trails of Windcrest (Carinhas Tract Development)
Project Address: 256 Pyka Road, Fredericksburg
Tax ID Number (s): 83791

Application Type (Check all items that apply)

PDF COPIES ARE REQUIRED FOR ALL SUBMISSIONS

- | | | |
|---|--|--|
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Plat* | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Replat* | <input type="checkbox"/> Annexation* |
| <input checked="" type="checkbox"/> Zoning Change | <input type="checkbox"/> Amending Plat* | <input type="checkbox"/> Final Plat* |
| <input type="checkbox"/> Land Use Plan Change | <input type="checkbox"/> Preliminary Plat* | |

Revision of Approved Plan / Plat? Yes No Name:

Jurisdiction: City Limits ETJ Total Acres: 70.175 No. of Lots: 1

Original Survey & Abstract No: See attached Boundary Survey

Legal Description: See attached Boundary Survey

Current Land Use Plan: Proposed Land Use Plan:

Current Zoning: R1 Proposed Zoning: R5

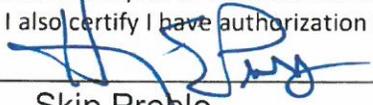
Location: 256 Pyka Road, Fredericksburg

Proposed Use(s): Residential Development, 55+ community

Applicant's Signature

Applicant's Role: Owner Developer Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: 

Printed Name: Skip Preble Date: 08/25/22

Staff Use Only Application No.: _____ Date: _____

*Copy of current Title Search required with application.



Project Application

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

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): BRT Resources, LLC

Owner Name: Christopher Wilde

Address: 1250 NE Loop 410, Suite 333, San Antonio, TX 78209

Phone: 2109305141

Fax: na

Email: cwilde@gwm-sa.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):

Firm Name (if applicable): Short Elliott Hendrickson, Inc

Address: 133 Otto Eckhardt Road, Fredericksburg, TX 78624

Primary Contact Name: Randy Jenniges, PE

Phone: 320.333.5951

Fax: na

Email: rjenniges@sehinc.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): Skip Preble

Applicant Name (s): Skip Preble

Address: 133 Otto Eckhardt Road, Fredericksburg, TX 78624

Phone: 8327711181

Fax: na

Email: skip@landanalytics.com

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role):

Firm Name (if applicable): na

Address: na

Primary Contact Name: na

Phone: Fax:

Email: na



Project Application

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

C. Fee Schedule (Please attach appropriate fee to application.)

- Conditional Use Permit Application - \$400
- Site Plan Application Admin - \$300
- Site Plan Application P&Z - \$400
- Application for Zoning Change - \$400
- Application for Land Use Change - \$300
- Minor Plat - \$300
- Amending Plat - \$300
- Replat - \$300 plus \$20 per lot
- Preliminary Plat - \$400 plus \$20 per lot
- Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.







NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2222

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on October 5, 2022, at 5:30 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

According to Tax Records, you are the owner of real property within 200' of the proposed changes, listed below. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**.

HEARING

DATE: October 18, 2022

TIME: 9:00 AM

REQUEST

NUMBER: Z-2222

The City of Fredericksburg City Council will meet in a regular session on October 18, 2022, at 9:00 AM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

REQUEST:

REQUEST #Z-2222 REQUEST BY SKIP PREBBLE TO CONSIDER A ZONING CHANGE FROM R1, SINGLE FAMILY RESIDENTIAL TO R5, PATIO HOME RESIDENTIAL FOR APPROXIMATELY 70.175 ACRES LOCATED AT 256 PYKA ROAD.

APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file Number because excessive traffic, Pyka Rd can't handle this much traffic

Mary E. Anderegg

10-4-2022

Signed

Date

Mary E. Anderegg

241 Pyka Rd

Printed Name

Address

and owns 221 Pyka Rd

Reason for protest

- ② Patio homes may become investors' rent property
Renters are less stable/more transient than owners
- ③ Our family has owned this property over 50 years
This will be an undesirable change to whole atmosphere of our property

REQUEST NO. Z-2222

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file Number because:

Catherine Arnold

Signed

Catherine Arnold

Printed Name

9-29-22

Date

219 Shannon Dr.

Address



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

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APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest)(~~Appeal~~) the requested zoning amendment represented by the above file Number because: If housing is allowed that is greater than 1 storey it would lower the value of my property and would would encroach on the privacy of my planned yard.

Signed George E. Cassles

Date Oct. 3, 2022

Printed Name George E. Cassles

Address 812 Gray Oak CT
Fredericksburg, TX
78624

I Protest

I am planning to fence my yard. Restrictions of fence height and storage facility height would limit of my side yard privacy, until large trees may grow to sufficient size to shelter the area. Since I am 81 years old I probably not live long enough to enjoy the privacy of my yard.



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

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APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest)(~~Approve~~) the requested zoning amendment represented by the above file Number because: *I'm afraid patio homes will become short-term rentals*

Jacqueline Dean

Signed, *Jacqueline Dean*

Printed Name

9-27-2022

Date
205 Shannon Dr.

Address



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2222

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APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file Number because:

Jeri Forsha L. Geist Sept 28, 2022
Signed Jeri Forsha LARA GEIST Date 215 Shannon Dr
Printed Name Address fbg TX

- * Drought conditions almost every year
not enough water already
- * Ryka Road is very narrow and
will at least need a stoplight at
hwy 16 with so much increased
traffic
- * Lack of services for meeting
basic needs such as groceries and
reasonably priced shopping facilities

Graham D Pearson

To: Director of Development Services
City Hall
126 West Main Street
Fredericksburg, Texas 78624

September 26, 2022

Subject: Zoning Change Request Z-2222 by Skip Prebble

Dear Sir:

I am the owner of property at 806 Scarlet Oak which is within 200 feet of the requested zoning change from R-1 Single Family Residential to R-5 Patio Home Residential for approximately 70.175 acres located at 256 Pyka Road.

According to Figure 4 "Future Land Use Plan" of the City Of Fredericksburg, Texas Comprehensive Plan, the requested zoning change is within an area designated for "Low Density Residential".

Zoning R-5 Patio Home Residential is described by the City's Zoning Classifications as "Medium Density Living".

I PROTEST the zoning change on the grounds that such a change is not compatible with the "Low Density Residential" classification of the City's "Future Land Use Plan" for the subject property.

Thank you for your consideration.
Sincerely,



Graham Pearson
806 Scarlet Oak
Fredericksburg, Texas 78624



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

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APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file Number because: R-1 more acceptable, less impact on traffic + water/sewer

Judith Morgan / Jeanette Dick

Signed

9-29-22

Date

JUDITH MORGAN / Jeanette Dick

Printed Name

207 Shannon Dr.

Address



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2222

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APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest) (Approve) the requested zoning amendment represented by the above file Number because:

<u>Charles Schroeder</u>	<u>10/5/2022</u>
Signed	Date
<u>Charles Schroeder</u>	<u>271 & 293 Pyka</u>
Printed Name	Address

Request No.-Z2222 PROTEST

Charles Schroeder resident of Marble Falls with ownership in multiple Fredericksburg and Gillespie County.

The property effected by the zoning change is located directly across Pyka Rd from the west portion of the request.

Reasons for the protest:

1. Water from this property currently flows across my property depositing soil against my house and eroding the drive to the rear house.
2. The development of housing units west of Windmill Oaks in addition to Windmill Oaks have increased traffic on Pyka road and the SH 16 intersection. This intersection is used by many elderly patients of the Fredericksburg Clinic.
3. Having been involved in construction all my life, I have seen large additions of small housing project become a source of neglect.
4. The fact that the 70 acre property could produce a minimum 453 lots after allowing for streets and community development is of concern. I would prefer if the property would have mixed development including areas of larger homes to reduce traffic and provide more green space (lawns)

I do not object to patio homes being across Pyka from my property. However, a plat of the development addressing my concerns would be required to gain my approval. The additional concentration of smaller lower income housing on the South of town while the North continues to develop into more expensive housing is not an image Fredericksburg should embrace.

Sincerely:

Charles Schroeder

(830) 513-3881



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
ZONING CHANGE

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2222

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on October 5, 2022, at 5:30 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

According to Tax Records, you are the owner of real property within 200' of the proposed changes, listed below. You are **not** required to attend the meeting, but if you care to attend, you will be given full opportunity to be heard. If you cannot attend the hearing, but wish to comment on the request, please detach the response form below and return it to the City of Fredericksburg, 126 W. Main St., Fredericksburg, TX 78624. All protests must be submitted in writing.

The decision of the **PLANNING & ZONING COMMISSION** is a recommendation only. Final approval must be by action of the **CITY COUNCIL**.

HEARING

DATE: October 18, 2022

TIME: 9:00 AM

REQUEST

NUMBER: Z-2222

The City of Fredericksburg City Council will meet in a regular session on October 18, 2022, at 9:00 AM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

REQUEST:

REQUEST #Z-2222 REQUEST BY SKIP PREBBLE TO CONSIDER A ZONING CHANGE FROM R1, SINGLE FAMILY RESIDENTIAL TO R5, PATIO HOME RESIDENTIAL FOR APPROXIMATELY 70.175 ACRES LOCATED AT 256 PYKA ROAD.

APPLICANT: SKIP PREBBLE

LOCATION: 256 PYKA ROAD.

(See attached map)

REQUEST NO. Z-2222

As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file Number because:

Maurcen Seals

Signed

MAURCEN SEALS

Printed Name

9/27/22

Date

211 Shannon Dr.

Address

R1 or R5 - Something will be built.
money always wins here.

In addition to the obvious . . . noise, water, traffic on Byka, etc, there is a more important issue.

Windmill Oaks is one of very few affordable housing developments for people over 55 (sometimes called seniors).

a large development may discourage some residents from staying here.

Affordable housing for folks who work here and for those over 55 has not been addressed and probably never will be.

Maurcen Seals

ORDINANCE NO. 2022-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND CHANGING THE ZONING DISTRICT AS TO APPROXIMATELY 70.175 ACRES LOCATED AT 256 PYKA ROAD, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; CHANGING SAID PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R-1) TO PATIO HOME RESIDENTIAL (R-5); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for Rezoning has been submitted by the owners of land described as approximately 70.175 acres located at 256 Pyka Road in the City of Fredericksburg, Texas, to change the present zoning district of said lots from SINGLE FAMILY RESIDENTIAL (R-1) TO PATIO HOME RESIDENTIAL (R-5); and

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

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

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

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

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

All of those certain lots, tracts or parcels of land situated in the City of Fredericksburg, Gillespie County, Texas, said land being described as APPROXIMATELY 70.175 ACRES LOCATED AT 256 PYKA ROAD in the City of Fredericksburg, Texas, and as additionally

shown and designated as Tract I on the survey map attached hereto as Exhibit A, to be and are hereby rezoned and designated as PATIO HOME RESIDENTIAL (R-5).

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____.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC/CMC
City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: October 18, 2022

TO: Mayor & City Council Members

FROM: Garret Bonn – Interim Director of Development Services/City Engineer

SUBJECT: Z-2223 – Public Hearing, Consideration, and Action regarding a request by Gordon Sauer to consider a conditional use permit per section 3.220 to construct a single-family residence on property located at 112 E. Austin.

Summary:

The applicant is requesting a conditional use permit for the property at 112 E. Austin St. to construct a single-family residence at the rear of the property located at 112 E. Austin.

Background / Analysis:

The subject tract is located within the CBD zoning district and is currently being utilized as commercial property with a spa operating at the front of the lot and a small office located in the middle of the lot. The applicant is looking to construct a two-bedroom single family residence and relocate the existing office building (see attached site plan). The proposed residence will be located outside the FEMA flood plain and four parking spaces will be provided on-site. The driveway will also be relocated to provide fire access to the proposed structure. The City's Fire Marshal and Historic Preservation Officer have approved the revised site plan.

This project had previously been proposed as a first-floor bed and breakfast unit and received approval from P&Z and City Council in Summer of 2021 (Notice of Action attached). The applicant has indicated that under this revised CUP request, the proposed structure will be utilized for a single-family residence and will not be utilized as a short-term rental unit.

The City of Fredericksburg

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

The Planning and Zoning Commission held a public hearing on October 5, 2022, and unanimously recommended approval. Public notification, including letters being sent to property owners within 200 feet, resulted in two letters of support and one in protest of the project.

Recommendation:

City staff recommends approval of the proposed CUP for purposes of constructing a single-family residence, as recommended by the Planning & Zoning Commission.

Attachments:

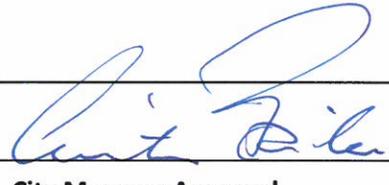
- Public Hearing Map
- Location/Zoning Map
- Site Photo
- Project Application & Site Plan
- Previous Notice of Action (BNB Use)
- Public Responses



Department Approval



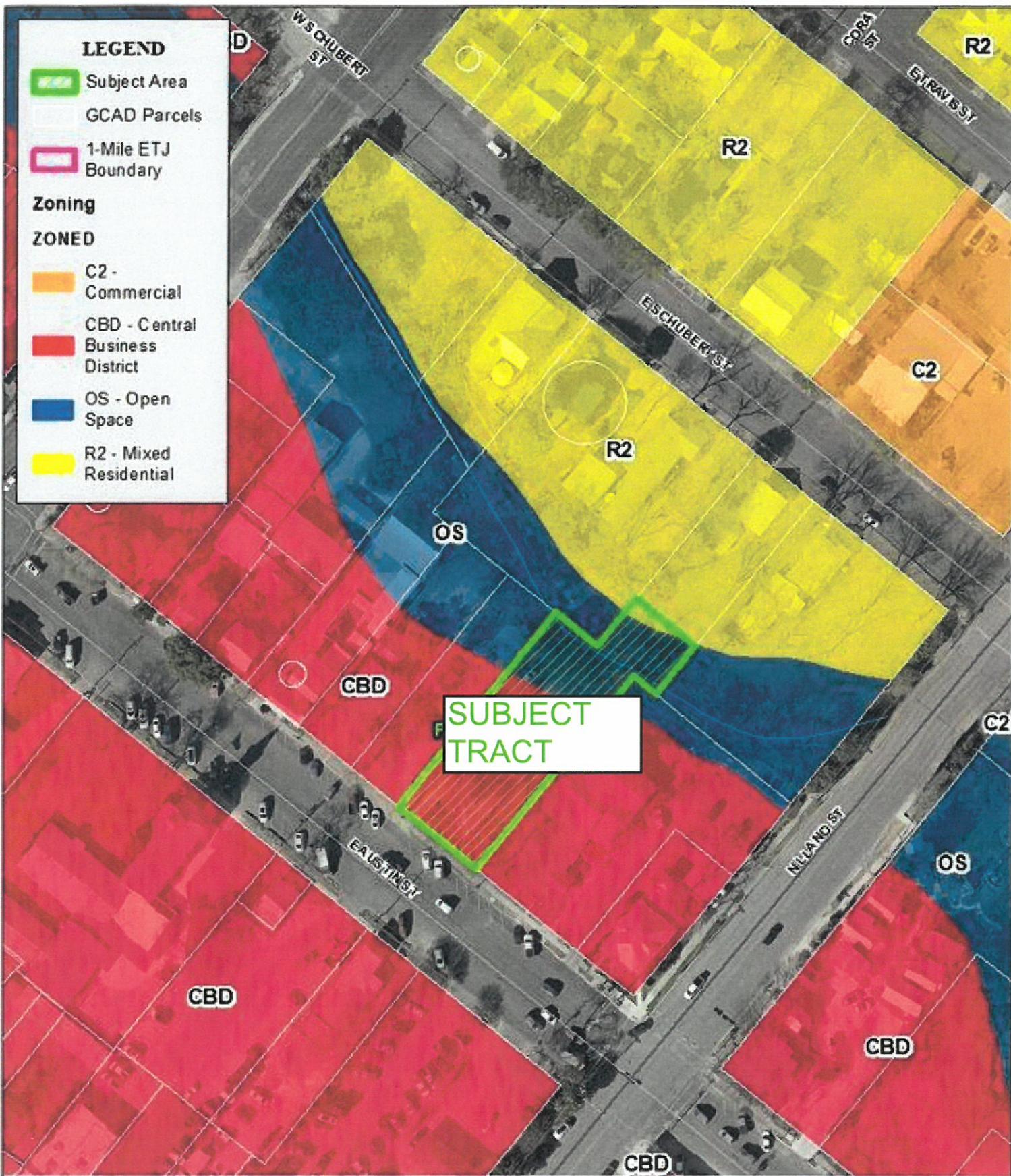
City Attorney Approval



City Manager Approval

The City of Fredericksburg

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



Subject Area - CUP



0 50 100



1 inch = 100 feet





Project Application

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

A. Project Information (Please complete all items)

Project Name: New Residence for 112 East Austin, LLC

Project Address: 112 East Austin, Suite C

Tax ID Number (s):

Application Type (Check all items that apply)

PDF COPIES ARE REQUIRED FOR ALL SUBMISSIONS

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Plat* | <input type="checkbox"/> Plat Vacation |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Replat* | <input type="checkbox"/> Annexation* |
| <input type="checkbox"/> Zoning Change | <input type="checkbox"/> Amending Plat* | <input type="checkbox"/> Final Plat* |
| <input type="checkbox"/> Land Use Plan Change | <input type="checkbox"/> Preliminary Plat* | |

Revision of Approved Plan / Plat? Yes No Name:

Jurisdiction: City Limits ETJ Total Acres: .369 No. of Lots: part of lots 69 & 70

Original Survey & Abstract No:

Legal Description: .36 Acres, parts of Towlots 69 & 70, German Immigration Co.

Current Land Use Plan: Downtown CBD Proposed Land Use Plan: Downtown CBD

Current Zoning: CBD Proposed Zoning: CBD

Location: 112 East Austin

Proposed Use(s): Single Family Residence

Applicant's Signature

Applicant's Role: Owner Developer Other (note role):

I hereby certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. I also certify I have authorization from the owner to act on his / her behalf.

Signature: *Gordon E. Sauer, President*

Printed Name: Gordon E. Sauer Date: 8-30-22

Staff Use Only Application No.: Z-2223 Date: 08/29/22

*Copy of current Title Search required with application.



Project Application

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

B. Contact Information (Please complete all items. Attach additional pages as necessary.)

I. Property Owner(s)

Firm Name (if applicable): 112 East Austin, LLC

Owner Name: Gordon Sauer

Address: 114 East Austin, Fredericksburg, TX 78624

Phone: 830-997-4315

Fax:

Email: gordon@hillcountrytitles.com

II. Owner's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role): Architect

Firm Name (if applicable): SKT Architects, PLLC

Address: 300C West Main, Fredericksburg, TX 78624

Primary Contact Name: Brandon Weinheimer

Phone: 830-997-0383

Fax:

Email: brandon@sktarchitects.com

Secondary Contact Name:

Phone:

Fax:

Email:

III. Applicant

Firm Name (if applicable): 112 East Austin, LLC

Applicant Name (s): Gordon Sauer

Address: 114 East Austin, Fredericksburg, TX 78624

Phone: 830-997-4315

Fax:

Email: gordon@hillcountrytitles.com

IV. Applicant's Agent/Engineer/Surveyor (Main contact person responsible for application)

Role: Agent Engineer Surveyor Other (note role): Architect

Firm Name (if applicable): SKT Architects, PLLC

Address: 300C West Main, Fredericksburg, TX 78624

Primary Contact Name: Brandon Weinheimer

Phone: 830-997-0383

Fax:

Email: brandon@sktarchitects.com



Project Application

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

C. Fee Schedule (Please attach appropriate fee to application.)

- Conditional Use Permit Application - \$400
- Site Plan Application Admin - \$300
- Site Plan Application P&Z - \$400
- Application for Zoning Change - \$400
- Application for Land Use Change - \$300
- Minor Plat - \$300
- Amending Plat - \$300
- Replat - \$300 plus \$20 per lot
- Preliminary Plat - \$400 plus \$20 per lot
- Final Plat - \$500 plus \$10 per lot

D. Recording Fee Schedule

For plats, a recording fee will be collected when mylars are presented. The check should be made payable to Gillespie County Clerk and the recording fees are \$121.00 for a single lot plat. Each additional lot will increase the recording fee by \$10.00.



Applicant

Tina Merz

Case Number

Z-2109

Location

112 E. Austin

NOTICE OF ACTION

YOUR APPLICATION FOR:

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

PLANNING & ZONING COMMISSION RECOMMENDATION:

- APPROVAL
- DISAPPROVAL

ON DATE: June 9, 2021

CITY COUNCIL ACTION:

- APPROVAL
- DISAPPROVAL

ON DATE: July 6, 2021

BOARD OF ADJUSTMENT ACTION:

- APPROVAL
- DISAPPROVAL

ON DATE: _____

HISTORIC REVIEW BOARD ACTION:

- APPROVAL
- DISAPPROVAL

ON DATE: _____

CONDITIONS OF APPROVAL:

Request to Consider a Conditional Use Permit Per Section 3.510 to Construct a First Floor Bed & Breakfast Unit

Signed: _____
Shelby Collier, Associate Planner

Date: 09/16/21



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
A CONDITIONAL USE PERMIT

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2223

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on October 5, 2022, at 5:30 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

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HEARING

DATE: October 18, 2022

TIME: 9:00 AM

REQUEST

NUMBER: Z-2223

The City of Fredericksburg City Council will meet in a regular session on October 18, 2022, at 9:00 AM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

REQUESTS:

REQUEST #Z-2223 REQUEST BY GORDON SAUER TO CONSIDER A
CONDITIONAL USE PERMIT PER SECTION 3.220 TO CONSTRUCT A SINGLE
FAMILY RESIDENCE ON PROPERTY LOCATED AT 112 E AUSTIN.

APPLICANT: GORDON SAUER

LOCATIONS: 112 E AUSTIN

(see attached maps)

REQUEST NO. Z-2223

As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Brent Keyser
Signed

10-1-22
Date

Brent Keyser
Printed Name

110 East Austin
Address Fly TX

This will be turned into a B+B by the time it is built.

He initially tried to build a B+B but I guess didn't work so saying he will build a residence & only turn into a B+B. Plus theres not enough parking any more on that street. His lot is already full with a residence on the front part of lot. I will not be here when the hearing is scheduled.

Brent K



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
A CONDITIONAL USE PERMIT

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2223

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DATE: October 18, 2022

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REQUEST #Z-2223 REQUEST BY GORDON SAUER TO CONSIDER A
CONDITIONAL USE PERMIT PER SECTION 3.220 TO CONSTRUCT A SINGLE
FAMILY RESIDENCE ON PROPERTY LOCATED AT 112 E AUSTIN.

APPLICANT: GORDON SAUER

LOCATIONS: 112 E AUSTIN

(see attached maps)

REQUEST NO. Z-2223

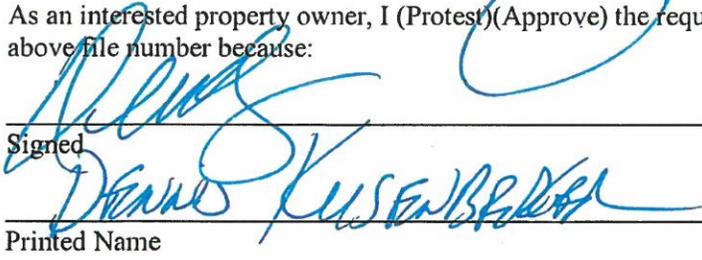
As an interested property owner, I (Protest)(Approve) the requested zoning amendment represented by the above file number because:

Signed

Printed Name

Date

Address



9/26/22

116 E AUSTIN



NOTICE OF PLANNING & ZONING PUBLIC HEARING:
A CONDITIONAL USE PERMIT

HEARING

DATE: October 5, 2022

TIME: 5:30 PM

REQUEST

NUMBER: Z-2223

The City of Fredericksburg Planning and Zoning Commission will meet in a regular session on October 5, 2022, at 5:30 PM. The meeting will be held at the Law Enforcement Center, 1601 East Main Street, Fredericksburg, TX 78624.

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REQUESTS:

REQUEST #Z-2223 REQUEST BY GORDON SAUER TO CONSIDER A CONDITIONAL USE PERMIT PER SECTION 3.220 TO CONSTRUCT A SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED AT 112 E AUSTIN.

APPLICANT: GORDON SAUER

LOCATIONS: 112 E AUSTIN

(see attached maps)

REQUEST NO. Z-2223

As an interested property owner, I (Protest) Approve the requested zoning amendment represented by the above file number because:

James Reichman
Signed
JAMES REICHMAN
Printed Name

9-27-22
Date
111 E SCHUBERT
Address



CITY COUNCIL MEMO

DATE: October 18, 2022
TO: Mayor and City Council
FROM: Clinton Bailey, City Manager
SUBJECT: Short-Term Rental Ordinance

Summary:

This item was requested by Mayor Hoover and is intended to be a discussion with the Council regarding the Short-Term Rental (STR) Ordinance, violations, enforcement matters and potential next steps.

Recommendation:

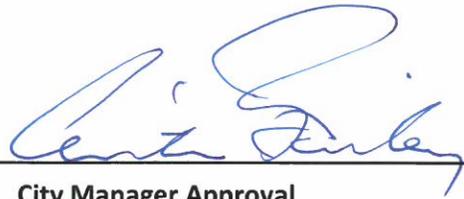
It is recommended that the City Council discuss this item and provide direction to City Staff regarding amendments to the STR Ordinance and enforcement matters.

Background / Analysis:

Ordinance No. 2022-13 went into effect on April 1, 2022. This ordinance includes development and land use regulation amendments in multiple zoning districts for development across the City, including but not limited to, short term rental uses, parking requirements, and permitted land uses. The City Council discussed the STR Ordinance as a six-month review during a Special Meeting on October 4, 2022.

The City of Fredericksburg

Department Approval



Curtis Furley

City Manager Approval

The City of Fredericksburg

Future Agenda Worksheet
November 8, 2022 – December 20, 2022

	CITY COUNCIL MEETING DATES & FUTURE AGENDA ITEMS	ACTION	PRESENTER
	Tuesday, November 8, 2022 (Work Session or Special Meeting)		
1	October 18, 2022, Regular Meeting Minutes	Consent	Shelley
	Tuesday, November 15, 2022 (Regular Meeting)		
1	November 8, 2022, Minutes	Consent	Shelley
2	Marktplatz Paver Phase II award of bid	Approval	Andrea
	Tuesday, December 6, 2022 (Work Session or Special Meeting)		
1	November 15, 2022, Regular Meeting Minutes	Consent	Shelley
	Tuesday, December 20, 2022 (Regular Meeting)		
1	December 6, 2022, Minutes	Approval	Shelley
	FUTURE AGENDA ITEMS		
1	Lady Bird Johnson Golf Course Lease	Approval	Clinton
2	Capital Improvement Fund in General Fund (postponed from 5-16-2022)	Resolution	Laura
3	Naming rights for Market Square	Approval	Andrea
4	Boards and Commissions (EDC & Market Square Redevelopment vacancies)	Appoint	Shelley
5	Mass event rentals and fees at Market Square	Discussion	City Council
6	Soccer Agreement Name Change	Approval	Andrea
7	Sports Park, Fees and Facilities	Discussion	Andrea
8	W. Live Oak Zoning & Land Use Change	Public Hearing & Approval	Garret
9	N. Llano Storm Sewer (TWDB Grant & Loan) Project Drainage Revenue Bond	Approval	Garret
10	Habitat for Humanity fee consideration	Approval	Andrea
11	CVB Lease Agreement	Approval	Clinton
12	Performance Agreement – Alstadt Phase I	Approval	Evan