CITY OF FREDERICKSBURG

REGULAR PLANNING AND ZONING AGENDA
WEDNESDAY, FEBRUARY 5, 2020 ~ 5:30 P.M.
LAW ENFORCEMENT CENTER ~ 1601 EAST MAIN STREET

Janice Menking, Chair
Jim Jarreau, Member
Daryl Whitworth, Member
Brenda Segner, Member
Chris Kaiser, Member

Polly Rickert, Member
Jill Tabor, Member
Tim Dooley, Member
Steve Thomas, Member

The Planning and Zoning Commission will meet in a regular session on February 5, 2020 at 5:30 p.m. at the Conference Room at the Law Enforcement Center, 1601 E. Main Street, Fredericksburg, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on January 31, 2020 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

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

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MEETING MINUTES
January 2020 regular meeting minutes

4. PUBLIC COMMENTS

The Planning and Zoning Commission (P&Z) welcomes public comments concerning items on this agenda. Each member of the public who desires to address the P&Z regarding an item on this agenda is required to sign up to speak, prior to the start of the meeting. All public comments shall be limited to discussion of items on this agenda, and shall be limited to 3-minutes in duration. At the discretion of the P&Z Chair, or upon an affirmative vote of the P&Z, the public comment time limit applicable to all speakers may be lengthened or shortened as required to allow the P&Z to complete its legislative agenda. Persons addressing the P&Z are prohibited from trading time with other speakers or reserving of time.

5. PUBLIC HEARING

A. Consider (Z-2001) Request a change in the Land Use Plan from Low Density Residential to Commercial and to change the Zoning from R1, Single Family Residential, to C1.5, Medium Commercial on property located at 521 Friendship Ln.

6. ACTION ITEMS
   A. Receive recommendation and consider (Z-2001).
   B. Receive recommendation and consider (Z-2002).

7. MISCELLANEOUS

8. ADJOURN

This is to certify that I, Shelby Collier, posted this Agenda before 11:00 a.m. on January 31, 2020 on the entrance door and bulletin board at the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Shelby Collier,
Development Coordinator
On this the 8th day of January, 2020 the PLANNING AND ZONING COMMISSION convened in regular Session at the Law Enforcement Center with the following members present to constitute a quorum:

PRESENT:
- JANICE MENKING
- JILL TABOR
- JIM JARREAU
- STEVE THOMAS
- POLLY RICKERT
- DARYL WHITWORTH
- BRENDA SEGNER
- TIM DOOLEY
- CHRIS KAISER

ABSENT:

ALSO PRESENT:
- BRIAN JORDAN – Director of Development Services
- DANIEL JONES – City Attorney
- ANNA HUDSON – Historic Preservation Officer
- SHELBY COLLIER – Development Coordinator

Janice Menking called the meeting to order at 5:30 P.M.

MINUTES

Brenda Segner moved to approve the minutes of the December 2019 meeting and Jim Jarreau seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING

Consider (Z-1919) Request to establish R1, Single Family Residential Zoning on approximately 13.404 acres of land situated in Gillespie County, Texas to the West of Ellebracht Drive and South of Lower Crabapple Road, otherwise known as Stoneridge, Unit 10.

Motion made to open the public hearing by Jim Jarreau seconded by Daryl Whitworth. All voted in favor and the motion carried.

Alan Lindskog presented the application. He stated the Developer is requesting to annex phase 10 and the Stoneridge project.

Motion made to close the public hearing by Daryl Whitworth seconded by Jim Jarreau. All voted in favor and the motion carried.

Brian Jordan, Director of Development, stated over the years, Stone Ridge has annexed and zoned the individual phases as they are developed. The Unit 10 area is located in the northwest portion of the project, near the corner of Lower Crabapple Road and Ellebracht Drive (see the attached exhibit). The proposed R-1, Single Family Residential zoning is consistent with the remainder of the development and previous phases. Staff recommends approval of the R1, Single Family Residential Zoning.
Motion to recommend approval for R1 Zoning by Jim Jarreau seconded by Polly Rickert. All voted in favor and the motion carried.

**ACTION ITEMS**

**Consider (P-1921) Request by Levi Ellebracht to consider a Preliminary Plat for Stoneridge Unit 10.**

Alan Lindskog presented the application. He stated the Developer is requesting approval of the Preliminary Plat for Stoneridge phase 10. This phase includes 13 acres with 27 residential lots.

Brain Jordan, Director of Development, stated Staff recommends approval of the requested 27 lot development conditioned upon approval of the final Construction Plans prior to the start of construction.

Motion to approve Application P-1921 by Daryl Whitworth per staff recommendation seconded by Jim Jarreau. All voted in favor and the motion carried.

**Consider (EC-1906) Request by Ricca Keepers to consider Entry Corridor Design Standards for property located at 621 S. Washington.**

Ricca Keepers presented the application. She stated the property owners are requesting to add a converted shipping container to be used as a Short Term Rental to their property.

Anna Hudson, Historic Preservation Officer, presented Staff findings. She stated the residence at 621 S Washington is adding a Short Term Rental Unit that is a converted shipping container. As such, the project is subject to Entry Corridor Design Standards and Guidelines. It will be located behind the house and will be clad with wood siding. The site plan has been approved administratively.

Given the small size, location at the rear of the property, and proposed cedar siding, staff recommends approval. Outdoor lighting has not been addressed, and any outdoor lighting will have to meet the minimum standards set forth in the City’s Lighting Ordinance.

Daryl Whitworth asked if the building shown on the aerial is the requested new construction. Brian Jordan stated that the building shown on the Site Plan is a storage shed.

Tim Dooley voiced his opposition to shipping containers being allowed in the City Limits as homes. Polly Rickert stated that the affordable housing committee is looking at shipping containers as a viable option for housing.

Motion to approve application EC-1906 by Daryl Whitworth per Staff recommendation. Seconded by Chris Kaiser. Tim Dooley voted in opposition all others voted in favor and the motion carried.

**MISCELLANEOUS**

Brain Jordan stated Staff scheduled a joint meeting with City Council on February 11th from 2:00 to 5:00.
ADJOURN

With nothing further to come before the Commission, Brenda Segner moved to adjourn. Seconded by Daryl Whitworth. All voted in favor and the meeting was adjourned at 6:16 p.m.

PASSED AND APPROVED this 5th day of February 2020.

SHELBY COLLIER, Development Coordinator

JANICE MENKING, Chairman
CONDITIONAL USE PERMIT BRIEF
Request Z-2001-2002

APPLICANT: Andy Bray with Mustard Design on behalf of Chris and Kevin Avery

LOCATION: 521 Friendship Lane

EXISTING ZONING: R-1, Single Family Residential

EXISTING LAND USE: Low Density Residential

PROPOSED REQUEST: 1) Change in the Land Use Plan from Low Density Residential to Commercial;

2) Change in zoning from R-1, Single Family Residential to C-1.5 Medium Commercial, and

3) Conditional Use Permit for an Indoor Sports and Recreation Facility and Limited Restaurant Use.

FINDINGS:

- The subject property consists of approximately 10 acres of land located on the south side of Friendship Lane, and currently contains a single family residential structure.
- The northern portion of the property includes a number of large Pecan Trees while the southern portion of the property is open.
- Surrounding land uses include vacant undeveloped property to the east, south and north, and a hotel immediately to the west.
- Surrounding property is zoned R-2 and R-1A to the south, R-1 to the east and north, and C-2 to the west.
- The Land Use Plan identifies the subject property as Low Density Residential, property to the south, east and north as Low Density Residential and property to the west as Commercial Center.

LAND USE PLAN: The Land Use Plan identifies the subject property to be Low Density Residential. As defined in the Comprehensive Plan, this definition is representative of traditional, single-family detached dwelling units. Low Density Residential accounts for the largest percentage of residential development in Fredericksburg today and will continue to do so with the development shown on the “Future Land Use Map”. The areas designated for Low Density Residential land use are generally not adjacent to major thoroughfares or incompatible land uses, and are in proximity to existing single-family residential land use. Within these areas, the City should encourage a range of lot sizes and housing types in order to promote increased housing diversity and affordability.
The applicant is proposing to change the Land Use Plan to Commercial to accommodate the development of the property into a non-residential use (see CUP discussion below). This property happens to fall in the transition area along Friendship Lane between commercial uses to the west and residentially zoned area to the east. This land use change would extend the commercially designated property to the east along Friendship Lane. In addition, this change would represent a reduction in the low density designation along Friendship Lane. The subject property and the adjoining property to the east are the only low density residential designated properties in this vicinity on Friendship Lane.

**ZONING:** The subject property is zoned R-1, Single-Family Residential, and has most recently been used for residential purposes. The applicant is proposing to change the zoning to C-1.5, Medium Commercial to accommodate an Indoor Sports and Recreation Facility and Limited Restaurant use (see CUP discussion below). Since there is commercial zoning and land use adjacent to the property to the west, it would be our opinion that this change would not represent “spot” zoning. So, the decision to be made in this case is whether or not it would be appropriate to extend the commercial zoning along Friendship Lane, or restrict it to the current location.

**Proposed Uses:**

**Fredericksburg Climbing Facility:** An indoor recreation center with sport climbing (with ropes on manufactured climbing walls), bouldering with 18-inch thick specialized padded flooring, a yoga studio, weights and cardio area, café, fitness classes, small retail area, and an outdoor area green space and splash pad. We envision the place becoming a social hub to foster community and health via fun activities.

**Limited Restaurant:** a simple and quality restaurant environment with fresh homemade foods such as pizzas, burgers, tacos, salads, rice bowls, etc. This facility would have an outdoor seating area with a big playground for kids to be entertained so parents can watch while eating. Would also serve beer on tap and have a spot for live indoor music. Examples of similar environment/style: Pint and Plow in Kerrville.

**CUP Site Plan Overview:**

- The applicant is proposing to build a 17,000 square foot multi-story indoor climbing facility and a 5,000 square foot restaurant.
- Other uses are less defined at this point, but include office space and residential uses.
- The site is approximately 10 acres.
- Access to the property is from Friendship Lane.
- Adequate parking is provided for the uses proposed.

**Review and Evaluation Criteria:**

**A. CONFORMANCE WITH APPLICABLE REGULATIONS:**

- The Site Plan is conceptual at this point, but meets the proposed C-1.5 regulations.
B. COMPATIBILITY WITH EXISTING OR PERMITTED USES IN ABUTTING SITES:

- We would expect the proposed use described by the applicant to be compatible with the surrounding residential and commercial zoning. The C-1.5 zoning district was created so that it could be compatible with a number of surrounding uses.

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

- We do not anticipate unfavorable effects on adjoining properties from this use.

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

- None.

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

- Drive access into this property will be on Friendship Lane. The proposed uses on site are anticipated to operate with compatible operating hours. The site is designed to accommodate required parking, vehicle circulation and pedestrian circulation.

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

- The site is designed with proposed drainage detention, landscaping and erosion control to prevent adverse impacts.

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

- Site and building lighting shall comply with City of Fredericksburg requirements.

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

- All off street parking will meet City of Fredericksburg standards.

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

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

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

   - Affirmative.

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

   - Affirmative.

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

   - The design of the site plan, including the locations of the buildings to fit within existing trees, the proposed use of an indoor recreational facility, a limited restaurant, business office and residential, along with the integration of the landscape with vehicle circulation and parking provide for a development with favorable impact on properties in the vicinity.

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

   - We would not expect the proposed use to have detrimental effects on the public health, safety or welfare of properties in the vicinity.

**OPPOSITION/SUPPORT OF REQUEST:** No comments received to date.

**STAFF RECOMMENDATION:** In order to accommodate the use proposed by the applicant, it is necessary to have the appropriate land use designation and zoning before they can even apply for the Conditional Use Permit for their project. In reviewing the current Land Use Plan and Zoning for the subject property, it and the adjoining property remain the only low density residential land use and R-1 zoned properties fronting on the south side of Friendship Lane. So, the question is whether or not these two tracts should remain residential or be considered for other purposes. We have talked often about the future of the Friendship Lane Corridor and whether or not we should consider alternatives to the mostly mixed residential zoning. And, we have now adopted a new C-1.5 Medium Commercial and MU-2, Mixed Use - Infill Zoning Districts as possible options for consideration. In reviewing the intent of both of these districts, one could certainly argue that this particular property would fall within either of these categories. Given the circumstances outlined above, it is Staff's opinion that the proposed change is a reasonable consideration. While we should never change the land use or zoning based on a specific type of use or development, the intent of the C-1.5 zoning category seems to fit the location being considered.
With regard to the proposed CUP for an Indoor Sports and Recreation Facility and a Limited Restaurant, the layout of the site and the sensitivity to the surrounding property represents a compatible development solution. In considering the Limited Restaurant, the Zoning Ordinance defines this use as Restaurants which typically involve the custom preparation of food in limited quantities and of a personal nature. Restaurants within this category are characterized by limited traffic, noise and parking that is similar in nature to an office use of a similar size, limited hours of operation typically not later than 10:00 pm, no drive-thru, and lighting which is shielded from and directed away from adjacent neighborhoods and is dimmed to a minimal level after hours. Said restaurants may include live entertainment with amplified sound as long as such activity is wholly enclosed within the main building and incidental alcohol beverage service. Lighted signs shall be turned off after business hours. No outdoor cooking shall be permitted.

Approval of the Land Use Plan change from Low Density Residential to Commercial, the zoning from R-1 Single Family Residential to C-1.5 Medium Commercial and the Conditional Use Permit for an Indoor Sports and Recreation Facility and a Limited Restaurant is recommended. If a favorable recommendation is proposed by the Commission, we would also recommend consideration be given to calling a public hearing to consider changing the adjoining property to the east as well.
January 20, 2020

Mr. Brian Jordan, AICP
Director of Development
City of Fredericksburg, Texas
bjordan@fbgtx.org


Dear Brian,

Thank you for the site plan review, we received your comments dated 01.17.20 and have listed a written response to each for the above-mentioned project. Each item is numbered and listed to coordinate with the review comment.

Item Response:
1. Z-2001 I will require an amendment to the Land Use Plan from Low Density Residential to Commercial. Amend the application and fees.

   The application has been revised to add Application for Land Use Change. The applicable fee for this addition shall be paid by check.

2. Provide a detailed description of the proposed Indoor Sports and Recreation Facility, and the proposed Limited Restaurant.

   Fredericksburg Climbing Facility - An indoor recreation center with sport climbing (with ropes on 45 ft tall manufactured climbing walls), bouldering (18 ft tall walls) with 18-inch-thick specialized padded flooring, a yoga studio, weights and cardio area, cafe, fitness classes, small retail area, and an outdoor area green space and splash pad. We envision the place becoming a social hub to foster community and health via fun activities.

   Restaurant Limited - a simple and quality environment with fresh homemade foods such as pizzas, burgers, tacos, salads, rice bowls, etc. Would have an outdoor seating area with big playground for kids to be entertained so parents can watch while eating. Would also serve beer on tap and have a spot for live indoor music. Examples of similar environment/style: Pint and Plow in Kerrville.

3. Provide a response to each of the Review and Evaluation Criteria stated in Section 5.460 of the Zoning Ordinance.

   See attached document responding to Conditional Use Permit Review and Evaluation Criteria.
4. The Site Plan will be considered Conceptual at this time and will allow for the evaluation of the proposed Conditional Use Permit. Should the zoning and Conditional Use Permit be approved, a detailed Site Plan will be required prior to development.

Comment noted, a detailed site plan will be submitted at the appropriate time.

Thank you for the plan review, should you have any questions please contact me directly.

Sincerely,

Andrew E. Bray, AIA
Mustard Design Architects
Registered Architect Texas 18754

Enclosures:
Conditional Use Permit Review and Evaluation Criteria
Cc: Kevin Avery, Chris Avery, Jon Pankratz, Matt Jarosz
January 20, 2020

Mr. Brian Jordan, AICP
Director of Development
City of Fredericksburg, Texas
bjordan@fbgtx.org

RE: Z-2001 and Z-2002: Proposed zoning change and conditional use permit for 521 Friendship Lane

Dear Brian,

Below is our response to the Conditional Use Permit Review and Evaluation Criteria as outlined in section 5.460 of the Zoning Ordinance.

Conformance with applicable regulations and standards established by the Zoning Regulations.
The proposed uses are in conformance with the established regulation and standards of the zoning ordinance. Indoor recreational facility is allowed by conditional use, restaurant- limited, professional office and residential are principal permitted uses.

Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, access and circulation features.
The proposed uses on site are compatible with abutting sites. Building height, setbacks, landscape, site access and circulation shall be designed in compliance with the zoning ordinance.

Potentially unfavorable affects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site for a permitted use.
None.

Modifications (including variance from property development regulations) to the site plan which would result in increased compatibility, would mitigate potentially unfavorable impacts, would be necessary to conform to applicable regulations and standards and would protect the public health, safety, morals and general welfare.
Rezone the site from R-1 to C-1.5: This modification will allow the site to have an increased compatibility of uses. The proposed rezoning to C-1.5 will allow for compatible uses that are in harmony with the surrounding properties.

Change the land use from low density residential to medium commercial: This modification will allow for a multi use development that will improve the site and be compatible with adjacent properties.

Conditional Use for an Indoor Sports and Recreational Facility: This use is permitted subject to a conditional use permit. The use shall provide a community focused recreation facility.
Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area; existing zoning and land uses in the area.
The site has vehicle access from Friendship Lane on the north. The proposed uses on site are anticipated to operate with compatible operating hours. Traffic use is anticipated to be reasonably for similar developments. The site is adequate to accommodate the required parking, vehicle circulation and pedestrian circulation.

Protection of persons and property from erosion, flood or water damage, fire, noise, glare and similar hazards and impacts.
The site shall be designed with proposed drainage retention, landscaping and erosion control to prevent adverse impact.

Location, lighting, and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties.
Site and building lighting shall comply with City of Fredericksburg requirements. Signage shall comply with City of Fredericksburg signage ordinance.

Adequacy and convenience of off-street parking and loading facilities
All off street parking shall meet with City of Fredericksburg standards

Determination that the proposed use is in accordance with the objectives of these Zoning Regulations and the purposes of the zone in which the site is located.
Proposed use and site plan requests are in accordance with the zoning regulations.

Determination that the proposed use will comply with each of the applicable provisions of these Zoning Regulations.
Proposed use and site plan requests are in accordance with the zoning regulations.

Determination that the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses in the vicinity.
Proposed use and site plan requests are compatible with the adjacent uses in the vicinity.

Determination that any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
The design of the site plan, including the locations of the buildings to fit within existing trees, the proposed use of an indoor recreational facility, a limited restaurant, business office and residential, along with the integration of the landscape with vehicle circulation and parking provide for a development with favorable impact on properties in the vicinity.
Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

The proposed use of the site shall not be detrimental to the public health, safety, or welfare to properties in the vicinity.
A. Project Information (Please complete all items.)

Project Name: CLIMB FBG
Project Address: 521 FRIENDSHIP LANE, FREDERICKSBURG, TX 78624
Tax ID Number(s):

Application Type (Check all items that apply.)

- Conditional Use Permit
- Site Plan
- Zoning Change
- 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
Original Survey & Abstract No:
Legal Description: G E CO #22
Current Land Use Plan: RESIDENTIAL
Current Zoning: R-1
Location:
Proposed Use(s): MULTI-USE: INDOOR RECREATION, LIMITED RESTAURANT, OFFICE AND SINGLE FAMILY RESIDENTIAL
Proposed Land Use Plan: MEDIUM COMMERCIAL
Proposed Zoning: C1.5

Applicant’s Signature

Applicant’s Role: ☐ Owner ☐ Developer ☑ Other (note role): ARCHITECT

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: ANDREW E. BRAY, AIA

Date: 01.06.20: Originally submitted
01.20.20: Revised

Staff Use Only

Application No.: ___________________________ Date: ___________________________

*Copy of current Title Search required with application.
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<td>GENERAL TELEPHONE SW INC</td>
<td>401 MERRITT 7 NORWALK, CT 06851-1000</td>
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**Z-2001/2002 - 521 Friendship Lane**