



**AGENDA
CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - April 21, 2022
Briefing Workshop at **5:30 PM**
Regular Meeting at 7:00 PM



Mayor – Christine DeLisle

Place 1 – Kathryn Pantalione-Parker

Place 2 – Esme Mattke Longoria

Place 3 – Jason Shaw

Place 4 – Na'Cole Thompson

Place 5 – Chris Czernek

Place 6 – Becki Ross, *Mayor Pro Tem*

City Manager – Rick Beverlin

The meeting will also be live-streamed at the following link: <https://www.leandertx.gov/video>.

BRIEFING WORKSHOP - CONVENE AT 5:30 PM

1. Open Meeting.
2. Roll Call.
3. Staff Reports
 - Water Update
 - Parks and Recreation Department Update
 - Election Update

REGULAR MEETING – CONVENE AT 7:00 PM

4. Open Meeting, Invocation and Pledges of Allegiance.
5. Roll Call.
6. Public comments on items not listed in the agenda.

Public comments on items listed in the agenda will be heard at the time each item is discussed by Council.

[All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual.]

7. Recognitions/Proclamations/Visitors.
 - Air Quality Awareness Week (May 2-6)
 - Firefighter Appreciation Day (May 4)

CONSENT AGENDA: ACTION

8. Approval of the minutes for meeting held on April 7, 2022.
9. Approval of purchase of eight (8) Self Contained Breathing Apparatus (SCBA) and twenty-five (25) SCBA cylinders for the Fire Department from Municipal Emergency Services in the amount of \$94,614.22 utilizing BuyBoard Contract 603-20; and authorize the City Manager to execute any and all necessary documents.
10. Approval of a waiver of Article 8.04, Noise, Section 8.04.001(a) (11) to Arrowmont for the Panda Express project located at 132 W. Metro Drive to provide for three (3) concrete pours beginning at 3:00 a.m. from April 25 - June 25, weather dependent; and requiring Arrowmont to post notifications for nearby tenants a minimum of forty-eight (48) hours in advance of the activities.
11. Approval of Amendment 2 to K. Friese and Associates Task Order KFA-46 for the addition of a twenty-four (24) inch waterline along San Gabriel Parkway, from Pleasant Hill Road to just west of Logan Del Way, and a new elevated water storage tank at the San Gabriel East pump station (CIP W-41), in the amount of \$9,615.00, and authorize the City Manager to execute any and all necessary documents.
12. Approval of Change Order No. 30 to the construction contract with DeNucci Constructors, LLC for the Northline Phase 1 project, decreasing the City's portion of the contract by the amount of \$338,393.00 in exchange for increasing the developer's portion of the contract by the amount of \$338,393.00; new contract total for City Improvements of \$10,582,444.75; and authorize the City Manager to negotiate and execute any and all necessary documents.
13. Approval of Amendment 1 to Kimley-Horn and Associates, Inc. Task Order KH-04 for the Roadway Impact Fee Study, for four (4) additional meetings and related services; increasing the amount by \$5,000.00 for new total not to exceed \$120,000.00; and authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.
14. Approval of a Special Event Permit and street closures for the Sunset Music Series: Juneteenth Jubilee to be held on June 18, 2022 in Old Town Park.
15. Approval of a Special Event Permit for the 10th Annual Leander Bull Riding Shootout to be held on May 7, 2022 with a contingency date of May 21, 2022 at the South San Gabriel River Park Property, Leander, Williamson County, Texas.
16. Approval of Development Agreement Case 22-DA-005 regarding the Maple Ranch Development on one (1) parcel of land approximately 8.26 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R473797; and generally located to the southwest of the intersection Palmera Ridge Boulevard and Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.
17. Approval of Tree Removal Case 21-TRP-002 regarding removal of Significant and Heritage Trees associated with The Square at Crystal Falls Site Development generally located on the southeast of the intersection of Crystal Falls Parkway and S. Bagdad Road, Leander, Williamson County, Texas.
18. Approval of the Second Reading of an Ordinance regarding Zoning Case 22-TOD-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two parcels of land approximately 86.9312 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Road, Leander, Williamson County, Texas.

19. Approval of the extension of the application expiration for Subdivision Case 20-FP-032 Rosenbusch Ph 2 Final Plat; more particularly described by Williamson Central Appraisal District Parcel R613615; generally located to the southeast of the intersection of Vista Ridge Drive and Lakeline Boulevard; Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

20. Conduct a Public Hearing regarding Ordinance Case 22-OR-001 to amend the Composite Zoning Ordinance to adopt regulations for Mobile Food Establishments, update accessory structure requirements, updating definitions, and to provide for related matters; Williamson & Travis Counties, Texas.
- Discuss and consider action regarding Ordinance Case 22-OR-001 as described above.
21. Conduct a Public Hearing regarding Special Use Case 22-SU-001 to allow for the temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant; on one parcel of land approximately 0.3856 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036092; and more commonly known as 107 Bagdad Street, Leander, Williamson County, Texas.
- Discuss and consider action regarding Special Use Permit Case 22-SU-001 as described above.
22. Conduct a Public Hearing regarding Zoning Case 22-TOD-Z-004 to amend the current zoning of SFU-2-B (Single-Family Urban), GC-3-C (General Commercial), and T4 Transect (General Urban Zone) to T5 Transect (Urban Center Zone) on 21 parcels of land approximately 6.652 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036035–R036040, R036043–R036046, R036072, R036074, R036078–R036080, R036087–R036089, R036104, R036105, and R097401; and generally located on the east side of N. Brushy Street between W. Broade Street and W. South Street, and located along Broade Street between Brushy Street and N. West Drive, Leander, Williamson County, Texas.
- Discuss and consider action regarding Zoning Case 22-TOD-Z-004 as described above.

REGULAR AGENDA

23. Discuss and consider action regarding solicitation #S22-009B to select Kimley Horn to complete the Old Town Master Plan, authorizing the City Manager negotiate and execute any and all necessary documents.
24. Discuss and consider action on K. Friese and Associates Task Order KFA-58 for the Water System Capital Improvement Plan in an amount not to exceed \$98,354.00; authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.
25. Discuss and consider action on the proposal from Parkhill for professional services for the Leander Municipal Athletic Center at San Gabriel Park for master planning, design, and construction phase services in amount of \$1,861,400.00, and authorizing the City Manager to execute any and all necessary documents.

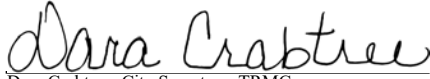
26. Discuss and consider action on an Ordinance amending Ordinance No. 21-077-00 adopting the annual budget of the City of Leander, Texas for Fiscal Year 2022.
27. Discuss and consider action on an annual blanket agreement with PBS of Texas, LLC to provide janitorial services pursuant to a piggyback clause in City of Round Rock Contract No. R-2018-5767 in an amount of \$88,539.00; and authorize the City Manager to execute all necessary documents.
28. Discuss and consider action on adopting a Resolution of support for the City of Leander's Community Project Funding request to Congressman John Carter.
29. Discuss and consider action on award of Solicitation #S22-021 for Interim Transit Services to Star Shuttle, Inc.; and authorize the City Manager to execute any and all necessary documents.
30. Discuss and consider action on the appointment of members to fill unexpired terms on the Active Adult Advisory Committee, Board of Adjustment, Economic Development Committee and Library Foundation Board.
31. Discuss and consider action on ratifying the Mayor's appointments to the Ad Hoc Committee to promote beautification, conservation, volunteerism and community engagement in the City of Leander.
32. Council Member Closing Statements.
33. Convene into Executive Session pursuant to:
 - (1) Section 551.071, Texas Government Code, and Rule 1.05, Texas Rules of Professional Conduct, to consult with legal counsel regarding the necessity for and to authorize condemnation of a .002 acre right-of-way tract and fifteen (15') foot wide (.017 acre) public utility and sidewalk easement on land located on Raider Way, Leander, Texas near Parkway Crossing for construction of a portion of the Raider Way / E. Woodview Drive Roadway Improvements (CIP T.12); and
 - (2) Section 551.071, Texas Government Code, and Rule 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with legal counsel regarding Docket No. 53063, petition by outside city ratepayers appealing the water rates established by the City of Leander, Texas; and
 - (3) Section 551.072, Texas Government Code to deliberate the purchase, exchange, lease, or value of real property for possible municipal facilities; and
 - (4) Section 551.071, Texas Government Code, and Rule 1.05, Texas Rules of Professional Conduct, to consult with legal counsel regarding BCRUA contracts, water service agreements and management of water usage; and
 - (5) Section 551.074, Texas Government Code, to discuss or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: city manager.

Reconvene into open session to take action as determined appropriate regarding:

 - (1) Approval of an Ordinance authorizing condemnation of a .002 acre right-of-way tract and fifteen (15') foot wide (.017 acre) public utility and sidewalk easement on land located on Raider Way, Leander, Texas near Parkway Crossing for construction of a portion of the Raider Way / E. Woodview Drive Roadway Improvements (CIP T.12); and
 - (2) Docket No. 53063 appealing water rates established by the City of Leander; and authorize the City Manager to execute engagement letter with Davidson, Troilio, Ream, and Garza, PC; and
 - (3) Real property for possible municipal facilities; and
 - (4) BCRUA contracts, water service agreements and management of water usage; and
 - (5) City Manager.
34. Adjournment

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 55 1.001 et seq. At any time during the meeting the Council reserves the right to adjourn into Executive Session on any of the above posted agenda for which state law authorizes Executive Session to be held, including but not limited to Sections 55 1.071 [litigation and certain Consultation with attorney], 551.072 [acquisition of interest in real property], 55 1.073 [prospective gift to city], 55 1.074 [certain personnel deliberations], 551.076 [deployment/implementation of security personnel or devices], or 551.087 [Deliberations regarding Economic Development Negotiations]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary at (512) 528-2743 for information. Hearing impaired or speech disabled persons equipped with telecommunication devices for the deaf may call (512) 528-2800. I certify that the above agenda for this meeting of the City Council of the City of Leander, Texas, was posted on the bulletin board at City Hall in Leander, Texas, on the 14 day of April 2022 by 5:00 p.m. pursuant to Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script that reads "Dara Crabtree". The signature is written in black ink and is positioned above a horizontal line.

Dara Crabtree, City Secretary, TRMC



EXECUTIVE SUMMARY

04/21/2022

AGENDA SUBJECT:

Staff Reports

- Water Update
- Parks and Recreation Department Update
- Election Update

BACKGROUND:

Water Update

Staff will update Council on the city's water system capacity, treatment, and conservation efforts in progress. This update is a follow-up to the City Manager's memorandum to Council in October 2021, which included guidance for managing Leander's short- and long-term water delivery needs. Report topics include:

- System/Treatment current status
- System/Treatment improvements
- Partner discussions (BCRUA cities, LISD)
- Conservation efforts ongoing (tiered rates, outreach)
- Conservation efforts in progress (coordinator position hiring/timeline, pilot program)
- Development efforts in progress (regulations, phasing)

Parks and Recreation Department Update

Staff will update Council on Parks and Recreation Department recent activities and capital projects. Report topics include:

- Leander Activity Center opening
- Upcoming events
- Senior Center current status

Election Update

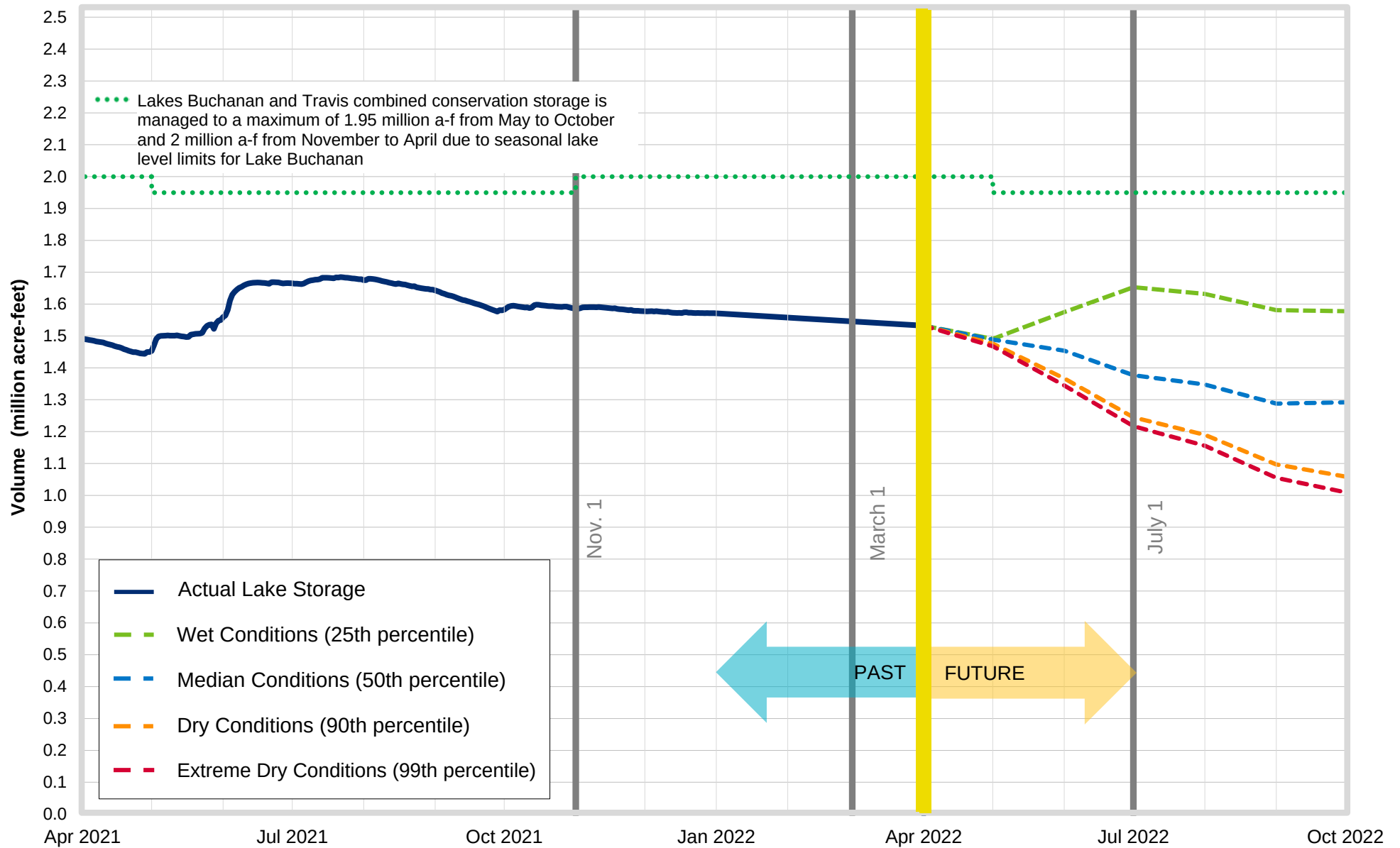
Staff will update Council on election-related activities. Report topics include:

- Voter information guide
- Community input/outreach
- Media outreach

Attachments

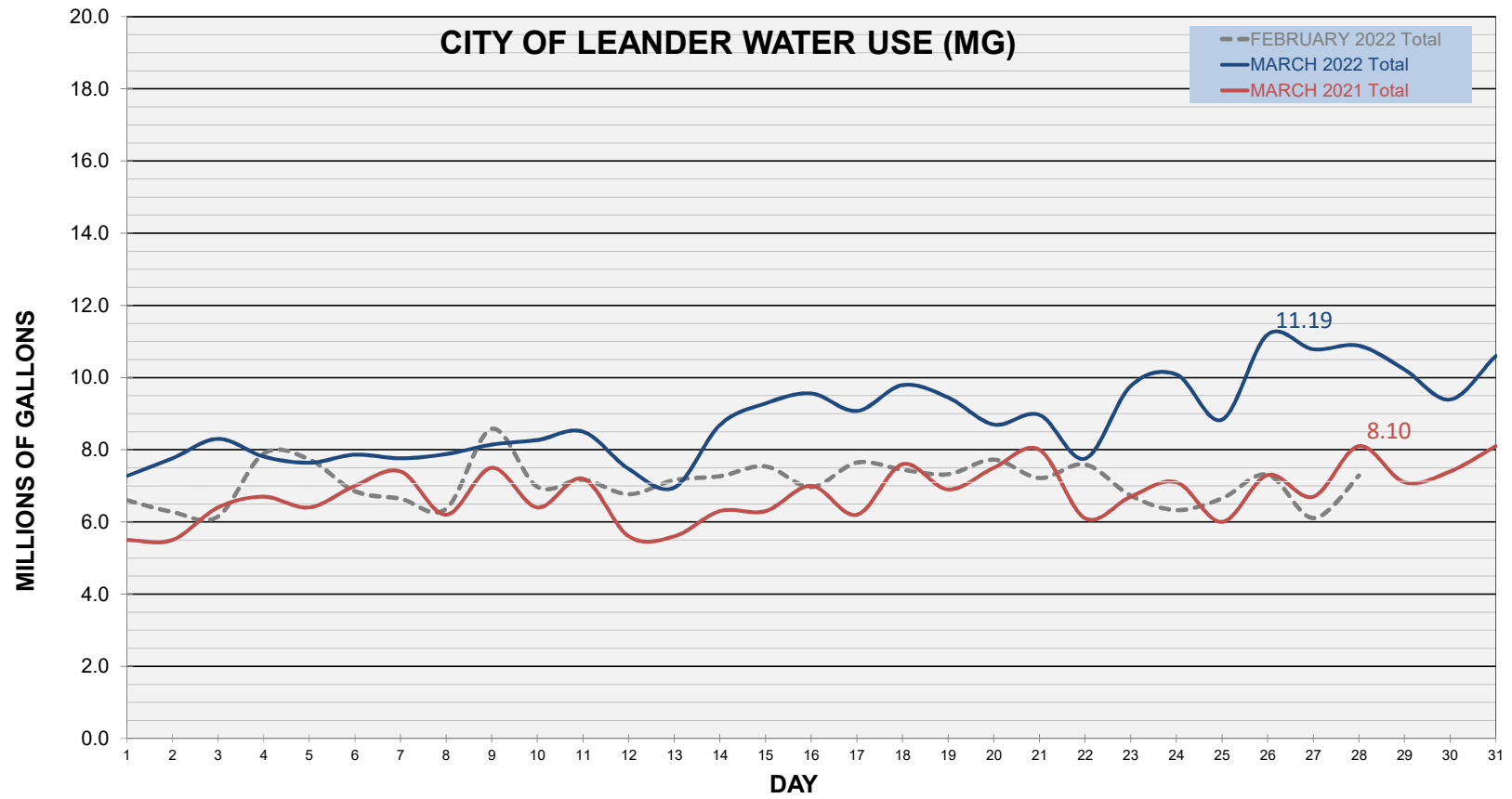
1. Water Report status
2. Water Report memo
3. Water Report job descriptions
4. Election Report voter guide

Lakes Buchanan and Travis Total Combined Storage Projections



Date: April 1, 2022

Note: One acre-foot equals 325,851 gallons

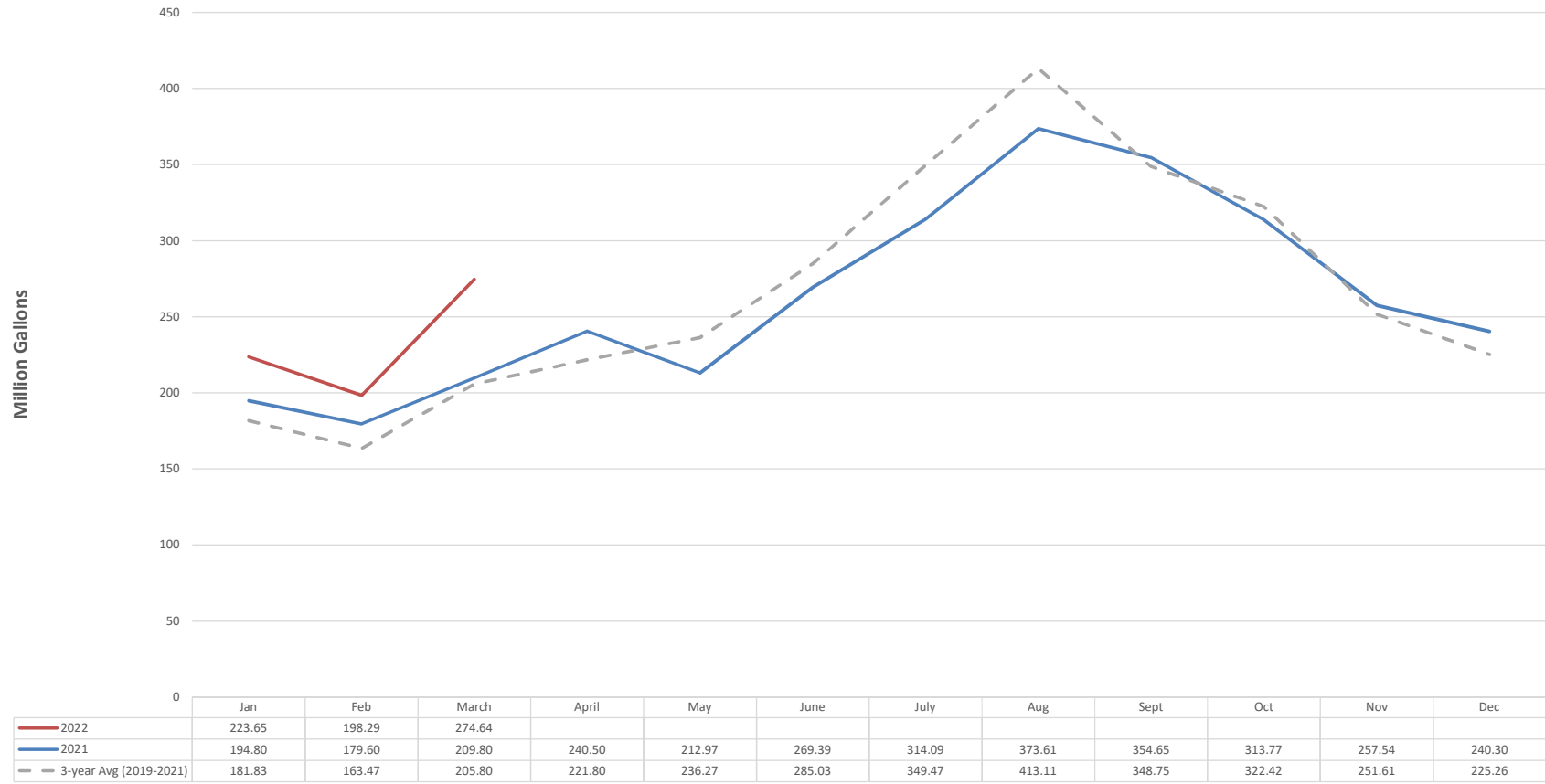


(MG)	MARCH 2022 BCRUA Reagan	MARCH 2022 BCRUA Travisso	MARCH 2022 BCRUA Bagdad	MARCH 2022 BCRUA	MARCH 2022 SCWTP	MARCH 2022 Total	MARCH 2021 Total	MARCH 2021 BCRUA	MARCH 2021 SCWTP
Total	99.46	73.81	0.47	173.74	100.90	274.64	209.80	0.00	209.80
Average	3.21	2.38	0.08	5.60	3.25	8.86	6.77	0.00	6.77
Peak Day	4.30	2.62	0.08	6.82	4.90	11.19	8.10	0.00	8.10
Min. Day	2.67	1.81	0.06	4.67	2.10	6.95	5.50	0.00	5.50

MARCH 2022 COLH
13.08
0.42
0.74
0.22

Leander Monthly Water Use

(through 3/31/2022)



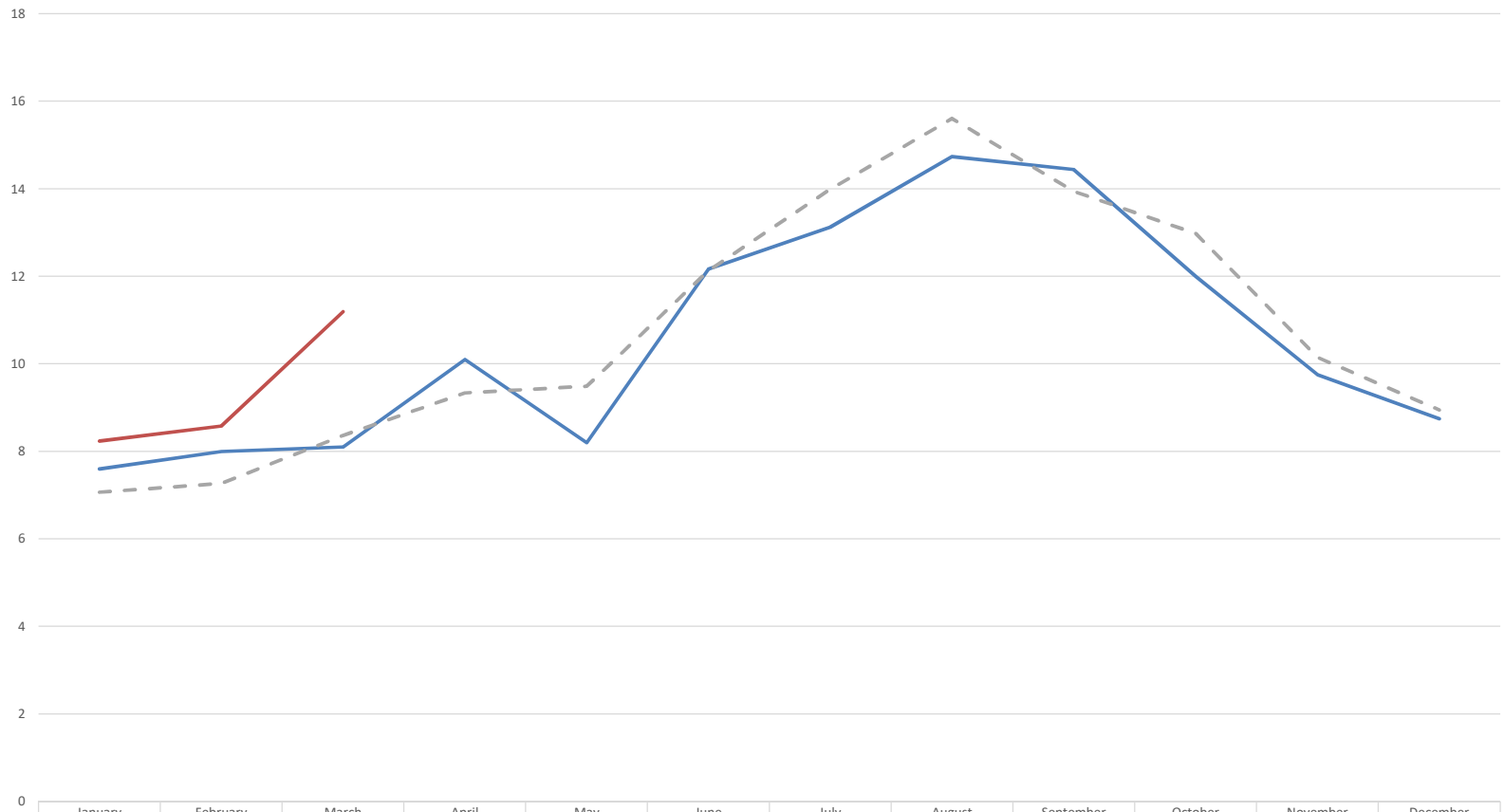
Historical Water Use

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Peak Month/Day	8/8	8/3	8/7	8/13	8/9	5/7	9/10	8/12	8/4	7/12	8/4	8/11	8/15	8/25	3/26
Peak Day (MG)	9.18	7.79	6.75	7.44	8.38	8.86	9.10	11.90	11.50	10.84	12.74	15.29	16.79	14.74	11.19
Avg Day (MG)	3.72	3.21	3.18	4.21	3.78	3.85	4.14	4.71	5.52	6.05	7.05	8.16	9.50	8.66	7.74
Annual (MG)	1,359	1,171	1,160	1,535	1,380	1,404	1,512	1,719	2,022	2,209	2,574	2,979	3,478	3,161	697
Annual (AC-FT)	4,171	3,593	3,561	4,712	4,234	4,308	4,640	5,276	6,205	6,778	7,901	9,141	10,673	9,701	2,138 (AS OF 3/31/2022)

Leander Peak Day Water Use

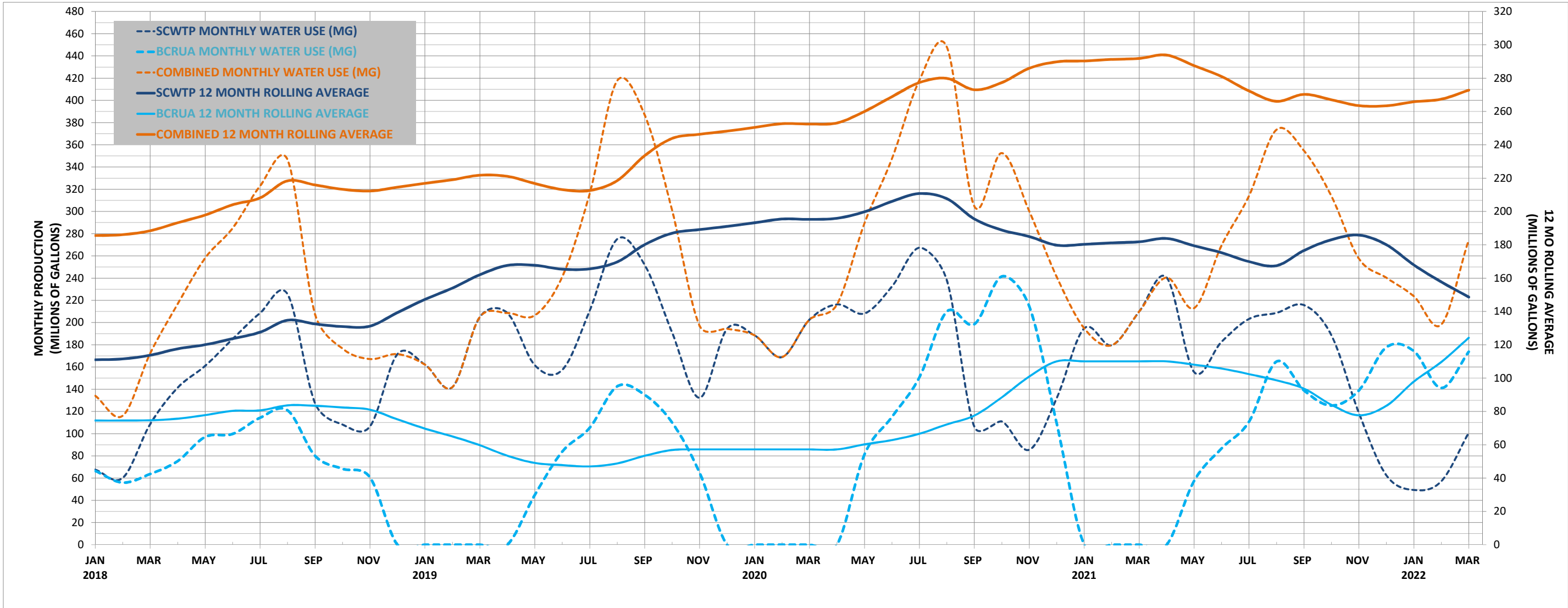
(through 3/31/2022)

Million Gallons per Day

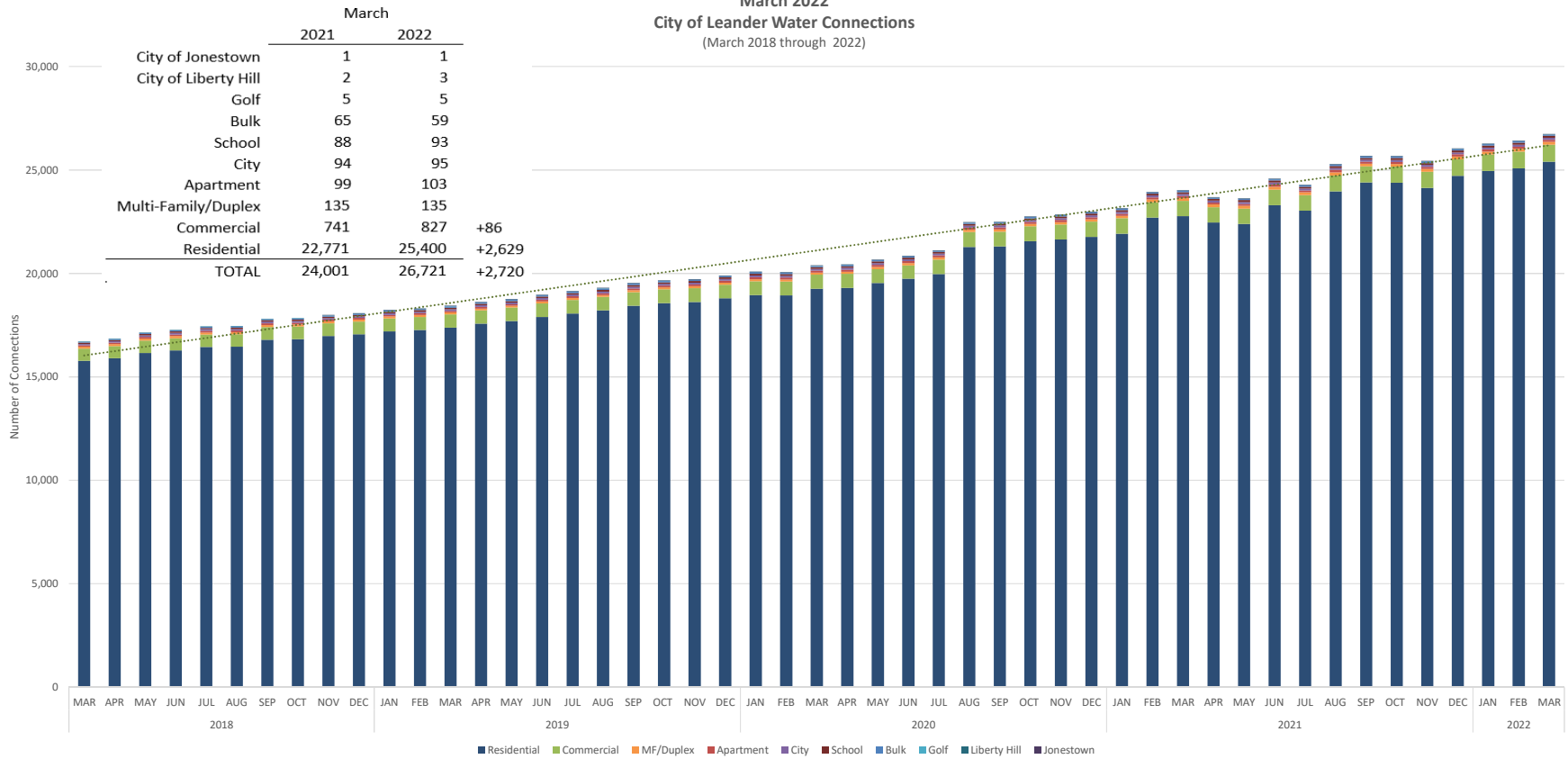


2022	January	February	March	April	May	June	July	August	September	October	November	December
2021	8.24	8.58	11.19									
3-year Avg (2019-2021)	7.60	8.00	8.10	10.10	8.20	12.16	13.12	14.74	14.44	12.00	9.75	8.75
	7.07	7.27	8.37	9.33	9.49	12.13	13.99	15.61	13.94	12.98	10.15	8.94

CITY OF LEANDER MONTHLY AND 12 MONTH ROLLING AVERAGES FOR WATER USE

[illegible]

March 2022
City of Leander Water Connections
 (March 2018 through 2022)





Office of the City Manager

Oct. 15, 2021

RE: City Manager Goals

Honorable Mayor and Council:

Please consider this memorandum to be my formal response to your request for information as described in the following Council directive:

Develop, plan and present recommendations and updates for meeting water delivery needs as well as confirming the current development capacity for the city by Oct. 15, 2021.

As we have presented to Council over the last few months, our ability to successfully address Leander's water needs in both the short- and long-term will require a multifaceted solution of management, operation, and policy actions. It's also important that we remain flexible in our approach because, as you know, conditions can change on a dime.

How did we get here?

This strategy is intended to provide Council with a realistic, pragmatic approach on how to manage our growth and subsequent water demands. But it's also important for Council to understand where we came from. Without dwelling too much on the past, below are a few notable contributors to our current situation:

- Exponential growth over the last few years have outstripped all local and regional projections for residential housing products.
- Changes in desired residential product type have led to irrigation systems being installed in nearly all post-2015 housing products.
- Historical decisions/indecisions regarding BCRUA deep water intake and facility expansion project timelines, scope, and setbacks.
- Internal infrastructure distribution and capital projects not historically keeping pace with our overall growth rate. Prior to 2020, a full-time CIP project manager did not even exist.
- Contractual obligations outside of the city (i.e. Liberty Hill, Lively Tract, Rancho Sienna, Georgetown, etc.)
- Imbalance of residential vs. commercial/industrial development growth, thus a "run" on available water due to unprecedented regional housing demand.



Office of the City Manager

RE: City Manager Goals

So what should the current and future leaders of Leander do? Our ability to manage growth in terms of both water capacity and water demand will be vitally important over the next few years.

Leander Water Capacity

Our water capacity needs should be considered in terms of both system and treatment capacity. System capacity is how water moves through the city. Treatment capacity is the total amount of water needed on the most demanding day (i.e. hottest days of the summer).

Improving system capacity

Leander's total water infrastructure consists of 5 pressure planes, 2 water treatment plants, 4 pump stations, numerous pressure reducing valve (PRV) stations, 3 ground storage tanks, 3 elevated storage tanks, and 324 miles of water line. The following projects are planned to improve system capacity over the next few years:

Fiscal Year 2021

- San Gabriel Booster Pump Station **completed*
- New water entry point from the BCRUA plant at Bagdad/New Hope **Nov. 2021*
- San Gabriel Parkway 24-inch water line **operational by mid-Nov. 2021*

Fiscal Year 2022

- San Gabriel Elevated Storage Tank
- Terminus High Zone Pump Station and Ground Storage Tank (design)
- Advanced Metering Infrastructure (design)
- Travisso Elevated Storage Tank (design)
- Sandy Creek Water Treatment Plant Sludge Improvement (design)

Fiscal Year 2023

- Travisso Elevated Storage Tank (construction)
- Terminus High Zone Pump Station and Ground Storage Tank (construction)
- Advanced Metering Infrastructure (construction)
- Ronald Reagan Booster Pump Station and Ground Storage Tank (design)
- Sandy Creek Water Treatment Plant Sludge Improvement (construction)

Fiscal Year 2024

- San Gabriel West Booster Pump Station (design)

Fiscal Year 2025

- Ronald Reagan Booster Pump Station and Ground Storage Tank (construction)



Office of the City Manager

RE: City Manager Goals

Recommendation

CIP water projects should receive priority consideration from Council. Staff will update Council regularly on the progress of these projects and look for ways to allocate City resources that could expedite completion whenever possible.

Improving treatment capacity

Leander has two water treatment facilities. Sandy Creek Water Treatment Plant capacity is currently rated for 12 million gallons per day (MGD), and Leander's capacity of the BCRUA Water Treatment Plant is currently 14.9 MGD. However, due to limitations in sludge processing, Sandy Creek today is closer to 10 MGD.

Today, this puts Leander's total water treatment capacity today at 25 MGD. Several City and BCRUA projects either planned or in progress over the next 8-10 years would increase Leander's capacity to 44 MGD at best. Our current phasing plan for capacity expansion is as follows:

Fiscal Year 2021 / 2022

- Design of BCRUA Phase 1D
- Design of BCRUA parallel raw waterline

Fiscal Year 2023

- Completion of Sandy Creek sludge improvement (+2 MGD)

Fiscal Year 2025

- Completion of Phase 1D – Expands BCRUA capacity to 42 MGD (+5 MDG)
- Completion of Phase 1D parallel raw waterline

Fiscal Year 2027

- Completion of Phase 2 – BCRUA Deepwater Intake raw waterline (drought resilience)

Fiscal Year 2028

- Completion of Phase 2A* – Expands BCRUA capacity to 67 MGD (+12 MGD)
* This phase is not yet funded or under design by BCRUA

As you know, the BCRUA projects will require continuous collaboration with our partner city operators and elected officials. The chart below outlines the estimated timeline for completion of the above expansion projects and how they align with current population growth projections.



Office of the City Manager

RE: City Manager Goals

	Year									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Projected Leander Population and Water Connections										
Projected Leander Population	85,650	95,928	107,440	118,184	130,002	143,003	153,728	165,257	173,520	182,196
Projected Water Connections	25,491	28,550	31,976	35,174	38,691	42,560	45,752	49,184	51,643	54,225
Projected Growth Rate	12.0%	12.0%	12.0%	10.0%	10.0%	10.0%	7.5%	7.5%	5.0%	5.0%
Projected New Water Connections	2,731	3,059	3,426	3,198	3,517	3,869	3,192	3,431	2,459	2,582
Projected Leander Water Demands										
Projected Leander Water Usage Max Day Demands (MGD)	19.30	21.61	23.77	26.15	28.76	30.92	33.24	35.73	37.52	39.40
Projected Leander Wholesale Water Max Day Demands (MGD)	1.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	1.00	1.00
Total Leander Max Day Demands (MGD)	20.30	25.61	27.77	30.15	32.76	34.92	37.24	39.73	38.52	40.40
Leander Water Capacity	25.00	25.00	25.00	27.00	32.00	32.00	32.00	44.00	44.00	44.00
Leander Expansions				Sandy	1D			2A		

Notes:

1. Projected growth rate is based on current trends and staff forecasts, this is more aggressive than the 2020 Comp Plan or 2021 Long Range Water Study.
2. Includes currently existing wholesale agreements with other cities, no other wholesale agreements are included.
3. Assume Sandy Creek WTP can produce 12 MGD on a max day.
4. Leander currently receives up to 14.93 MGD from BCRUA in Phase 1C.
5. Assumes a max day demand of 750 gpd/connection (636 gpd/LUE) for Leander customers throughout.

Recommendation

Leander's appointed staff and elected BCRUA representatives should closely monitor the progress of current BCRUA expansion projects and look for ways to allocate additional resources, negotiate additional terms, or consider Board or Council actions that could expedite completion whenever possible. Any significant delays could negatively impact our peak operating capacity over the next 5-7 years.

Negotiating contracts

In addition to the City's commitment with BCRUA, we maintain several contracts that allow for Leander to receive raw water from Lake Travis, as well as provide for the wholesale delivery of water to other cities. Part of our water management strategy will be to negotiate with existing contract partners, or seek potential new partners, in an effort to expand Leander's water capacity.

Below is a brief list of our existing agreements outside of BCRUA, which are also described in the 2021 Water and Wastewater Rate Study.



Office of the City Manager

RE: City Manager Goals

- Lower Colorado River Authority (LCRA) – In 1998 Leander entered into a wholesale potable water service agreement with the Brazos River Authority (BRA) and LCRA, acting together as the Brazos-Colorado Water Alliance, to provide Leander up to 6,400 acre feet of potable water annually on a wholesale basis. This was amended in 2007 to increase Leander's maximum quantity to 24,000 acre feet annually. The City's annual raw water payment to LCRA is approximately \$2.6 million, and it is forecast to increase to \$3.4 million by 2030.
- Liberty Hill – In 2013 Leander agreed to treat up to 600 acre feet of the Liberty Hill's LCRA raw water allotment annually and deliver it to a Liberty Hill take point. Our first delivery of treated water occurred in August 2017.
- Georgetown – They have contract rights for up to 1,200 acre feet of raw water from Lake Travis. Our interlocal agreement, approved in April 2020 after 2-3 years of negotiation, will allow for Georgetown to take up to 3 MGD of treated water per day for up to 7 years, which starts when all appropriate infrastructure is in place. We expect Georgetown will have the ability to take water starting in summer 2022.

Over the last several weeks, I've had additional discussions with counterparts from Georgetown, Round Rock, Cedar Park, and Liberty Hill, and staff has also met with LCRA, to discuss negotiable options that could improve our net water supply. Below is what we know today:

- LCRA – Following our supply study recommendations, we will seek to increase Leander's Lake Travis supply from 24,000 to 34,000 acre feet, which allows us to capture all BCRUA treatment capacity at build out. Since this application and permit process could take 2-3 years, we wanted to start as soon as possible. Council will be involved in discussions before final approval.
- Liberty Hill – We discussed each city's water capacities and demands, and they asked if we would supply another 600 acre feet. However, as previously discussed with Council, we'll want to stay within the terms of our existing contract at least until BCRUA Phase 2A is online. We also discussed the possibility of partnering to expand Sandy Creek beyond our 12 MGD capacity. This could be mutually beneficial, or it could involve insurmountable design and cost issues, so we will need to gather additional data and advise the Council at a later date.
- Georgetown – We shared each other's internal water modeling and discussed our needs and challenges. In short, Georgetown will unequivocally need the entire 3 MGD from Leander to meet their own projected water demands over the next 7-8 years. It is unlikely





Office of the City Manager

RE: City Manager Goals

we will be able to negotiate any change to our current contract without creating potential legal or credibility issues.

- Round Rock & Cedar Park – Neither city expressed interest in acquiring Leander’s commitment of 3 MGD to Georgetown, nor was there interest in renegotiating current BCRUA allotments among the three cities. Both cities are expecting to utilize their available water capacities for future economic development opportunities, as well as population growth. However, they would presumably be able to assist us on a short-term basis in the event of future sudden infrastructure or plant failures.

Recommendation

Staff should continue positive working relationships with the above partner cities and providers to explore future water supply opportunities, and to bolster our resiliency and ongoing cooperation should any unexpected water emergencies arise.

Leander Water Demand

Current population growth projections for Leander over the next 8-10 years, which are shown in the table on page 4, were derived from a variety of data that incorporate regional market conditions, known development projects and timelines, and anticipated land uses in Leander.

Our approach to managing water demand will involve a combination of technology improvements, aggressive water conservation policies, and a fiscally responsible approach to new development.

Water conservation ordinance

In March 2021, Council approved an update to the Water Conservation and Drought Contingency Plan, which improves our ability to manage and monitor peak-day water demands caused by residential irrigation during the spring and summer months. Staff will continue to review this ordinance to ensure our phasing and enforcement triggers remain effective.

Recommendation

The City should, at a minimum, continue with Phase 2 requirements of once-per-week watering throughout the year. This consistency will help us focus more on improving public awareness and compliance with our conservation efforts.





Office of the City Manager

RE: City Manager Goals

Real-time water data

This fiscal year, we will establish an action plan to install Advanced Metering Infrastructure (AMI) technology in all City water meters. AMI is an integrated system of smart meters, communications networks, and data platforms that will allow us to monitor customer water use in real time. This would significantly improve our ability to track spikes in water use and help redirect education or enforcement resources.

This solutions will take 3-5 years to fully implement, but most of the funding, approximately \$5.6 million, has already been made available to the City through American Rescue Plan Act federal relief funds.

Recommendation

The City should use all of our allotted ARPA funds to procure and integrate AMI water meter technology throughout Leander's water system as soon as possible.

Reclaimed water uses

Earlier this week, Council authorized staff to start developing a reclaimed water system at the RM 2243 Wastewater Treatment Plant, which will establish a bulk filling station for contractors and create a direct connection to the Northline development. The City also operates a reclamation plant in the Travisso subdivision, which has delivered reclaimed and raw water to the Crystal Falls Golf Club for course irrigation, as well as several Travisso right-of-way landscape and common areas, since 2014. The Travisso plant is slated for a second expansion as the subdivision is fully developed over the next few years.

Recommendation

Now with reclamation efforts underway, the City should look for ways to expand 2243 WWTP and Northline reclaimed water connections into other areas of Leander, and establish a citywide water reclamation program to further reduce unnecessary irrigation and construction demands on our potable water system.

Tiered water rates and discounts

Council recently approved a tiered rate structure for residential water customers, effective Jan. 1, 2022, to incentivize conservative usage. Other changes include revisions to our leak adjustment



Office of the City Manager

RE: City Manager Goals

policy, senior and disabled person discounts, and winter quarter averaging for sewer rates. While this is likely to negatively impact our small percentage of very high-end water users, our low-end users could see slight reductions in their water bill over the next few months.

Recommendation

The City should closely monitor how tiered water rates, policies and related discount changes impact residential water usage over the next 10-12 months and report back to Council on progress.

Landscape regulations

Council recently inquired how changes to our landscape requirements for new development could positively impact Leander's long-term water demands. Over the next few weeks, staff will be proposing ordinance changes to limit certain turf grass and area requirements that often contribute to higher water uses. Some proposed items are shown below:

CURRENT & PROPOSED REGULATIONS

	RESIDENTIAL	COMMERCIAL
Turf Grass	Limited to 2/3 of lot after subtracting impervious cover No turf grass between the sidewalk and back of curb (replace with river rock or granite)	Limited to 50% of the landscape area; Prohibit turf grass in strips less than 10' wide in parking areas and between sidewalks and pavement
Landscape Requirements	2 trees in the front yard, 6 shrubs	15% landscape area for commercial, 10% for industrial, 20% multi-family. 2 tree and 4 shrubs are required for every 600 square feet of landscape area/setback area; Remove landscape in side/rear setbacks when not adjacent to residential and needed for buffering. Calculate requirements for the overall center. Provide overall landscape plan. Consider limiting landscape area to the percentage.
Landscape Lots	Minimum 10' lot required when adjacent to collector or arterial, landscaped with 2 trees and 4 shrubs per every 600 square feet; Limit turf grass to 50% of landscape lot; Provide a more specific corridor plant list.	None
Reclaimed Water	Implement a reclaimed water program.	Implement a reclaimed water program.





Office of the City Manager

RE: City Manager Goals

Entry Monuments at Neighborhoods	Limit amount of turf grass permitted	NA
Irrigation Meters	None	Require a separate irrigation meter for schools
Project Phasing	Update the Subdivision Ordinance to provide project phasing for residential projects	NA

Future Development in Leander

As you know, the greater Austin region is one of the fastest growing metropolitan areas in the United States. As Austin's desirability and cost of living rises, Leander will continue to absorb that growth. What impact will this unprecedented market demand have on us? If left unchecked, residential development, particularly lucrative high density single- and multi-family projects, could dominate our remaining landscape and burden Leander's water system to an unsustainable degree. So what should we do?

Following the Comprehensive Plan

Approved last April, the City's new Comprehensive Plan and Future Land Use Map documents may be our best vehicles to implement a strategic and conservative approach to growth that encourages more commercial, retail, and employment centers. In addition to diversifying our tax base, this could indirectly reduce projected water demands.

Now that the City also has a modeled Transportation Master Plan, we will need to re-review the Comprehensive Plan to confirm that the proposed future land uses make sense where the relevant roadway classification types have been updated. Staff will need to compare changes and confirm appropriate land use categories are in place, or if updates are needed. For example, some streets have changed from collectors to arterials. This could be an instance where the land use category would change to support only commercial or industrial components.

Recommendation

Moving forward, both Council and the Planning & Zoning Commission should carefully consider any development proposals that seek to amend the Comprehensive Plan. We expect significant market interest in high-density residential development over the next decade. The City should look to preserve as much potentially viable commercial and industrial areas as possible.



Office of the City Manager

RE: City Manager Goals

Phasing residential development

Currently, our subdivision ordinance does not require phasing of projects. However, the ordinance does allow for it, and we work with developers to establish timelines for phasing when proposed. Staff is researching options to establish phasing requirements that would limit the number of single-family homes that would be approved per phase. We are working with legal counsel to make sure this approach remains compliant with the Local Government Code.

Recommendation

The City should establish ordinance-based phasing for residential development, where applicable, and require phases to be developed one at a time, rather than concurrently.

MUDs & PIDs

Often used as a means to finance large-scale residential projects, developers sometimes request approval from municipalities to create special districts that provide for additional infrastructure investments. There are several existing Municipal Utility Districts and Public Improvement Districts in Leander that have served this purpose. However, the City is not obligated to participate in the creation of these entities, and it may serve us well to avoid consideration of any proposals that would create additional districts in the future.

Below are a few pros/cons:

- MUD tax rates can vary, so citizens may not have the same tax burden neighborhood to neighborhood, which create equity concerns.
- MUDs can encourage hopscotch development instead of radial development from the city and infrastructure core.
- While MUDs and PIDs provide the developer with a financing alternative for a project, those costs are passed down to the property owner by either assessment or tax.
- In some cases, MUD boards will issue new debt and keep their districts going beyond the original timeframe anticipated by the home owners.
- Is there a commercial component to the MUD proposal? If so, that could that lessen the impacts on residential land uses.

Recommendation

Moving forward, Council should carefully consider any new MUD or PID development proposals and look to prioritize viable commercial and industrial interests first.





Office of the City Manager

RE: City Manager Goals

Conclusion

It has taken several years/decades to plan Leander's physical infrastructure and land uses. In light of the current contingencies, including BCRUA expansion, rapid residential growth, internal infrastructure, CIP timing and management, water consumption and conservation strategies, as well as preexisting contracts, it will require a comprehensive, multipronged approach with careful monitoring, regional coordination, and local consensus to effectively achieve the ultimate water system and management plan that the citizens of Leander deserve, and that staff and Council are actively working to deliver.

Sincerely,

Richard B. Beverlin, III
City Manager





Classification Summary of new position: Conservation Program Coordinator

Human Resources Business Partner, Shari Binford

April 14, 2022

Following is the classification analysis for the Conservation Program Coordinator including: Job Description, FLSA status, and salary grade.

Job Description

Under the direction of the Public Works Director, this person in this position is responsible for coordinating energy, water, and natural resource conservation programs, project, and plans. The Coordinator will promote water conservation to utility customers and other groups through educational programs and outreach efforts. A complete job description is attached.

FLSA Status

In accordance with the FLSA Determination Testing, the position meets the duties tests, and qualifies as exempt:

- 1) Work directly related to the management or **general business operations** of the employer.
- 2) Exercise of discretion and independent.
- 3) Matters of significance – work affects matters of importance and consequence to the organization.
- 4) Primary Duties: An employee in this position spends more than 50% of his/her work time performing the work indicated above that is clearly exempt work in terms of the basic nature of the work, the frequency with which the employee must exercise discretion and independent judgment, and the significance of the decisions made.

Salary Grade

HR recommends that the Conservation Program Coordinator be slotted into the Leander Pay Grade 11. The position is acceptable as a pay grade 10 or 11, but due to the current state of recruiting competition with nearby cities, and the fact that this a new position that requires top talent, we are asking for support for the higher of the two pay grades.

Three metrics are utilized to determine the salary grade of the new position. They include: 1) compensation in benchmark cities with similar positions, 2) the Leander slotting matrix which attaches numeric weight to the competencies of the job, and 3) slotting the position into our current pay plan with similar-level jobs.

Benchmark City	Title	Min/hour	Mid/hour	Max/hour
Round Rock	Water Conservation Coordinator	\$27.27	\$34.08	\$40.90
Georgetown	Utilities Conservation Coordinator	\$21.77	\$25.58	\$29.39
PROPOSED - Leander	Conservation Program Coordinator	\$30.01	\$35.11	\$40.21

Jobs in Pay Grade 11, that require similar amounts of education and experience include: Purchasing Agent, Parks Maintenance & Operations Supervisor, Parks and Recreation Manager, Economic Development Managing Partner, and GIS Administrator.

Summary of HR Recommendation

Job Title: Conservation Program Coordinator

Department: Public Works

FLSA Category: Exempt

Salary Grade: 11

EEO-4 Category: Professionals



Job Title: Conservation Program Coordinator

Job Number:

Department: Public Works

FLSA Category: Exempt

Salary Grade: 11

EEO-4 Category: Professionals

Approved Date: DRAFT 04.14.2022

Summary: Under the direction of the Public Works Director, this position is responsible for coordinating energy, water, and natural resource conservation programs, project, and plans. Will promote water conservation to utility customers and other groups through educational programs and outreach efforts.

Organizational Relationships:

Reports to: Public Works Director

Other: Engineering, City Leaders, PARD, TCEQ, BCRUA, the general public

Essential Duties and Responsibilities

- Design, develop, implement and evaluate educational or outreach programs that promote energy, water, or natural resource conservation awareness and initiatives;
- Coordinate and manage educational and outreach events, small projects, contracts, marketing, and on-line literature content to promote energy, water, or natural resources conservation awareness and initiatives;
- Analyze energy, water, and natural resource conservation-related research findings to inform and make recommendations on program structure and delivery to City leadership;
- Develop, establish, and manage service agreements with other programs, departments, and agencies;
- Research energy, water, and natural resource conservation policies, best practices, and legislation to recommend changes to conservation initiatives;
- Prepare studies, reports, briefs, or other written materials on energy, water, or natural resource conservation to inform customers, and City leadership;
- Provide analytical support for program development;
- Prepare grant application to obtain funding for programs related to energy, water, and natural resource conservation;
- Review permit and plan revisions with project engineers and contractors;
- Review, evaluate, and recommend changes to technical reports, studies, and other department written material;
- Provide technical advice to conservation program participants; and
- Other related duties as assigned.

Occasional Duties and Responsibilities

- Collaborate with other departments and citizens when conservation efforts arise.

Supervisory Responsibilities:

May provide leadership, lead cross-functional and departmental conservation project teams, work assignments, evaluation, training and guidance to others.

Required Education and/or Experience:

- ✓ Bachelor's degree from an accredited college with major coursework in Environmental Studies, Natural Science, Resource Management, Business, Architecture, Planning, or in a field related to the job.
- ✓ Four (4) years of related experience.
- ✓ Master's degree in related field may substitute for two (2) years of experience.

Required Certificates, Licenses, Registrations:

None

Knowledge, Skills, and Abilities*Knowledge of:*

- o Energy or water efficiency technologies, practices, programs, and rebate requirements.
- o Applicable building codes, and of energy or water retrofit requirements and specifications.
- o Safety practices and procedures.
- o Department of Energy and water resource initiatives and targets.
- o Construction materials, practices, and procedures.
- o Federal State, and local laws.
- o City practices, policies, and procedures.

Skills in:

- o Oral and written communication.
- o Using computers and related software.
- o Handling multiple tasks and prioritizing.
- o Data analysis and problem solving.
- o Planning and organizing.

Ability to:

- o Negotiate.
- o Determine quality of materials, workmanship, and compliance with specifications.
- o Handles conflict and uncertain situations.
- o Lead cross-functional and departmental project teams.
- o Operate and maintain testing and diagnostic equipment.
- o Use graphic instructions, such as blueprints, schematic drawings, plans, maps, and other visual aids.
- o Work with frequent interruptions and changes in priorities.
- o Establish and maintain good working relationships with City employees and the public.

Signature/Approval:

Employee

Date

Supervisor

Date

Department Head

Date

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this job. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required of personnel so classified in this position.

Water Conservation Coordinator

Sample Job Description

DESCRIPTION:

Under general supervision, the Coordinator – Water Conservation coordinates the water conservation program for the city by promoting water conservation to utility customers and other groups by through educational programs and other public information outreach efforts.

EXAMPLES OF DUTIES:

Develops and manages water conservation program for City's water customers. Prepares annual budget and tracks expenditures of program. Prepares and submits annual water conservation and drought plan reports to City Council, TCEQ, TWDB, and other agencies as required. Enforces and promotes water restrictions. Responds to inquiries regarding water conservation and water usage. Works with other City groups (PARD, WTP, recycle center) on environmental projects at City facilities.

Performs regional collaboration and outreach; attends and participates in regional meetings regarding drought, water conservation, reuse, rainwater harvesting. Attends conferences and presents papers at water-efficiency related conferences or events. Actively keeps communication open with counterparts in region regarding programs and drought. Works with regional partners to promote regional water conservation.

Writes relevant articles for newsletters, websites and other venues.

EXPERIENCE AND TRAINING:

Bachelor's degree from an accredited four year college or university.

Five (5) or more years of experience in a position related to water conservation, water utility activities, drought management or a similar position.

CERTIFICATES, LICENSES AND QUALIFICATIONS:

None.

Utilities Conservation Coordinator

Sample Job Description

SUMMARY:

Coordinating water conservation programs, projects, and plans. Develops and implements new programs and projects required by system growth, efficiency improvements, and regulatory requirements.

ESSENTIAL FUNCTIONS:

Essential functions, as defined under the Americans with Disabilities Act, may include any of the following representative duties, knowledge, and skills. This is not a comprehensive listing of all functions and duties performed by incumbents of this class; employees may be assigned duties which are not listed below; reasonable accommodations will be made as required. The job description does not constitute an employment agreement and is subject to change at any time by the employer. Essential duties and responsibilities may include, but are not limited to, the following:

- Communicates and interacts with public to promote an understanding of water conservation.
- Prepares and makes formal presentations to Home Owners Associations, civic organizations and at public events.
- Monitors and evaluates existing water conservation programs to determine customer participation, actual usage reduction and overall effectiveness of program; revises program as appropriate.
- Prepares studies, reports, memoranda, briefs, or other written materials on water conservation to inform customers, City leadership, and other stakeholders.
- Conducts irrigation system audits, evaluating consumption data, recommending irrigation controller settings and suggesting more efficient water usage options.
- Develops City policies, procedures, and regulations for water conservation program; researches water conservation policies, best practices, and legislation to recommend changes to conservation initiatives.
- Collaborates with other area water conservation personnel to benchmark water and drought restrictions and programs and to implement common water conservation policies and standards, when appropriate.
- Plans, coordinates and staffs special events, workshops and educational programs for local schools to promote water conservation; works with other city departments to promote water conservation.
- Develops and manage water conservation program budget; purchases and maintains inventory of conservation aids and promotional materials for presentations, public events, and for use by other departments promoting conservation through other forums.
- Assists field operations manager with review of projects; ensures new facilities are incorporated into existing programs, processes, and procedures.
- Performs other duties as assigned.

MINIMUM QUALIFICATIONS:

Education, training and Experience Guidelines

Bachelor's degree from an accredited college or university with major coursework in Environmental Studies, Natural Science, Planning, and Resource Management or in a closely related field. Two (2) years of full-time related experience. OR High school diploma or equivalent. OR Any equivalent combination of experience and training that provides the required knowledge, skills, and abilities.

Knowledge of:

- Water efficiency technologies, practices, programs and rebate requirements.
- Safety practices and procedures.
- Federal, State and Local water conservation laws, regulations, practices and techniques.
- Methods of data collection and analysis
- Principles and methods of budget preparation and monitoring.

Skill in:

- Analyzing the effectiveness of conservation programs and initiate program improvements.
- Communicating effectively, orally and in writing.
- Establishing and maintaining effective working relationships.
- Planning and goal setting.

- Using computer and related software.
- Implementing programs and related policies and procedures.
- Develop and administer appropriate program training and communications materials.
- Calculating budget expenditures and make predictions; calculate area, volume and capacity.
- Making judgments pertaining to repair needs and supply needs.
- Finding safe effective solutions to problems.

LICENSES AND CERTIFICATION REQUIREMENTS

Irrigation Inspector license OR must obtain within 18 months of selection to position.

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

Standing, sitting, walking, lifting, carrying, pushing, pulling, reaching, handling, fine dexterity, crouching, bending, vision, hearing, talking, use of foot controls.

EARLY VOTING

April 25 – May 3

ELECTION DAY

May 7

Go to leandertx.gov/elections for polling locations and times.

2022 General Election

The General Election of the City shall be held on Saturday, May 7, 2022, to elect members of the City Council from the city at large for the offices of Place 1, Place 3, and Place 5 to serve a term of three (3) years each. Candidates, in ballot order, include:

- Place 1

☐ Kathryn Pantalano-Parker

☐ Trey Schisser
- Place 3

☐ Juan Alanis

☐ Steve Hanes

☐ Roslyn Littles

☐ David McDonald
- Place 5

☐ Annette Sponseller

☐ Chris Czernek

☐ Bill Loudon

All City Council members serve at large, which means each position represents the entire city, as opposed to smaller geographic wards or districts. Registered Leander voters participating in the election may vote for any candidate or proposition on the ballot.

2022 Special Election

The Special Election of the City shall be held on Saturday, May 7, 2022, for the purpose of submitting to the qualified voters of the City the question of the following ballot propositions.

Proposition A: Capital Metro Continuation

Shall the Capital Metropolitan Transportation Authority be continued in the City of Leander?

☐ Yes

☐ No

If the election result is a majority “YES” vote on Proposition A, existing Capital Metropolitan Transportation Authority (Capital Metro) services would continue and Capital Metro would continue to be funded in part by a 1% sales tax in the City of Leander.*

If the election result is a majority “NO” vote on Proposition A, Capital Metro services in Leander would stop on the day after the election results are canvassed, and the financial obligations of Capital Metro attributable to the City of Leander would cease to accrue. Capital Metro also would continue to be funded in part by a 1% sales tax until the City’s net financial obligation to Capital Metro is collected.** As of Dec. 31, 2021, this is estimated to be \$42.3 million.

* See Texas Transportation Code Sec. 451.608

** See Texas Transportation Code Secs. 451.608, 451.609, 451.613

ABOUT CAPITAL METRO --- Capital Metro provides bus and rail service to and from Leander, as well as on-demand pickup service within the city. Commuters traveling into Austin may park at the Leander Station park-and-ride located near U.S. 183 and Metro Drive.

LEANDER HISTORY --- Capital Metro was established by a voter referendum on Jan. 19, 1985, to provide mass transportation service to the greater Austin metropolitan area. The agency is funded in part by a 1% sales tax levied by members of its service area, which today include the cities of Austin, Jonestown, Lago Vista, Leander, Manor, Point Venture, San Leanna, and parts of Travis and Williamson counties. Passenger rail service in Leander began March 22, 2010.

LEANDER FUNDING --- Currently, a combined 8.25% sales tax rate is imposed on all retail sales, leases and rentals of most goods in Leander. The rate charged by the state of Texas is 6.25%, while Leander and Capital Metro each receive revenue from a 1% sales tax. Since 1985, Capital Metro has received more than \$64 million in revenue generated from Leander sales taxes. In 2021, a 1% sales tax in Leander generated \$9.8 million in revenue. According to the city’s transit demand analysis, Capital Metro could receive an additional \$164 million or more in total projected sales tax revenue from Leander over the next 10 years.

INTERLOCAL AGREEMENT --- In March 2022, the city and Capital Metro finalized an interlocal agreement to allow for Leander sales tax revenue allocated to Capital Metro, but above the cost of Leander’s service, to be used for certain transportation projects in the community as part of Capital Metro’s Build Central Texas program. In 2021, this amount was

\$1,921,057. Leander also is eligible to receive an additional \$7,417,923 in 2022 to fund transit supportive infrastructure projects, which would be administered under Build Central Texas program guidelines. Funds made available through the interlocal agreement are contingent upon Leander remaining a member city of Capital Metro.

View frequently asked questions at www.leandertx.gov/elections.

Proposition B: General Revenue Sales Tax Conditional Upon a Majority “NO” Vote on Proposition A

The adoption of a local sales and use tax in the City of Leander at the rate of two percent (2%).

☐ Yes

☐ No

If the election result is a majority “YES” vote on Proposition B and “NO” vote on Proposition A, the general revenue sales and use tax rate would change from 1% to 2% in the City of Leander.* However, sales and use tax revenue would not be collected at the 2% rate until after the city’s net financial obligation to Capital Metro is collected.** As of Dec. 31, 2021, this is estimated to be \$42.3 million.

If the election result is a majority “NO” vote on Proposition B and “NO” vote on Proposition A, the general revenue sales and use tax rate in the City of Leander would remain at 1%. However, Capital Metro would continue to be funded in part by a 1% sales tax until the city’s net financial obligation to Capital Metro is collected.** As of Dec. 31, 2021, this is estimated to be \$42.3 million.

If the election result is a majority “YES” vote on Proposition A, regardless of the majority vote on Proposition B, the general revenue sales and use tax rate in the City of Leander would remain at 1%, and Capital Metro would continue to be funded in part by a 1% sales tax.

* See Texas Tax Code Sec. 321.405

** See Texas Transportation Code Sec. 451.613

Currently, a combined 8.25% sales tax rate is imposed on all retail sales, leases and rentals of most goods in Leander. The rate charged by the state of Texas is 6.25%, while Leander and Capital Metro each receive revenue from a 1% sales tax.

NOTE: Certain properties subject to sales and use taxes within Leander city limits are also located within the Liberty Hill Public Library District, a special purpose district spanning Liberty Hill Independent School District boundaries, which receives revenue from a 0.25% sales tax. Among properties in this district, Leander receives revenue from a 0.75% sales tax and Capital Metro receives revenue from a 1% sales tax.

HOW IS REVENUE USED? --- In 2021, a 1% sales tax in Leander generated \$9.8 million in revenue, which provided funding for infrastructure improvements, parks, recreation programs, public safety operations, economic development, and many other public services and projects. All sales tax revenues allocated to the City of Leander are budgeted within the city’s General Fund, and expenditures are subject to annual appropriation and authorization as directed by Leander City Council.

CITY RESOLUTION --- In March 2022, Leander City Council passed a resolution stating the City’s desire to use future revenue from an additional 1% sales tax on three priority initiatives which are, in no particular order: economic development, public transportation, and expansion of critical public infrastructure.

GENERAL FUND --- The city’s General Fund revenue comes from Leander property taxes, sales taxes, and development-related fees, and funds are used to support a broad range of city services and programs. Today, the city’s General Fund budget is \$59.1 million, and the three largest department categories include \$12.2 million for Police Department, \$11.2 million for Fire Department, and \$5.5 million for Public Works Department. The General Fund is one of 8 fund groups managed by the City of Leander.

HOW LONG IS THE TAX EFFECTIVE? --- If Proposition B passes, the General Revenue Sales Tax would be effective until repealed by another election.

View frequently asked questions at www.leandertx.gov/elections.

Proposition C: Term Limits

Shall Section 3.03 be added to the City Charter to establish the following term limits: (a) three three-year terms for mayor; (b) three three-year terms for council positions other than mayor; and (c) a combination of three three-year terms for council and three three-year terms for mayor, regardless of the order served; unless the person has been out of office for at least one full term?

☐ Yes

☐ No

This amendment would limit Councilmembers to a maximum of 3 full terms (9 years), after which they must be out of office for one full term (3 years) before becoming re-eligible to file, unless running for Mayor. Mayor may serve a maximum of 3 full terms (9 years), after which they must be out of office for one full term (3 years) before becoming re-eligible to file.*

Proposition D: Resign to Run

Shall Section 3.04 of the City Charter be amended to change the current provision that requires automatic resignation from Council any time that a council member announces candidacy for another office, to require automatic resignation only if there is more than one year and 30 days left on the council member’s term at the time of the announcement?

☐ Yes

☐ No

This amendment would provide for automatic resignation by a Mayor or Councilmember upon their filing or candidacy for any public office other than that of the City Council when their unexpired term of office held exceeds one year and 30 days.*

Proposition E: Term of Office

Shall Section 5.12 of the City Charter be amended to provide that the City Council members elected by majority vote take office on the Tuesday following the canvass of the election and do not wait for a runoff election to be concluded to take office, and that a Council member elected by majority vote in a runoff election takes office on the first Tuesday following the canvass of the runoff election?

☐ Yes

☐ No

This amendment would provide for the Mayor and each Councilmember to take office on the first Tuesday following the canvass of the election. In the case of a runoff, the member of Council elected in the runoff election shall take office on the first Tuesday following the canvass of the runoff election.*

Proposition F: City Manager

Shall Section 7.01 of the City Charter be amended to provide a procedure for suspension and removal of the City Manager, which includes notice of the reason for suspension and removal and an opportunity for a hearing, that occurs after the City Council asks the City Manager to resign and the City Manager declines to resign?

☐ Yes

☐ No

This amendment would provide the City Manager an opportunity to request a public hearing to hear reasons of Council for proposed suspension and/or removal.*

Proposition G: Department Director Appointments

Shall Sections 7.04 and 10.07 of the City Charter be amended to remove the requirement that the City Manager’s appointment of department directors be approved by the City Council?

☐ Yes

☐ No

This amendment provides for the city manager to appoint all department directors without receiving Council approval of the selection. The City of Leander is a home rule city under a council-manager form of government. The Council enacts legislation, adopts budgets, determines policies, and makes appointments to non-elective positions. The Council also appoints a professional city manager who serves as the chief executive officer responsible for overall operation of the local government organization.*

Proposition H: Police Department Employee Evaluations

Shall Section 7.06 of the City Charter be amended to provide that, instead of police department employee evaluations being reviewed, modified, and revised by the City Manager and submitted to the City Council for review, evaluations shall instead be subject to review only by the City Manager?

☐ Yes

☐ No

This amendment provides for police department personnel evaluations to be subject to review only by the City Manager.*

Proposition I: Fire Department Employee Evaluations

Shall Section 7.07 of the City Charter be amended to remove language that fire department evaluations are subject to modification by the City Manager?

☐ Yes

☐ No

This amendment provides for fire department personnel evaluations to be subject to review only by the City Manager.*

Proposition J: Mayor Pro Tem Appointment

Shall Section 4.02 of the City Charter be amended to clarify that the appointment of the Mayor Pro Tem occurs at the first regular meeting following the canvass of the general election and any runoff election associated with that general election?

☐ Yes

☐ No

This amendment clarifies that the appointment of Mayor Pro Tem shall take place following the canvass of the general election and any runoff election.*

Proposition K: Planning Commission Appointments

Shall Sections 4.03 and 10.04 of the City Charter be amended to provide that each council member appoints a member to the planning commission without requiring a majority vote of council or a recommendation from the board selection committee, except that if the council position that appoints a planning commission position is vacant, the appointment shall be made by majority vote of council?

☐ Yes

☐ No

This amendment provides for the Mayor and Councilmembers each to appoint a member of their choice to the Planning and Zoning Commission following the general election and any runoff election.*

Proposition L: Selection of Auditor

Shall Section 8.13 of the City Charter be amended to change the maximum period of time the City may contract with the independent auditor from 3 consecutive years to 5 consecutive years?

☐ Yes

☐ No

This amendment provides for the City to contract with an auditor for a maximum term of 5 years rather than a maximum of 3 years.*

Proposition M: Mayoral Duties

Shall Section 4.01 of the City Charter be amended to remove the following duties from the office of Mayor: (a) recommendation of appointees for boards and commissions; (b) submission of a recommended budget to council; and (c) taking command of the police in time of a declared emergency?

☐ Yes

☐ No

This amendment aligns the Mayoral duties to be consistent with the duties of the office. The City of Leander is a home rule city under a council-manager form of government. The Council enacts legislation, adopts budgets, determines policies, and makes appointments to non-elective positions. The Council also appoints a professional city manager who serves as the chief executive officer responsible for overall operation of the local government organization.*

Proposition N: Public Records

Shall Section 13.06 of the City Charter be amended to remove the requirement that all applications for public records be stamped with a city seal and a copy of the application be provided to the applicant?

☐ Yes

☐ No

This amendment provides consistency of procedures in allowing the acceptance of public records to be requested and provided electronically.*

Proposition O: Charter Review Commission Term

Shall Section 13.08 of the City Charter be amended to remove the provision that states that the Charter Review Commission serves a six-month term?

☐ Yes

☐ No

This amendment provides for the Charter Review Commission to meet in the timeframe as directed by the Council at the time of appointment.*

* Anticipated Fiscal Impact: It is estimated there would be no financial impact on the City of Leander should Propositions C-O pass.

Votación Anticipada

Abril 25 – Mayo 3

Día de elección

May 7

Vaya a leandertx.gov/elections para conocer los lugares y horarios de votación.

Elecciones generales de 2022

La Elección General de la Ciudad se llevará a cabo el sábado 7 de mayo de 2022 para elegir miembros del Concejo Municipal de la ciudad en general para los cargos de Lugar 1, Lugar 3 y Lugar 5 para servir un término de tres (3) años cada uno. Los candidatos, en orden de votación, incluyen:

- Lugar 1

☐ Kathryn Pantalano-Parker

☐ Trey Schisser
- Lugar 3

☐ Juan Alanis

☐ Steve Hanes

☐ Roslyn Littles

☐ David McDonald
- Lugar 5

☐ Annette Sponseller

☐ Chris Czernek

☐ Bill Loudon

Todos los miembros del Concejo Municipal sirven en general, lo que significa que cada puesto representa a toda la ciudad, a diferencia de distritos o distritos geográficos más pequeños. Los votantes registrados de Leander que participan en la elección pueden votar por cualquier candidato en la boleta.

Elección especial de 2022

La Elección Especial de la Ciudad se llevará a cabo el sábado 7 de mayo de 2022, con el fin de presentar a los votantes calificados de la Ciudad la cuestión de las siguientes proposiciones electorales.

Propuesta A: Continuación de Capital Metro

¿Debe continuar la Autoridad de Transporte Metropolitano de Capital en la Ciudad de Leander?

☐ Sí

☐ No

Si el resultado de la elección es un voto mayoritario de “Sí” a la Proposición A, los servicios existentes de la Autoridad de Transporte Metropolitano de Capital (Capital Metro) continuarían y Capital Metro continuaría siendo financiado en parte por un impuesto sobre las ventas del 1% en la Ciudad de Leander.*

Si el resultado de la elección es un voto mayoritario “NO” a la Propuesta A, los servicios de Capital Metro en Leander se detendrían el día después de que se escruten los resultados de la elección, y las obligaciones financieras de Capital Metro atribuibles a la Ciudad de Leander dejarían de acumularse. Capital Metro también seguiría siendo financiado en parte por un impuesto sobre las ventas del 1% hasta que se cobre la obligación financiera neta de la Ciudad con Capital Metro.** Al 31 de diciembre de 2021, se estima en \$42.3 millones.

* Consulte la sección del Código de Transporte de Texas. 451.608

** Consulte las Secciones del Código de Transporte de Texas. 451.608, 451.609, 451.613

ACERCA DE CAPITAL METRO --- Capital Metro ofrece servicio de autobús y tren desde y hacia Leander, así como servicio de recogida bajo demanda dentro de la ciudad. Los viajeros que viajan a Austin pueden estacionarse en el estacionamiento y paseo de Leander Station ubicado cerca de la U.S. 183 y Metro Drive.

HISTORIA DE LEANDER --- Capital Metro fue establecido por un referéndum de votantes el 19 de enero de 1985, para brindar servicio de transporte público al área metropolitana de Austin. La agencia está financiada en parte por un impuesto sobre las ventas del 1% recaudado por los miembros de su área de servicio, que hoy incluye las ciudades de Austin, Jonestown, Lago Vista, Leander, Manor, Point Venture, San Leanna y partes de los condados de Travis y Williamson. El servicio ferroviario de pasajeros en Leander comenzó el 22 de marzo de 2010.

FINANCIAMIENTO DE LEANDER --- Actualmente, se impone una tasa de impuesto sobre las ventas combinada del 8.25% sobre todas las ventas minoristas, arrendamientos y alquileres de la mayoría de los bienes en Leander. La tasa que cobra el estado de Texas es del 6.25%, mientras que Leander y Capital Metro reciben ingresos de un impuesto sobre las ventas del 1% cada uno. Desde 1985, Capital Metro ha recibido más de \$64 millones en ingresos generados por los impuestos sobre las ventas de Leander. En 2021, un impuesto sobre las ventas del 1% en Leander generó

\$9.8 millones en ingresos. De acuerdo con el análisis de demanda de tránsito de la ciudad, Capital Metro podría recibir \$164 millones adicionales o más en ingresos totales proyectados por impuestos sobre las ventas de Leander durante los próximos 10 años.

ACUERDO INTERLOCAL --- En marzo de 2022, la ciudad y Capital Metro finalizaron un acuerdo interlocal para permitir que los ingresos del impuesto sobre las ventas de Leander asignados a Capital Metro, pero por encima del costo del servicio de Leander, se utilicen para ciertos proyectos de transporte en la comunidad como parte del programa Build Central Texas de Capital Metro. En 2021, este monto fue de \$1,921,057. Leander también es elegible para recibir \$7,417,923 adicionales en 2022 para financiar proyectos de infraestructura de apoyo al tránsito, que también se administrarían según las pautas del programa Build Central Texas. Los fondos disponibles a través del acuerdo interlocal dependen de que Leander siga siendo una ciudad miembro de Capital Metro.

Vea las preguntas frecuentes en www.leandertx.gov/elections.

Propuesta B: Renta General Impuesto a las Ventas Condicional a un voto mayoritario “NO” sobre la Propuesta A

La adopción de un impuesto local sobre ventas y uso en la Ciudad de Leander a una tasa del dos por ciento (2%).

☐ Sí

☐ No

Si el resultado de la elección es un voto mayoritario de “Sí” a la Proposición B y un voto de “NO” a la Propuesta A, la tasa del impuesto sobre las ventas y el uso de los ingresos generales cambiaría del 1% al 2% en la Ciudad de Leander.* Sin embargo, las ventas y los ingresos del impuesto sobre el uso no se recaudarían a la tasa del 2% hasta después de que se recaude la obligación financiera neta de la ciudad con Capital Metro.** Al 31 de diciembre de 2021, se estima en \$42.3 millones.

Si el resultado de la elección es un voto mayoritario de “NO” a la Proposición B y un voto de “NO” a la Propuesta A, la tasa del impuesto sobre las ventas y el uso de los ingresos generales en la ciudad de Leander permanecería en el 1%. Sin embargo, Capital Metro seguiría siendo financiado en parte por un impuesto sobre las ventas del 1% hasta que se cobre la obligación financiera neta de la ciudad con Capital Metro.** Al 31 de diciembre de 2021, se estima en \$42.3 millones.

Si el resultado de la elección es un voto mayoritario de “Sí” a la Propuesta A, independientemente del voto mayoritario a la Propuesta B, la tasa del impuesto sobre las ventas y el uso de los ingresos generales en la Ciudad de Leander permanecería en 1% y Capital Metro continuaría siendo financiado en parte por un impuesto sobre las ventas del 1%.

* Consulte la sección del Código de Impuestos de Texas. 321.405

** Consulte la sección del Código de Transporte de Texas. 451.613

Actualmente, se aplica una tasa de impuesto sobre las ventas combinada del 8.25 % a todas las ventas minoristas, arrendamientos y alquileres de la mayoría de los bienes en Leander. La tasa que cobra el estado de Texas es del 6.25%, mientras que Leander y Capital Metro reciben ingresos de un impuesto sobre las ventas del 1% cada uno.

NOTA: Ciertas propiedades sujetas a impuestos sobre las ventas y el uso dentro de los límites de la ciudad de Leander también se encuentran dentro del Distrito de Bibliotecas Públicas de Liberty Hill, un distrito de propósito especial que abarca los límites del Distrito Escolar Independiente de Liberty Hill, que recibe ingresos de un impuesto sobre las ventas del 0.25%. Entre las propiedades en este distrito, Leander recibe ingresos de un impuesto sobre las ventas del 0.75% y Capital Metro recibe ingresos de un impuesto sobre las ventas del 1%.

¿CÓMO SE UTILIZAN LOS INGRESOS? --- En 2021, un impuesto sobre las ventas del 1% en Leander generó \$9.8 millones en ingresos, que proporcionaron fondos para mejorar infraestructura, parques, programas de recreación, operaciones de seguridad pública, desarrollo económico y muchos otros servicios y proyectos públicos. Todos los ingresos del impuesto sobre las ventas asignados a la Ciudad de Leander se presupuestan dentro del Fondo

General de la ciudad, y los gastos están sujetos a apropiación y autorización anual según lo indique el Concejo Municipal de Leander.

RESOLUCIÓN DE LA CIUDAD --- En marzo de 2022, el Concejo Municipal de Leander aprobó una resolución que establece el deseo de la Ciudad de utilizar los ingresos futuros de un impuesto adicional sobre las ventas del 1% en tres iniciativas prioritarias que son, sin ningún orden en particular: desarrollo económico, transporte público y expansión de infraestructura pública crítica.

FONDO GENERAL --- Los ingresos del Fondo General de la ciudad provienen de los impuestos sobre la propiedad, los impuestos sobre las ventas y las tarifas relacionadas con el desarrollo de Leander, y los fondos se utilizan para respaldar una amplia gama de servicios y programas de la ciudad. Hoy, el presupuesto del Fondo General de la ciudad es de \$59.1 millones, y las tres categorías de departamentos más grandes incluyen \$12.2 millones para el Departamento de Policía, \$11.2 millones para el Departamento de Bomberos y \$5.5 millones para el Departamento de Obras Públicas. El Fondo General es uno de los 8 grupos de fondos administrados por la Ciudad de Leander.

¿CUÁNTO TIEMPO ES EFECTIVO EL IMPUESTO? --- Si se aprueba la Propuesta B, el Impuesto sobre las Ventas de Ingresos Generales estaría vigente hasta que sea derogado por otra elección.

Vea las preguntas frecuentes en www.leandertx.gov/elections.

Propuesta C: Límites de Plazo

¿Se debe agregar la Sección 3.03 a la Carta Constitutiva de la Ciudad para establecer los siguientes límites de mandato: (a) tres mandatos de tres años para alcalde; (b) tres mandatos de tres años para cargos en el concejo que no sean alcalde; y (c) una combinación de tres mandatos de tres años para concejal y tres mandatos de tres años para alcalde, independientemente de la orden en que se haya cumplido; a menos que la persona haya estado fuera del cargo durante al menos un período completo?

☐ Sí ☐ No

Esta enmienda limitaría a los miembros del Concejo a un máximo de 3 mandatos completos (9 años), después de lo cual deben estar fuera del cargo por un mandato completo (3 años) antes de volver a ser elegibles para presentar su candidatura, a menos que se postulen para alcalde. El alcalde puede servir un máximo de 3 mandatos completos (9 años), después de lo cual debe estar fuera del cargo durante un mandato completo (3 años) antes de volver a ser elegible para presentar una solicitud.*

Propuesta D: Renuncia a Correr

¿Deberá enmendarse la sección 3.04 de la Carta constitutiva que hoy exige que, si un concejal anuncia que postulará para un cargo elegido, éste deberá automáticamente renunciar al cargo que ejerce a- que la renuncia automática solo deberá exigirse cuando, si al dar a conocer que postulará para otro cargo, aún le queda más de un año y 30 días de mandato?

☐ Sí ☐ No

Esta enmienda permitiría la renuncia automática de un Alcalde o Concejal al momento de su presentación o candidatura para cualquier cargo público que no sea el del Concejo Municipal cuando su mandato no vencido exceda un año y treinta días.*

Propuesta E: Termino de Oficina

¿Se debe enmendar la Sección 5.12 de los Estatutos de la Ciudad para disponer que los miembros del Concejo Municipal elegidos por mayoría de votos asuman sus cargos el martes siguiente al escrutinio de la elección y no esperen a que concluya una segunda vuelta electoral para asumir sus cargos, y que un miembro del Consejo elegido por mayoría de votos en una segunda vuelta asume el cargo el primer martes después del escrutinio de la segunda vuelta?

☐ Sí ☐ No

Esta enmienda permitiría que el Alcalde y cada Concejal asumieran el cargo el primer martes posterior al escrutinio de la elección. En el caso de una segunda vuelta, el miembro del Consejo elegido en la segunda vuelta asumirá el cargo el primer martes siguiente al escrutinio de la segunda vuelta.*

Propuesta F: Administrador de la Ciudad

¿Debería enmendarse la Sección 7.01 de los Estatutos de la Ciudad para proporcionar un procedimiento para la suspensión y destitución del Administrador de la Ciudad, que incluye una notificación del motivo de la suspensión y destitución y la oportunidad de una audiencia, que se produce después de que el Concejo Municipal solicite al Administrador de la

Ciudad que renunciar y el administrador de la ciudad se niega a renunciar?

☐ Sí ☐ No

Esta enmienda brindaría al administrador de la ciudad la oportunidad de solicitar una audiencia pública para escuchar las razones del Concejo para la suspensión y/o remoción propuesta.*

Propuesta G: Nombramientos de Director de Departamento

¿Deberían enmendarse las Secciones 7.04 y 10.07 de los Estatutos de la Ciudad para eliminar el requisito de que el Concejo Municipal apruebe el nombramiento de directores de departamento por parte del Administrador de la Ciudad?

☐ Sí ☐ No

Esta enmienda prevé que el administrador de la ciudad designe a todos los directores de departamento sin recibir la aprobación del Concejo para la selección. La Ciudad de Leander es una ciudad autónoma bajo una forma de gobierno de concejo-administrador. El Consejo promulga leyes, adopta presupuestos, determina políticas y realiza nombramientos para cargos no electivos. El Consejo también designa a un administrador municipal profesional que se desempeña como director ejecutivo responsable del funcionamiento general de la organización del gobierno local.*

Propuesta H: Evaluaciones de Empleados del Departamento de Policía

¿Debería enmendarse la Sección 7.06 de los Estatutos de la Ciudad para establecer que, en lugar de que las evaluaciones de los empleados del departamento de policía sean revisadas, modificadas y revisadas por el Administrador de la Ciudad y enviadas al Concejo Municipal para su revisión, las evaluaciones estarán sujetas a revisión solo por parte de la Ciudad? ¿Gerente?

☐ Sí ☐ No

Esta enmienda prevé que las evaluaciones del personal del departamento de policía estén sujetas a revisión únicamente por parte del administrador de la ciudad.*

Propuesta I: Evaluaciones de Empleados del Departamento de Bomberos

¿Se debe enmendar la Sección 7.07 de los Estatutos de la Ciudad para eliminar el lenguaje que indica que las evaluaciones del departamento de bomberos están sujetas a modificación por parte del Administrador de la Ciudad?

☐ Sí ☐ No

Esta enmienda prevé que las evaluaciones del personal del departamento de bomberos estén sujetas a revisión únicamente por parte del administrador de la ciudad.*

Propuesta J: Nombramiento de Alcalde Temporal

¿Debería enmendarse la Sección 4.02 de los Estatutos de la Ciudad para aclarar que el nombramiento del Alcalde Pro Temporal ocurre en la primera reunión regular posterior al escrutinio de la elección general y cualquier elección de segunda vuelta asociada con esa elección general?

☐ Sí ☐ No

Esta enmienda aclara que el nombramiento del Alcalde Pro Temporal se llevará a cabo después del escrutinio de la elección general y cualquier elección de segunda vuelta.*

Propuesta K: Nombramientos de la Comisión de Planificación

¿Se deben enmendar las Secciones 4.03 y 10.04 de los Estatutos de la Ciudad para estipular que cada miembro del concejo designe a un miembro de la comisión de planificación sin requerir un voto mayoritario del concejo o una recomendación del comité de selección de la junta, excepto que si el cargo del concejo que nombra a un miembro de planificación puesto de la comisión está vacante, el nombramiento se hará por mayoría de votos del concejo?

☐ Sí ☐ No

Esta enmienda dispone que el alcalde y los concejales designen cada uno a un miembro de su elección para la Comisión de Planificación y Zonificación después de las elecciones generales y cualquier elección de segunda vuelta.*

Propuesta L: Selección de Auditor

¿Se debe enmendar la Sección 8.13 de los Estatutos de la Ciudad para cambiar el período máximo de tiempo que la Ciudad puede contratar



Voter Guide for City of Leander Election Ballot

The City of Leander will hold a general and special election on Saturday, May 7, 2022. Included in this voter guide are descriptions of the following City ballot items:

- * Candidates for Councilmember Places 1, 3, and 5
- * Proposition A: Continuation of Capital Metropolitan Transit Authority
- * Proposition B: General Revenue Sales Tax
- * Propositions C-O: Home Rule Charter Amendments

A complete list of general election candidates and special election propositions are available at www.leandertx.gov/elections.

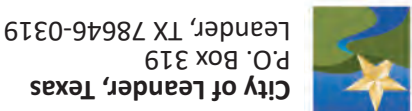
Voters must vote at a polling location **ONLY** within their residing county.

Williamson County registered voters residing in the City of Leander will vote at any Williamson County voting location.

Travis County registered voters residing in the City of Leander will vote at any Travis County voting location. For other voting locations in Williamson and Travis Counties, go to www.leandertx.gov/elections or www.wilco.org/elections or countyclerk.traviscountytexas.gov/elections. For election questions, contact City Secretary Dara Crabtree at 512-528-2743 or Williamson County Elections at 512-943-1630 or Travis County Elections at 512-854-4996.

Consulte el interior para obtener una traducción al español, o contacte el Secretario de la Ciudad Dara Crabtree al 512-528-2743, o visite nuestro sitio web en www.leandertx.gov/elections.

IMPORTANT ELECTION INFORMATION



al auditor independiente de tres años consecutivos a cinco años consecutivos?

☐ Sí ☐ No

Esta enmienda prevé que la Ciudad contrate a un auditor por un plazo máximo de 5 años en lugar de un máximo de 3 años.*

Propuesta M: Deberes del Alcalde

¿Se debe enmendar la Sección 4.01 de los Estatutos de la Ciudad para eliminar los siguientes deberes del cargo de Alcalde: (a) recomendación de personas designadas para juntas y comisiones; (b) presentación de un presupuesto recomendado al concejo; y (c) tomar el mando de la policía en tiempo de una emergencia declarada?

☐ Sí ☐ No

Esta enmienda alinea los deberes del alcalde para que sean consistentes con los deberes del cargo. La Ciudad de Leander es una ciudad autónoma bajo una forma de gobierno de concejo-administrador. El Consejo promulga leyes, adopta presupuestos, determina políticas y realiza nombramientos para cargos no electivos. El Concejo también designa a un administrador municipal profesional que se desempeña como director ejecutivo responsable del funcionamiento general de la organización del gobierno local.*

Voters in Williamson County

You must vote at a polling location within your residing county.

WILLIAMSON COUNTY EARLY VOTING

Dates and Times:
Monday, April 25 through Saturday, April 30
8 a.m. to 7 p.m.
NO Sunday Voting
Monday, May 2 and Tuesday, May 3
7 a.m. to 7 p.m.

Leander Polling Location:
Leander Public Library Annex, 1011 S. Bagdad Road

WILLIAMSON COUNTY ELECTION DAY

Dates and Times:
Saturday, May 7
7 a.m. to 7 p.m.

Local Area Polling Locations (subject to change):
Pat Bryson Municipal Hall, 201 N. Brushy Street
Leander Public Library Annex, 1011 S. Bagdad Road
Rouse High School, 1222 Raider Way
The Crossover, 1717 Scottsdale Drive, Cedar Park

BALLOT BY MAIL

Williamson County Elections Administrator
Christopher J. Davis
Williamson County Elections Department
By mail:
PO Box 209, Georgetown, TX 78627
Physical address:
Williamson County Inner Loop Annex
Elections Department
301 SE Inner Loop Ste 104
Georgetown, TX 78626
Telephone Number: (512) 943-1630
Email: cjdavis@wilco.org
Website: <https://www.wilco.org/elections>

Applications for ballots by mail must be received no later than the close of business on April 26, 2022.

Voters in Travis County

You must vote at a polling location within your residing county.

TRAVIS COUNTY EARLY VOTING

Dates and Times:
Monday, April 25 through Saturday, April 30
7 a.m. to 7 p.m.
Sunday, May 1 (Noon to 6 p.m.)
Monday, May 2 and Tuesday, May 3
7 a.m. to 7 p.m.

Local Area Polling Location:
Christ Episcopal, 3520 W. Whitestone Blvd, Cedar Park

TRAVIS COUNTY ELECTION DAY

Dates and Times:
Saturday, May 7
7 a.m. to 7 p.m.

Local Area Polling Locations (subject to change):
Christ Episcopal, 3520 W. Whitestone Blvd, Cedar Park
Deer Creek Elementary, 2420 Zeppelin Drive, Cedar Park
Community Center at Jonestown, 18649 FM 1431, Suite 6A, Jonestown
Lago Vista High School, 5185 Lohman Ford Rd, Lago Vista
North Lake Travis Chamber of Commerce, 20624 FM 1431, Lago Vista

BALLOT BY MAIL

Travis County Elections Administrator
Rebecca Guerrero, Interim County Clerk
Travis County Early Voting Clerk
By mail:
PO Box 149325, Austin, TX 78714-9325
By Contract Carriers/Fedex:
Elections Division
Travis County Clerk
5501 Airport Blvd, Austin, Texas 78751
Telephone: (512) 238-VOTE
Email: elections@traviscountytexas.gov
Website: <https://countyclerk.traviscountytexas.gov/elections>

Applications for ballots by mail must be received no later than the close of business on April 26, 2022.

VOTACIÓN ANTICIPADA DEL CONDADO DE WILLIAMSON

Fechas y Horarios:
Lunes 25 de abril al sábado 30 de abril
8 am a 6 pm
NO votaciones dominicales
Lunes 2 y martes 3 de mayo
7 am a 7 pm

Leander lugar de votación:
Leander Public Library Annex, 1011 S. Bagdad Road

DÍA DE ELECCIONES DEL CONDADO DE WILLIAMSON

Fechas y Horarios:
Sábado, 7 de mayo
7 am a 7 pm

Lugares de votación del área local (sujeto a cambios):
Ayuntamiento de Pat Bryson, 201 N. Brushy Street
Anexo de la biblioteca pública de Leander, 1011 S. Bagdad Road
Escuela secundaria Rouse, 1222 Raider Way
El Cruce, 1717 Scottsdale Drive, Cedar Park

BOLETA POR CORREO

Administrador de elecciones del condado de Williamson
Christopher J. Davis
Departamento de Elecciones del Condado de Williamson
Por correo:
PO Box 209, Georgetown, TX 78627
Dirección física:
Anexo del circuito interno del condado de Williamson
Departamento de Elecciones
301 SE Bucle interior Ste 104
Georgetown, TX 78626
Teléfono: (512) 943-1630
Correo electrónico: cjdavis@wilco.org
Sitio web: <https://www.wilco.org/elections>

Las solicitudes de boletas por correo deben recibirse antes del cierre de operaciones del 26 de abril de 2022.

VOTACIÓN ANTICIPADA DEL CONDADO DE TRAVIS

Fechas y Horarios:
Lunes 25 de abril al sábado 30 de abril
7 am a 7 pm
Domingo 1 de mayo (Mediodía a 6 pm)
Lunes 2 y martes 3 de mayo
7 am a 7 pm

Lugar de votación del área local:
Cristo Episcopal, 3520 W. Whitestone Blvd, Cedar Park

DÍA DE ELECCIONES DEL CONDADO DE TRAVIS

Fechas y Horarios:
Sábado, 7 de mayo
7 am a 7 pm

Lugares de votación del área local (sujeto a cambios):
Cristo Episcopal, 3520 W. Whitestone Blvd, Cedar Park
Escuela primaria Deer Creek, 2420 Zeppelin Drive, Cedar Park
Centro Comunitario en Jonestown, 18649 FM 1431, Ste 6A, Jonestown
Escuela secundaria Lago Vista, 5185 Lohman Ford Rd, Lago Vista
Cámara de Comercio de North Lake Travis, 20624 FM 1431, Lago Vista

BOLETA POR CORREO

Administrador de Elecciones del Condado de Travis
Rebecca Guerrero, secretaria interina del condado
Secretario de Votación Anticipada del Condado de Travis
Por correo:
PO Box 149325, Austin, TX 78714-9325
Por transportistas contratados/Fedex:
División de Elecciones
Secretario del condado de Travis
5501 Aeropuerto Blvd, Austin, Texas 78751
Teléfono: (512) 238-VOTA
Correo electrónico: elecciones@traviscountytexas.gov
Sitio web: <https://countyclerk.traviscountytexas.gov/elections>

Las solicitudes de boletas por correo deben recibirse antes del cierre de operaciones del 26 de abril de 2022.

* *Impacto fiscal anticipado: Se estima que no habría impacto financiero en la Ciudad de Leander si se aprobaran las Proposiciones C-O.*



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of the minutes for meeting held on April 7, 2022.

BACKGROUND:

Attached are minutes for meeting held on April 7, 2022.

PRESENTER:

Dara Crabtree, City Secretary

Attachments

1. Draft Minutes



**MINUTES
CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - April 7, 2022



**Mayor – Christine DeLisle
Place 1 – Kathryn Pantalion-Parker
Place 2 – Esme Mattke Longoria
Place 3 – Jason Shaw**

**Place 4 – Na'Cole Thompson
Place 5 – Chris Czernek
Place 6 – Becki Ross, *Mayor Pro Tem*
City Manager – Rick Beverlin**

The meeting will also be live-streamed at the following link: <https://www.leandertx.gov/video>.

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Opened meeting at 6:03 p.m.
2. Roll call reflected all present.
3. Conducted board and commission interviews to fill board vacancies. Three applicants were interviewed including: James Oliver, Jeffrey Anderson and Carol Elsasser.
4. Quarterly Town Hall meeting.
 - Andrew Lorie, 10926 Jollyville Road, #1117, Austin spoke on Drive a Senior Northwest.
 - Tegan Anne, 2105 Emerald Isle Drive, spoke on executive sessions.

Briefing Workshop adjourned at 6:27 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

5. Opened meeting at 7:00 p.m., Invocation was provided by Pastor Bettina Bunton with Victoria's Living Christian Ministry and Mayor Christine led the Pledges of Allegiance.
6. Roll call reflected all present.
7. Public comments on items not listed in the agenda. No one spoke.

Public comments on items listed in the agenda will be heard at the time each item is discussed by Council.

[All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual.]

8. Recognitions/Proclamations/Visitors.
- Week of the Child (April 4 - 8)
 - National Animal Care and Control Week (April 10 - 16)
 - National Telecommunications Week (April 10 - 16)
 - National Crime Victims' Rights Week (April 24 - 30)
 - Child Abuse Awareness & Prevention Month (April)

CONSENT AGENDA: ACTION

Mayor Christine announced Item 12 has been pulled from the consent agenda and will be considered separately.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Na'Cole Thompson to approve Consent Agenda Items 9 through 11 and 13 through 22.

Vote: 7 - 0

9. Approval of the minutes for meeting held on March 17, 2022.
10. Award of Solicitation #S22-019 to Enterprise Professional Services, Inc. (EPSI) in the annual amount of \$115,539.28 for park and municipal property landscape maintenance and mowing for a term of five (5) consecutive 12-month periods with two (2) options to renew; and authorize City Manager to execute any and all necessary documents.
11. Approval of a Resolution responding to the application of Atmos Energy Corporation – Midtex Division, to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five (45) days; and authorizing the City to continue to participate in a coalition of cities known as the Atmos Texas Municipalities (ATM).
12. Approval of an Ordinance amending Ordinance No. 21-077-00 adopting the annual budget of the City of Leander, Texas for Fiscal Year 2022.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Councilmember Chris Czernek to approve an Ordinance amending Ordinance No. 21-077-00 adopting the annual budget of the City of Leander, Texas for Fiscal Year 2022.

Vote: 7 - 0

13. Approval of a Resolution adopting the Land Use Assumptions and Capital Improvement Plan related to the Roadway Impact Fee Study.
14. Acceptance of the bid tabulation per the Edgewood Phase 1 project development agreement for the over sizing of water and wastewater infrastructure, approve the developers award of bid to Liberty Civil Construction for the on-site work, Cash Construction for the off-site work for the Edgewood Phase 1, Section 1, and offsite water and wastewater improvements.

15. Approval of an Ordinance authorizing and directing the installation and erection of speed control signs for the zoning of traffic and rate of speed on CR 267 in the city limits of Leander; defining speed at 30 mph and fixing a penalty; providing for severability; providing for repeal of conflicting ordinances; and providing for related matters.
16. Approval of a waiver of Article 8.04, Noise, Section 8.04.001(a) (11) in the hours of construction work to Lay Construction to provide for concrete pours for the parking lot at the Dairy Queen project site located on Metro Drive, between the hours of 3:00 a.m. and 7:00 a.m. for April 11 through April 30, and requiring Lay Construction to post notifications for nearby tenants a minimum of forty-eight (48) hours in advance of the activities.
17. Award of Solicitation #S22-020 to I.O. Inspections, Stone, and WC3 for Plan Review, Building Inspections and Fire Inspections on an as-needed basis for a term of four consecutive twelve-month periods with two options to renew; authorize the City Manager to execute any and all necessary documents; and provide an effective date.
18. Approval of a Development Agreement Case 21-~~Z~~ DA -024 regarding the Sky Heights Development on one parcel of land approximately 2.68 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036438; legally described as Lot 3, Blk A, Leander Heights Section 2; and more commonly known as 415 Lion Drive, Leander, Williamson County, Texas.
19. Approval of Development Agreement Case 22-DA-007 regarding the Leander Collective Subdivision on four parcels of land approximately 8.68 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R606835 and R606836; and generally located west of US 183 and north of Sonny Drive, Leander, Williamson County, Texas.
20. Approval of Development Agreement Case 21-DA-019 regarding the 1607 Glass Drive Development on one parcel of land approximately 0.92 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R577372; and addressed as 1607 Glass Drive, Leander, Williamson County, Texas.
21. Approval of renaming Buffalo Gap to Mesita Way located within the Fairways at Crystal Falls Section 4, Phase 2B Subdivision to the west of the intersection of Buffalo Gap and Ambush Canyon; Travis County, Texas.
22. Approval of renaming Bluewood Cove to Blue Rock Cove located within the Bryson Phase 3, Section 3 Subdivision to the east of the intersection of ~~Runny~~ (Scrivener error on agenda) Running Brushy Bend and Bluewood Cove; Williamson County, Texas.

PUBLIC HEARING: ACTION

23. Mayor Christine opened a public hearing at 7:48 p.m. regarding Zoning Case 22-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two (2) parcels of land approximately 86.9312 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Road, Leander, Williamson County, Texas. No one spoke in favor of the request. Deborah Ebner, 1390 San Gabriel Parkway opposed the request. W. Terry Bray submitted comments in opposition via the website. The public hearing closed at 7:51 p.m.

- Discuss and consider action regarding Zoning Case 22-Z-003 as described above.

Motion by Councilmember Jason Shaw, Seconded by Mayor Christine DeLisle to approve the first reading of an Ordinance regarding Zoning Case 22-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two (2) parcels of land approximately 86.9312 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Road, Leander, Williamson County, Texas with the following Planning & Zoning Commission recommendations: overhead doors shall be screened from view of ROW, outdoor storage limited to fleet vehicles, and building shall be Class A, following a discussion.

Vote: 7 - 0

REGULAR AGENDA

24. Discuss and consider action on the Second Reading of an Ordinance regarding Comprehensive Plan Case 22-CPA-001 to amend the Comprehensive Plan land use category from Employment Center to Activity Center and consider action regarding Zoning Case 21-Z-044 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to SFT-2-B (Single-Family Townhouse) and GC-2-B (General Commercial) on five (5) parcels of land approximately 56.785 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R031298, R031398, R473651, R473652, and R031397; and generally located west of Ronald W. Reagan Boulevard and north of RM 2243, Leander, Williamson County, Texas.

Motion by Councilmember Jason Shaw, Seconded by Councilmember Esme Mattke Longoria to approve Second Reading of an Ordinance regarding Comprehensive Plan Case 22-CPA-001 to amend the Comprehensive Plan land use category from Employment Center to Activity Center and consider action regarding Zoning Case 21-Z-044 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to SFT-2-B (Single-Family Townhouse) and GC-2-B (General Commercial) on five (5) parcels of land approximately 56.785 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R031298, R031398, R473651, R473652, and R031397; and generally located west of Ronald W. Reagan Boulevard and north of RM 2243, Leander, Williamson County, Texas, following a discussion.

Vote: 6 - 1

NAY: Mayor Pro Tem Becki Ross

25. Discuss and consider action on establishing fees for credit card transactions through the use of Tyler Payments as part of the EnerGov permitting software; and authorize the City Manager to execute any and all necessary documents.

Motion by Mayor Pro Tem Becki Ross, Seconded by Councilmember Esme Mattke Longoria to approve establishing fees for credit card transactions through the use of Tyler Payments as part of the EnerGov permitting software; and authorize the City Manager to execute any and all necessary documents.

Vote: 7 - 0

26. Discuss and consider action on Destination Restaurant Incentive Program to assist in recruiting restaurants as well as helping existing Leander restaurants to expand.

Motion by Mayor Pro Tem Becki Ross, Seconded by Councilmember Kathryn Pantalion-Parker to approve a Destination Restaurant Incentive Program to assist in recruiting restaurants as well as helping existing Leander restaurants to expand, following a discussion.

Vote: 7 - 0

27. Discuss and consider action on directing the staff to submit a formal complaint to the United States Postal Service Office of Inspector General.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Esme Mattke Longoria to direct staff to submit a formal complaint to the United States Postal Service Office of Inspector General.

Vote: 7 - 0

28. Discuss and consider action on an Ordinance amending the Project and Financing Plan for the Reinvestment Zone Number One to ratify, confirm, and approve an increase in the maximum reimbursement amount for the Northline Developer projects and to allocate the estimated project costs for the Northline Developer category among project categories; and providing for related matters.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Mayor Pro Tem Becki Ross to approve an Ordinance amending the Project and Financing Plan for the Reinvestment Zone Number One to ratify, confirm, and approve an increase in the maximum reimbursement amount for the Northline Developer projects and to allocate the estimated project costs for the Northline Developer category among project categories; and providing for related matters.

Vote: 7 - 0

29. Discuss and consider action on an Ordinance creating and establishing a Mayor's ad hoc committee to promote beautification, conservation and volunteerism; providing an effective date and open meetings clause; and providing for related matters.

Motion by Councilmember Esme Mattke Longoria, Seconded by Councilmember Kathryn Pantalion-Parker to approve an Ordinance creating and establishing a Mayor's ad hoc committee to promote beautification, conservation, volunteerism and community engagement; and providing an effective date; and providing for related matters with adding community engagement and increasing the membership to eight (8) and striking section 4 pertaining to open meetings, following a discussion.

Vote: 7 - 0

30. Council Member Closing Statements.
Esme Mattke Longoria - commented on upcoming grand opening of Leander Activity Center.

Na'Cole Thompson - wished everyone a happy Easter, Passover and Resurrection Sunday.

Chris Czernek - wished everyone a happy Easter, Passover and Resurrection Sunday.

Christine DeLisle - stated Pizza Hut provided dinner tonight; reminded everyone to shop local; commented on upcoming events Leander Activity Center grand opening; Eggstravaganza; and thanked Economic Development Department and City Secretary's office staff for dedication of service.

31. Convened into Executive Session at 8:30 p.m. pursuant to:
- (1) Section 551.071, Texas Government Code, and Rule 1.05, Tex. Rules of Professional Conduct, to consult with legal counsel regarding the necessity for and to authorize condemnation of a utility easement on 0.261 acres or 11,363 square foot, tract of land; and authorize condemnation of a temporary construction easement on 0.463 acres or 20,163 square foot, tract of land situated in the Greenleaf Fisk Survey, Abstract Number 5, in the City of Leander, Williamson County, Texas; and
 - (2) Section 551.072, to deliberate the acquisition of property located in Elijah D. Harmon Survey Abstract 6 for the purpose of a sidewalk easement and public utility easement for the Raider Way East / Woodview Project (CIP T.12).

Reconvened into open session at 8:51 p.m. to take action as deemed appropriate in the City Council's discretion regarding:

- (1) condemnation of a utility easement and temporary construction easement; and
- (2) sidewalk easement and public utility easement for the Raider Way East / Woodview Project.

Motion by Mayor Pro Tem Becki Ross, Seconded by Councilmember Chris Czernek to approve (Item 1) a Resolution authorizing and directing the acquisition of land required for a permanent utility easement on a 0.261 acres ,or 11,363 square foot tract, of land situated in the Greenleaf Fisk survey, abstract number 5, and a temporary construction easement on a 0.463 acres, or 20,163 square foot, tract of land situated in the Greenleaf Fisk survey, abstract number 5, for the placement of necessary utilities; ratification of prior offers and actions to obtain such land; and stating intent to exercise the power of eminent domain if necessary to acquire the land; require a roll call vote; and authorize the city attorney and city manager to negotiate and execute any necessary documents as discussed in executive session. Roll Call vote reflected the following: Councilmember Pantalion-Parker aye; Councilmember Mattke Longoria aye; Councilmember Jason Shaw aye; Councilmember Thompson aye; Councilmember Czernek aye; Mayor Pro Tem Ross aye and Mayor Christine aye.

Vote: 7 - 0

Motion by Mayor Pro Tem Becki Ross, Seconded by Councilmember Chris Czernek to approve the acquisition of property located in Elijah D. Harmon survey abstract 6 for the purpose of a sidewalk easement and public utility easement for the Raider Way East / Woodview Project (CIP T.12); and authorize the city attorney and city manager to negotiate and execute any necessary documents as discussed in executive session.

Vote: 7 - 0

32. Adjourned at 8:51 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

From: [PCR](#)
To: [Dara Crabtree](#)
Subject: Public Comments Request
Date: Thursday, April 7, 2022 12:21:57 PM

Submitted on Thursday, April 7, 2022 - 12:21pm Form: Public Comments Request Form ID: 15331 Submission ID: 135608 Submitted values are:

Full Name W. Terry Bray

Do you live within Leander city limits? No

Home Address 401 Congress Avenue, Ste 2700, Austin, TX 78701

Phone Number 512-480-5635

Email jthomas@gdham.com

My comments apply to the following regular meeting: City Council

My comments apply to the following meeting date Thu, 04/07/2022

My agenda item or case number 23

My position on the above agenda item or case number I am AGAINST this item.

I want to include comments at the meeting Yes. But I only want my written comments added to the meeting record.

My comments (optional)

On behalf of Penske Leander, we request that the final PUD require that truck access be limited to 183A Toll Road and prohibited from Auto Park Drive, and that any driveways on Auto Park Drive be designed for use only by passenger vehicles and to prohibit truck access.

I want to upload a file with this form No

The results of this submission may be viewed at:

<https://www.leandertx.gov/node/15331/submission/135608>

CAUTION! This is an external email. DO NOT access links or attachments unless you know the sender and contents are safe.



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of purchase of eight (8) Self Contained Breathing Apparatus (SCBA) and twenty-five (25) SCBA cylinders for the Fire Department from Municipal Emergency Services in the amount of \$94,614.22 utilizing BuyBoard Contract 603-20; and authorize the City Manager to execute any and all necessary documents.

BACKGROUND:

The Leander Fire Department has four (4) self-contained breathing apparatus that are due for replacement and needs to purchase an additional four (4) for the new fire engine that is being purchase. Along with the airpacks, there are twenty-five (25) air bottles that will be purchased to provide for those that are expired and for the new airpacks. All of those items were budgeted and approved in this year's budget.

RECOMMENDATION:

Staff recommends approval

PRESENTER:

Billy Wusterhausen, Fire Chief

Fiscal Impact

<u>Amount requested:</u>	\$94,614.22
<u>Approved in current budget (Yes / No):</u>	YES
<u>Expenditure (New / Amended):</u>	New
<u>Recurring or one-time:</u>	One-Time
<u>Fund source (Operating / Utility / etc.):</u>	Operating & Fleet Replacement

Attachments

1. MES Buyboard Contract 603-20



MES - Texas
600 Century Plaza Dr.
Suite C-160
Houston, TX 77073

Quote

Date	01/28/2022
Quote #	QT1547944
Expires	01/31/2022
Sales Rep	Herron, Jason R
PO #	
Shipping Method	FedEx Ground

Bill To
LEANDER FIRE DEPT
po Box 319
LEANDER TX 78646
United States

Ship To
LEANDER FIRE DEPT
101 E. Sonny Drive
Leander TX 78641

Item	Alt. Item #	Units	Description	QTY	Unit Sales Pri...	Amount
X8814025305A04			Air-Pak X3 Pro SCBA (2018 Edition) with CGA Cylinder Connection, 4.5, Standard Harness with Parachute Buckles, Standard Belt with No Escape Rope, E-Z Flo Regulator with Quick Connect Hose (Rectus fittings), Universal EBSS Accessory Hose, No Airline Connection, No Spare Harness Kit, SEMS II Pro, No Case, Packaged 2 SCBA Per Box (Black) (Hansen Fittings for the QD Regulators & UEBSS No Longer Available - Rectus Fittings Only!) (Hansen & Rectus Connections Not Compatible)	8	7,026.09	56,208.72
804722-35			CYL&VLV ASSY, C,30YR,45M,4.5	25	1,536.22	38,405.50

Chief Stuart Heater (512) 528-2882
BuyBoard Contract: 603-20

Subtotal	94,614.22
Shipping Cost (FedEx Ground)	0.00
Total	\$94,614.22

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1547944



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of a waiver of Article 8.04, Noise, Section 8.04.001(a) (11) to Arrowmont for the Panda Express project located at 132 W. Metro Drive to provide for three (3) concrete pours beginning at 3:00 a.m. from April 25 - June 25, weather dependent; and requiring Arrowmont to post notifications for nearby tenants a minimum of forty-eight (48) hours in advance of the activities.

BACKGROUND:

Arrowmont Construction is requesting permission for construction activities to begin at 3:00 a.m. from April 25 and completed by June 25 (weather dependent), for a total of three (3) concrete pours at the Panda Express Project site (see attached request). Arrowmont Construction will make every attempt to notify the tenants that are adjacent to the jobsite and they will also post forty-eight (48)- hour notices in and around the property for the residents to view.

RECOMMENDATION:

Staff recommends approval for a variance of the City's Noise Ordinance for construction activities as described in the attached request from Arrowmont Construction for the Panda Express job site.

PRESENTER:

Ross E. Blackketter, P.E., City Engineer

Attachments

1. Noise Variance Request

Engineering Department

Temporary Noise Variance ApplicationChapter 8 Offenses and Nuisances – Article 8.04 Noise - **Sec.8.04.001.a11**

(11) The excavation or grading of land, or the erection, construction, demolition or alteration of any building or structure, between the hours of 9:00 p.m. and 7:00 a.m., within six hundred feet (600') of any occupied residential structure, or that generates, produces or results in any noise or sound that may be heard at the property line of any occupied residential structure; provided that this subsection shall not apply to any such work, construction, repairs or alterations that constitute an urgent necessity for the benefit and interest of the public safety, health or general welfare, e.g., repairs and emergency installations by any public utility, or to any excavation, erection, construction, demolition or alteration authorized by the city council to be undertaken between the hours of 9:00 p.m. and 7:00 a.m.

City Council meetings are held on the first and third Thursday each month. Any applications must be received by the City not later than Tuesday the week before the desired meeting date.

1. Reasons for requesting a Temporary Noise Variance from the City of Leander (e.g. Construction Activities, Concrete pours, etc.)

WE ARE Looking to mitigate ANY heat Related issues
to our concrete pour along with keeping traffic interruption
to both neighbors and businesses.

2. List any noise generating equipment that will be operated during the variance window (e.g. Light plants, Generators, Backhoe, concrete saw, vacuum, etc.)

Light towers w/generators, concrete trucks and
concrete pump trucks

3. List any measures that will be taken to reduce the impacts to neighbors. (e.g. No alarms, whistles or sirens will be used, we will notify the neighbors, etc.)

Posting notices of upcoming pours, loading and
working as far from Residential Neighbors as
possible



Engineering Department
Temporary Noise Variance Application

Project Address: 132 W Metro dr. OR Location: _____

Description of Work: new build of a PANDA EXPRESS Restaurant.

In the fields below, please enter the start date and time for the construction activities including setup and traffic control. For the stop date use the ending day and time the variance will be needed including clean up.

Start Date: 4-25-2022 Start Time: 3 am

Finish Date: 6-25-2022 Finish Time: 8-9 am

Applicant Information:

Name: Thomas Differ Company: Arrowmont Position: Site Superintendent
Address: 1521 Orchard dr. Phone: 603-759-7857 E-mail: Thomas.differ@arrowmontconstructors.com
Leander TX. 78641

Contractor Information:

Name: Jose Torres Company: Arrowmont Position: Project manager
Address: 5605 Garden Vale Phone: 254-2470617 E-mail: jose.torres@arrowmontconstructors.com
Houston TX. 77092



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of Amendment 2 to K. Friese and Associates Task Order KFA-46 for the addition of a twenty-four (24) inch waterline along San Gabriel Parkway, from Pleasant Hill Road to just west of Logan Del Way, and a new elevated water storage tank at the San Gabriel East pump station (CIP W-41), in the amount of \$9,615.00, and authorize the City Manager to execute any and all necessary documents.

BACKGROUND:

The Consultant, K. Friese & Associates, under project W.41, was hired to design the new waterline and elevated storage tank (EST) to accomplish the City's goal of providing BCRUA water to the north and northwest sections of the city. This is a multiphased effort, which followed the construction of the new San Gabriel East pump station, and involved obtaining and procuring rights-of-way from private landowners and developers. The new water line was planned to be within the right-of-way of the new sections of San Gabriel Parkway, between CR 270 and Ronald Reagan Boulevard.

After construction had started, a separate consultant designing the Phase 3 section of the San Gabriel Parkway between CR 270 and Palmera Bluff, determined that a section of the road would have to be rerouted. This change required additional services from K. Friese to redesign part of the drawings for lateral water service lines, due to negotiations with the private landowners, now affected by the rerouted road. The additional services under Amendment 2 of KFA-46 will add \$9,615.00 for a total agreement amount of \$454,756.00.

HISTORY/TIMELINE:

8/6/2020 - Task Order KFA-46 to W.41 San Gabriel Parkway twenty-four (24")- inch Water Line and EST project
5/10/2021 - Amendment 01, rerouting waterline and adding taps and valves for Bryson subdivision and Palmera Bluff subdivision.

4/21/2022 - Amendment 02, adding taps for landowners to the south of Palmera Bluff section.

RECOMMENDATION:

Staff recommends approval of the additional services under Amendment 2 of KFA-46 from K. Friese and Associates for a total amount of \$454,756.00, and authorizing the City Manager to execute all appropriate documentation.

PRESENTER:

Prepared by: Tony Bettis, PMP, CIP Project Manager

Fiscal Impact

<u>Amount requested:</u>	\$9615.00
<u>Approved in current budget (Yes / No):</u>	Yes
<u>Expenditure (New / Amended):</u>	Amended
<u>Recurring or one-time:</u>	One-Time
<u>Fund source (Operating / Utility / etc.):</u>	Utility 25-31-8638

Attachments

1. Amendment 2 to Task Order KFA-46
2. Scope & Fees for Amendment 2 to TO KFA-46

TASK ORDER AMENDMENT FOR PROFESSIONAL SERVICES

TASK ORDER AMENDMENT NO. 2 TO TASK ORDER KFA-46

This will constitute authorization by the City of Leander, Texas (Owner), for K Friese & Associates, Inc., Austin, Texas (Engineer), to proceed with the following described engineering services.

CITY OF LEANDER SAN GABRIEL ELEVATED STORAGE TANK & 24-INCH PIPELINE

A. AMENDMENT DESCRIPTION

Additional services for construction administration services related to the San Gabriel Waterline project. A detailed description of the additional services to be performed is attached.

B. SCOPE OF SERVICES

KFA will provide construction administration services as described in the attached Scope of Services.

C. DELIVERABLES

KFA will provide deliverables as described in the attached Scope of Services.

D. BASIS OF COMPENSATION

The total compensation for Amendment 2 to the San Gabriel Waterline project shall be a time and materials amount not to exceed \$9,615.00 without prior authorization from the Owner, for a total authorization amount of \$454,756.00. A Manpower/Budget Estimate is attached. The City shall make payments to the Engineer for performing the engineering services described on a monthly billing basis in accordance with monthly statements submitted by the Engineer and approved by the City. Final payment shall be due upon completion of the services described.

E. TIME FOR COMPLETION

The Engineer will work expeditiously to complete the services described herein in the shortest length of time possible and to coincide with the construction schedule.

KFA will begin work as soon as authorized and as services are requested.

APPROVED:

CITY OF LEANDER, TEXAS

By _____

Title _____

Attest _____

Date _____

ACCEPTED:

K FRIESE + ASSOCIATES

By TL M.O.

Thomas Owens, P.E.
Executive Vice President

Attest CH

Date 04 APR 22

SCOPE OF SERVICES – AMENDMENT 2
SAN GABRIEL ELEVATED STORAGE TANK & 24-INCH PIPELINE

This additional services scope for the San Gabriel Elevated Storage Tank and 24-Inch Pipeline task order will include the design of two (2) 8-inch stub-outs for the properties South of the future San Gabriel Parkway Phase 3 Project, and additional engineering services for the longer construction schedule. The City has received requests from Landowners for access to the proposed water line, so proposed stub-outs will be designed and constructed for the future connections. This work will be incorporated into the San Gabriel Waterline plans and negotiated with the Contractor on that construction project.

The construction duration for the project was originally scheduled to be completed by September 11th, 2021. Due to delays in the construction, the revised final completion date is January 7th, 2022. This amendment includes additional services for the four additional months of construction phase support. If the project is delayed further, an additional amendment may be necessary.

The following Scope details the items that are included in the additional services.

CONSTRUCTION PHASE ADDITIONAL SERVICES (NOT-TO-EXCEED)

1. Additional Construction Phase Support:

- a. Overall internal project management.
- b. Attend regular construction meetings. KFA will attend regular construction meetings with the City of Leander, Contractor, and other parties as appropriate, including preparing the meeting minutes. For budgeting purposes, we have assumed an additional eight (8) meetings.
- c. Site Visits. KFA will visit the site to check the progress of the work and verify general conformance with the project plans and technical specifications. For budgeting purposes, we have assumed an additional eight (8) site visits.

2. Additional Water Connections:

- a. Coordination – KFA will assist the City to coordinate with the Landowners requesting access to the proposed 24-inch water line, proposing two (2) stub-out connections to the South of the future San Gabriel Parkway Phase 3 Project. The crossings of San Gabriel Parkway will be designed by others.
- b. Design – KFA will design the proposed 8-inch stub-outs for the future use of the Landowners.
- c. Plan Sheets – KFA will update two (2) plan & profile sheets for the 8-inch stub-outs related Landowners future access to the 24" San Gabriel Water Line.

SCOPE OF SERVICES – AMENDMENT 2
SAN GABRIEL ELEVATED STORAGE TANK & 24-INCH PIPELINE

- d. Quality Assurance/Quality Control – KFA will review the revised design and plan sheet changes.
- e. Contractor Coordination & Change Orders – KFA will coordinate with the Contractor for the design changes, update all quantities to reflect the changes, and assist in review and negotiation of one (1) Change Order, and prepare one (1) Change Order to be executed for the construction contract related to the Additional Water Connection stub-outs.

**KFA MANPOWER/BUDGET ESTIMATE - SAN GABRIEL ELEVATED STORAGE TANK AND 24" PIPELINE
AMENDMENT 2**

Task		Principal Hours	Project Manager Hours	Project Engineer Hours	EIT Hours	CADD Technician Hours	Clerical Hours	Total Labor Hours	Total Labor Cost	Sub-Consultant Cost	Expenses Cost	Total Cost
Construction Phase (Not to Exceed Tasks)												
1	Construction Phase Services	0	20	16	0	0	1	37	\$6,315	\$0	\$300	\$6,615
a	Project Management		4				1	5	\$875			\$875
b	Construction Plan Reproduction and Dist.							0	\$0			\$0
c	Pre-Construction Conference							0	\$0			\$0
d	Construction Meetings (8)		8	8				16	\$2,720		\$150	\$2,870
e	Site Visits (8)		8	8				16	\$2,720		\$150	\$2,870
f	Submittal Review							0	\$0			\$0
g	Pay Estimate Review							0	\$0			\$0
h	Change Orders							0	\$0			\$0
i	RFI's							0	\$0			\$0
j	Contract Close-out							0	\$0			\$0
k	Record Drawings							0	\$0			\$0
2	Additional Water Connections	0	5	8	8	0	0	21	\$3,000	\$0	\$0	\$3,000
a	Coordination		1	2				3	\$480			\$480
b	Design		1	1	4			6	\$780			\$780
c	Plan Sheets		1	1	4			6	\$780			\$780
d	QA/QC		1					1	\$200			\$200
e	Contractor Coordination & Change Orders		1	4				5	\$760			\$760
Not-to-Exceed Task Totals		0	25	24	8	0	1	58	\$9,315	\$0	\$300	\$9,615
Amendment Totals		0	25	24	8	0	1	58	\$9,315	\$0	\$300	\$9,615

**EXECUTIVE SUMMARY**
04/21/2022**AGENDA SUBJECT:**

Approval of Change Order No. 30 to the construction contract with DeNucci Constructors, LLC for the Northline Phase 1 project, decreasing the City's portion of the contract by the amount of \$338,393.00 in exchange for increasing the developer's portion of the contract by the amount of \$338,393.00; new contract total for City Improvements of \$10,582,444.75; and authorize the City Manager to negotiate and execute any and all necessary documents.

BACKGROUND:

The Northline Phase 1 development project consists of City improvements (streets, drainage, and SWPPP) and developer improvements (water, wastewater, dry utilities, reclaimed water irrigation system, and streetscape). City improvements are being funded by the City's \$15,000,000.00 Certificates of Obligation. Developer improvements are the cost responsibility of the developer. As per the terms of the development agreement for the Northline PUD and the Northline PUD Development and Reimbursement Agreement, TIRZ reimbursement of the City's costs for this project has priority over reimbursement of the developer's costs. The developer's cost for water and wastewater improvements will be by way of water and wastewater impact fee reimbursements and subsidiary TIRZ reimbursements. In accordance with the construction contract, in no event shall the original aggregate total of the combined contract price for the city improvements, the water improvements, and the wastewater improvements be increased by more than twenty-five (25%) percent of such original aggregate total of the combined contract price for the city improvements, the water improvements, and the wastewater improvements.

The construction contract for Northline Phase 1 was awarded to DeNucci Constructors, LLC in the amount of \$13,418,537.00 on February 20, 2020. To date, there have been thirty (30) subsequent change orders, increasing the total contract amount to \$22,788,978.96, an increase of \$9,370,441.96. The developer portion has increased \$8,531,806.21, which is 232% of the original Developer's share of the contract amount.

Change Order 30 replaces Change Order 26, decreasing the cost of the City participation in this project, and adding that cost to the developer. Within this change request, the contractor excavated and removed nine thousand fifty-five (9,055) cubic yards of poor subgrade soil below a new road and replaced it with nine thousand fifty-five (9,055) cubic yards of select fill, providing for a much better subgrade to support a city road. This deducted cost to the City will be \$338,393.00, making the total City portion decrease by \$ 838,635.75, which is nine (9%) percent over the original City's share of the contract amount.

HISTORY/TIMELINE:**Change Order History**

Change Order	Award Date	Increase	City/Developer	Dev. Total	City Total	Contract Total
1	23-Jul-20	\$92,934.87	D	\$3,767,662.87	\$9,743,809.00	\$13,511,471.87
2	23-Jul-20	\$41,773.99	D	\$3,809,436.86	\$9,743,809.00	\$13,553,245.86
3	6-Aug-20	\$11,661.62	C	\$3,809,436.86	\$9,755,470.62	\$13,564,907.48
4	6-Aug-20	\$64,906.10	D	\$3,874,342.96	\$9,755,470.62	\$13,629,813.58
5	13-Aug-20	\$198,304.56	D	\$4,072,647.52	\$9,755,470.62	\$13,828,118.14
6	13-Aug-20	\$59,434.29	D	\$4,132,081.81	\$9,755,470.62	\$13,887,552.43

7	14-Sep-20	\$368,736.01	D	\$4,500,817.82	\$9,755,470.62	\$14,256,288.44
8	5-Nov-20	\$46,075.74	C	\$4,500,817.82	\$9,801,546.36	\$14,302,364.18
9	6-Nov-20	\$9,968.70	D	\$4,510,786.52	\$9,801,546.36	\$14,312,332.88
10	6-Nov-20	\$-	C	\$4,510,786.52	\$9,801,546.36	\$14,312,332.88
11	9-Nov-20	\$112,619.64	D	\$4,623,406.16	\$9,801,546.36	\$14,424,952.52
12	18-Feb-21	\$355,101.47	C	\$4,623,406.16	\$10,156,647.83	\$14,780,053.99
13	25-Feb-21	\$-	D	\$4,623,406.16	\$10,156,647.83	\$14,780,053.99
14	N/A	\$357,707.61	N/A	\$4,981,113.77	\$10,156,647.83	\$15,137,761.60
15	12-May-21	\$151,749.52	D	\$5,132,863.29	\$10,156,647.83	\$15,289,511.12
16	17-Jun-21	\$286,014.16	C	\$5,132,863.29	\$10,442,661.99	\$15,575,525.28
17	13-Jun-21	\$1,899,292.34	D	\$7,032,155.63	\$10,442,661.99	\$17,474,817.62
18	1-Jul-21	\$89,806.24	C	\$7,032,155.63	\$10,532,468.23	\$17,564,623.86
19	21-Aug-21	\$529,682.59	D	\$7,561,838.22	\$10,532,468.23	\$18,094,306.45
20	29-Oct-21	\$362,979.34	D	\$7,924,817.56	\$10,532,468.23	\$18,457,285.79
21	16-Nov-21	\$--	C	\$7,924,817.56	\$10,532,468.23	\$18,457,285.79
22	18-Jan-22	\$49,976.52	C	\$7,924,817.56	\$10,582,444.75	\$18,507,262.31
23	10-Jan-22	\$2,934,051.14	D	\$10,858,868.70	\$10,582,444.75	\$21,441,313.45
24	10-Feb-22	\$77,410.39	D	\$10,936,279.09	\$10,582,444.75	\$21,518,723.84
25	10-Feb-22	\$134,475.20	D	\$11,070,754.29	\$10,582,444.75	\$21,653,199.04
26	03-Mar-22	\$338,393.00	C	\$11,070,754.29	\$10,920,837.75	\$21,991,592.04
27	03-Mar-22	\$577,543.35	D	\$11,648,297.64	\$10,920,837.75	\$22,569,135.39
28	14-Mar-22	\$219,843.57	D	\$11,868,141.21	\$10,920,837.75	\$22,788,978.96
29	09-Mar-22	\$--	C	\$11,868,141.21	\$10,920,837.75	\$22,788,978.96
30	Pending	\$0.00	D	\$12,206,534.21	\$10,582,444.75	\$22,788,978.96

RECOMMENDATION:

Staff recommends approval of Change Order No. 30 to the construction contract with DeNucci Constructors, LLC, for the Northline Phase 1 project for city improvements, increasing the contract term by zero (0) days and the total contract cost by zero (\$0.00) dollars; and authorization of the City Manager to negotiate and execute any and all necessary documents.

PRESENTER:

Ross E. Blacketter, P.E., City Engineer

Attachments

1. Northline Change Order 30

CHANGE ORDER NO.: 30

Developer (Owner):	Northline Leander Development Company, LLC	Developer's Project No.:	19-TOD-PCIP-032
City (Owner):	City of Leander	City's Project No.:	19-TOD-PCIP-032
Engineer:	WGI	Engineer's Project No.:	30174028, 30184028
Contractor:	DeNucci Constructors, LLC	Contractor's Project No.:	40163
Project:	Northline – Phase 1		
Contract Name:	Northline – Phase 1		
Date Issued:	3/15/2022	Effective Date of Change Order:	3/15/2022

The Contract is modified as follows upon execution of this Change Order:

Description: **Developer and City Related Item CO:**

COP 83 Move COP #70 Select Fill from City Contract to Developer Contract

Attachments: COP 83

Change in Contract Price		Change in Contract Times	
Original Contract Price:		Original Contract Times:	
Developer Contract:	\$3,674,728.00	Substantial Completion:	540 days
City Contract	\$9,743,809.00	Ready for final payment:	90 days Following
Increase from previously approved Change Orders No. 1 to No.28 REV 1		Increase from previously approved Change Orders 1 to No 28 REV 1	
Developer Contract:	\$8,193,413.21	Substantial Completion:	374
City Contract	\$1,177,28.75	Ready for final payment:	0
Contract Price prior to this Change Order:		Contract Times prior to this Change Order:	
Developer Contract:	\$11,868,141.21	Substantial Completion:	914
City Contract	\$10,920,837.75	Ready for final payment:	90 days Following
Increase this Change Order:		Increase this Change Order:	
Developer Contract:	338,393.00	Substantial Completion:	10
City Contract	-338,393.00	Ready for final payment:	0
Contract Price incorporating this Change Order:		Contract Times with all approved Change Orders:	
Developer Contract:	\$12,206,534.21	Substantial Completion:	924
City Contract	\$10,582,444.75	Ready for final payment:	90 days Following

SIGNATURES:

Recommended by Engineer:

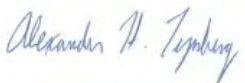
WGI



Signature Date 2022.03.16

Authorized by Developer (if required):

Northline Leander Development Company, LLC



Signature Date 3/17/22

Authorized by City (if required):

City of Leander

Signature Date

Accepted by GC:

DeNucci Constructors, LLC



Signature Date 3/15/22

CHANGE ORDER PROPOSAL

Contractor: DeNucci Constructors, LLC.

Project Name: Northline Ph 1

Change Order Proposal Number: 83 Date: 3/15/2022

Description: COP to move Select Fill change order (COP #70) from City contract to Developer contract. RESULT IS -0- NET CHANGE TO OVERALL PROJECT COST

Labor:	Position	Quantity	RT Hrs	OT Hrs	RT Rate	OT Rate	Total
	General Superintendent				\$84.52		\$0.00
	Superintendent				\$54.32		\$0.00
	Office Engineer				\$37.85		\$0.00
	Office Administrator				\$27.00		\$0.00
	Bookkeeper/AP				\$21.00		\$0.00
	Utility Superintendent				\$48.48		\$0.00
	Operators				\$26.00		\$0.00
	Pipe Layers				\$23.00		\$0.00
	Laborers				\$24.00		\$0.00
	Concrete Superintendent				\$55.00		\$0.00
	Concrete Form Setter				\$31.00		\$0.00
	Concrete Finisher				\$26.00		\$0.00
	Delivery Driver				\$30.00		\$0.00
	Truck Driver				\$35.00		\$0.00
Subtotal							\$0.00

Material	Description	Quantity	Unit	Rate	Total
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Subtotal					\$0.00

Subcontractors	Description	Total
	Select Fill COP #70 City of Leander Contract	\$ (338,393.00)
	Select Fill COP #70 Developer Contract	\$ 338,393.00
Subtotal		\$0.00

Unit Pricing	Description	Quantity	Unit	Price	Total
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Subtotal					\$0.00

Equipment:	Description	Quantity	Unit	Operating Cost/Day	FHWA Rate	Total
	304 Mini Excavator		HRS		\$32.96	\$0.00
	329 Excavator		HR		\$138.11	\$0.00
	299 Skidsteer		HR		\$51.11	\$0.00
	Triaxle Truck		Day		\$650.00	\$0.00
						\$0.00
						\$0.00
Subtotal						\$0.00

Labor		\$0.00
Labor Burden	55%	\$0.00
Labor P&O	15%	\$0.00
Material		\$0.00
Material P&O	25%	\$0.00
Subcontractor		\$0.00
Subcontractor P&O	25%	\$0.00
Unit Price Item		\$0.00
Equipment		\$0.00
Bond	1%	\$0.00
TOTAL		\$0.00

Additional days requested: 0



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of Amendment 1 to Kimley-Horn and Associates, Inc. Task Order KH-04 for the Roadway Impact Fee Study, for four (4) additional meetings and related services; increasing the amount by \$5,000.00 for new total not to exceed \$120,000.00; and authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.

BACKGROUND:

On August 19, 2021, City Council approved hiring Kimley-Horn and Associates, Inc. to perform the Roadway Impact Fee Study for the City of Leander. Task Order, KH-04 states that the study will be complete by April 2022. The date of completion is dependent on the number of meetings that need to be held with the Capital Improvement Advisory Committee and the City Council. Due to the number of meetings held, and delaying the completion of the study until June 2022, Kimley-Horn is requesting an increase of \$5,000.00 to the task order due to increased costs. This will increase the task order amount to the not-to-exceed amount of \$120,000.00.

RECOMMENDATION:

Staff requests approval of Amendment 1 to Task Order KH-04, increasing the amount by \$5,000.00 to a new total of \$120,000.00; and authorizing the City Manager to negotiate and execute all necessary documents.

PRESENTER:

Ross E. Blackketter, P.E., City Engineer

Fiscal Impact

Amount requested: \$5,000
Approved in current budget (Yes / No): Yes
Expenditure (New / Amended): Amended
Recurring or one-time: One-time
Fund source (Operating / Utility / etc.): Operating 12-01-5600

Attachments

1. Amendment 1 to KH-04

**Amendment 1 to Task Order KH-04 between
The City of Leander and Kimley-Horn and Associates, Inc.**

AMENDMENT NUMBER 1 DATED April 21, 2022 to the agreement between The City of Leander ("OWNER") and Kimley-Horn and Associates, Inc., ("Engineer") dated January 23, 2020 ("the Agreement") concerning the Roadway Impact Fee Study (the Project).

The Professional has entered into the Agreement with OWNER for the furnishing of professional services, and the parties now desire to amend the Agreement by adding an additional task with a cost of \$5,000, increasing the total project cost to \$120,000.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Engineer and provisions for additional compensation by the OWNER to the Engineer, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

OWNER:

City of Leander

ENGINEER:

Kimley-Horn and Associates, Inc.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

The services currently authorized to be performed by Engineer in accordance with the Agreement shall be modified as followed:

TASK 1 PROJECT INITIATION, EDUCATION, AND MANAGEMENT

No change from original scope.

TASK 2 LAND USE ASSUMPTIONS

No change from original scope.

TASK 3 MASTER PLAN REVIEW AND IMPACT FEE CIP

No change from original scope.

TASK 4 MAXIMUM FEE CALCULATION AND RATE ANALYSIS

No change from original scope.

TASK 5 FINANCIAL CREDIT CALCULATION ANALYSIS

No change from original scope.

TASK 6 DOCUMENTATION AND ADOPTION PROCESS

No change from original scope.

TASK 7 ADMINISTRATIVE TOOLS AND IMPLEMENTATION SUPPORT

No change from original scope.

TASK 8 ADDITIONAL MEETINGS (NEW TASK)

Engineer will prepare for and attend up to an additional four (4) meetings with the CIAC, City Council, and staff for the adoption process.

Additional Services

Any services not specifically provided for in the above scope will be considered additional services and can be performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Additional meetings with staff;
- Additional public meetings;
- Revisions to the Transportation Master Plan;
- Traffic Counts; and
- Major re-works required as a result of City comments that are inconsistent with Kimley-Horn's original direction from the City.

This list is included not only to clarify what is included in this scope of services, but to make the Client aware of other project needs that could be met by Kimley-Horn and Associates, Inc., if requested and authorized. Kimley-Horn will not offer inspection or contractor invoicing as part of this project.

Payment Terms

Payment shall be hourly as shown in Article D of this Contract. This amount shall be payable by the City hourly based on monthly billing. The below is provided for the estimated hours in support of the revised not to exceed amount of \$120,000.

TASK DESCRIPTION	Project Manager	Senior Engr (QC)	Engineer	Analyst	Acct'g Admin	Clerical	Subtotal Hours	Cost of Labor Task	Expenses / Subconsultant	Task Cost
Task 1 Project Initiation, Education and Management										
A. Project Kick-Off Meeting and Impact Fee 101	6						6	\$ 1,110.00		\$ 1,110.00
B. Project Team Status Meetings and Coordination	12	2		12			26	\$ 4,330.00	\$ 1,200.00	\$ 5,530.00
C. Project Status Reports and Invoicing	3			9	9	9	30	\$ 3,300.00		\$ 3,300.00
D. Service Areas	4	2		10				\$ 2,580.00		\$ 2,580.00
E. Project Education	4			4			8	\$ 1,280.00	\$ 600.00	\$ 1,880.00
Task Totals	29	4	0	35	9	9	70	\$ 12,600.00	\$ 1,800.00	\$ 14,400.00
Task 2 Land Use Assumptions										
A. Data Collection	1			4			5	\$ 725.00		\$ 725.00
B. Ten-Year Land Use Assumptions	3	2		24			29	\$ 4,275.00		\$ 4,275.00
Task Totals	4	2	0	28	0	0	34	\$ 5,000.00	\$ -	\$ 5,000.00
Task 3: Master Plan Review and Impact Fee Capital Improvements Plan (CIP)										
A. Data Collection	2			4			6	\$ 910.00		\$ 910.00
B. Master Plan Review	12	2	10	10			34	\$ 5,610.00		\$ 5,610.00
C. Ten-Year Growth Projections and Capacity Analysis	5		8	20			33	\$ 4,900.00		\$ 4,900.00
D. Roadway Impact Fee Capital Improvements Plan	30	6	48	48			132	\$ 21,000.00		\$ 21,000.00
E. Meetings							0	\$ -		\$ -
F. Deliverables	4			8		8	20	\$ 2,580.00		\$ 2,580.00
Task Totals	54	8	66	90	0	8	226	\$ 35,000.00	\$ -	\$ 35,000.00
Task 4: Maximum Fee Calculations and Rate Analysis										
A. Pre-Credit Maximum Assessable Roadway Impact Fee Calculation	8	2		12			22	\$ 3,505.00		\$ 3,505.00
B. Financial Analysis	5	2		8			15	\$ 2,495.00		\$ 2,495.00
C. Meetings							0	\$ -		\$ -
D. Deliverables							0	\$ -		\$ -
Task Totals	13	4	0	20	0	0	37	\$ 6,000.00	\$ -	\$ 6,000.00
Task 5: Financial Credit Calculation Analysis										
A. Financial Credit Calculation									\$ 20,000.00	\$ 20,000.00
Task Totals									\$ 20,000.00	\$ 20,000.00
Task 6: Roadway Impact Fee Document and Adoption Process										
A. Document	14	3	20	20		8	65	\$ 9,792.50		\$ 9,792.50
B. Deliverables	2			5		6	13	\$ 1,615.00		\$ 1,615.00
C. Adoption Process (6 meetings)	30	6		12			48	\$ 8,572.50	\$ 500.00	\$ 9,072.50
D. Stakeholder Engagement (3 Meetings)	15	3		6			24	\$ 4,320.00	\$ 200.00	\$ 4,520.00
Task Totals	60	12	20	43	0	14	149	\$ 24,300.00	\$ 700.00	\$ 25,000.00
Task 7: Administrative Tools and Implementation Support										
A. Estimator Worksheet	10		12	30			52	\$ 7,750.00		\$ 7,750.00
B. Implementation	10						10	\$ 1,850.00		\$ 1,850.00
Task Totals	20	0	12	30	0	0	62	\$ 9,600.00	\$ -	\$ 9,600.00
Task 8: Additional Meetings										
A. Adoption Process (4 Meetings)	20	1		8			29	\$ 5,000.00		\$ 5,000.00
Task Totals	20	1	0	8	0	0	29	\$ 5,000.00	\$ -	\$ 5,000.00
Grand Total Hours =	199	31	98	254	9	31	606	Grand Total Cost = \$ 120,000.00		



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of a Special Event Permit and street closures for the Sunset Music Series: Juneteenth Jubilee to be held on June 18, 2022 in Old Town Park.

BACKGROUND:

The City of Leander will host the final session of the Sunset Music Series on Saturday, June 18th from 4:00pm – 8:00pm. Unlike the other sessions of the Sunset Music Series, this session will feature family friendly competitions and carnival rides.

A special permit is requested for street closures for the event.

The following streets are proposed to be closed from 1:30 p.m. to 9:00 p.m. on the day of the event:

- South Street at the west side intersection of Bagdad Street
- LISD parking lot entrance at Bagdad Street and South Street
- Brushy Street at the south side of the intersection with South Street
- South Street at the east side intersection of Brushy Street
- Brushy Street at the south side intersection of W. Willis Street
- Bagdad Street at the south side intersection of W. Willis Street

Additional Considerations:

- The Parks and Recreation Department to provide planning and organization of the event with regard to application, set up, tear down, booking performers and entertainment.
- Ensure the grounds are as presentable as possible (i.e. mowed, trimmed; treat for fire ants, etc.) immediately prior to the event.
- Along with other City Departments, setup and remove blockades for event as needed.
- Place waste cans and dispose of trash.

RECOMMENDATION:

Staff respectfully requests Council approval of a special permit to allow for street closures at the times and locations referenced above. Approval is also recommended for the additional considerations outlined.

PRESENTER:

Mark Tummons, Director of Parks and Recreation

Attachments

1. 2022 Juneteenth Site Plan



- Vendor Booths
- Street Closure
- Stage

2022 Sunset Music Series: Juneteenth Jubilee Site Plan

Saturday, June 18, 2022 from 4:00pm - 8:00pm



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of a Special Event Permit for the 10th Annual Leander Bull Riding Shootout to be held on May 7, 2022 with a contingency date of May 21, 2022 at the South San Gabriel River Park Property, Leander, Williamson County, Texas.

BACKGROUND:

The Broken G Rodeo Company has requested a special event permit to use the South San Gabriel River Park property for the rodeo to be held on May 7, 2022. In the event of rain or inclement weather the contingency date would be May 21, 2022. They intend to access the property a few days prior to the event to set up the rodeo arena and then the following two (2) days after the event to take it down.

Broken G is a professional bull riding company that has produced several fundraising events for Rouse High School and Leander High School FFA. Broken G is owned and operated by Louie Garcia of Cedar Park, Texas. This event has taken place on this property since 2018 and there have been no issues. They have been approved for this permit with the Leander Fire Department, Police Department, and Parks and Recreation.

Broken G will provide the following:

- Emergency Action Plan
- Traffic Control and Security
- EMS Medical standby
- Texas Alcohol and Beverage Commission special event license to sell beer
- Williamson County Food Handler Permit to prepare and sell food
- Proof of Insurance naming the City of Leander as an insured party

APPLICANT/AGENT:

Louie Garcia, Owner Broken G Rodeo

RECOMMENDATION:

Staff respectfully recommends Council approve the use of the South San Gabriel River Park Property for the event to be held on May 7, 2022, with the contingency date of May 21, 2022 contingent upon meeting all the above conditions.

PRESENTER:

Mark Tummons, Director of Parks and Recreation

Attachments

1. Special Event Permit Application
2. Event Details
3. Event Permit issued by Leander Fire Dept

Leander Parks and Recreation



Special Event Permit Application

Phone: 512.528.9909 Fax: 512.528.9228

Applicant/Organization Name:

BROKEN G RODEO

Type of Organization:

RODEO

Name & Contact Information of Responsible Individual:

LOUIE GARCIA

201 THOMPSON CEDAR PARK TX 78641

Address, State & Zip Code

512-680-9975

Daytime Phone No.

512-680-9975

Mobile Phone No.

BROKENGRODEO.COM

Email Address

Description of Event (Provide the date and time, facilities needed, park location, describe activities, target audience and expected attendance, admission fees or other charges and proceeds recipient, type of entertainment to be provided, etc.)

20 HEAD BULLRIDING, 20 STEEP RIDING, BAND AND FULL CONCESSION (FFA)
MAY 7TH - 7PM \$15 ADULT, \$7 CHILD, SO IN ATTENDANCE

- Rainout date 5/21/22 -

City Services Needed (Check all that apply)

Utilities: _____ Electricity _____ Restrooms _____ Water

Sanitation/Litter Pick Up & Removal: _____ By City _____ By Others (Who) _____

Security: _____ By City _____ By Others (Describe) _____

Will alcohol be served or sold? _____ No ☒ Yes (If so, explain) VIP TENT

Will the proposed activity interfere or detract from the general public use of the area?

☒ No _____ Yes (If so, explain) _____

Will the proposed activity adversely impact or affect City, adjacent or nearby property owners?

☒ No _____ Yes (If so, explain) _____

Will the activity cause or create health or safety risks to the public, or damage to other property?

☒ No ☐ Yes (If so, explain) _____

Will the event require local or state permits, or violate any federal, state or municipal laws?

☒ No ☐ Yes (If so, explain) _____

What measures will be taken to prevent/minimize adverse impacts or affects?

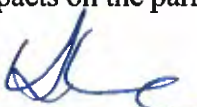
SEE PLAN OF ACTION

☒ **Proof of Insurance** (If required, the *Proof of Insurance* must include a general liability insurance policy, written by a company acceptable to the City and licensed to do business in Texas, with a combined single limit of not less than \$1 million, which coverage may be provided in the form of a rider and/or endorsement to a previously existing insurance policy. Such insurance coverage shall include the City as an additional-insured. This insurance coverage shall cover all perils arising from the activities of the permitted event, its officers, employees, agents, or contractors, relative to the permit, or otherwise within the public property identified in the permit. Applicant shall be responsible for any deductibles stated in the policy. The certificate of insurance evidencing such coverage shall be delivered to the City no later than 48 hours before the permitted event. Applicant shall not cause any insurance to be canceled nor permit any insurance to lapse during the permitted event.

Indemnification

By signing below, the Applicant hereby indemnifies, defends and holds harmless the City, its officers, agents and employees against all claims, suits, demands, judgments, expenses, including attorney's fees, or other liability for personal injury, death, or damage to any person or property which arises from or is in any manner caused by permitted activities.

The Applicant further understands that the Parks & Recreation Director may impose reasonable restrictions and conditions of the granting of a permit dependent upon the type and nature of the proposed activity and impacts on the park or community.


Applicant Signature

01-27-22
Date

For Official Use Only.

City services to be provided: _____

Fee (Amount): 300.00 Rec'd? _____ Security Deposit (Amount) 300.00 Rec'd _____

Restrictions/Special Conditions: _____

APPROVALS: _____ Police _____ Fire _____ Permits _____ City Manager _____ City Council (Date) _____
_____ Other (Specify) _____

10th ANNUAL LEANDER BULL RIDING SHOOTOUT EVENT PERMIT

Event Coordinator: Louie Garcia president and owner

This Information Is to be added to and Is In conjunction with the original permit paperwork for this event This Is additional Information as requested.

Broken G Rodeo recognizes the need for and is committed to providing all necessary means to ensure a safe and successful event in accordance with all City of Leander laws and ordinances.

- The bull riding event will take place at 2201 u.s.183 in Leander on May 7, 2022. Rain Out date would be May 21, 2022.
- The event will consist of a professional bull riding, a mutton bustin' for the younger kids, live music venue, and a few vendor locations.
- Entry and Exit to the event have been noted on the plans. Broken G Rodeo will process vehicles into the event in a timely fashion to not have a lot of backup onto 183.
- The vehicles will be processed onto the property and parked In an organized manner to keep all traffic lanes clear and access for response units In case of an emergency.
- The ranch road on the property will be blocked off and no parking will be allowed on the ranch road to allow for emergency vehicle at all times. A 10 foot easement on each side of the ranch road will be part of this emergency lane to allow for the use of larger emergency vehicles if needed.
- An emergency access has been set up to the north of the bull ride arena for emergency response. This area will remain clear of all vehicles and public access during the entire event.
- A total of 6 generator light sets will be on the property. These light sets have been set up In a manner to provide adequate lighting and power for the event as well as taking the safety of the public Into consideration.
- The bull riding portion of the event is being run by Broken G Rodeo Co. No one except Broken G Rodeo employees and the participants will have access to the chutes and holding area. The fence lines on the pasture have been walked and will hold in case an animal gets loose.
- Broken G Rodeo Co. has over 20 volunteers for the event to ensure a smooth and safe event. There is a dedicated supervisor for all areas of the event that report to the event coordinator: gate entry, parking, emergency & Insurance compliance, vendor area, and arena/stage.
- An Emergency Action Plan has been put in place and will be executed In the case of a ny type of emergency. All Broken G Rodeo and volunteers will be briefed and provided a copy prior to the event.



City of Leander Special Event Permit

101 E. Sonny Dr.
Leander, TX 78641
(512) 528-2983

This Special Event Permit issued pursuant to the requirements of the City of Leander's Code of Ordinances certifying that at the time of issuance this event was in compliance with the various ordinances of the jurisdiction regulating the use for the following:

Use Classification: SPECIAL EVENT

Project Number: 2022-39903

Event Name: LEANDER BULLRIDING SHOOTOUT - 2022

Event Type: BULLRIDING

Event Date: SATURDAY MAY 7TH, 2022

Event Time: 7PM-12AM

Event Set-Up Date: FRIDAY MAY 6TH, 2022

Event Set Up Time: 8AM

Sponsor of Event: BROKEN G RODEO

Applicant of Event: LOUIE GARCIA

Permitted Address: 2255 N US 183, LEANDER, TX 78641

Permit Stipulations: FM COMMENTS: Fire special event inspection required; to include inspections of any mobile food truck, food booth and/or large fuel cooking processes, and tents greater than 200 sqft. Please coordinate with Fire Administration or call Fire Inspection Request line at (512) 528-2748 or lfprevention@leandertx.gov when setup and ready for inspections. Inspections must be completed prior to event. A separate tent permit and associated inspection is required.



Fire Chief/EMC, City of Leander



Issue Date



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of Development Agreement Case 22-DA-005 regarding the Maple Ranch Development on one (1) parcel of land approximately 8.26 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R473797; and generally located to the southwest of the intersection Palmera Ridge Boulevard and Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.

BACKGROUND:

The purpose of this Development Agreement is to implement masonry standards associated with the project. This agreement will allow for the City to enforce the development standards set forth in the agreement through the building permit, inspection, and certificate of occupancy processes by this agreement, given that House Bill 2439 adopted in the 86th Legislative Session limits the ability of cities to enforce certain development standards governing building materials by ordinance.

This agreement requires that all structures are comprised of one hundred percent (100%) masonry. Masonry includes stone, brick, stucco, or factory tinted split faced concrete masonry unit.

APPLICANT/AGENT:

Curtis Thigpen

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Development Agreement
2. Location Exhibit

**MASONRY DEVELOPMENT AGREEMENT
ESTABLISHING DEVELOPMENT STANDARDS
FOR THE MAPLE RANCH APARTMENTS**

This Development Agreement Establishing Development Standards for the **Maple Ranch Site Development** (the "Agreement") is made and entered into, effective as of the ____ day of _____, 20____, by and between the **City of Leander, Texas**, a Texas home rule municipal corporation (the "City"), and **Paravel Maple Ranch, LP** (the "Developer"). The City and the Developer are sometimes referred to herein as the "Parties." The Parties agree as follows.

Section 1. Purpose; Consideration.

- (a) The Developer owns that certain 8.258 acre tract located in Williamson County, Texas, being more particularly described in **Exhibit A** attached hereto and incorporated herein for all purposes (the "Property") and wishes to develop the Property for 168 Apartment Units of Multi-Family (the "Development"). The Developer desires that the City be able to enforce the development standards set forth herein through its building permit, inspection, and certificate of occupancy processes by this agreement, given that House Bill 2439 adopted in the 86th Legislative Session limits the ability of cities to enforce certain development standards governing building materials by ordinance.
- (b) The Developer will benefit from the City enforcing the Development Standards as set forth herein because it will be more efficient and cost-effective for compliance to be monitored and enforced through the City's building permit and inspection processes and will help ensure that the Development is built out as planned by the Developer after conveyance to the builder of homes or other buildings and structures authorized by the applicable zoning regulations. The City will benefit from this Agreement by having assurance regarding certain development standards for the Development, having certainty that such Development Standards may be enforced by the City, and preservation of property values within the City.
- (c) The benefits to the Parties set forth in this Section 1, plus the mutual promises expressed herein, are good and valuable consideration for this Agreement, the sufficiency of which is hereby acknowledged by both Parties.

Section 2. Term; Termination.

- (a) The term of this Agreement shall be in full force and effect from the Effective Date hereof, subject to earlier termination as provided in this Agreement. Unless earlier terminated as provided in this Agreement, this Agreement shall terminate upon the issuance of the final certificate of occupancy for the final structure in the Development.
- (b) The Parties further mutually agree that this Agreement shall be in full force and effect upon the date above first written, provided that the City may terminate this Agreement if Developer defaults under the terms of this Agreement, subject to the notice and cure provisions in Section 6.

Section 3. Development Standards.

- (a) Development Requirements.** The exterior wall standards set forth in this section shall apply to the structures located on the Property. At least one hundred percent (100%) of the combined exterior surface area of all walls, including all stories of buildings / structures, shall consist of stone, brick, painted or tinted stucco, or similar material approved by the Director of Planning.
- (b) Building Permits.** The Developer acknowledges and agrees that compliance with Section 3(a) will be a condition of issuance of building permits and certificates of occupancy. Developer further agrees that the City may use its building permitting, inspection, and enforcement processes and procedures to enforce the requirements of Section 3(a) above, including but not limited to rejection of applications and plans, stop work orders, and disapproval of inspections for applications and/or work that does not comply with this Agreement. Applications and plans for a building permit must demonstrate compliance with this Agreement in order for a building permit to be issued. Applications for building permits must be in compliance with this Agreement, as well as the Applicable Regulations, in order for such application to be approved and a building permit issued. Plans demonstrating compliance with this Agreement must accompany a building permit application and will become a part of the approved permit. Any structure constructed on the Property must comply with this Agreement and the Applicable Regulations for a certificate of occupancy to be issued for such structure.

Section 4. Development of the Property. Except as modified by this Agreement, the Development and the Property will be developed in accordance with all applicable local, state, and federal regulations, including but not limited to the City's ordinances and the zoning regulations applicable to the Property, and such amendments to City ordinances and regulations that that may be applied to the Development and the Property under Chapter 245, Texas Local Government Code, and good engineering practices (the "Applicable Regulations"). If there is a conflict between the Applicable Regulations and the Development Standards, the Development Standards shall control.

Section 5. Assignment of Commitments and Obligations; Covenant Running with the Land.

- (a)** Developer's rights and obligations under this Agreement may be assigned by Developer to one (1) or more purchasers of all or part of the Property; provided the City Council must first approve and consent to any such assignment by Developer of this Agreement or of any right or duty of Developer pursuant to this Agreement, which consent shall not be unreasonably withheld or delayed.
- (b)** This Agreement shall constitute a covenant that runs with the Property and is binding on future owners of the Property, and a copy of this Agreement shall be recorded in the Official Public Records of Williamson County, Texas. The Developer and the City acknowledge and agree that this Agreement is binding upon the City and the Developer and their respective successors, executors, heirs, and assigns, as applicable, for the term of this Agreement.

Section 6. Default. Notwithstanding anything herein to the contrary, no party shall be deemed to be in default hereunder until the passage of fourteen (14) business days after receipt by such party of notice of default from the other party. Upon the passage of fourteen (14) business days without cure of the default, such party shall be deemed to have defaulted for purposes of this Agreement; provided that if the nature of the default is that it cannot reasonably be cured within the fourteen (14) business day period, the defaulting party shall have a longer period of time as may be reasonably necessary to cure the default in question; but in no event more than sixty (60) days. In the event of default, the non-defaulting party to this Agreement may pursue the remedy of specific performance or other equitable legal remedy not inconsistent with this Agreement. All remedies will be cumulative and the pursuit of one authorized remedy will not constitute an election of remedies or a waiver of the right to pursue any other authorized remedy. In addition to the other remedies set forth herein, the City may withhold approval of a building permit application or a certificate of occupancy for a structure that does not comply with the Development Standards.

Section 7. Reservation of Rights. To the extent not inconsistent with this Agreement, each party reserves all rights, privileges, and immunities under applicable laws, and neither party waives any legal right or defense available under law or in equity.

Section 8. Attorneys Fees. In the event of action pursued in court to enforce rights under this Agreement, the prevailing party shall be entitled to its costs and expenses, including reasonable attorneys' fees, incurred in connection with such action.

Section 9. Waiver. Any failure by a party to insist upon strict performance by the other party of any provision of this Agreement will not, regardless of length of time during which that failure continues, be deemed a waiver of that party's right to insist upon strict compliance with all terms of this Agreement. In order to be effective as to a party, any waiver of default under this Agreement must be in writing, and a written waiver will only be effective as to the specific default and as to the specific period of time set forth in the written waiver. A written waiver will not constitute a waiver of any subsequent default, or of the right to require performance of the same or any other provision of this Agreement in the future.

Section 10. Force Majeure.

- (a) The term "force majeure" as employed herein shall mean and refer to acts of God; strikes, lockouts, or other industrial disturbances; acts of public enemies, orders of any kind of the government of the United States, the State of Texas or any civil or military authority; insurrections; riots; epidemic; landslides; lightning, earthquakes; fires, hurricanes; storms, floods; washouts; droughts; arrests; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines, or canals; or other causes not reasonably within the control of the party claiming such inability.
- (b) If, by reason of force majeure, any party hereto shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such party shall give written notice of the full particulars of such force majeure to the other party within ten (10) days after the occurrence thereof. The obligations of the party giving such notice, to the extent effected by the force majeure, shall be suspended during the continuance of the inability claimed, except as hereinafter provided, but for no longer period, and the party shall endeavor to remove or

overcome such inability with all reasonable dispatch.

- (c) It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the party having the difficulty, and that the above requirement that any Force Majeure shall be remedied with all reasonable dispatch shall not require that the settlement be unfavorable in the judgment of the party having the difficulty.

Section 11. Notices. Any notice to be given hereunder by any party to another party shall be in writing and may be effected by personal delivery or by sending said notices by registered or certified mail, return receipt requested, to the address set forth below. Notice shall be deemed given when deposited with the United States Postal Service with sufficient postage affixed.

Any notice mailed to the City shall be addressed:

City of Leander
Attn: City Manager
P.O. Box 319
Leander, Texas 78641
Williamson County

with copy to:

The Knight Law Firm, LLP
Attn: Paige H. Saenz, Partner
223 West Anderson Lane, Suite A-105
Austin, Texas 78752
Travis County

Any notice mailed to the Developer shall be addressed:

Paravel Maple Ranch, LP
Attn: Curtis Thigpen
1509 Old W. 38th Street, Ste. 3
Austin, Texas 78731
Travis County

Any party may change the address for notice to it by giving notice of such change in accordance with the provisions of this section.

Section 12. Waiver of Alternative Benefits. The Parties acknowledge the mutual promises and obligations of the Parties expressed herein are good, valuable and sufficient consideration for this Agreement. Therefore, save and except the right to enforce the obligations of the City to perform each and all of the City's duties and obligations under this Agreement, Developer hereby waives any and all claims or causes of action against the City Developer may have for or with respect to any duty or obligation undertaken by Developer pursuant to this Agreement, including any benefits that may have been otherwise available to Developer but for this Agreement.

Section 13. Severability. Should any court declare or determine that any provisions of this Agreement is invalid or unenforceable under present or future laws, that provision shall be fully

severable; this Agreement shall be construed and enforced as if the illegal, invalid, or unenforceable provision had never comprised a part of this Agreement and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Agreement. Furthermore, in place of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Agreement a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable. Texas law shall govern the validity and interpretation of this Agreement.

Section 14. Agreement and Amendment. This Agreement, together with any exhibits attached hereto, constitutes the entire agreement between Parties and may not be amended except by a writing approved by the City Council of the City that is signed by all Parties and dated subsequent to the date hereof.

Section 15. No Joint Venture. The terms of this Agreement are not intended to and shall not be deemed to create any partnership or joint venture among the parties. The City, its past, present and future officers, elected officials, employees and agents, do not assume any responsibilities or liabilities to any third party in connection with the development of the Property. The City enters into this Agreement in the exercise of its public duties and authority to provide for development of property within the City pursuant to its police powers and for the benefit and protection of the public health, safety, and welfare.

Section 16. No Third Party Beneficiaries. This Agreement is not intended, nor will it be construed, to create any third-party beneficiary rights in any person or entity who is not a party, unless expressly provided otherwise herein, or in a written instrument executed by both the City and the third party. Absent a written agreement between the City and third party providing otherwise, if a default occurs with respect to an obligation of the City under this Agreement, any notice of default or action seeking a remedy for such default must be made by the Owner.

Section 17. Effective Date. The Effective Date of this Agreement is the defined date set forth in the first paragraph.

Section 18. Recordation. This Agreement or a memorandum of Agreement acceptable to the City and Developer shall be recorded in the Official Public Records of Williamson County, Texas.

Section 20. Texas Law Governs. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and shall be performable in Williamson County, Texas. Venue shall lie exclusively in Williamson County, Texas.

Section 21. Anti-Boycott Verification. To the extent this Agreement constitutes a contract for goods or services within the meaning of Section 2270.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2270 of the Texas Government Code, and subject to applicable Federal law, the Developer represents that neither the Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer (i) boycotts Israel or (ii) will boycott Israel through the term of this Agreement. The terms “boycotts Israel” and “boycott Israel” as used in this paragraph have the meanings assigned to the term

“boycott Israel” in Section 808.001 of the Texas Government Code, as amended.

Section 22. Iran, Sudan and Foreign Terrorist Organizations. To the extent this Agreement constitute a governmental contract within the meaning of Section 2252.151 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2252 of the Texas Government Code, and except to the extent otherwise required by applicable federal law, Developer represents that Developer nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of Developer is a company listed by the Texas Comptroller of Public Accounts under Sections 2270.0201, or 2252.153 of the Texas Government Code.

Section 23. Time is of the Essence. It is acknowledged and agreed by the Parties that time is of the essence in the performance of this Agreement.

Section 24. Exhibits. The following exhibits are attached to this Agreement, and made a part hereof for all purposes:

Exhibit A – Property Description & Sketch

EXECUTED in multiple originals this the ____ day of _____, 20__.

CITY:

City of Leander, Texas

a Texas home-rule municipal corporation

Attest:

By: _____
Name: Dara Crabtree
Title: City Secretary

By: _____
Name: Christine DeLisle
Title: Mayor

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on this ____ day of _____, 20__, by _____, Mayor of the City of Leander, Texas, a Texas home-rule municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public, State of Texas

DEVELOPER:

By: _____
Name: Curtis Thigpen
Title: Managing Principal

THE STATE OF TEXAS §
COUNTY OF _____ §

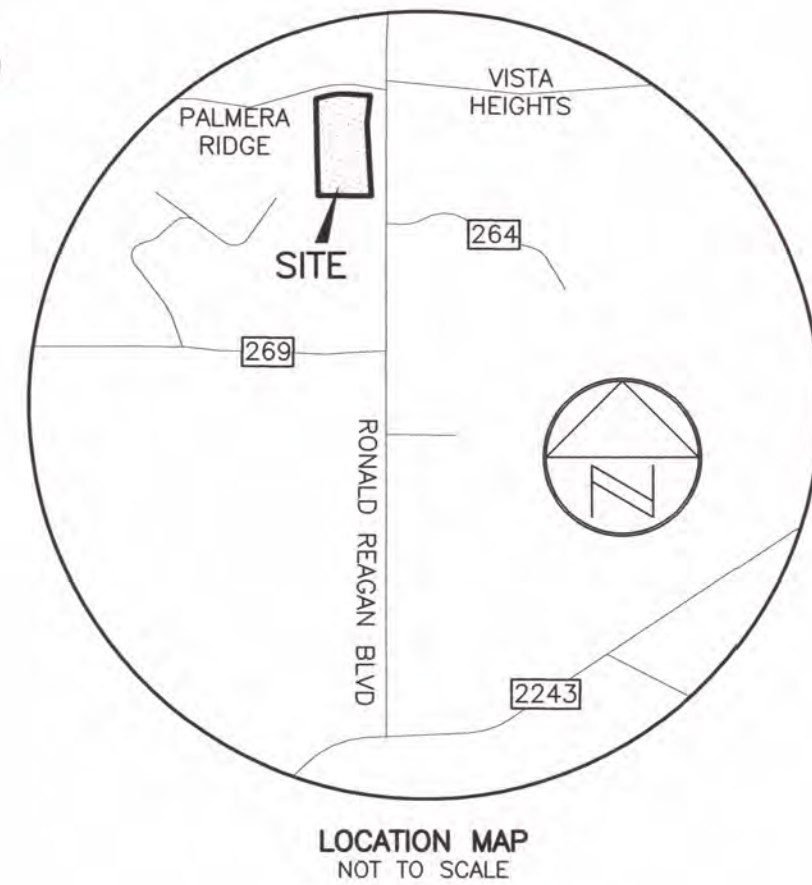
This instrument was acknowledged before me on this ____ day of _____, 20__, by _____, _____ of _____, a _____ company, on behalf of said company.

(SEAL)

Notary Public, State of Texas

Exhibit A

A LAND TITLE, TOPOGRAPHIC & TREE SURVEY OF 8,258 ACRES (APPROXIMATELY 359,735 SQ. FT.), OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT 52.290 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN EXECUTED BY MP53, LLC, A TEXAS LIMITED LIABILITY COMPANY, TO PALMERA RIDGE DEVELOPMENT, INC., A TEXAS CORPORATION, DATED JANUARY 7, 2014, RECORDED IN DOCUMENT NO. 2014001362, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.



CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	707.00'	1°07'59"	13.98'	N54°05'01"E	13.98'
(C1)	(707.00')		(13.98')	(N54°05'03"E)	(13.98')
C2	518.00'	20°13'14"	182.81'	N63°39'30"E	181.86'
(C2)	(518.00')		(182.95')	(N63°38'08"E)	(181.90')

TITLE COMMITMENT NOTE:

COMMITMENT FOR TITLE INSURANCE PREPARED BY:

Prominent Title, LLC, as Agent for Title Resources Guaranty Company

G.F. No.: 2113844JM Effective Date: 04/28/21 Issued: 06/29/21

The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.

Schedule "B" items contained therein and re-listed below were considered:

1) Restrictive Covenants: Those restrictive covenants recorded in/under _____ (being the proposed Declaration of Covenants, Conditions and Restrictions for Palmera Ridge Commercial #2), of the Official Public Records of Williamson County, Texas.

10) f. Public Utility Easement executed by Cheryl (Shari) Carmody, a/k/a Shari Carmody Carmody, individually and as Independent Administrator for the Estate of Jackson Baily Carmody, Jr., a/k/a Jack Carmody, Deceased, to Williamson County, dated July 19, 2006, recorded in/under 2006063880, of the Official Public Records of Williamson County, Texas. --- Subject to, as shown.

g. Intentionally Deleted

h. Intentionally Deleted

i. Wastewater Easement executed by Palmera Ridge Development, Inc., a Texas corporation, to The City of Leander, Texas, dated May 22, 2017, recorded in/under 2017081727, of the Official Public Records of Williamson County, Texas. --- Subject to, as shown.

j. Water Easement executed by Palmera Ridge Development, Inc., a Texas corporation, to The City of Leander, Texas, dated June 27, 2017, recorded in/under 2017081726, of the Official Public Records of Williamson County, Texas. --- Subject to, as shown.

k. Intentionally Deleted

l. Utility Easement executed by Palmera Ridge Development, Inc., to Pedernales Electric Cooperative, Inc., dated August 9, 2018, recorded in/under 2018079587, of the Official Public Records of Williamson County, Texas. --- Subject to, as shown.

u. Terms, conditions and stipulations contained in Declaration of Covenants, Conditions and Restrictions for Palmera Ridge Commercial #2, executed by Palmera Ridge Development, Inc., dated _____, 2021, recorded in/under _____, of the Official Public Records of Williamson County, Texas. --- Subject to.

BENCHMARK INFORMATION:

BM #1: SQUARE CUT IN TRANSFORMER PAD APPROXIMATELY 83' SOUTHWEST FROM THE NORTHEAST CORNER OF THE SUBJECT TRACT.

ELEVATION = 973.31' VERTICAL DATUM: NAVD 88 (GEOID 18)

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR WITH "RJ SURVEYING" CAP FOUND
- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- 60D NAIL FOUND (OR AS NOTED)
- COTTON SPINDLE FOUND
- CONTROL POINT/BENCHMARK LOCATION
- WATER VALVE
- FIRE HYDRANT
- SPRINKLER CONTROL VALVE
- UTILITY POLE
- GUY WIRE
- OVERHEAD UTILITIES
- ELECTRIC UTILITY
- ELECTRIC MANHOLE
- ELECTRIC PULL BOX
- TELEPHONE UTILITY
- UNDERGROUND FIBER OPTIC MARKER
- GAS UTILITY
- UNDERGROUND GAS MARKER
- WASTEWATER MANHOLE
- STORMSEWER MANHOLE
- SIGN
- BOLLARD
- EDGE OF ASPHALT PAVEMENT
- HOG WIRE FENCE
- P.U.E. PUBLIC UTILITY EASEMENT
- W.W.E. WASTEWATER EASEMENT
- W.L.E. WATERLINE EASEMENT
- D.E. DRAINAGE EASEMENT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- () RECORD INFORMATION

THIS IS A SURFACE DRAWING.

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "P719".

4" ALUMINUM DISK SET IN CONCRETE

SURFACE COORDINATES: N 10192129.874 E 3089124.842

TEXAS STATE PLANE COORDINATES: N 10190906.96 E 3088754.19

COMBINED SCALE FACTOR = 0.999880014 (FOR SURFACE TO GRID CONVERSION) INVERSE SCALE FACTOR = 1.000120 (FOR GRID TO SURFACE CONVERSION)

SCALED ABOUT 0.0 THETA ANGLE: 1°17'49"

FLOOD-PLAIN NOTE:

The tract shown hereon lies within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48491C0455F, dated December 20, 2019, for Williamson County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

GENERAL SURVEY NOTES:

PROPERTY ADDRESS: 17851 Ronald W Reagan Blvd, Leander, TX 78641

DATE OF SURVEY: June 1, 2021

ATTACHMENTS: 1788-001-8.258AC

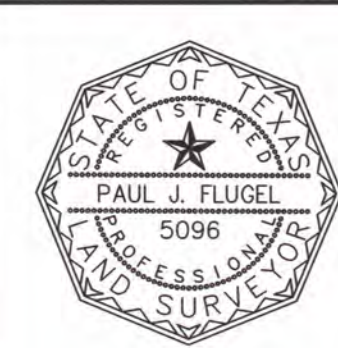
SURVEYOR'S CERTIFICATE:

CERTIFIED TO: Palmera Ridge Development, Inc., a Texas corporation Paravel Capital, LLC, a Texas limited liability company Title Resources Guaranty Company Prominent Title, LLC

I hereby certify that a survey of the property shown hereon was actually made upon the ground under my direction and supervision on the date shown, and that to the best of my professional knowledge and belief: there are no apparent encroachments, overlapping of improvements, discrepancies, deed line conflicts, visible utility lines or roads in place, except as shown hereon, and that this property abuts or adjoins a dedicated road right-of-way or access easement, unless noted hereon.

This survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 2, 3, or 4 TSPS Land Title Survey, based on the Manual of Practice for Land Surveying in the State of Texas, Thirteenth Edition, effective September 01, 2019, prepared by the Texas Society of Professional Surveyors.

Paul J. Flugel Date 7/12/2021 Registered Professional Land Surveyor State of Texas No. 5096 Paul@chapparal.com

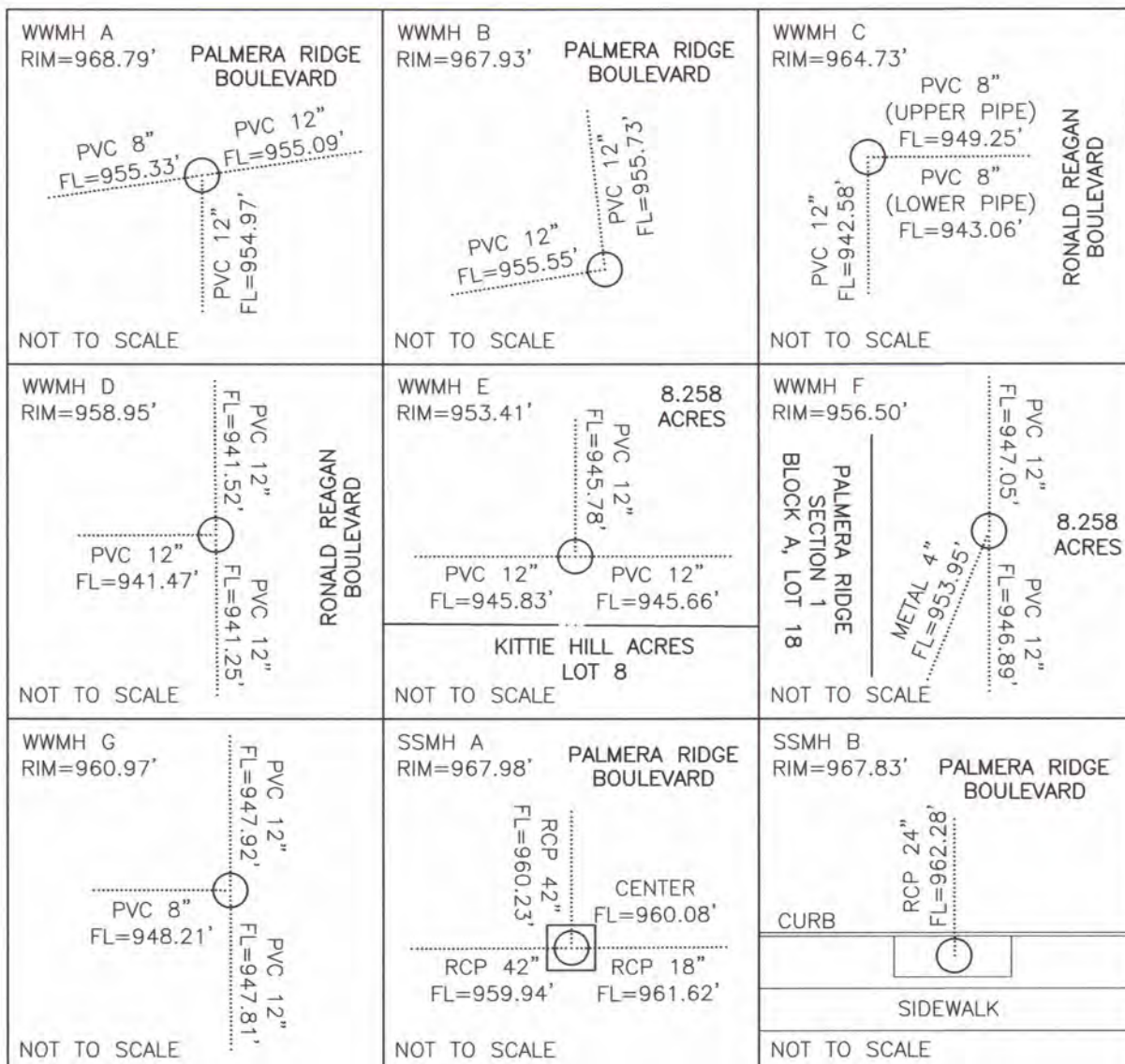


Professional Land Surveying, Inc. Surveying and Mapping 3500 McCall Lane Austin, Texas 78744 512-443-1724 T.B.P.E.L.S. Firm No. 10124500

PROJECT NO.: 1788-001 DRAWING NO.: 1788-001-BASE PLOT DATE: 07/12/2021 PLOT SCALE: 1"=50' DRAWN BY: PAQ SHEET 01 OF 01

MANHOLE AND INLET NOTE:

THIS SURVEY SHOWS FIELD MEASURED SIZES AND DEPTHS AS OBSERVED FROM GROUND LEVEL OPENINGS. EXACT MEASUREMENTS AND DEPTHS, PARTICULARLY IN CRITICAL AREAS, SHOULD BE VERIFIED WITH UTILITY RECORD MAPS AND/OR FIELD VERIFICATION PRIOR TO FINAL PLANNING OR CONSTRUCTION.



TREE INDEX		
TAG NO.	TYPE	INDICATES MULTI TRUNK
CE	CEDAR ELM	
CO	CHINKAPIN OAK	
LO	LIVE OAK	
514	LO	17 14 11
CRITICAL ROOT ZONES (TREE CIRCLES) ARE SHOWN USING THE COA FORMULA FOR SINGLE AND MULTI TRUNK TREES.		
INDIVIDUAL TRUNK DIA. (IN INCHES)		
3855 LO 28	3902 CE 10	3949 LO 12
3856 CE 8 7 6	3903 LO 8	3950 LO 8
3857 CE 11	3904 LO 8 6	3951 LO 12 10 8
3858 CE 9	3905 LO 10	3952 LO 10
3859 CE 12	3906 LO 12 7	3953 LO 10 10 7 7 6 6
3860 CE 9 7	3907 LO 15 10 9	3954 LO 17 10 8
3861 LO 10	3908 LO 10	3955 LO 12 11 9 6 6
3862 LO 8	3909 LO 12	3956 LO 10
3863 LO 12 10	3910 LO 10	3957 LO 10 10
3864 LO 13 10 7 4	3911 LO 17 15 14 11 6 5	3958 LO 10 10 10 8
3865 LO 9	3912 CE 9	3959 LO 9
3866 LO 8 7 5	3913 LO 18 13	3960 LO 9 5
3867 LO 8	3914 LO 11	3961 LO 9 7
3868 LO 8	3915 LO 9	3962 LO 9
3869 LO 10 9	3916 LO 12 10	3963 LO 10 9
3870 LO 9 7	3917 LO 11 9 8	3964 LO 8
3871 LO 8 6	3918 LO 11	3965 CE 8
3872 LO 8 7	3919 LO 10	3966 LO 8
3873 LO 11 9 8	3920 LO 10	3967 LO 9
3874 LO 12	3921 LO 12	3968 LO 10
3875 LO 9	3922 LO 10	3969 LO 9
3876 LO 12	3923 LO 9	3970 LO 9 6
3877 LO 13 11 8	3924 LO 9	3971 LO 13 10 8
3878 LO 11	3925 LO 11	3972 LO 8
3879 LO 11	3926 CE 8	3973 LO 10 3
3880 LO 10	3927 LO 19	3974 LO 8
3881 LO 10	3928 LO 13 13 9	3975 LO 10
3882 LO 11 7	3929 LO 11	3976 LO 10
3883 LO 11 9 7	3930 LO 10 10 9 8 5 4 4	3977 LO 11
3884 LO 10	3931 LO 9 8 8	3978 LO 10
3885 LO 9 9	3932 LO 11 7 5	3979 LO 8
3886 LO 9	3933 LO 11 7 5	3980 LO 8
3887 LO 13 10 10 9	3934 LO 10	3981 LO 8 8
3888 LO 8	3935 LO 9	3982 CE 9
3889 LO 8	3936 LO 10 8	3983 LO 10
3890 LO 8	3937 LO 10	3984 LO 8
3891 LO 8	3938 LO 10 10 9	3985 LO 12 11 11 7
3892 LO 8	3939 CE 9 8	3986 LO 12 12
3893 LO 9 7	3940 LO 10 8 8 7 3	3987 LO 10 5
3894 LO 11 8	3941 LO 12 9 7 3	3988 LO 11
3895 LO 10 8 7 7 6	3942 CO 8 7	3989 LO 10
3896 LO 9	3943 LO 20 14 11	3990 LO 12 12
3897 LO 9	3944 LO 9 8 7 6 5	3991 LO 14
3898 LO 11 10	3945 LO 8	3992 LO 13
3899 LO 8	3946 LO 9	3993 LO 11 10
3900 CE 9	3947 LO 10	3994 LO 10
3901 LO 8 7	3948 LO 12	3995 LO 9

THE SPECIES OF TREES SHOWN WERE DETERMINED TO THE BEST OF OUR ABILITIES BY THE GROUND SURVEY CREW, NOT A CERTIFIED ARBORIST. CONSULT A CERTIFIED ARBORIST FOR FINAL DETERMINATION OF SPECIES.

NOTE ABOUT DEAD TREES: IF THE TREE APPEARED TO BE DEAD, THEN IT HAS BEEN NOTED AS DEAD; HOWEVER, SUCH DETERMINATION IS SUBJECT TO VERIFICATION BY A QUALIFIED ARBORIST.



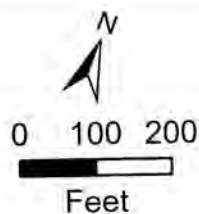
CASE: 21-DA-005

ATTACHMENT #2

MAPLE RANCH
MASONRY DEVELOPMENT
AGREEMENT

Location Map

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



- Subject Area
- Leander City Limits
- ETJ



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of Tree Removal Case 21-TRP-002 regarding removal of Significant and Heritage Trees associated with The Square at Crystal Falls Site Development generally located on the southeast of the intersection of Crystal Falls Parkway and S. Bagdad Road, Leander, Williamson County, Texas.

BACKGROUND:

This request is the second step in the tree removal request process.

HISTORY/TIMELINE:

04/14/2022 – Planning & Zoning Commission

APPLICANT/AGENT:

Jamison Civil Engineering, LLC (Stephen Jamison, P.E) on behalf of The Square at Crystal Falls, LLC (Aman Bandali).

RECOMMENDATION:

The Planning & Zoning Commission recommendation will be available during the meeting.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Planning Analysis
2. Location Exhibit
3. Aerial Map
4. Letter of Intent
5. Tree Removal Exhibit
6. Tree Removal Inventory



PLANNING ANALYSIS

TREE REMOVAL CASE 21-TRP-002 THE SQUARE AT CRYSTAL FALLS

GENERAL INFORMATION

Owner/Agent:	Jamison Civil Engineering (Stephen Jamison, P.E)
Current Zoning:	GC-3-C (General Commercial)
Size and Location:	A combined commercial lot located southeast of the intersection of Crystal Falls Parkway and S Bagdad Road, approximately 3.27 acres in size.
Staff Contact:	Cory Dale Planner

APPLICANT REQUEST

The applicant has submitted a request to remove ten (10) significant trees measured at 213 caliper inches and three (3) heritage trees measured at 92 caliper inches.

SITE INFORMATION:

ABUTTING ZONING AND LAND USE:

	ZONING	LAND USE
NORTH	GC-3-C	Commercial (7-Eleven)
EAST	GC-3-C	Commercial (Xplor Preschool & School Age Care)
SOUTH	GC-3-C	Commercial (Business Park)
WEST	SFU-2-B	Boulders at Crystal Falls subdivision

SURROUNDING AREA:

This project includes work within two (2) commercial lots located along S Bagdad Road. The project is located west of County Glen Section 8 subdivision and east of the Boulders at Crystal Falls Phase 1 subdivision across Bagdad Road.

PHYSICAL AND NATURAL FEATURES:

This property contains significant tree cover where the development is proposed (attachment 5). The trees proposed for removal at this time include those within the building pad sites, pavement/fire lanes and detention pond area.

MAJOR CORRIDORS:

This project has access onto S Bagdad Road.

CURRENT LAND USES:

The project area includes two (2) tracts which are currently undeveloped.

APPROVAL CRITERIA:

The Composite Zoning Ordinance includes the following tree mitigation requirements:

- Up to 50% of significant trees between eight (8") and eighteen (18") caliper inches may be removed without mitigation. The replacement ratio is 1:1.
- Trees 18 to 26 caliper inches may be removed with the approval of the Commission and a replacement ratio of 2:1.
- Heritage Trees (>26) require approval by the Commission and Council, a replacement ratio of 3:1, and a removal fee in the amount of \$300

Below, please see the proposed tree removal calculation per Square at Crystal Falls Site Plan (21-SD-0036):

TREE PRESERVATION PLAN**TREE CALIPER INCHES**

TREE SIZE (in caliper inches)	TOTAL INCHES	SAVED INCHES	SAVED INCHES %	REMOVED INCHES	REMOVED INCHES %
8" to 18"	284	66	23%	218	77%
>18" to 26"	377	164	44%	213	56%
SUBTOTAL 8" to 26"	661	230	35%	431	65%
>26"	193	101	48%	92	52%
TOTALS	854	331	39%	523	61%

TOTAL TREES

TREE SIZE (in caliper inches)	TOTAL TREES	SAVED TREES	SAVED TREES %	REMOVED TREES	REMOVED TREES %
8" to 18"	21	5	24%	16	76%
>18" to 26"	16	7	44%	9	56%
SUBTOTAL 8" to 26"	37	12	32%	25	68%
>26" HERITAGE	6	3	40%	3	60%
TOTALS	43	15	35%	28	65%

MITIGATION PLAN: 8" - 18"

TREE SIZE (in caliper inches)	>50% REMOVAL	1:1 REPLACEMENT	2:1 REPLACEMENT	3:1 REPLACEMENT	FEES
8" to 18"	76	76	-	-	-

MITIGATION PLAN: Protected & Heritage Trees

TREE SIZE (in caliper inches)	Removed (total inches)	1:1 REPLACEMENT	2:1 REPLACEMENT	3:1 REPLACEMENT	FEES
>18" to 26"	213	-	426	-	57600 **
>26" HERITAGE	92	-	-	276	\$69,000 *

* (92" X \$300/IN) + (276" X \$150/IN)

** 426" - 42" on site replacement = 384" x \$150/IN

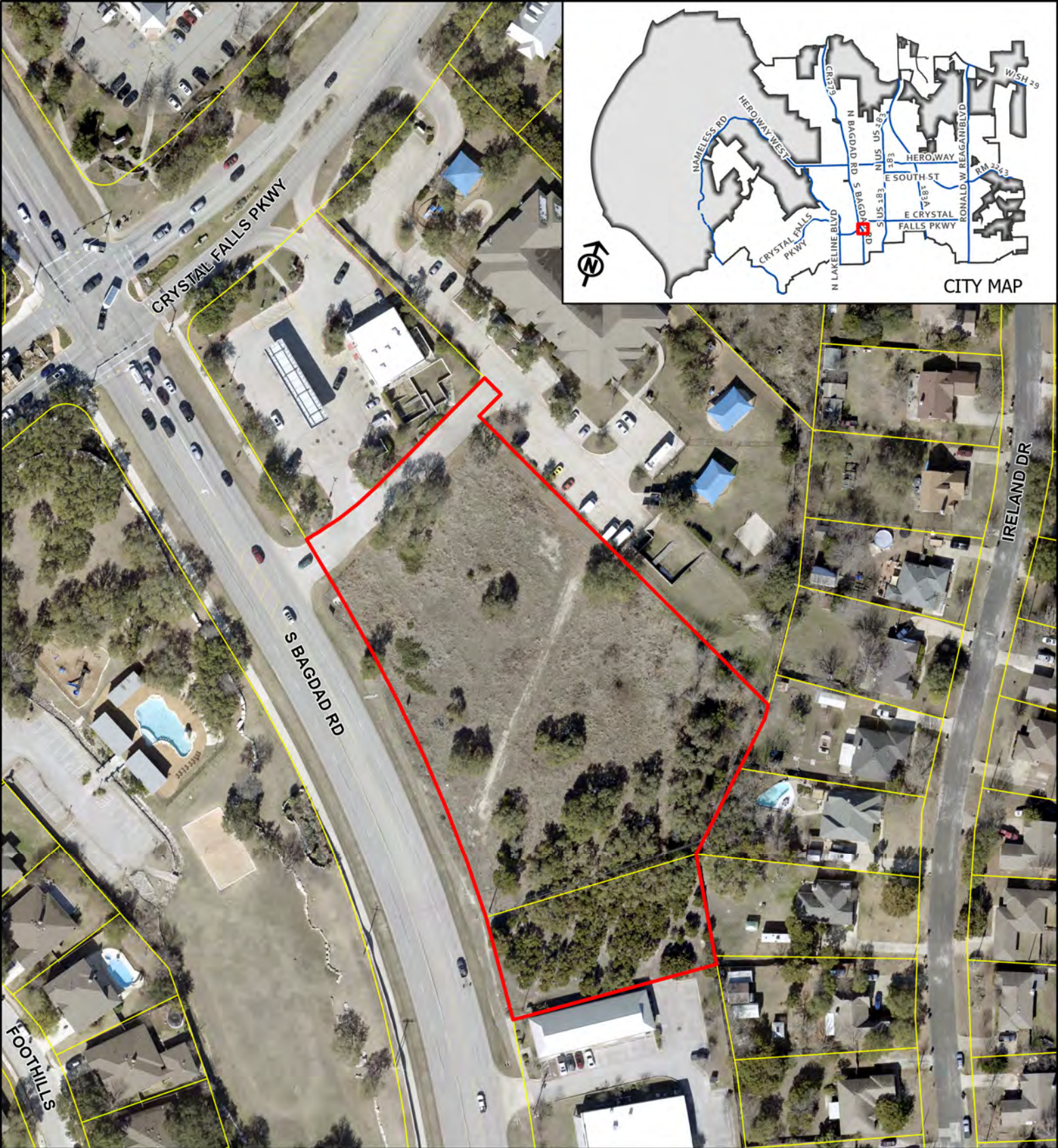
As part of the mitigation process, the Developer is proposing to pay the mitigation fees in the amount of \$150 per caliper inch of replacement tree in lieu of planting new trees.

Mitigation Fees

- Significant Trees >18" – 26" removed: 213"
- Significant Trees >18" – 26": on site replacement of 42" caliper inches to be planted ($426'' - 42'' = 384''$)
- Significant Trees >18" – 26" mitigation fees (\$150 per caliper inch at 2:1): **\$57,600**

- Heritage Tree (>26") removed: 92"
- Heritage Tree Removal Fee (\$300 per caliper inch removed): **\$27,600**
- Heritage Tree Mitigation Fee (\$150 per caliper inch at 3:1): **\$41,400**

- Total Mitigation Fee: **\$126,600**



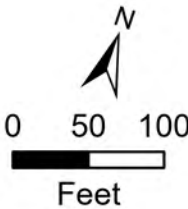
CASE: 21-TRP-002

ATTACHMENT #6

THE SQUARE
AT CRYSTAL FALLS

Aerial Map

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- Leander City Limits
- Leander ETJ
- Subject Area

Jamison Civil Engineering LLC

TBPE #F-17756
13812 Research Blvd. #B-2
Austin, Texas 78750

JCE

Office: (737) 484-0880
Fax: (737) 484-0897
E-Mail: steve@jamisoneng.com

September 9, 2021

The City of Leander
Planning Department
201 N. Brushy St.
Leander, Tx. 78641

Re: The Square at Crystal Falls Heritage Tree Removal Request

We are respectfully requesting the review and approval of the significant and heritage tree removals associated with The Square at Crystal Falls site plan. Due to the proposed site development improvements this request is being submitted.

The purpose of the site development improvements are being proposed to help encourage commercial growth within the City of Leander when it is allowed by current zoning regulations as well as future growth plans.

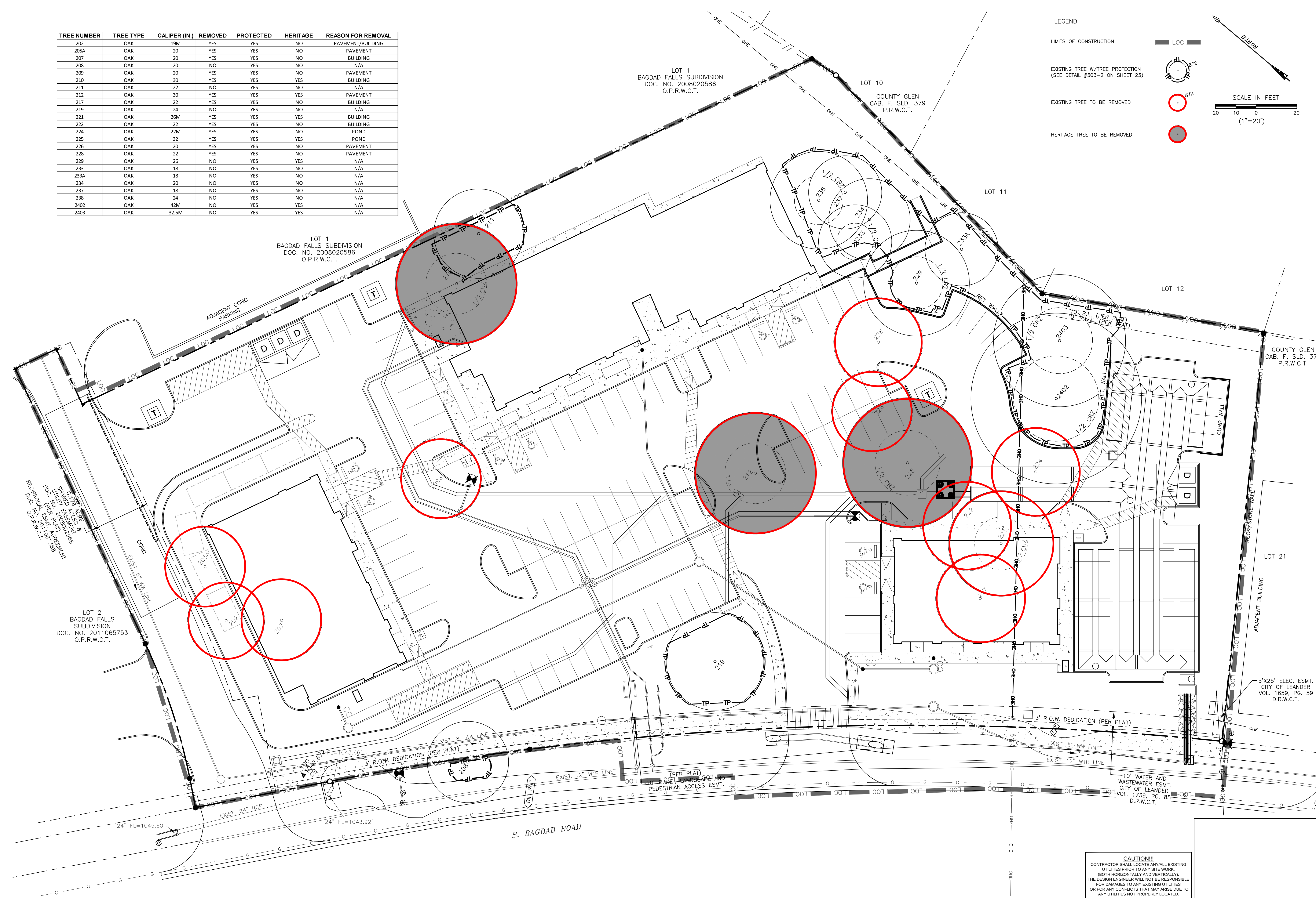
Should you have any questions or comments, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Hebdon', is written over a light gray rectangular background.

Lynn Hebdon
Jamison Civil Engineering LLC

TREE NUMBER	TREE TYPE	CALIPER (IN.)	REMOVED	PROTECTED	HERITAGE	REASON FOR REMOVAL
202	OAK	19M	YES	YES	NO	PAVEMENT/BUILDING
205A	OAK	20	YES	YES	NO	PAVEMENT
207	OAK	20	YES	YES	NO	BUILDING
208	OAK	20	NO	YES	NO	N/A
209	OAK	20	YES	YES	NO	PAVEMENT
210	OAK	30	YES	YES	YES	BUILDING
211	OAK	22	NO	YES	NO	N/A
212	OAK	30	YES	YES	YES	PAVEMENT
217	OAK	22	YES	YES	NO	BUILDING
219	OAK	24	NO	YES	NO	N/A
221	OAK	26M	YES	YES	YES	BUILDING
222	OAK	22	YES	YES	NO	BUILDING
224	OAK	22M	YES	YES	NO	POND
225	OAK	32	YES	YES	YES	POND
226	OAK	20	YES	YES	NO	PAVEMENT
228	OAK	22	YES	YES	NO	PAVEMENT
229	OAK	26	NO	YES	YES	N/A
233	OAK	18	NO	YES	NO	N/A
233A	OAK	18	NO	YES	NO	N/A
234	OAK	20	NO	YES	NO	N/A
237	OAK	18	NO	YES	NO	N/A
238	OAK	24	NO	YES	NO	N/A
2402	OAK	42M	NO	YES	YES	N/A
2403	OAK	32.5M	NO	YES	YES	N/A

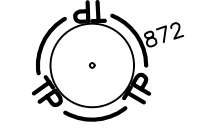


LEGEND

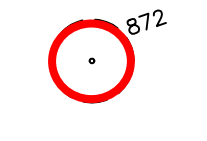
LIMITS OF CONSTRUCTION

LOC

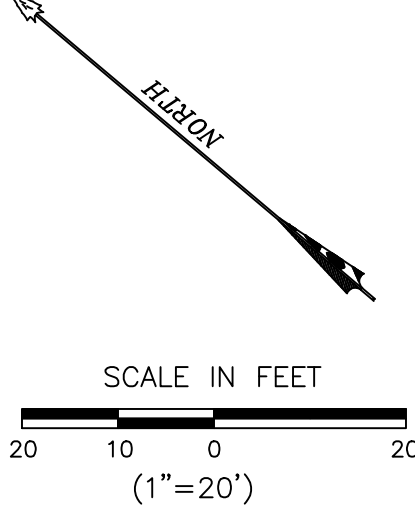
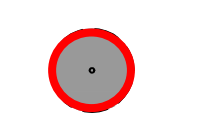
EXISTING TREE W/TREE PROTECTION
(SEE DETAIL #303-2 ON SHEET 23)



EXISTING TREE TO BE REMOVED



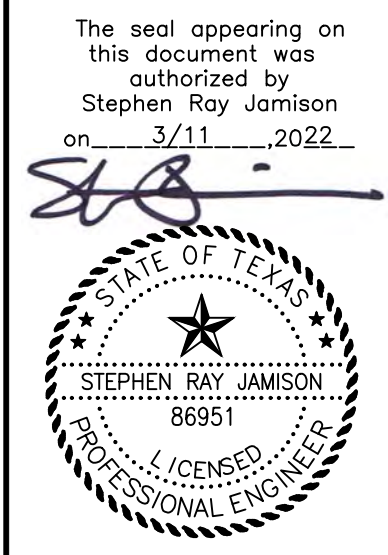
HERITAGE TREE TO BE REMOVED



CAUTION!!!
CONTRACTOR SHALL LOCATE ANY/ALL EXISTING UTILITIES PRIOR TO ANY SITE WORK, (BOTH HORIZONTALLY AND VERTICALLY). THE DESIGN ENGINEER WILL NOT BE RESPONSIBLE FOR DAMAGES TO ANY EXISTING UTILITIES OR FOR ANY CONFLICTS THAT MAY ARISE DUE TO ANY UTILITIES NOT PROPERLY LOCATED.

JAMISON CIVIL ENGINEERING LLC
(TX. PE FIRM REG. #F-17756)
13812 RESEARCH BLVD. #B-2
AUSTIN, TEXAS 78750
OFFICE: (737) 484-0880
INFO@JAMISONENG.COM

THE SQUARE AT CRYSTAL FALLS
EROSION SEDIMENTATION CONTROL PLAN
BAGDAD RD
LEANDER, TEXAS 78641



File: H:\1000 BAGDAD\DWG\EXHIBIT\TREE PERMIT EXHIBIT	Job No. 1000
Scale (Hor.): 1"=30'	Scale (Vert.): 1"=30'
Date: 08/09/21	Checked By: SRJ
Revision 1:	Drawn By:
Revision 2:	
Revision 3:	
Revision 4:	



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of the Second Reading of an Ordinance regarding Zoning Case 22-TOD-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two parcels of land approximately 86.9312 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Road, Leander, Williamson County, Texas.

BACKGROUND:

This request is the final step in the zoning process. The applicant proposed to postpone the request during the March 10, 2022 meeting in order to allow time for a meeting with the neighboring property owner. The Planning & Zoning Commission postponed action to the March 24, 2022 meeting.

The Planning & Zoning Commission approved the request during the March 24, 2022 meeting with the following conditions:

1. Truck access is limited to 183A Toll Road.
2. Overhead doors shall be screened from view of ROW.
3. Outdoor storage limited to fleet vehicles.
4. Building shall be Class A.

HISTORY/TIMELINE:

08/08/2005 - Annexed as part of the TOD PUD.

03/10/2022 - Planning & Zoning Commission, 1st Public Hearing – Action postponed

03/24/2022 - Planning & Zoning Commission, Action

04/07/2022 - City Council, 2nd Public Hearing

APPLICANT/AGENT:

Pacheco Koch (Hollis Scheffler) on behalf of RFHDAH, LP (R.F. Higginbotham)

RECOMMENDATION:

The City Council unanimously approved the request with the following conditions.

1. Overhead doors shall be screened from view of ROW.
2. Outdoor storage limited to fleet vehicles.
3. Building shall be Class A.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Notification Map

5. Proposed Zoning Map
6. Aerial Map
7. Minor PUD Notes
8. Letter of Intent
9. Neighborhood Outreach
10. Neighborhood Postcards
11. Ordinance
12. P&Z Minutes



PLANNING ANALYSIS

ZONING CASE 22-Z-003 SAN GABRIEL LEANDER INDUSTRIAL MINOR PUD

GENERAL INFORMATION

Owner/Agent:	Pacheco Koch (Hollis Scheffler) on behalf of RFHDAH, LP (R.F. Higginbotham).
Current Zoning:	PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector)
Proposed Zoning:	San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial)
Size and Location:	The two parcels of land approximately 86.9312 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Rd, Leander, Williamson County, Texas.
Staff Contact:	Justin Hunt, Planner

APPLICANT REQUEST

The subject property is currently zoned as part of the Conventional Sector and the next step in the process is to submit a request for an amendment to the PUD in order to establish the base zoning district of their property. The applicant has submitted a request to change the designated zoning district of their property in order to develop a distribution center through a Minor PUD with the base zoning designation of GC-5-A (General Commercial). This request also includes additional uses outside of the general commercial use including light manufacturing, warehouse, and distribution.

STAFF CONCLUSIONS

Y N

- ☒ ☐ Does the proposal comply with the intent statements of the Composite Zoning Ordinance? *see page 3*
- ☒ ☐ Does the proposal comply with the goal statements of the Comprehensive Plan? *see page 4*
- ☒ ☐ Does the proposal warrant any other special considerations? *see below*

SPECIAL CONSIDERATIONS

This Minor PUD would support the applicant's proposed use of a distribution center, while limiting the uses to uses that are desirable as part of the Employment Center.

SITE INFORMATION:**ABUTTING ZONING AND LAND USE:**

	ZONING	LAND USE
NORTH	PUD-GC PUD-MF	San Gabriel Villas PUD- Undeveloped San Gabriel Villas PUD- Aven Ridge Apartments
EAST	PUD/TOD-CD	Undeveloped
SOUTH	PUD-GC	PAG Leander H1- Car Dealership
WEST	Interim-SFR-1-B ETJ	Single-Family Residence Single-Family Residence

SURROUNDING AREA:

This property is located east of 183A Toll Road and south of San Gabriel Parkway. To the north of the property is the San Gabriel Villas PUD which includes the Aven Ridge Apartment complex. To the south is the PAG Leander H1- Car Dealership which includes the Honda Dealership. To the east of the subject property are rural single-family residences, and to the east are two PUD/TOD-CD sites that are undeveloped.

PHYSICAL AND NATURAL FEATURES:

This property contains many heritage and significant trees scattered over the site, and multiple residential structures including one primary home and three accessory structures.

PROPERTY HISTORY:

This property was annexed 8/8/2005, as part of the TOD PUD.

PREVIOUS ZONING CASES:

The following zone cases were previously submitted for this property:

- 01/17/2008 – Adoption of the TOD

MAJOR CORRIDORS:

This property has access onto 183A Toll Road & San Gabriel Parkway.

TRANSPORTATION PLAN REQUIREMENTS:

This property includes future improvements and extension of county road 269.

The table below includes the proposed streets within the development. These streets have not been reviewed and are subject to change during the review process.

STREET	CLASSIFICATION	LAND USE CONTEXT	DESIGN ELEMENTS
CR 269	Collector	Roadway	74' ROW East side 8' sidewalk West side 6' sidewalk

EXISTING UTILITIES:

This property has access to a 12" waterline along 183A Toll Road, a 24" water line along San Gabriel Parkway, and a 12" along Pleasant Hill Road. A 12" wastewater line runs along the subject properties 183 A Toll Road frontage.

CURRENT LAND USES:

This property is currently undeveloped.

PROPOSED ZONING DISTRICT:**USE COMPONENT****GC – GENERAL COMMERCIAL:**

Features: Any use in LC plus bar, nightclub, entertainment venues, hospital, hotel, liquor store, office/warehouse, vehicle and equipment sales, leasing and repair, furniture sales, pet shop, wholesale activities less than 3,500 sq. ft.

Intent: Development of small to large scale commercial, retail, and commercial service uses located in high traffic areas. Access to this component should be provided by an arterial street. The heaviest concentration of this component should be located at intersections of arterial streets.

SITE COMPONENT**TYPE 5 (non-residential only):**

Features: Accessory buildings; drive-thru service; outdoor fueling and washing of vehicles; overhead service doors; maximum outdoor display and storage; outdoor entertainment venues and animal boarding.

Intent:

- (1) The Type 5 site component is intended to be utilized with developments that have intense outdoor site requirements and a need to utilize the outdoor site area for maximum outdoor display, storage and / or accessory buildings.
- (2) This component is intended only for industrial or the heaviest commercial uses and may be combined only with GC, HC or HI use components.
- (3) This site component is not intended for retail or office development not requiring the available limits of outdoor storage and accessory buildings or adjacent to residential neighborhoods where not adequately buffered from residential uses.
- (4) This site component is discouraged along major thoroughfares and is intended to be utilized within industrial park developments.
- (5) Compliance with Type 1, 2, 3 or 4 site component standards shall also be deemed as compliance with Type 5 standards.

ARCHITECTURAL COMPONENT**TYPE A:**

Features: 5 or more architectural features.

Intent:

- (1) The Type A architectural component is intended to be utilized for high quality developments or to provide variety as an additional option for portions of a residential development and may be utilized in or adjacent to single-family uses.
- (2) This component is intended to be utilized for single-family development that backs up to, or sides to, a major thoroughfare.
- (3) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions by applying this component to a less restrictive use or site component adjacent to a more restrictive use or site component. This standard may be utilized to help ensure compatibility for non-residential uses, multi-family, two-family, townhouse or small lot residential development with adjacent property that is more restricted.
- (4) This component is intended to be utilized for buildings requiring heights greater than those provided in other architectural components.
- (5) This component may be utilized for any high profile development, for any property in a prominent location or at an important gateway to the community.
- (6) This component is not intended to become an involuntary standard for the majority of a single-family subdivision, especially with SFR, SFE, SFS, SFU and SFC components.

COMPREHENSIVE PLAN:**Applicable Comprehensive Plan goal statements**

- Guide future growth and development following the comprehensive plan to achieve a more balanced, diverse economy.

- Facilitate quality commercial development through targeted marketing and a commitment by the City to help businesses grow and expand.
- Continue efforts regarding the construction of projects within the Leander Central/Transit-Oriented Development District as a mixed-use urban environment.

Applicable Future Land Use categories

EMPLOYMENT CENTER

- The Employment Center future development category is for primary jobs and business in strategic locations. These areas are intended for regional-serving employment in planned campus-like environments for office, research, medical, manufacturing, light industrial, warehouse, and heavy commercial uses. To remain competitive in today's corporate marketplace, contemporary workforce-supporting elements such as amenities, retail and high-density residential are also encouraged in an integrated development pattern.

The Employment Center area is focused on meeting the plan goals of an attractive, high-quality business environment for investors to bring to Leander and grow/diversify the tax base. It complements other nearby regional mixed-use areas, but provides opportunities for larger-footprint, single-tenant buildings that can accommodate numerous employees. These areas may be developed with an auto-oriented, traditional character, or in a mixed-use urban design. In a planned environment, upper-story vertical mixed-residential is encouraged along with limited, integrated high-density residential-only buildings. Such scenarios should be tightly regulated to ensure the proper mix.

**Desired Mix: 80-100% Non-Residential, 0-20% Residential
LO, LC, GC, HC, PUD**

INTERGOVERNMENTAL/INTERDEPARTMENTAL REVIEW:

This proposal was reviewed by all applicable departments within the City of Leander. All plats submitted will be reviewed by City Staff.

SCHEDULE:

DEVELOPMENT MEETING

A development meeting was held with Staff on November 29, 2021. No changes have been made to the project since the development meeting was held.

The following ordinance changes occurred following the development meeting which may have impacted this project.

- The Future Land Use Map was updated to designate this property as the Employment Center land use category.

NOTIFICATION

2/18/2022 - Public Notice on Hill Country News
 2/23/2022 - Mail Notification to Property Owners within 200'
 2/23/2022 - Public Hearing Signage Posted on Property
 3/10/2022 - Planning and Zoning Commission Public Hearing
 4/07/2022 - City Council Public Hearing & First Reading of the Ordinance
 4/21/2022 - City Council Second & Final Reading of the Ordinance

PUBLIC NOTIFICATION:

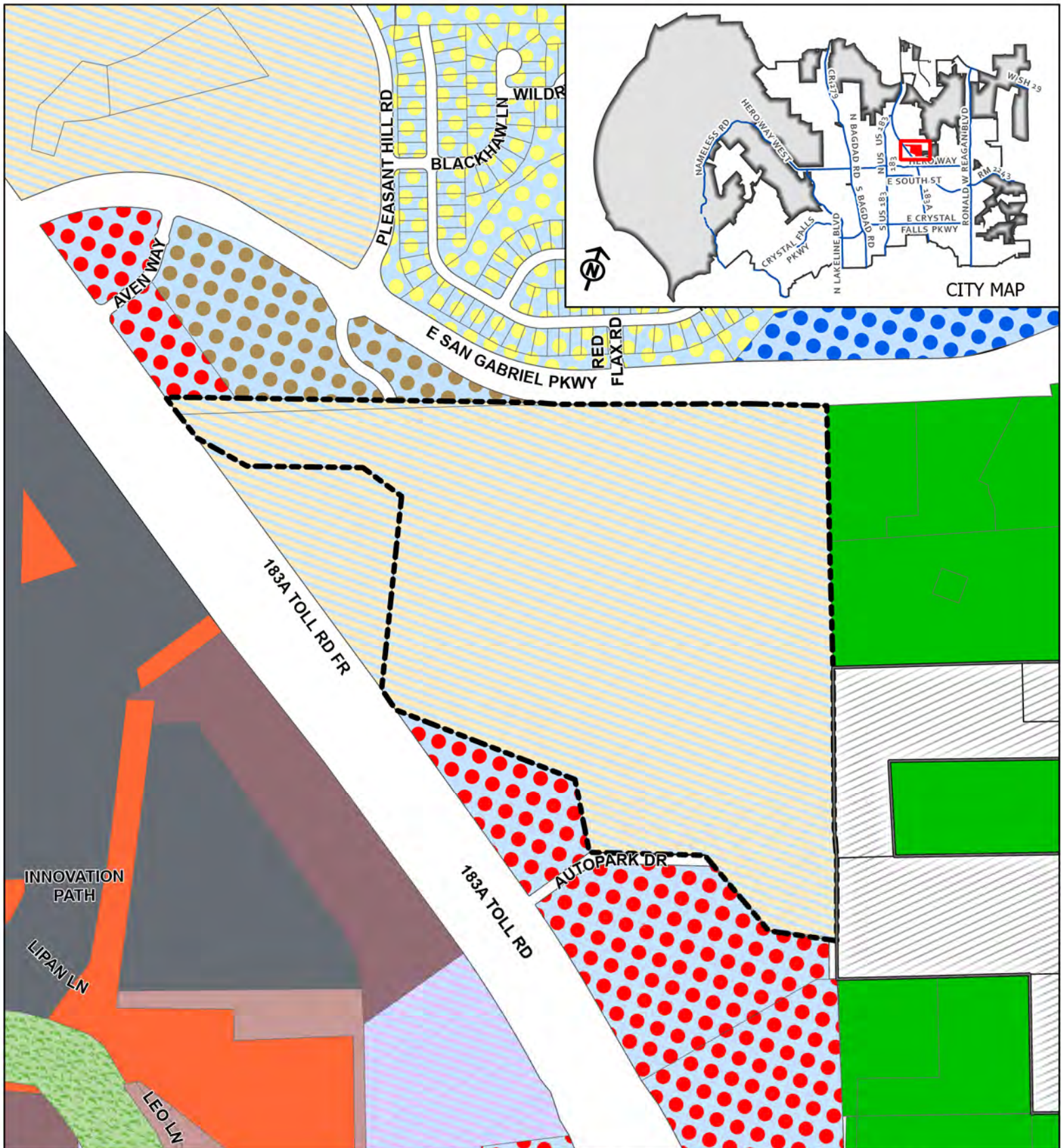
In addition to the notice mailed on behalf of the City to all property owners within 200', the agent reached out to all property owners of property zoned as single-family or any properties used as single-family uses within 500' as per

Article X, Section 3 (d) of the Composite Zoning Ordinance. Any Homeowner's Association located within 500' were also contacted. Per the applicant all owners have been notified via mail and no concerns have been communicated.

Please see the full report from the applicant included in the packet.

APPROVAL CRITERIA:

This zoning request is consistent with the future land use map designation of Employment Center and the proposed development would be compatible with the surrounding land uses.



CASE: 22-Z-003

ATTACHMENT #2

SAN GABRIEL
LEANDER INDUSTRIAL

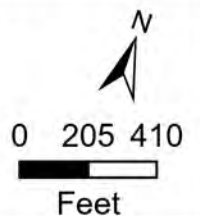
Current Zoning Map

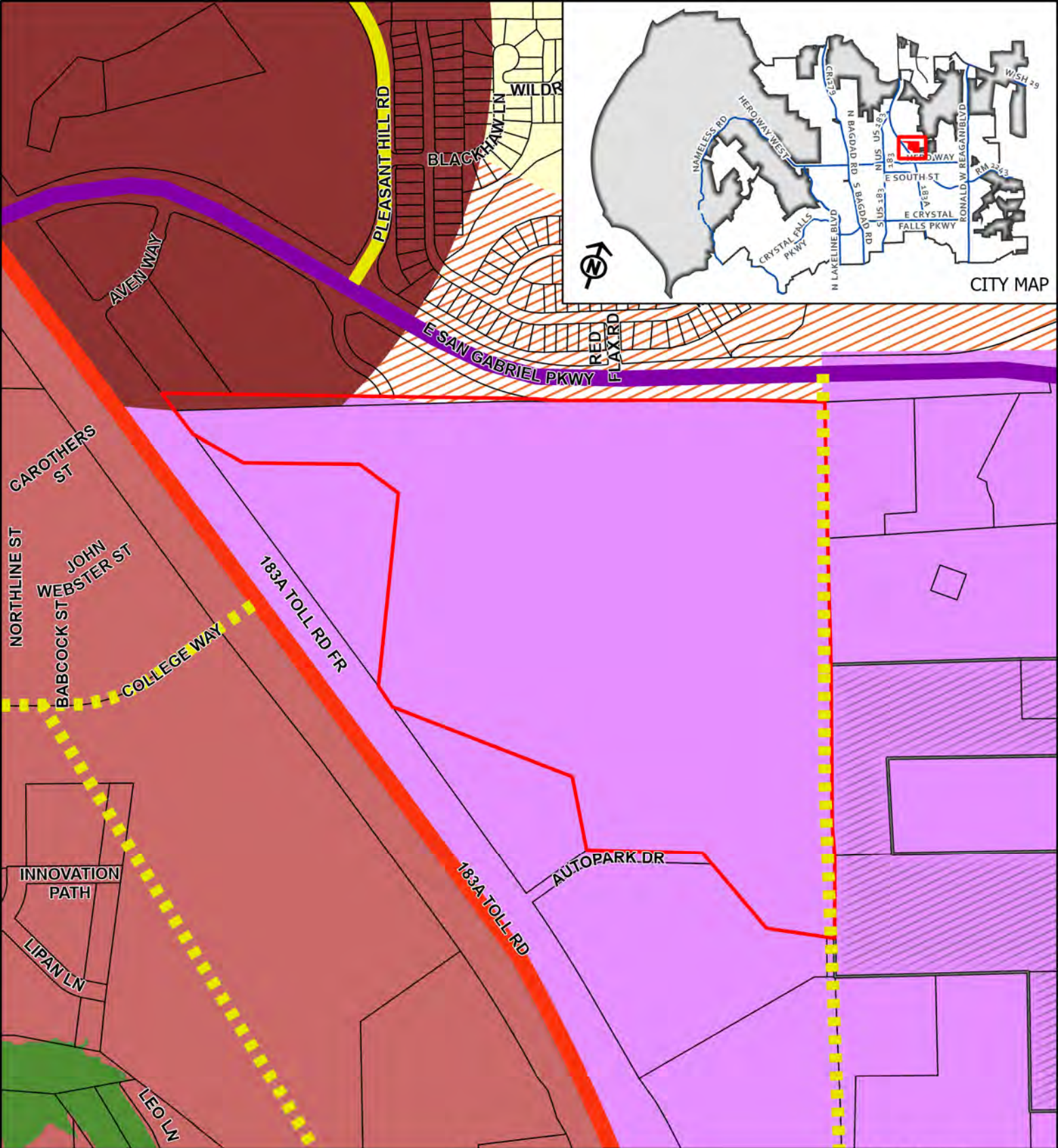
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- Leander City Limits
- Leander ETJ
- Subject Area
- SFR - Single-Family Rural
- PUD - Single-Family

- PUD - Multi-Family
- PUD - Mixed Use
- PUD - General Commercial
- OS - Open Space
- CD - Conventional Sector

- S2 - Station Sector
- Civic Building
- T4 - General Urban
- T5 - Urban Center
- T6 - Urban Core





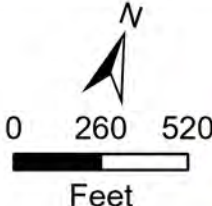
CASE: 22-Z-003

ATTACHMENT #3

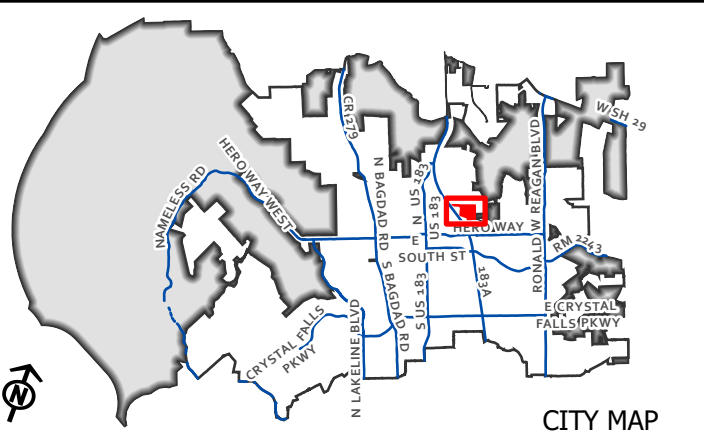
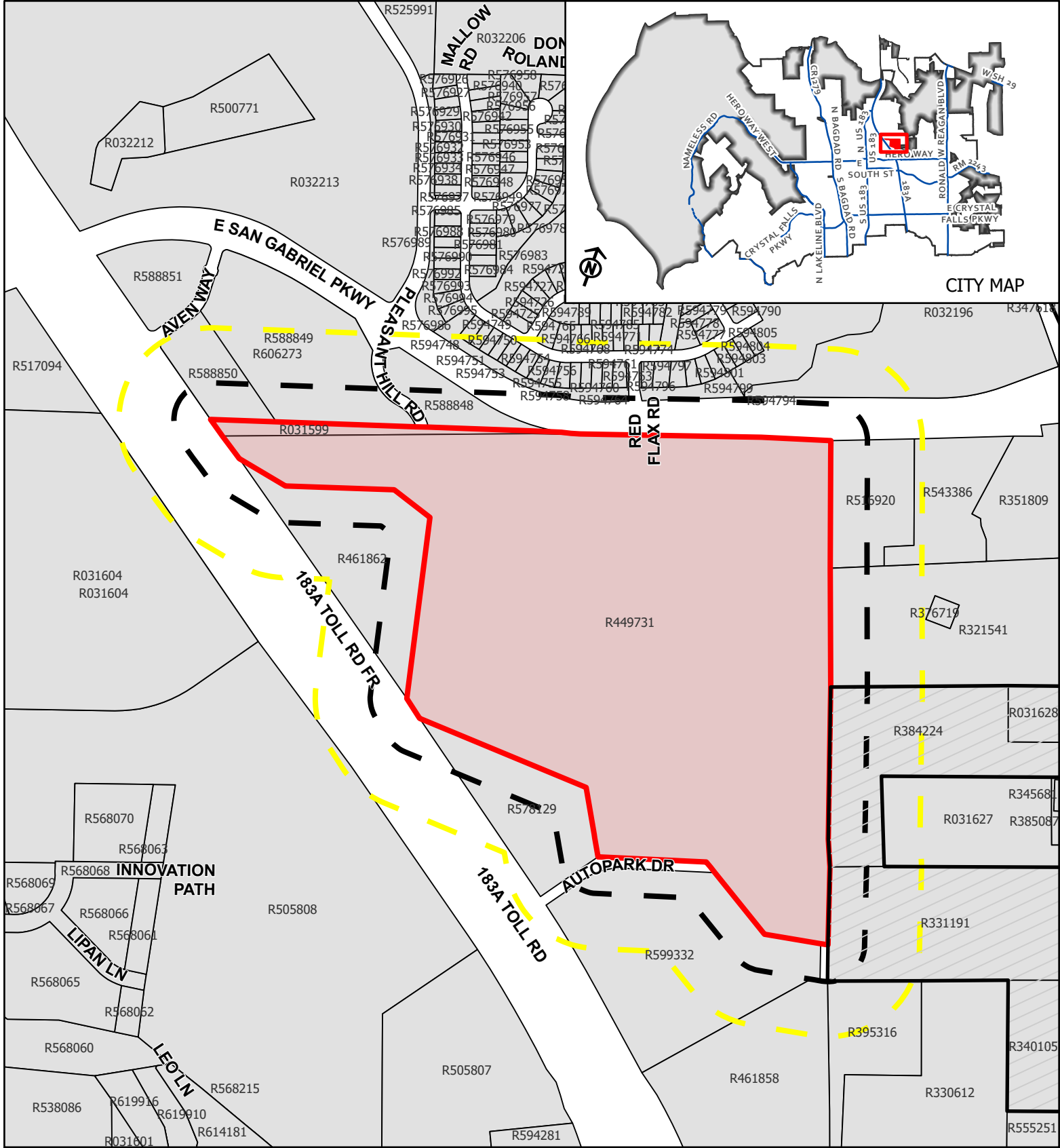
SAN GABRIEL
LEANDER INDUSTRIAL

Future Land Use Map

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- | | |
|--|--|
| <ul style="list-style-type: none"> Leander City Limits Leander ETJ Subject Area Access Controlled, Existing Arterial 4 Lane, Existing Collector, Existing Collector, Proposed | Future Land Use <ul style="list-style-type: none"> Neighborhood Residential Multi-Use Corridor Activity Center Employment Center Leander Central Greenway |
|--|--|



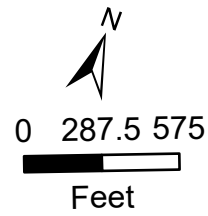
CASE: 22-Z-003

ATTACHMENT #4

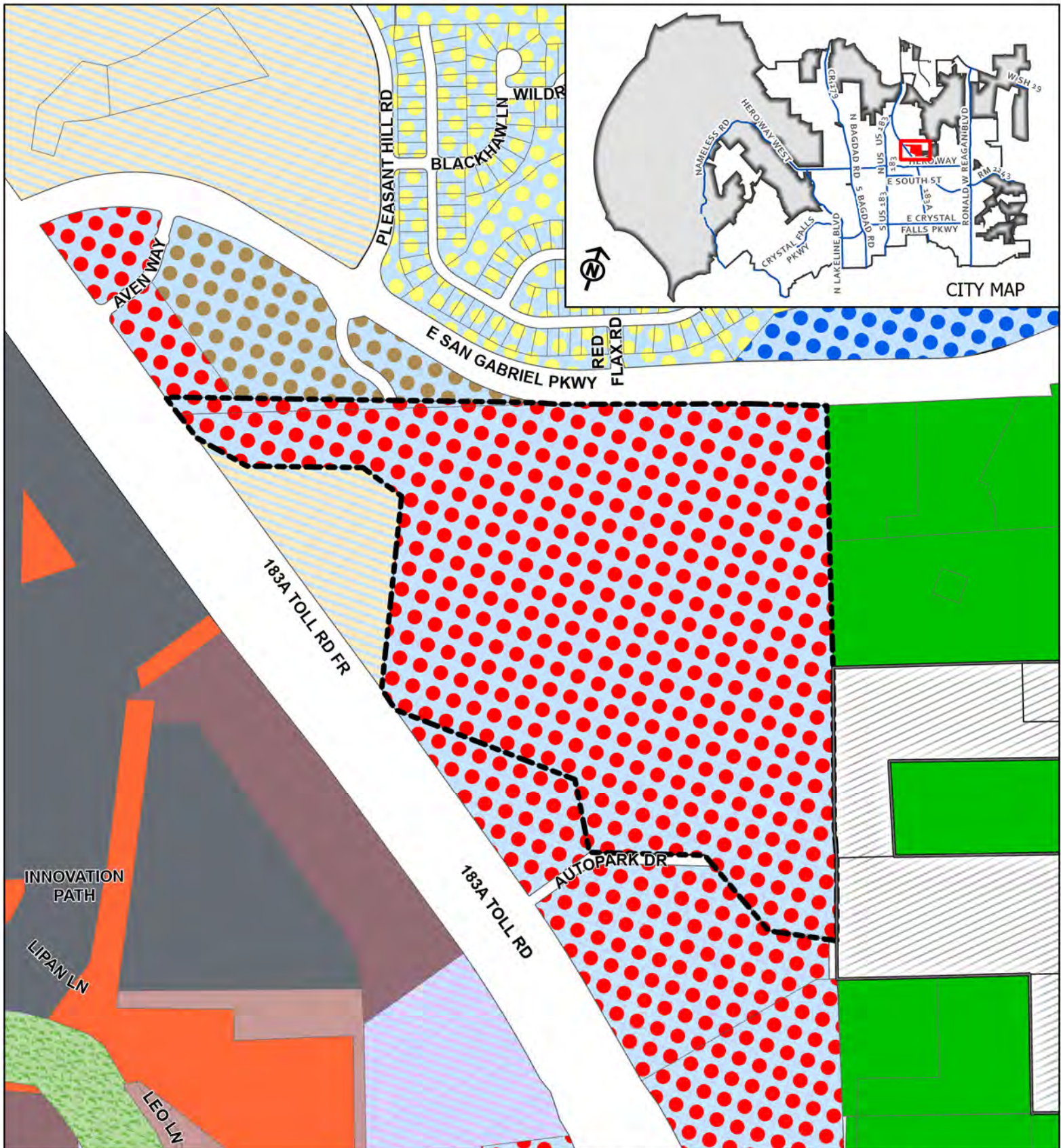
SAN GABRIEL
LEANDER INDUSTRIAL

Public Notification

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



- Subject Area
- 200' Buffer
- 500' Buffer
- Notified Lots
- Leander City Limits
- ETJ



CASE: 22-Z-003

ATTACHMENT #5

SAN GABRIEL
LEANDER INDUSTRIAL

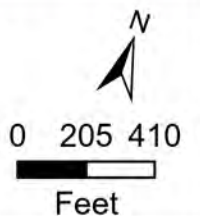
Proposed Zoning Map

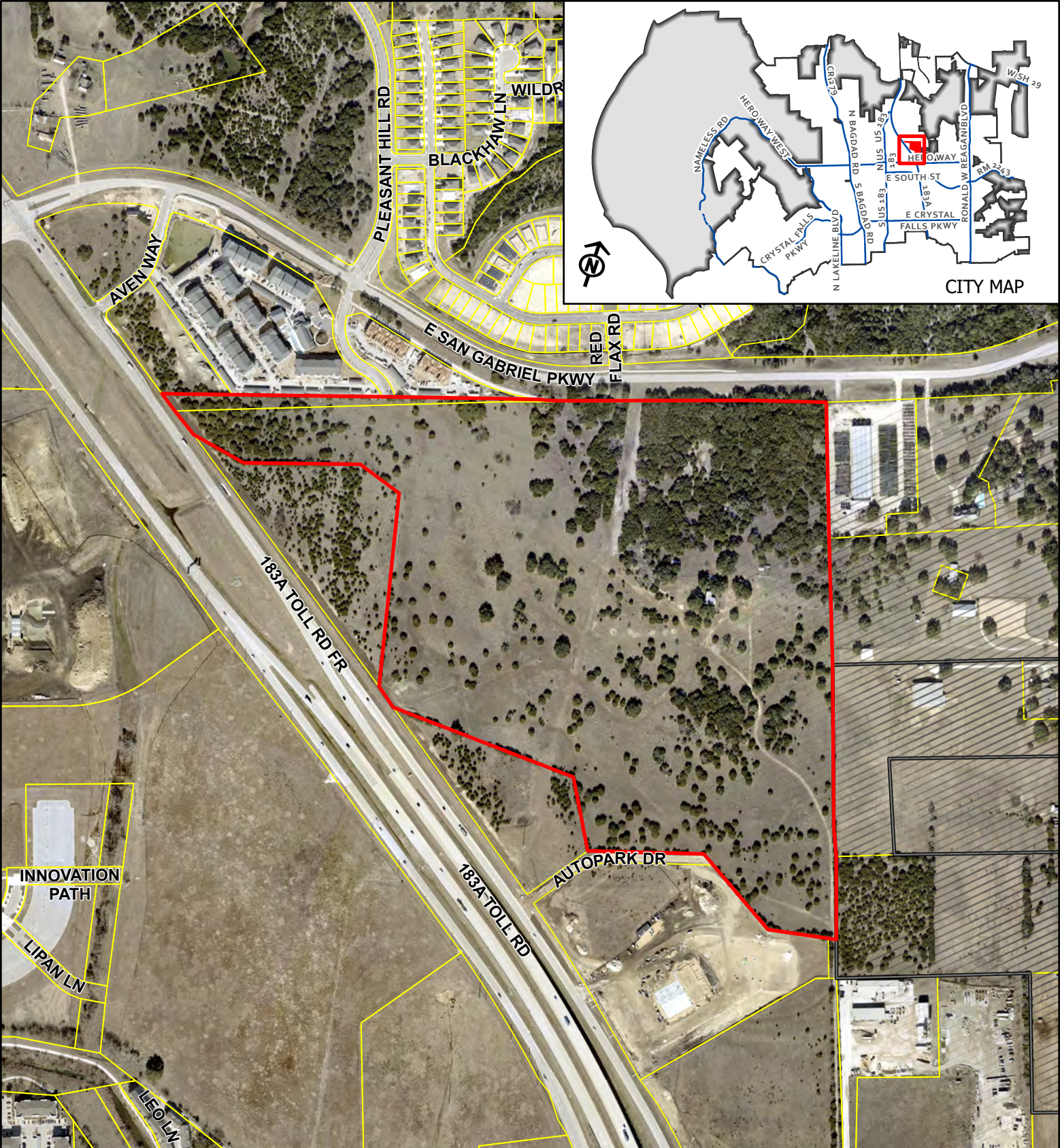
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- Leander City Limits
- Leander ETJ
- Subject Area
- SFR - Single-Family Rural
- PUD - Single-Family

- PUD - Multi-Family
- PUD - Mixed Use
- PUD - General Commercial
- OS - Open Space
- CD - Conventional Sector

- S2 - Station Sector
- Civic Building
- T4 - General Urban
- T5 - Urban Center
- T6 - Urban Core





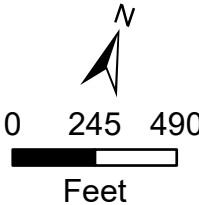
CASE: 22-Z-003

ATTACHMENT #6

**SAN GABRIEL
LEANDER INDUSTRIAL**

Aerial Map

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



- Leander City Limits
- Leander ETJ
- Subject Area

EXHIBIT A

San Gabriel Industrial Minor Planned Unit Development

A. Purpose and Intent

1. The San Gabriel Industrial PUD is comprised of approximately 88.813 acres, as shown in **Exhibit B**. The development of this property includes a warehouse for distribution and several office/warehouse buildings.

B. Applicability and Base Zoning

1. All aspects regarding the development of this PUD shall comply the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled **Exhibit A**, listed below.
2. For the purpose of establishing development standards for the PUD, the following base zoning districts have been selected from the Leander Composite Zoning Ordinance.

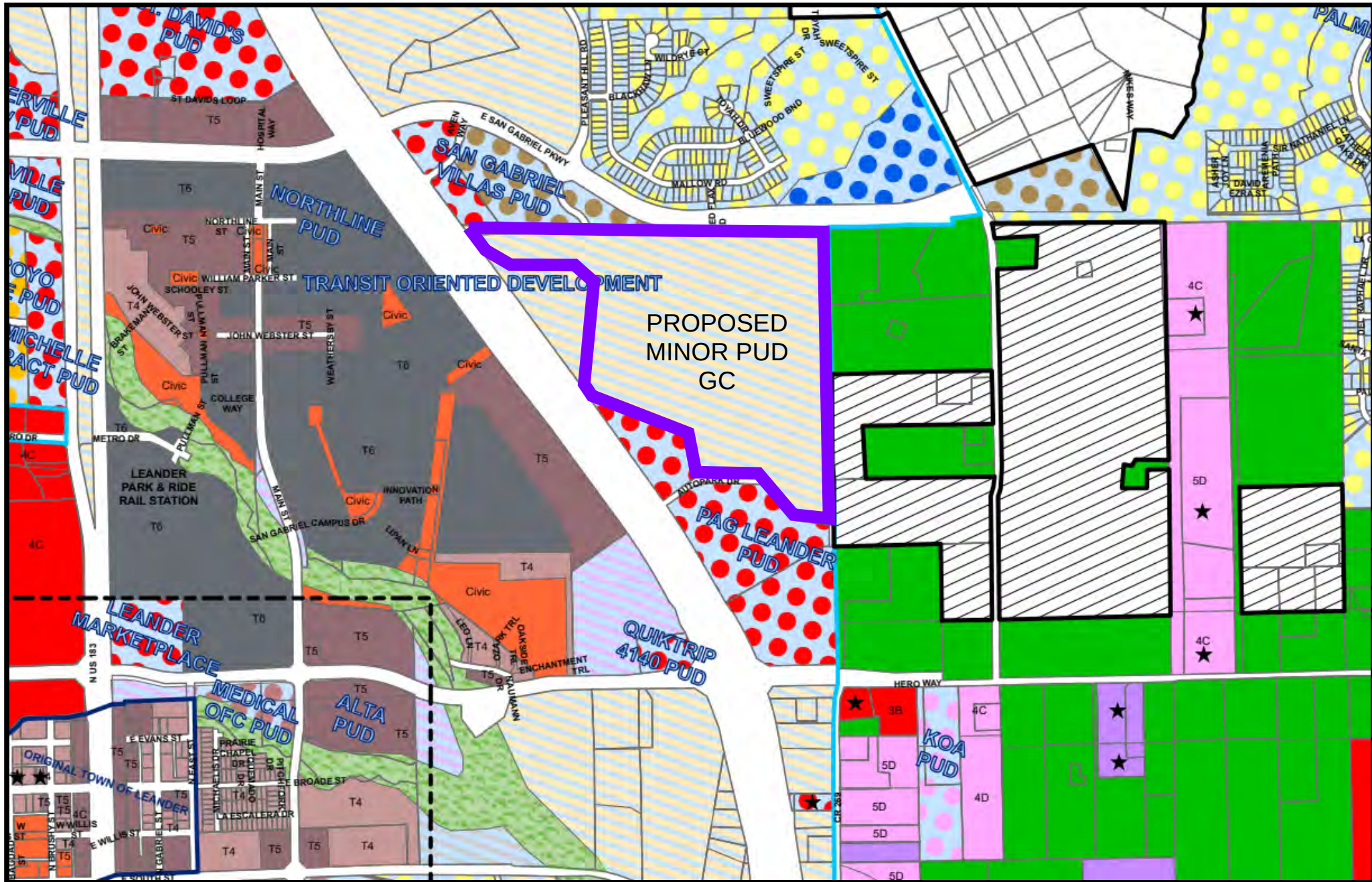
GC-5-A (General Commercial)

C. Allowable / Prohibited Uses

1. The allowable uses shall include those permitted items within GC-5-A General Commercial District and additional uses as listed below.
 - a. Light manufacturing
 - b. Warehouse and Distribution
2. The prohibited uses shall include:
 - a. Bar, nightclub or private club
 - b. Entertainment venues including bowling alleys, golf practice ranges, miniature golf establishments, theaters, amusement parks, arcades, arenas, stadiums, gymnasiums, skating rinks, commercial sports venues, indoor shooting range, etc.
 - c. Hotel/Motel, Boarding Houses
 - d. Liquor Store
 - e. Funeral home, including embalming and crematory facilities associated with an on-site funeral home or cemetery.
 - f. Pet Shop
 - g. Transportation related facilities including commercial parking lots, passenger terminals, taxi cab stations, and mass transit terminals
 - h. New and used vehicle and major equipment sales, rental or leasing, repair of new or used vehicles, body shop

- i. Bingo
 - j. Car Title Loans Shop/Business
 - k. Commercial laundry
 - l. Contractor and building material storage
 - m. Gaming Room Facility/Gaming Device
 - n. Hookah Lounge
 - o. Pawn Shop
 - p. Payday Lending Business
 - q. RV, trailer, commercial motor vehicle and boat outdoor storage
 - r. Tattoo and/or Body Piercing Parlor
 - s. Wrecker Impoundment, Towing
 - t. Sexually oriented businesses
 - u. Outdoor Nursery
3. Outdoor storage shall be limited to fleet vehicles and related equipment associated with the distribution center. Otherwise, outdoor storage is not permitted.

EXHIBIT B: SAN GABRIEL INDUSTRIAL - ZONING MAP



January 26, 2022
PK No.: 5137-21.587

CITY OF LEANDER

Planning Department
P.O. Box 319
Leander, Texas 78646

Re: **LEANDER FEDEX FACILITY**
San Gabriel Industrial Minor PUD
9880 183A Toll Road, Leander, Texas 78641

To Whom It May Concern:

On behalf of the owner, Pacheco Koch Consulting Engineers, a Westwood Company is submitting this application as intent to rezone and create a Minor PUD the following properties, R449731 - AW0125 CHAMBERS, T. SUR., (85.6972 Acres) and R031599 - AW0125 CHAMBERS, T. SUR., (1.234 Acres). The intent of this application and its supporting documents is to create a Minor PUD with the base zoning designation of GC (General Commercial).

The properties in question are located at the southeast corner of the intersection of the 183A Toll Rd and San Gabriel Parkway. The nature of the existing property is primarily undeveloped with an existing homestead and several existing trees. It is currently zoned in the conventional sector. The site is bordered by the San Gabriel Villas PUD along the northern boundary, PAG Leander PUD along the southern boundary, and SFR property on the eastern boundary.

The PAG Leander PUD along the site's southern boundary and the 183A frontage portion of the San Gabriel Villas PUD along the site's northern boundary have a base a base zoning district of GC (General Commercial). The Minor PUD proposal with a base zoning designation of GC would allow for this tract of land to be developed similarly to the existing PUDs.

The proposed Minor PUD will have additional uses added outside of the General Commerical use including Light manufacturing Warehouse and Distribution. The architectural higher standards will be Type A in conformance with the composite zoning ordinance.

If you have any questions or need any additional information, please call me at your convenience.

Sincerely,



Hollis A. Scheffler, P.E.

HAS/jjb
5137-21.587_PEC Zoning Intent



January 25, 2022
PK No.: 5137-21.587

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.

904 Mallow Road
Leander, Texas 78641

Re: **LEANDER FEDEX FACILITY**

Minor PUD Notification Letter for Property Located at 9880 183A Toll Road
Leander, Texas 78641

To Whom It May Concern:

Our client is in the process of submitting to the City of Leander a Minor PUD application for the property located at 9880 183A Toll Road, Leander, Texas 78641 in order change from the Conventional Sector zoning to a General Commercial zoning.

Attached is a diagram of the property to be incorporated into this Minor PUD, highlighted in red, and the buffer area of notifications. If you have any questions regarding the enclosed items or need any additional information, please contact our office at your convenience.

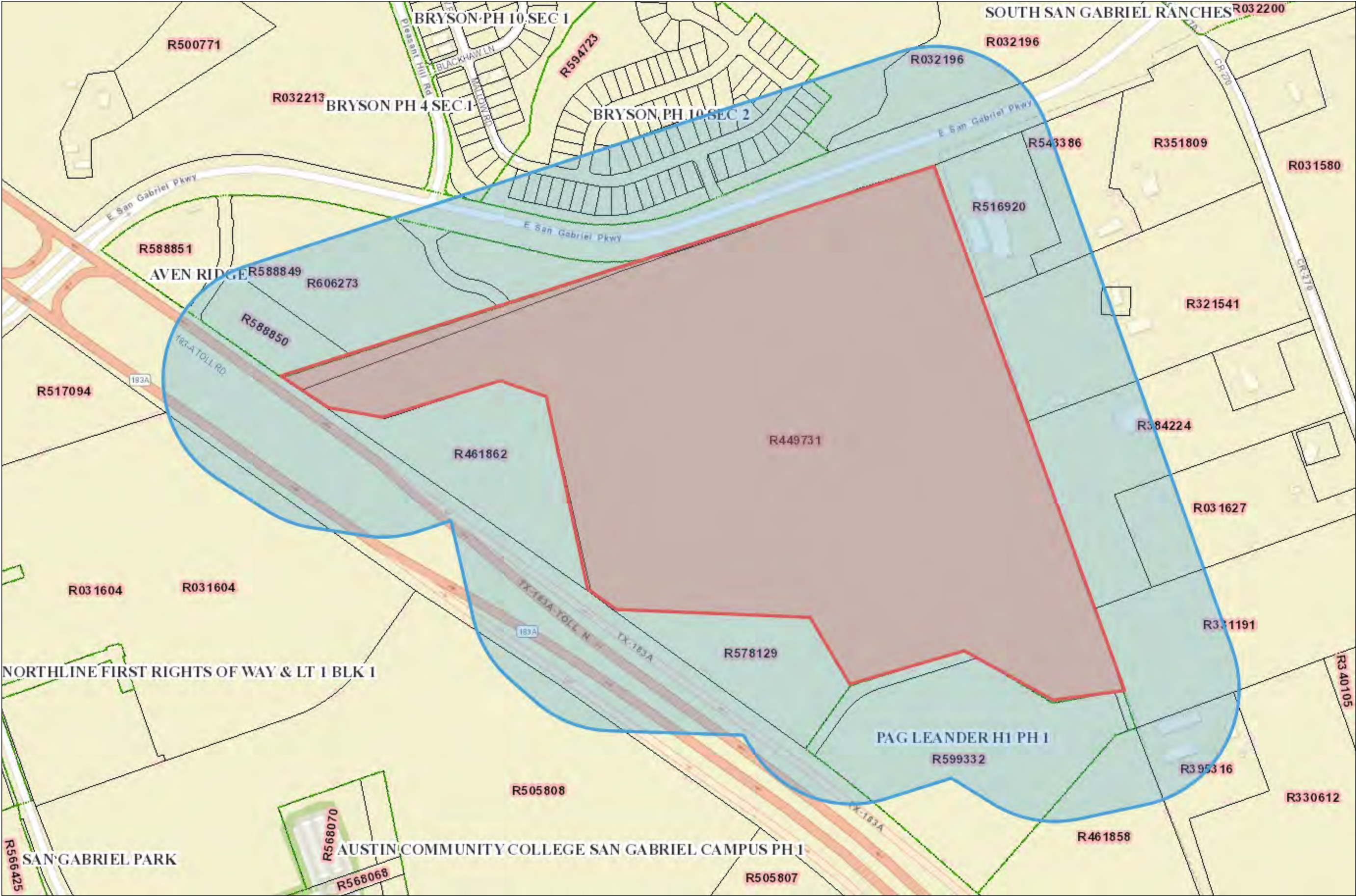
If you have any questions regarding the enclosed items or need any additional information, please call me at your convenience.

Sincerely,

Pacheco Koch Consulting Engineers, LLC,
a Westwood Company

In the event of any unintentional clerical inaccuracies or misrepresentations in this document, please contact our office at your earliest convenience.

HAS/jjb
5137-21.587_Notification Letter



- Legend
- County Boundary
 - Subdivision
 - Tax Parcel

Leander 500' Buffer Map
Web Print: 01/20/2022



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Write the Case Number

22-Z-003

Found in the attached letter

ONLINE OPTION

If you prefer, submit
comments online at:

leandertx.gov/notice

A property owner near you has requested a change as described in the attached letter. Complete and mail this postcard or visit the city website to provide comments. Postage has been prepaid for your convenience.

Name: Robert Higginbotham

Address: 8723 N Lamar, Austin

Email: [REDACTED]

☒ **SUPPORT** ☐ **OPPOSE** the requested change as described. **Other comments:**

ASAP!

Write the Case Number

22-Z-003

Found in the attached letter

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ONLINE OPTION

If you prefer, submit
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leandertx.gov/notice

A property owner near you has requested a change as described in the attached letter. Complete and mail this postcard or visit the city website to provide comments. Postage has been prepaid for your convenience.

Name: Jed Waltemathe

Address: 1360 E San Gabriel Pkwy

Email: [REDACTED]

☒ **SUPPORT** ☐ **OPPOSE** the requested change as described. **Other comments:**

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY CREATING THE SAN GABRIEL INDUSTRIAL MINOR PUD (PLANNED UNIT DEVELOPMENT) WITH THE BASE ZONING DISTRICT OF GC-5-A (HEAVY COMMERCIAL); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

WHEREAS, after giving at least ten (10) days written notice to the owners of land within two hundred (200') feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

WHEREAS, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Zoning Ordinance. Ordinance No. 05-018-00, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

SECTION 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property". That certain parcel of land being 88.813 acres, ±; being more particularly described in Exhibit "B"; and identified by tax identification number R031599 and R449731; more particularly described in Instrument Number 2009090590 recorded in the Official Public Records of Williamson County, Texas.

SECTION 4. Property Rezoned. The Zoning Ordinance is hereby amended by creating the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district of GC-5-A (General Commercial). The Minor PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A" and "B", which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth in this Ordinance, this Ordinance shall control.

SECTION 5. Recording Zoning Change. The City Council directs the Planning Department to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

SECTION 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 7th day of April, 2022.

FINALLY PASSED AND APPROVED on this the 21st day of April, 2022.

ATTEST:

THE CITY OF LEANDER, TEXAS:

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



**MINUTES
PLANNING & ZONING COMMISSION
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas

March 24, 2022 at 7:00 PM



Place 1 – Donnie Mahan, *Vice Chair*
Place 2 – John Cosgrove, *Chair*
Place 3 – Ron May
Place 4 – Deirdre Moss

Place 5 – Gary Hampton, Jr.
Place 6 – Laura Lantrip
Place 7 – Rick Carpenter

The meeting will be live-streamed at the following link: <https://www.leandertx.gov/video>.

1. Call to Order at 7:00 p.m.

2. Roll Call.

All Commissioners are present except Commissioner Moss and Commissioner Hampton.

3. Director's report to the Planning & Zoning Commission on actions taken by the City Council at the March 17, 2022.

4. Review of meeting protocol.

5. Citizen Comments: Three (3) minutes allowed per speaker.
[Please turn in speaker request form before the meeting begins.]

CONSENT AGENDA: ACTION

6. Approval of Subdivision Case 20-FP-020 regarding Lost Woods Preserve Phase 3 Final Plat on two parcels of land approximately 25.592 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R031570, R031574; generally located at the south west corner of Journey Pkwy and CR 175., Leander, Williamson County, Texas.

7. Approval of Subdivision Case 21-PP-016 regarding Urbana at Hero Way Preliminary Plat on seven parcels of land approximately 18.12 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R575954, R336502, R432892, R432893, R432891, R366161, and R032167; generally located south east of Hero Way West and N. Lakeline Blvd., Leander, Williamson County, Texas.

8. Approval of Minutes.

Motion made by Commissioner May and seconded by Vice Chair Mahan to approve the consent agenda items 6 through 8.

Vote 5 to 0

PUBLIC HEARING: ACTION

9. Conduct a Public Hearing regarding Special Use Case 22-SU-001 to allow for the temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant; on one parcel of land approximately 0.3856 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036092; and more commonly known as 107 Bagdad Street, Leander, Williamson County, Texas.

- Discuss and consider action regarding Special Use Permit Case 22-SU-001 as described above.

Peggy Roberts spoke in favor.

Motion made by Vice Chair Donnie Mahan, seconded by Commissioner Laura Lantrip to approve the special use permit with the condition that staff has the ability to grant extensions at the end of the term.

AYE: Chair John Cosgrove, Commissioner Laura Lantrip, Commissioner Rick Carpenter, Commissioner Ron May, Vice Chair Donnie Mahan

5 - 0 Passed

10. Conduct a Public Hearing and consider action regarding Zoning Case 22-TOD-Z-004 to amend the current zoning of SFU-2-B (Single-Family Urban), GC-3-C (General Commercial), and T4 Transect (General Urban Zone) to T5 Transect (Urban Center Zone) on twenty-one parcels of land approximately 6.652 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036035–R036040, R036043–R036046, R036072, R036074, R036078–R036080, R036087–R036089, R036104, R036105, and R097401; and generally located on the east side of N Brushy Street between W Broade Street and W South Street, and located along Broade Street between Brushy Street and N West Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case 22-TOD-Z-004 as described above.

Peggy Roberts had questions on how it will affect her property.

Motion made by Commissioner Rick Carpenter, seconded by Commissioner Laura Lantrip to approve the zoning request.

AYE: Chair John Cosgrove, Commissioner Laura Lantrip, Commissioner Rick Carpenter, Commissioner Ron May, Vice Chair Donnie Mahan

5 - 0 Passed

11. Conduct a Public Hearing and consider action regarding Ordinance Case 22-OR-001 to amend the Composite Zoning Ordinance to adopt regulations for Mobile Food Establishments, update accessory structure requirements, updating definitions, and to provide for related matters; Williamson & Travis Counties, Texas.
- Discuss and consider action regarding Ordinance Case 22-OR-001 as described above.
- Peggy Roberts had questions.

Motion made by Chair John Cosgrove, seconded by Vice Chair Donnie Mahan to postpone the action item to the next P & Z meeting on April 14, 2022.

AYE: Chair John Cosgrove, Commissioner Laura Lantrip, Commissioner Rick Carpenter, Commissioner Ron May, Vice Chair Donnie Mahan

5 - 0 Passed

REGULAR AGENDA

12. Discuss and consider action regarding Zoning Case 22-Z-003 to amend the current zoning of PUD/TOD-CD (Planned Unit Development/Transit Oriented Development – Conventional Development Sector) to adopt the San Gabriel Industrial Minor PUD (Planned Unit Development) with the base zoning district GC-5-A (General Commercial) on two parcels of land approximately 86.9312 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R031599 and R449731; and more commonly known as 9880 183A Toll Rd, Leander, Williamson County, Texas.

Dennis Ellison and Deborah Ebner spoke against.
No one spoke in favor.

Motion made by Chair John Cosgrove, seconded by Commissioner Laura Lantrip to approve the zoning request with the conditions:

1. Truck access is limited to San Gabriel Parkway.
2. Overhead doors shall be screened from view of ROW.
3. Outdoor storage limited to fleet vehicles.
4. Building shall be Class A.

AYE: Chair John Cosgrove, Commissioner Laura Lantrip, Commissioner Rick Carpenter, Commissioner Ron May, Vice Chair Donnie Mahan

5 - 0 Passed

13. Receive a presentation on the Roadway Impact Fee study maximum impact fee and discuss policy items for a roadway impact fee ordinance.
14. Discuss and consider action on recommendations from the Planning & Zoning Commission for the FY 2022/2023 City Budget and CIP Plan.

Motion made by Commissioner Ron May, seconded by Chair John Cosgrove to table this item until April 14, 2022, P & Z Meeting.

AYE: Chair John Cosgrove, Commissioner Laura Lantrip, Commissioner Rick Carpenter, Commissioner Ron May, Vice Chair Donnie Mahan

5 - 0 Passed

15. Adjournment at 8:57 p.m.

APPROVED:

CHAIRMAN COSGROVE

ATTEST:

ELLEN COUFAL
PLANNING & ZONING COMMISSION SECRETARY



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Approval of the extension of the application expiration for Subdivision Case 20-FP-032 Rosenbusch Ph 2 Final Plat; more particularly described by Williamson Central Appraisal District Parcel R613615; generally located to the southeast of the intersection of Vista Ridge Drive and Lakeline Boulevard; Leander, Williamson County, Texas.

BACKGROUND:

This request is for an extension of the expiration date of the Rosenbusch Ph 2 Final Plat form final plat application. Article II, Section 24 (g) includes the following provisions.

(g)Application Expiration.

(1) The Final Plat application shall expire nine (9) months after the date that all initial staff review comments from all reviewing departments have been issued on the application if the final plat is not approved due to the applicant's failure to cause the application to comply with applicable city regulations.

(2) The Planning Department may grant one six (6) month extension if the applicant can show substantial progress in obtaining approval of the final plat. Substantial progress shall consist of, at a minimum, a resubmission of the final plat and all relevant materials by the applicant that address all initial staff review comments from all reviewing departments.

HISTORY/TIMELINE:

07/20/2020 - Preliminary Plat Approved

10/27/2020 - Final Plat Application Submitted

11/30/2020 - Final Plat 1st Review Comments Sent

08/30/2021 - Final Plat Application Expired

03/02/2022 - Final Plat Application Staff Extension Expired

APPLICANT/AGENT:

Faris Abboushi, LDC

RECOMMENDATION:

The Subdivision Ordinance includes timelines for application approvals. The timeline/history section of this summary above includes the key dates for this request. The final plat application expires nine (9) months after the first review comment letter for the final plat is sent to the applicant.

Staff recommends approval of an additional six (6)- month extension. Approving this extension would grant an extension to September 2, 2022 and will allow the developer to finalize the plat requirements and schedule the plat for review by the Planning & Zoning Commission.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Extension Request
2. Location Exhibit

3. Ordinance



April 7, 2022

Robin M. Griffin, AICP
Planning Director
City of Leander
512-528-2763

RE: Rosenbusch Ranch Phase 2 Final Plat (20-FP-032)
Application Extension Request

Dear Ms. Griffin,

Please accept this letter as LDC's formal request for an Application Extension for the Rosenbusch Ranch Phase 2 Final Plat application (City of Leander Case Number 20-FP-032).

The original application was administratively extended from 8/30/2021 to 2/3/2022, and we are seeking a second extension of the application in order to allow for the Final Submittal to occur now that we have cleared all technical comments . The only outstanding item for this plat is obtain signatures on the final mylar and to post fiscal for the remaining improvements.

We appreciate your assistance in this matter and are available to provide any additional information needed from our office at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Faris Abboushi', is located below the 'Sincerely,' text. The signature is fluid and cursive.

Faris Abboushi, PE
LDC
TBPE Firm #16384

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS
GRANTING AN EXTENSION OF THE EXPIRATION OF THE
FINAL PLAT APPLICATION FOR THE ROSENBUSCH RANCH
PHASE 2 SUBDIVISION.**

WHEREAS, Section 24 (g) (1) of the City's Subdivision Ordinance provides that the final plat application expires nine (9) months after the date that all initial staff review comments from all reviewing departments have been issued on the application if the final plat are not approved due to the applicant's failure to cause the application to comply with applicable city regulations;

WHEREAS, Section 24 (g) (2) of the City's Subdivision Ordinance provides that the Planning Department may grant one six (6) month extension if the applicant can show substantial progress in obtaining approval of the final plat;

WHEREAS, the Planning Department granted one six (6) month extension for the Rosenbusch Ranch Phase 2 final plat application (the "Final Plat Application") which expires on or about March 2, 2022;

WHEREAS, the City Council of the City of Leander, Texas (the "City") finds that there is good reason to grant an extension of the expiration date for the Final Plat Application because the applicant is actively working to address the final plat comments and move forward with final plat within a reasonable timeframe;

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

SECTION 1. Findings of Fact. The forgoing recitals are incorporated into this Ordinance as true and correct findings of fact.

SECTION 2. Extension Granted. The City hereby grants an extension of the expiration date for the Final Plat Application to September 2, 2022. In the event that the Final Plat Application is not approved by the Planning and Zoning Commission on or before September 2, 2022, the Final Plat Application shall expire.

SECTION 3. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with the City Charter.

SECTION 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the 21st day of April, 2021.

THE CITY OF LEANDER, TEXAS

ATTEST:

Christine DeLisle, Mayor

Dara Crabtree, City Secretary



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Conduct a Public Hearing regarding Ordinance Case 22-OR-001 to amend the Composite Zoning Ordinance to adopt regulations for Mobile Food Establishments, update accessory structure requirements, updating definitions, and to provide for related matters; Williamson & Travis Counties, Texas.

- Discuss and consider action regarding Ordinance Case 22-OR-001 as described above.

BACKGROUND:

This request is the second step in the ordinance process. This update includes the following amendments:

1. Establish Mobile Food Establishments
2. Revise Accessory Structure Requirements
3. Updates to Definitions

The Commission reviewed the request during the March 24, 2022 meeting and recommended the following changes:

1. Provide for an increased setback when the size of the accessory structure is increased.
2. Update the owners of operation for a temporary use to match the LO (Local Office) hours

HISTORY/TIMELINE:

03/24/2022 – Planning & Zoning Commission, 1st Public Hearing

04/14/2022 – Planning & Zoning Commission, Action

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

The Planning & Zoning Commission recommendation will be available during the meeting.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Planning Analysis
2. Ordinance Redline
3. Ordinance



PLANNING ANALYSIS

ORDINANCE CASE 22-OR-001 COMPOSITE ZONING ORDINANCE

GENERAL INFORMATION

Ordinance Amendment: Composite Zoning Ordinance

Changes: Updates to add/remove definitions, establish standards for Mobile Food Establishments, and update accessory structure requirements.

Staff Contact: Robin M. Griffin, AICP, Executive Director of Development Services

PURPOSE

Currently, mobile food establishments (aka food trucks) are not permitted by right by the Composite Zoning Ordinance. Staff has evaluated the ordinances as well as the regulations for surrounding municipalities. As part of this research, staff has crafted an ordinance to address the following questions:

1. WHY ALLOW MOBILE FOOD ESTABLISHMENTS?

- Provides an opportunity to increase jobs and businesses.
- Offers opportunities for food choices.
- Helps new restaurants test the local market for a permanent location.
- Allows the City to signal to other potential businesses that the community is adopting the evolving economy and is supporting entrepreneurship.
- Activates areas that are in need of redevelopment.

2. QUESTIONS TO ANSWER

- Where does this type of use fit?
- How long should they stay at one location?
- Does the community want this use?
- When can mobile food establishments operate?
- How should parking be addressed?
- Should there be limits on hours, lighting, and outdoor activities?

3. WHERE

- LC, GC use components, amenity centers?
- Distance from other brick and mortar restaurants?
- Distance from single-family?
- On public property like City Hall and parks?

4. DURATION

- Allowed to stay overnight?
- Limit on the number of days?

5. Nuisances

- Hours of Operation: follow base zoning?
- Trash: How do we keep the area clean?
- Lighting: Dry Sky Compliant?
- Maintenance of trucks

This amendment includes two types of mobile food establishments – parks and temporary. A park would be a site that is improved to support multiple mobile food establishments at a fixed location. The primary use would be mobile food establishments. A temporary mobile food establishment would be allowed at an existing business or developed site.

In addition to this update, we have added several definitions and updated the accessory structure size provisions. Currently, the ordinance limits the size of an accessory structure to 10% of the size of the primary structure. We have noticed an influx in requests to allow for a large accessory structure. We suspect that this change stems an increase in the number of people that work from home. Staff proposes to increase the size from 10% to 20% of the primary structure. This means that a 2,500 square foot home could have a 500 square foot accessory structure instead of 250 square feet.

COMPREHENSIVE PLAN

GOAL #1 – ECONOMIC GROWTH – QUALITY DEVELOPMENT & ECONOMIC GROWTH GENERATING A DIVERSE TAX BASE

Strategy 1.2 Maintain development codes that achieve the community’s desired character and quality.

Action 1.2.3 Prepare amendments to the development codes to address changing market demands and development patterns.

CHAPTER 4 - COMMUNITY ENGAGEMENT

Figure 3.22, What Should Leander Focus on to Promote the Community?



COMPOSITE ZONING ORDINANCE

ARTICLE I – GENERAL, SECTION 6: DEFINITIONS

Accessory Building or Accessory Structure (nonresidential) means ~~In residential districts, an accessory building / structure is incidental to and customarily associated with a specific principal use or principal building on the same site, attached to or detached from the main building, not used for commercial purposes and not rented. In non-residential districts, an accessory building / structure~~ that is a subordinate building, the use of which is secondary to and supportive of the main building. Includes, but is not limited to, storage facilities, detached garages, parking structures or enclosures, shade structures, and other similar buildings or structures.

Accessory Building or Accessory Structure (residential) means a building or structure that is incidental to and customarily associated with the principal structure on the same site, attached to or detached from the main building, not used for commercial purposes and not rented. Includes, but is not limited to, swimming pools, pool houses/cabanas, workshops, decks, storage sheds, barbeque structures, playscapes, tree houses, shade structures, and other similar buildings or structures. Conexes and shipping containers are not permitted or considered to be an accessory structure in residential zoning districts.

~~subordinate building, the use of which is secondary to and supportive of the main building.~~

Accessory Dwelling Unit means a unit built on a legal lot in addition to a principal dwelling unit Accessory dwelling units are subordinate in size, location, and use to the principal structure.

Auto body, paint and repair shop means an establishment that provides collision repair services for automobiles and light trucks and other similar motor vehicles, including body frame straightening and repair, replacement of damaged parts and painting. The term "auto body, painting and repair shops" may also include general repairs

Backage Road means a road that runs parallel to or alongside an arterial street that provides the main point of access to property.

Bed and Breakfast means a private residence or commercial operation that offers sleeping accommodations and serves breakfasts at no extra cost to its lodgers.

Brewpub means an establishment containing both a restaurant and a brewery that produces beer for on site sale and consumption.

Building means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, which is permanently affixed to the land, ~~and~~ has one or more floors and a roof, and has enclosed walls for fifty (50%) percent of its perimeter. The term "building" shall be construed as if followed by the words "or part thereof".

Drought tolerant turf grasses means turf grass varieties and mixes that have been developed to minimize, once established, the requirements for irrigation, mowing, weeding and fertilizer in central Texas landscapes and have summer-dormancy capabilities. Drought-tolerant turf grasses include species

such as Buffalo, Bermuda hybrids that do not produce viable seed, Zoysia, and HABITURF®. St. Augustine is not considered a drought-tolerant turf grass.

Executive Director of Development Services means the person appointed by the City Manager to oversee the Development Services Department and serve as the Planning Director.

Flood-plain means a waterway and the adjacent land area subject to inundation during the design storm.

Garage means a structure or part thereof, designed, used or intended to be used for the parking and storage of motor vehicles. A garage is considered to be part of the primary structure for single-family residential purposes. A garage shall include paved, vehicular access to a street.

Hospital means an institution providing primary health care services, including in-patient medical or surgical care, including related facilities such as out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance and parking facilities. Typical uses include medical centers and hospitals.

Masonry means brick, stone, or stucco. Tilt wall faced in brick or stone, or stamped to look like brick or stone also qualifies as masonry.

Microbrewery, Microdistillery, or Microwinery means:

- (a) A Microbrewery is a facility that produces no more than 15,000 barrels of beer annually and which may include a tasting room and retail space.
- (b) A Microdistillery is a facility that produces no more than 5,000 gallons of spirituous beverages annually and which may include a tasting room and retail space. Also referred to as craft, boutique, or artisanal distilleries.
- (c) A Microwinery is a facility that produces no more than 50,000 gallons of wine and related beverages annually and which may include a tasting room and retail space, but does not include a vineyard.

Mini-warehouse means a structure containing separate storage spaces of varying sizes leased or rented as individual leases. This term includes self-storage facility and mini-storage facility.

Mobile Food Establishment means a readily movable, motorized wheeled vehicle, or a towed wheeled vehicle, designed and equipped with heat producing equipment to cook, fry, or warm products to serve food and associated non-alcoholic beverages. This definition shall also apply to any associated uses such as seating, refuse containers, generators, or equipment associated with the mobile food establishment operation.

Mobile Food Establishment Temporary Use means a Mobile Food Establishment that locates temporarily on a property with an existing business, in accordance with the standards of this ordinance.

Mobile Food Establishment Park means a property used or developed to accommodate one or more Mobile Food Establishments as the primary use of the property. Mobile Food Establishment Parks must have a valid certificate of occupancy in addition to all other applicable permits and inspections.

Modular Housing means a residential structure that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site. This type of structure is designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. It does not include:

- (a) Manufactured housing,
- (b) Housing constructed of sectional or panelized system that does not use a modular component, or
- (c) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving to the home to a different location.

Office means a building used for executive, consulting, professional, management, or administrative services. Typical uses include administrative offices including, but not limited to, real estate, law, architectural design, accounting, insurance, property management, investment, personnel, travel, or business offices.

Office, Medical means an office used to provide consultation, diagnosis, therapy, or corrective treatment services by doctors, dentists, or other similar medical practitioners.

Office Warehouse means an establishment engaged in both the administration and management of, and the storage of, goods for themselves or other firms. Typical uses for the office portion include business functions related to the goods being stored. A limited amount of on-site sales activity with the customer present is expected. Typical uses for the warehouse portions include storage by retail stores such as furniture and appliance stores, household moving and general freight storage. The office/warehouse facility's typical design has an office entry on the street-facing side of the building and a warehouse and loading entry on the rear of the building. Uses for the warehouse portion shall not include major wholesale distribution centers, cold storage plants including frozen food lockers, storage of weapons and ammunition, truck or air freight terminals, bus barns, parcel services, major post offices, grain terminals, transfer and storage businesses and the stockpiling of sand, gravel or other aggregate materials. A minimum of twenty-five (25%) percent of the building shall be used for office purposes.

Off-Street Parking Space means an area for one (1) motor vehicle not on a public street or alley, with an all weather surface (asphalt or concrete). A public street shall not be classified as off-street use, however, head-in parking or parallel parking spaces protected by raised peninsulas or islands adjacent to a public street may be considered as off-street parking if approved by the Director of Planning.

Shade Structure means gazebos, arbors, pergolas or similar structures intended as decorative features to provide respite from the sun and partial protection from the elements while still out of doors.

Sign-Band means a portion of the exterior wall of the building generally located near of the eave of a structure and out of a material different from the remainder of the wall or along the eave of a canopy, usually oriented horizontally, and including business or industry identification colors, logos, signage or other similar features.

Vet Clinic means a facility for the care, diagnosis and medical treatment by a licensed veterinarian.

ARTICLE III – USE COMPONENTS

SECTION 14: LO - LOCAL OFFICE

(b) Conforming Uses

(5) Mobile Food Establishment Park (Special Use Permit is required, see Article IV, Section 10 for Use Standards)

(6) Mobile Food Establishment Temporary Use (See Article IV, Section 10 for Use Standards)

ARTICLE IV – USE STANDARDS

SECTION 2: Special Use Permit

(a) Uses Qualified

(16) Mobile Food Establishment Park

SECTION 5: Accessory Building/Structure/Use; Sports & Other Equipment Regulations

(d) In residential districts, a covered patio or porch is considered to be part of the primary building / structure.

****NEW CODE ADDITIONS****

SECTION 10: Mobile Food Establishment Park & Mobile Food Establishment Temporary Use

(a) Intent. The intent of this section is to provide regulations for the development of Mobile Food Establishment Parks as well as provide provisions for Mobile Food Establishment Temporary Use as a temporary use on site that are already developed for commercial purposes.

(b) General requirements.

- (1) Mobile Food Establishments shall not locate on public streets, sidewalks, required parking areas needed to meet minimum parking requirements for the primary use, fire lanes, or blocking access drives.
- (2) Mobile Food Establishments shall not be located within one hundred fifty (150') feet of a residential dwelling unit. This measurement shall be measured from the property line of the dwelling unit to the closest point of the Mobile Food Establishment.
- (3) Mobile Food Establishments, generators, and other equipment shall be maintained and be in operable condition at all times.
- (4) No trash or grease shall be left on site after the departure of the Mobile Food Establishment.
- (5) Exterior finishes shall be maintained with minimum property, structural, and health standards.
- (6) Mobile Food Establishments shall remain on wheels and drivable or with the hitch in place.

- (7) Mobile Food Establishments shall have an up to date registration and license.
 - (8) The property owner authorization shall be provided prior to operating a Mobile Food Establishment on private or public property.
 - (9) All signage for the Mobile Food Establishment shall be on or attached to the vehicle. "A" Frame signs may be used for menu items internal to the site.
 - (10) All Mobile Food Establishments shall maintain a permit in compliance with the Williamson County and Cities Health District regulations and City regulations.
- (c) Mobile Food Establishment Parks. In addition to the general requirements listed in this section, Mobile Food Establishment Parks shall also comply with the following.
- (1) A special use permit is required.
 - (2) A site development permit is required demonstrating compliance with all ordinance requirements. This permit shall provide a plan for the location of the Mobile Food Establishments, parking, amenity areas, restrooms, driveways, sidewalks, and refuse containers. Setbacks associated with the zoning district shall apply to the Mobile Food Establishment Park. Parking areas may be comprised of crushed granite with a ribbon curb.
 - (3) Restrooms. Permanent restrooms within a permitted building or structure shall be provided onsite within the Mobile Food Establishment Park for the use by the Mobile Food Establishments and the Mobile Food Establishment customers, operators, and employees. The number of and type of restrooms shall be determined based on the occupant load of the Mobile Food Establishment Park. These restrooms shall be available for use during the Mobile Food Establishment Park hours of operation. No portable or temporary restrooms shall be allowed.
 - (4) Hours of Operation: Hours of operation shall comply with the underlying base zoning district
 - (5) Common Area. Each Mobile Food Establishment Park shall be required to provide two hundred (200) square feet of common area per Mobile Food Establishment. The area should be a minimum of ten (10') feet in width. Common area shall include outdoor eating areas, open space, playscape, open space, covered gathering space, or other similar uses.
 - (6) Parking. See Article VI, Section 3.
 - (7) An annual permit from the City for each calendar year is required for a Mobile Food Establishment Park. This permit shall be requested each year in January 1.
 - i. The property owner shall be responsible for obtaining the permit.
 - ii. The property owner shall attest that all Mobile Food Establishments within the Park have the required permits from the health district and that all inspections by the Fire Department have been completed.
 - iii. This permit may be revoked if the Mobile Food Establishment Park is found to be out of compliance with the health department or the City's regulations.
 - iv. The Mobile Food Establishment Park shall have a manager and the contact information for the manager shall be provided with the annual permit.

- (8) Certificate of Completion. Each Mobile Food Establishment Park shall be required to receive a certificate of completion for the site improvements prior to the operation of Mobile Food Establishments.

(d) Mobile Food Establishment Temporary Use.

- (1) Upon issuance of a permit pursuant to the Code of Ordinances, a Mobile Food Establishment is permitted as an accessory use supporting the following uses:
- i. Property located within a LO (Local Office), LC (Local Commercial), GC (General Commercial), HC (Heavy Commercial), and HI (Heavy Industrial) use components, which contains an operational business;
 - ii. Places of worship;
 - iii. Apartment complexes;
 - iv. Parks and recreation facilities;
 - v. Homeowner Association owned common areas; or
 - vi. Public or private education facilities.

(2) Hours of Operation

- i. The hours of operation to the general public for Mobile Food Establishment shall be between 5:00 a.m. to 10:00 p.m. Sunday through Thursday, and between 5:00 a.m. and 11:00 p.m. Friday and Saturday.

- (3) Restrooms located within a permanent building that has been issued a valid certificate of occupancy shall be provided for the use of the Mobile Food Establishment's customers, operators and employees. Such restroom(s) must remain open and available for use at all times during which the Mobile Food Establishment is situated on the operation site. No portable or temporary restrooms shall be allowed.

- (4) Number of Mobile Food Establishment per property: Sites smaller than one (1) acre are prohibited from having more than two (2) Mobile Food Establishment on-site at any time.

ARTICLE V – SITE COMPONENTS

SECTION 2: Type 2

(b) Site Uses and Features (Some Site Uses Listed Also Require Appropriate Use Component)

(1) General (All Development):

- i. Accessory buildings / structures are permitted providing that their total gross floor area square footage is not greater than ~~ten-twenty~~ percent (240%) of the gross floor area of the primary building / structure with the use utilizing such accessory building / structure(s), or one hundred twenty (120) square feet, whichever is greater (agricultural and recreational buildings / structures are exempt from this limit).

ARTICLE VI – USE STANDARDS

SECTION 3: Off-Street Parking Requirements

USE CATEGORY	SPECIFIC USE	SPACE REQUIREMENT
COMMERCIAL USES		
Food & Beverage Establishments	Restaurant as a single use or comprising more than 20% of a mixed retail center	1:100 sq. ft.
	<u>Mobile Food Establishment Park</u>	<u>1:100 sq. ft. of common area plus 2 spaces per Mobile Food Establishment Park</u>

SECTION 6: Setbacks

(f) Exceptions

(11) Enclosed accessory buildings shall be prohibited in front of and to the side of the main building. Enclosed accessory buildings may be located to the side of the main building as long as the building is either screened from view of the right-of-way or the exterior surface area of the street facing walls is comprised of Masonry. Otherwise, accessory buildings / structures shall have the same setbacks as primary buildings except as follows:

- (i) Unenclosed canopies (including carports) in non-residential districts covering a paved surface and suitable for vehicular parking shall be in accordance with the setback rules for parking areas,
- (ii) Unenclosed canopies (including carports) in residential districts covering a paved surface and suitable for vehicular parking shall be located to the side or to the rear of the main building and shall be subject to the same setback rules as a garage.

(iii) The rear setback line for an accessory building / structure in a single-family or two-family district may be reduced to five (5) feet except barns and stables in the SFR zoning district shall not be located within 25 feet of any property line. Accessory buildings / structures that exceed ten (10%) percent of the gross floor area of the primary building / structure shall increase the rear and side setbacks to fifteen (15) feet.

- (iv) Accessory buildings / structures shall be located at least three feet from any other non-accessory building or structure on the property.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING SECTIONS OF ARTICLE 14.02, THE COMPOSITE ZONING ORDINANCE TO AMEND THE COMPOSITE ZONING ORDINANCE TO ADOPT REGULATIONS FOR MOBILE FOOD ESTABLISHMENTS, UPDATE ACCESSORY STRUCTURE REQUIREMENTS, UPDATE DEFINITIONS, AND TO PROVIDE FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Planning & Zoning Commission held a public hearing on the proposed amendments to Section 14.02.001, Article 14.02, Chapter 14, Leander Code of Ordinances (the “Composite Zoning Ordinance”), and forwarded its recommendation on the amendments to the City Council; and

WHEREAS, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has considered the proposed amendments and finds that the amendments are reasonable and necessary to protect the health, safety, and welfare of the present and future residents of the City;

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

SECTION 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

SECTION 2. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended by adding the following definitions:

Accessory Building or Accessory Structure (residential) means a building or structure that is incidental to and customarily associated with the principal structure on the same site, attached to or detached from the main building, not used for commercial purposes and not rented. Includes, but is not limited to, swimming pools, pool houses/cabanas, workshops, decks, storage sheds, barbeque structures, playscapes, tree houses, shade structures, and other similar buildings or structures. Conexes and shipping containers are not permitted or considered to be an accessory structure in residential zoning districts.

Accessory Dwelling Unit means a unit built on a legal lot in addition to a principal dwelling unit. Accessory dwelling units are subordinate in size, location, and use to the principal structure.

Auto body, paint and repair shop means an establishment that provides collision repair services for automobiles and light trucks and other similar motor vehicles, including body frame straightening and repair, replacement of damaged parts and painting. The term "auto body, painting and repair shops" may also include general repairs

Bed and Breakfast means a private residence or commercial operation that offers sleeping accommodations and serves breakfasts at no extra cost to its lodgers.

Brewpub means an establishment containing both a restaurant and a brewery that produces beer for on site sale and consumption.

Drought tolerant turf grasses means turf grass varieties and mixes that have been developed to minimize, once established, the requirements for irrigation, mowing, weeding and fertilizer in central Texas landscapes and have summer-dormancy capabilities. Drought-tolerant turf grasses include species such as Buffalo, Bermuda hybrids that do not produce viable seed, Zoysia, and HABITURF®. St. Augustine is not considered a drought-tolerant turf grass.

Executive Director of Development Services means the person appointed by the City Manager to oversee the Development Services Department and serve as the Planning Director.

Garage means a structure or part thereof, designed, used or intended to be used for the parking and storage of motor vehicles. A garage is considered to be part of the primary structure for single-family residential purposes. A garage shall include paved, vehicular access to a street.

Hospital means an institution providing primary health care services, including in-patient medical or surgical care, including related facilities such as out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance and parking facilities. Typical uses include medical centers and hospitals.

Microbrewery, Microdistillery, or Microwinery means:

- (a) A Microbrewery is a facility that produces no more than 15,000 barrels of beer annually and which may include a tasting room and retail space.
- (b) A Microdistillery is a facility that produces no more than 5,000 gallons of spirituous beverages annually and which may include a tasting room and retail space. Also referred to as craft, boutique, or artisanal distilleries.
- (c) A Microwinery is a facility that produces no more than 50,000 gallons of wine and related beverages annually and which may include a tasting room and retail space, but does not include a vineyard.

Mini-warehouse means a structure containing separate storage spaces of varying sizes leased or rented as individual leases. This term includes self-storage facility and mini-storage facility.

Mobile Food Establishment means a readily movable, motorized wheeled vehicle, or a towed wheeled vehicle, designed and equipped with heat producing equipment to cook, fry, or warm products to serve food and associated non-alcoholic beverages. This definition shall also apply to any associated uses such as seating, refuse containers, generators, or equipment associated with the mobile food establishment operation.

Mobile Food Establishment Temporary Use means a Mobile Food Establishment that locates temporarily on a property with an existing business, in accordance with the standards of this ordinance.

Mobile Food Establishment Park means a property used or developed to accommodate one or more Mobile Food Establishments as the primary use of the property. Mobile Food Establishment Parks must have a valid certificate of occupancy in addition to all other applicable permits and inspections.

Modular Housing means a residential structure that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site. This type of structure is designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. It does not include:

- (a) Manufactured housing,
- (b) Housing constructed of sectional or panelized system that does not use a modular component, or
- (c) A ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for the purpose of selling and moving to the home to a different location.

Office means a building used for executive, consulting, professional, management, or administrative services. Typical uses include administrative offices including, but not limited to, real estate, law, architectural design, accounting, insurance, property management, investment, personnel, travel, or business offices.

Office, Medical means an office used to provide consultation, diagnosis, therapy, or corrective treatment services by doctors, dentists, or other similar medical practitioners.

Office Warehouse means an establishment engaged in both the administration and management of, and the storage of, goods for themselves or other firms. Typical uses for the office portion include business functions related to the goods being stored. A limited amount of on-site sales activity with the customer present is expected. Typical uses for the warehouse portions include storage by retail stores such as furniture and appliance stores, household moving and general freight storage. The office/warehouse facility's typical design has an office entry on the street-facing side of the building and a warehouse and loading entry on the rear of the building. Uses for the warehouse portion shall not include major wholesale distribution centers, cold storage plants including

frozen food lockers, storage of weapons and ammunition, truck or air freight terminals, bus barns, parcel services, major post offices, grain terminals, transfer and storage businesses and the stockpiling of sand, gravel or other aggregate materials. A minimum of twenty-five (25%) percent of the building shall be used for office purposes.

Shade Structure means gazebos, arbors, pergolas or similar structures intended as decorative features to provide respite from the sun and partial protection from the elements while still out of doors.

Vet Clinic means a facility for the care, diagnosis and medical treatment by a licensed veterinarian.

SECTION 3. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended by modifying the following definitions:

Accessory Building or Accessory Structure (nonresidential) means an accessory building / structure that is a subordinate building, the use of which is secondary to and supportive of the main building. Includes, but is not limited to, storage facilities, detached garages, parking structures or enclosures, shade structures, and other similar buildings or structures.

Building means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, which is permanently affixed to the land, has one or more floors and a roof, and has enclosed walls for fifty (50%) percent of its perimeter. The term “building” shall be construed as if followed by the words “or part thereof”.

Masonry means brick, stone, or stucco. Tilt wall faced in brick or stone, or stamped to look like brick or stone also qualifies as masonry.

Off-Street Parking Space means an area for one (1) motor vehicle not on a public street or alley, with an all weather surface (asphalt or concrete). A public street shall not be classified as off-street use, however, head-in parking or parallel parking spaces protected by raised peninsulas or islands adjacent to a public street may be considered as off-street parking if approved by the Director of Planning.

SECTION 4. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended by removing the following definitions:

Backage Road means a road that runs parallel to or alongside an arterial street that provides the main point of access to property.

Sign Band means a portion of the exterior wall of the building generally located near of the eve of a structure and out of a material different from the remainder of the wall or along the eve of a canopy, usually oriented horizontally, and including business or industry

identification colors, logos, signage or other similar features.

SECTION 5. Amendment of the term “Flood Plain”. The term “flood plain” wherever it appears in the Subdivision Ordinance shall be modified to appear as “Floodplain”.

SECTION 6. Amendment of Article III, Section 14 (b). Article III, Section 14 (b) of the Composite Zoning Ordinance is hereby amended by adding Subsection (5) and (6) as follows and renumber the remainder of the section accordingly:

(b) Conforming Uses

- (5) Mobile Food Establishment Park (Special Use Permit is required, see Article IV, Section 10 for Use Standards)
- (6) Mobile Food Establishment Temporary Use (See Article IV, Section 10 for Use Standards)

SECTION 7. Amendment of Article IV, Section 5 (d). Article IV, Section 2 (a) of the Composite Zoning Ordinance is hereby amended by adding Subsection (16):

- (16) Mobile Food Establishment Park

SECTION 8. Amendment of Article IV, Section 5. Article IV, Section 5 of the Composite Zoning Ordinance is hereby amended by adding Subsection (d) and as follows and renumber the remainder of the section accordingly:

- (d) In residential districts, a covered patio or porch is considered to be part of the primary building / structure.

SECTION 9. Amendment of Article IV, Section 10. Article IV, Section 10 of the Composite Zoning Ordinance is hereby amended by adding Section 10 and renumbering the existing Section 10 to Section 11:

SECTION 10: Mobile Food Establishment Park & Mobile Food Establishment Temporary Use

- (a) Intent. The intent of this section is to provide regulations for the development of Mobile Food Establishment Parks as well as provide provisions for Mobile Food Establishment Temporary Use as a temporary use on site that are already developed for commercial purposes.
- (b) General requirements.
 - (1) Mobile Food Establishments shall not locate on public streets, sidewalks, required parking areas needed to meet minimum parking requirements for the primary use, fire lanes, or blocking access drives.
 - (2) Mobile Food Establishments shall not be located within one hundred fifty (150') feet of a residential dwelling unit. This measurement shall be

measured from the property line of the dwelling unit to the closest point of the Mobile Food Establishment.

- (3) Mobile Food Establishments, generators, and other equipment shall be maintained and be in operable condition at all times.
 - (4) No trash or grease shall be left on site after the departure of the Mobile Food Establishment.
 - (5) Exterior finishes shall be maintained with minimum property, structural, and health standards.
 - (6) Mobile Food Establishments shall remain on wheels and drivable or with the hitch in place.
 - (7) Mobile Food Establishments shall have an up to date registration and license.
 - (8) The property owner authorization shall be provided prior to operating a Mobile Food Establishment on private or public property.
 - (9) All signage for the Mobile Food Establishment shall be on or attached to the vehicle. "A" Frame signs may be used for menu items internal to the site.
 - (10) All Mobile Food Establishments shall maintain a permit in compliance with the Williamson County and Cities Health District regulations and City regulations.
- (c) Mobile Food Establishment Parks. In addition to the general requirements listed in this section, Mobile Food Establishment Parks shall also comply with the following.
- (1) A special use permit is required.
 - (2) A site development permit is required demonstrating compliance with all ordinance requirements. This permit shall provide a plan for the location of the Mobile Food Establishments, parking, amenity areas, restrooms, driveways, sidewalks, and refuse containers. Setbacks associated with the zoning district shall apply to the Mobile Food Establishment Park. Parking areas may be comprised of crushed granite with a ribbon curb.
 - (3) Restrooms. Permanent restrooms within a permitted building or structure shall be provided onsite within the Mobile Food Establishment Park for the use by the Mobile Food Establishments and the Mobile Food Establishment customers, operators, and employees. The number of and type of restrooms shall be determined based on the occupant load of the Mobile Food Establishment Park. These restrooms shall be available for use during the Mobile Food Establishment Park hours of operation. No portable or temporary restrooms shall be allowed.
 - (4) Hours of Operation: Hours of operation shall comply with the underlying base zoning district
 - (5) Common Area. Each Mobile Food Establishment Park shall be required to provide two hundred (200) square feet of common area per Mobile Food

Establishment. The area should be a minimum of ten (10') feet in width. Common area shall include outdoor eating areas, open space, playscape, open space, covered gathering space, or other similar uses.

(6) Parking. See Article VI, Section 3.

(7) An annual permit from the City for each calendar year is required for a Mobile Food Establishment Park. This permit shall be requested each year in January 1.

- i. The property owner shall be responsible for obtaining the permit.
- ii. The property owner shall attest that all Mobile Food Establishments within the Park have the required permits from the health district and that all inspections by the Fire Department have been completed.
- iii. This permit may be revoked if the Mobile Food Establishment Park is found to be out of compliance with the health department or the City's regulations.
- iv. The Mobile Food Establishment Park shall have a manager and the contact information for the manager shall be provided with the annual permit.

(8) Certificate of Completion. Each Mobile Food Establishment Park shall be required to receive a certificate of completion for the site improvements prior to the operation of Mobile Food Establishments.

(d) Mobile Food Establishment Temporary Use.

(1) Upon issuance of a permit pursuant to the Code of Ordinances, a Mobile Food Establishment is permitted as an accessory use supporting the following uses:

- i. Property located within a LO (Local Office), LC (Local Commercial), GC (General Commercial), HC (Heavy Commercial), and HI (Heavy Industrial) use components, which contains an operational business;
- ii. Places of worship;
- iii. Apartment complexes;
- iv. Parks and recreation facilities;
- v. Homeowner Association owned common areas; or
- vi. Public or private education facilities.

(2) Hours of Operation

- i. The Mobile Food Establishment shall not operate during the hours that the primary use is closed.

(3) Restrooms located within a permanent building that has been issued a valid certificate of occupancy shall be provided for the use of the Mobile Food Establishment's customers, operators and employees. Such restroom(s) must remain open and available for use at all times during which the Mobile Food

Establishment is situated on the operation site. No portable or temporary restrooms shall be allowed.

- (4) Number of Mobile Food Establishment per property: Sites smaller than one (1) acre are prohibited from having more than two (2) Mobile Food Establishment on-site at any time.

SECTION 10. Amendment of Article V, Section 2. Article V, Section 2 (b)(1)(i) of the Composite Zoning Ordinance is hereby amended as follows:

(b) Site Uses and Features (Some Site Uses Listed Also Require Appropriate Use Component)

(1) General (All Development):

- i. Accessory buildings / structures are permitted providing that their total gross floor area square footage is not greater than twenty percent (20%) of the gross floor area of the primary building / structure with the use utilizing such accessory building / structure(s), or one hundred twenty (120) square feet, whichever is greater (agricultural and recreational buildings / structures are exempt from this limit).

SECTION 11. Amendment of Article VI, Section 3. Article VI, Section 3 (a) of the Composite Zoning Ordinance is hereby to add the following information to the table:

USE CATEGORY	SPECIFIC USE	SPACE REQUIREMENT
COMMERCIAL USES		
Food & Beverage Establishments	Mobile Food Establishment Park	1:100 sq. ft. of common area plus 2 spaces per Mobile Food Establishment Park

SECTION 12. Conflicting Ordinances. Exhibit “A”, Chapter 14, Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 13. Savings Clause. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 14. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

SECTION 15. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 16. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading this the 21st day of April, 2022.
FINALLY PASSED AND APPROVED on this the 5th day of May, 2022.

THE CITY OF LEANDER, TEXAS

ATTEST:

Christine DeLisle, Mayor

Dara Crabtree, City Secretary



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Conduct a Public Hearing regarding Special Use Case 22-SU-001 to allow for the temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant; on one parcel of land approximately 0.3856 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036092; and more commonly known as 107 Bagdad Street, Leander, Williamson County, Texas.

- Discuss and consider action regarding Special Use Permit Case 22-SU-001 as described above.

BACKGROUND:

This request is the second step in the special use permit process.

HISTORY/TIMELINE:

03/24/2022 – Planning & Zoning Commission, 1st Public Hearing

APPLICANT/AGENT:

Faith Wickey

RECOMMENDATION:

The Planning & Zoning Commission unanimously recommended approval of the requested special use permit during the March 24, 2022 meeting with the condition that staff has the ability to grant extensions at the end of the term.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Public Notice Map
5. Aerial Map
6. Letter of Intent
7. Conceptual Site Layout
8. Summary of Neighborhood Outreach
9. Correspondance
10. Ordinance



PLANNING ANALYSIS

SPECIAL USE PERMIT CASE 22-SU-001
107 BAGDAD STREET

GENERAL INFORMATION

Owner/Agent: Faith Wickey

Current Zoning: SFU-2-B (Single-Family Urban)

Proposed Use: Applicant is requesting a special use permit to allow for temporary occupation of RV.

Size and Location: The property is located at 107 Bagdad Road and is approximately .3856 acres.

Staff Contact: Cory Dale, Planner

APPLICANT REQUEST

Applicant is requesting a Special Use Permit per CZO Article IV, Section 2(13) to allow a temporary residential use of an RV to care for elderly relatives.

STAFF CONCLUSIONS

Y N

- ☒ ☐ Does the proposal comply with the intent statements of the Composite Zoning Ordinance? *see page 2*
- ☒ ☐ Does the proposal comply with the goal statements of the Comprehensive Plan? *see page 3*
- ☒ ☐ Does the proposal warrant any other special considerations? See below.

SPECIAL CONSIDERATIONS

Uses permitted in a zoning district are classified in two ways. The first type of use is what is referred to as a use permitted by right. A use permitted by right is allowed in the specified zoning district provided that the property owner complies with specified building and site requirements. The second type of use is what is referred to as a special use. A Special Use Permit allows for certain land uses in a given zoning district and generally requires more review by the Planning and Zoning Commission and City Council in order to ensure the compatibility of the proposed use with the surrounding land uses. In this case, the temporary residential use of an RV is not currently a permitted use. This use is considered temporary and will need to meet the following standards:

- i. The lot, tract or parcel shall be at least 6,000 square feet in area;
- ii. The use of the travel trailer or recreational vehicle shall be limited to residential use by an individual constructing their own home in an SFR district for not more than a period of one year; or an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant of the primary residence. The need for care shall be documented by a letter from a physician;
- iii. No more than two (2) people may occupy the travel trailer or recreational vehicle;
- iv. The temporary unit may only be placed on a legal parcel with an existing primary residence except where the permanent residence is under construction as described in (ii) above;
- v. The temporary unit shall have an approved connection to a sanitary sewer system or septic system. The unit shall also have an approved connection to a public water system or well;
- vi. The temporary unit shall meet zoning setback requirements and shall be located no closer to a street than the front wall of the permanent residence;
- vii. The temporary unit shall be currently licensed as required by the State of Texas, have a valid state inspection and remain in a mobile condition;

- viii. The temporary unit shall not be considered a separate residential unit for the purpose of calculating impact fees;
- ix. The temporary unit shall not be rented or leased;
- x. If approved, an administrative permit for residential use of a travel trailer or recreational vehicle shall be obtained. Such permit shall expire one year from the date of issuance. Permits may be renewed annually in the discretion of the City Council. Permit and renewal applications shall be accompanied by a written statement signed by the applicant under penalty of perjury that the use will conform to the standards set forth in this subsection. Renewal applications shall be submitted prior to permit expiration and shall include an updated letter from a physician;
- xi. Within sixty (60) days of cessation of the temporary residential use, all occupancy of the unit shall cease, the unit shall be disconnected from all utilities and the unit shall be removed from the premises.

There is an active Code Enforcement Case on this site. The developer/land owner submits this request to bring the property under compliance with City codes.

SITE INFORMATION:

ABUTTING ZONING AND LAND USE:

	ZONING	LAND USE
NORTH	SFU-2-B	Commercial (Casa Costa)
EAST	Civic	Leander City Hall
SOUTH	SFU-2-B	Residential
WEST	T4	Residential

SURROUNDING AREA:

This property is located southeast of the intersection of Bagdad Street and W Willis Street.

PHYSICAL AND NATURAL FEATURES:

This property is not located within a floodplain, is used for a homestead and contain few trees on site.

MAJOR CORRIDORS:

This property has access off Willis Street.

SUBDIVISIONS:

This tract has been platted as part of the Town of Leander Final Plat (Lots 1 – 4).

EXISTING UTILITIES:

This tract has access to both sewer and water lines within W Willis ROW.

CURRENT LAND USES:

This property is currently a residential home.

ZONING DISTRICT:

USE COMPONENT

SFU – SINGLE FAMILY URBAN:

Features: 7,200 sq. ft. lot min.; 1,200 sq. ft. living area min.

Intent: Development of single-family detached dwellings on moderate urban standard sized lots and for other compatible and complimentary uses. The purpose of this component is to provide regulations to maintain and protect the City's single-family residences and neighborhoods in areas with moderate lot sizes. Such components are generally intended

to offer variety in housing opportunities and in the fabric of the neighborhoods. In addition, a variety of lot sizes shall be provided within one half mile of major intersections such as arterials or collectors. This component provides moderate size lots that may serve as a transition between larger lots and higher density areas.

SITE COMPONENT

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 100% of units with an enclosed garage parking space.

Intent:

- (1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.
- (2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.
- (3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.
- (4) This component is intended to be utilized with LO, LC, GC, HC, and HI use components when adjacent to residential districts and additional compatibility standards are warranted.
- (5) This component is generally not intended to be utilized with HC and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.
- (6) Compliance with Type 1 standards shall also be deemed as compliance with this component.

ARCHITECTURAL COMPONENT

TYPE B:

Features: 4 or more architectural features.

Intent:

- (1) The Type B architectural component is intended to be utilized for the majority of residential development except that which is intended as a Type A architectural component.
- (2) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions.
- (3) This component may be utilized to raise the building standards and help ensure compatibility for non-residential uses adjacent to property that is more restricted.
- (4) This component is intended for the majority of the LO and LC use components except those meeting the intent of the Type A or C architectural components.

COMPREHENSIVE PLAN:

Applicable Comprehensive Plan goal statements

- Maintain and/or improve affordability and diversity in the housing market.

Applicable Future Land Use categories

OLD TOWN

- Old Town as a future development category is intended for a mix of uses that keeps Leander historic center interesting and dynamic. New development and redevelopment within Old Town should be designed in harmony with the existing character that acknowledges Leander's heritage. This includes older buildings and historic, contributing structures along with a mix of new and adaptive reuse buildings.

Old Town buildings are to be activated towards the street, encouraging walkability, eating establishments, central gathering spaces, and civic conversation. Old Town is scaled-down urban without on-site parking requirements, high impervious cover yet green space, street tree canopy and safe mix of vehicles and pedestrians. Old Town character includes small businesses, professional office, entertainment, shopping, arts and culture elements, and civic activity, each contributing to daytime and evening buzz.

An assortment of residential is suitable and encouraged based on the context, focused on a balance of scale between building, site and streets. In the core, urban lofts and townhouses are appropriate; in the south and east districts, across US 183, attached and detached housing may be appropriate with design context and limitations.

INTERGOVERNMENTAL/INTERDEPARTMENTAL REVIEW:

All applicable departments within the City of Leander reviewed this proposal. If the SUP is approved, the next step in the process would be to acquire appropriate residential permits.

SCHEDULE:

DEVELOPMENT MEETING

A development meeting was not required prior to this SUP submittal.

NOTIFICATION

03/03/2022 - Public Notice on Hill Country News
03/09/2022 - Mail Notification to Property Owners within 200'
03/09/2022 - Public Hearing Signage Posted on Property
03/24/2022 - Planning and Zoning Commission Public Hearing
04/21/2022 - City Council Public Hearing & First Reading of the Ordinance
05/05/2022 - City Council Second & Final Reading of the Ordinance

PUBLIC NOTIFICATION:

Notices were mailed by City staff to all property owners within 200 feet. Neighborhood outreach information per applicant within packet as attachment 8.

APPROVAL CRITERIA:

This request remains consistent with both the future land use map designation of Old Town and current zoning of SFU-2-B. The proposed temporary residential use of an RV for property located at 107 Bagdad Road keeps the existing residential character and would be compatible with the surrounding land uses. Please note, if the proposed RV use is approved a permit will be issued. Such permit will expire one year from issuance date. The permit may be renewed annually at the discretion of the City Council.



CASE: 22-SU-001

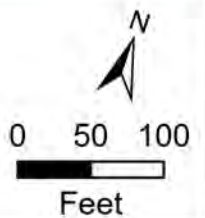
ATTACHMENT #2

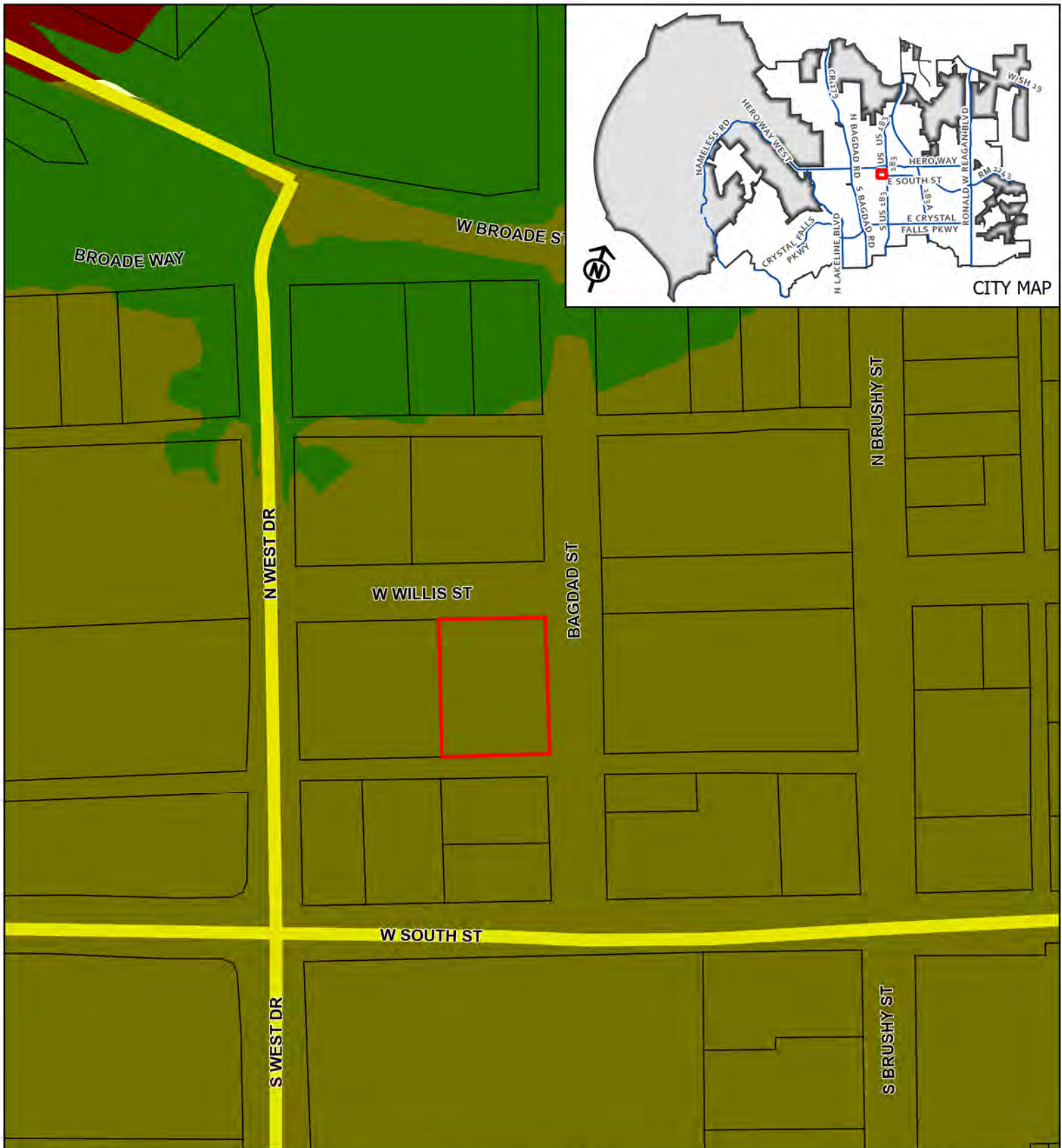
107 BAGDAD ST

Current Zoning Map

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

- Leander City Limits
- Leander ETJ
- Subject Area
- SFU - Single-Family Urban
- LC - Local Commercial
- GC - General Commercial
- Civic Building
- T4 - Genral Urban
- T5 - Urban Center
- SD - Special District





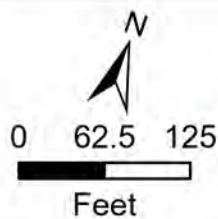
CASE: 22-SU-001

ATTACHMENT #3

107 BAGDAD ST

Future Land Use Map

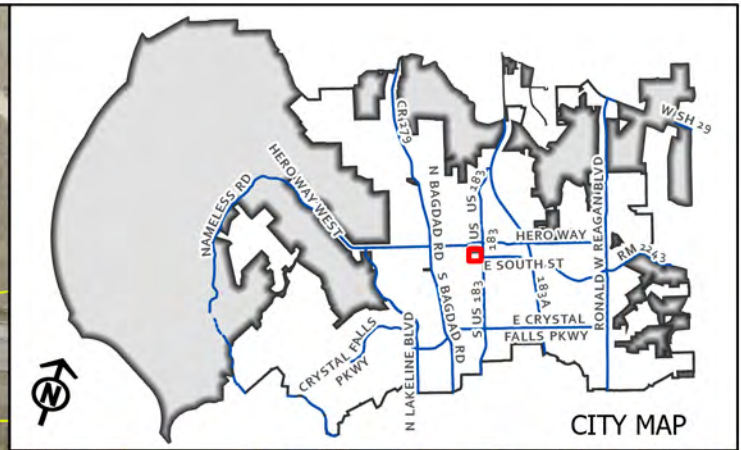
This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



- Leander City Limits
- Leander ETJ
- Subject Area
- Activity Center

- Greenway
- Neighborhood Residential
- Old Town
- Collector, Existing

- ## Public Notification



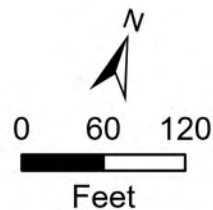
CASE: 22-SU-001

ATTACHMENT #6

107 BAGDAD ST

Aerial Map

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- Leander City Limits
- Leander ETJ
- Subject Area

Faith Wickey

107 Bagdad Street
Leander, TX 78641

faith@faithwickey.com
269-615-7231

January 28, 2022

To my neighbors and the city of Leander:

I am submitting a Special Use Permit Application to request permission to park a 39 ft. Winnebago motorhome directly behind my house at the above address.

My home is on the corner of Bagdad Street and West Willis Street. It is a flat open property of 16,725 square feet with a single residence and separate garage. I will be parking the motor home directly behind my house parallel to the back of the house and facing West Willis Street.

The reason it's important for me to be able to do this is because my elderly parents who are 88 and 92 and frail, need my care full time. The motor home is their home, and as my home is only one bedroom, and I work at home, it's too small for all of us. The RV is our solution to this situation.

The Special Use Ordinance for this specific application is as follows:

Section 2: Special Use Permit

(A) (13) Temporary residential use of a travel trailer or recreational vehicle meeting the following standards:

(ii) The lot or parcel shall be at least 6,000 square feet in area.

My property is 16,725 square feet in size.

(iii) The use of the travel trailer or recreational vehicle shall be limited to residential use by an individual constructing their own home in an SFR district for not more than a period of one year; or an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant of the primary residence. The need for care shall be documented by a letter from a physician.

I am attaching a letter from their doctor stating that it's important for me to take care of them in this way. I provide all of their meals, manage their medications and chronic illness conditions, and provide general care.

(iv) No more than 2 people may occupy the travel trailer or recreational vehicle.

There will be only 2 people living in the motor home.

(v) The temporary unit may only be placed on a legal parcel with an existing primary residence except where the permanent residence is under construction as described in (ii) above.

I am the owner of the property, and it's my primary residence.

(vi) The temporary unit shall have an approved connection to a sanitary sewer system or septic system. The unit shall also have an approved connection to a public water system or well.

The motor home will be connected to city water through my house, and connected to the city sewer via an outside cleanout connection. Also, it will be plugged into an existing 50 amp RV outlet.

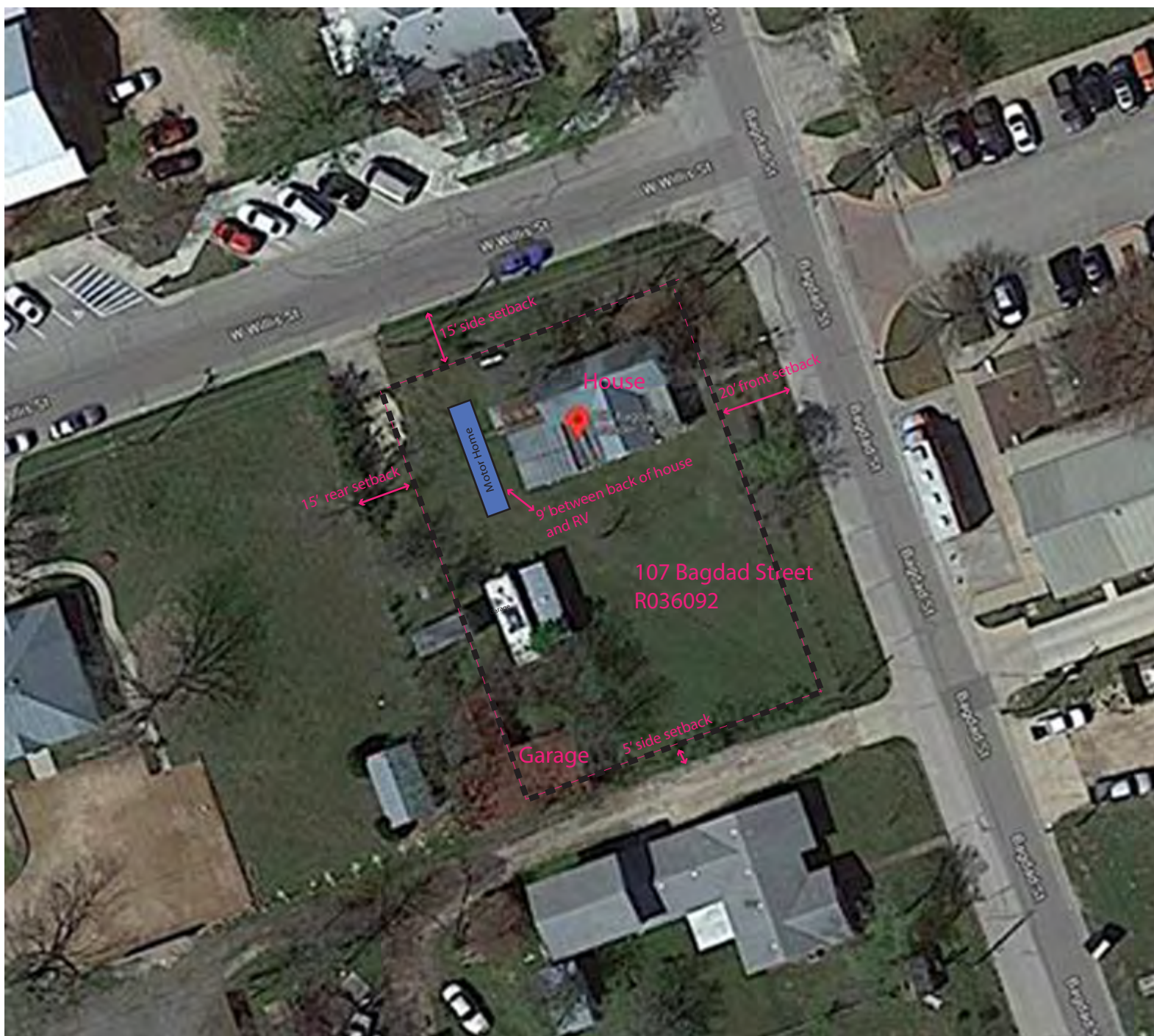
(vii) The temporary unit shall meet zoning setback requirements and shall be located no closer to a street than the front wall of the permanent residence.

See map diagram for setback measurements.

Thank you.

Sincerely,

Faith Wickey



APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

1. How and when were the surrounding neighborhood and residential property owners within 500' notified, how was information shared, and who was directly involved in the communication process? Please provide the address of the properties notified and the name and contact information of the residents directly involved in the communication process. Attach any materials that were distributed.

I MAILED CERTIFIED LETTERS TO THE RESIDENTIAL PROPERTY OWNERS ON 1/27/22. SEVERAL OF THE NEIGHBORS HAVE EXPRESSED SUPPORT FOR WHAT WE'RE DOING.

2. Who was notified (i.e. property owners, HOA, etc)? The HOA and/or a representative if there is no organized HOA must be contacted, if applicable. Provide a separate sheet listing the contact information used including the names and addresses of the individuals.

THE PROPERTY OWNERS WERE NOTIFIED

3. What concerns were raised during these communications?

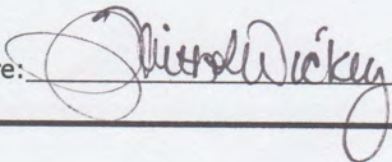
SEVERAL OF THE NEIGHBORS HAVE EXPRESSED SUPPORT FOR WHAT WE'RE DOING. SO FAR I HAVE NOT GOTTEN ANY NEGATIVE RESPONSES.

4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

WE DID NOT HAVE A MEETING, JUST THE CERTIFIED LETTERS.

The above information is deemed to be true to the best of my knowledge.

Signature:



Date

1/27/22

Write the Case Number

22-TOD-SU-001

Found in the attached letter

ONLINE OPTION

If you prefer, submit
comments online at:

leandertx.gov/notice

A property owner near you has requested a change as described in the attached letter. Complete and mail this postcard or visit the city website to provide comments. Postage has been prepaid for your convenience.

Name: Toni Shopp

Address: 15621 Long Hollow Loop
Leander, TX 77951

Email: [REDACTED]

☒ **SUPPORT** ☐ **OPPOSE** the requested change as described. **Other comments:**

Good luck and God bless!

Write the Case Number

22-TOD-SU-001

Found in the attached letter

ONLINE OPTION

If you prefer, submit
comments online at:

leandertx.gov/notice

A property owner near you has requested a change as described in the attached letter. Complete and mail this postcard or visit the city website to provide comments. Postage has been prepaid for your convenience.

Name: Anja Schaefer

Address: 101 BAGPAP ST.

Email: [REDACTED]

☒ **SUPPORT** ☐ **OPPOSE** the requested change as described. **Other comments:**

The RV is not in the way and helping family members is important. I applaud Faith for her decision and commitment.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY APPROVING A SPECIAL USE PERMIT TO ALLOW FOR THE TEMPORARY RESIDENTIAL USE OF A TRAVEL TRAILER OR RECREATIONAL VEHICLE FOR USE BY AN ILL, CONVALESCENT OR OTHERWISE DISABLED FRIEND OR RELATIVE NEEDING CARE FROM THE OCCUPANT OF THE PRIMARY RESIDENCE, OR A FRIEND OR RELATIVE PROVIDING NECESSARY CARE FOR AN ILL, CONVALESCENT OR OTHERWISE DISABLED OCCUPANT; AND A TIME FRAME OF ONE (1) YEAR; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned; and

Whereas, after giving at least ten (10) days written notice to the owners of land within two hundred (200') feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Zoning Ordinance. Ordinance No. 05-018-00, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

SECTION 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property." That certain parcel of land being 0.3856 acres, more or less, located in Leander, Williamson County, being more particularly described in Exhibit "A", and addressed as 107 Bagdad Street, more particularly described in Document Number 2010021829, Official Public Records of Williamson County, Texas, and identified by tax identification number R036092.

SECTION 4. Special Use Permit. The amendment to the Special Use Permit is hereby approved to allow temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary

residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant. The term of this permit shall be limited to a time frame of one (1) year. Within sixty (60) days of cessation of the temporary use, all occupancy of the unit shall cease, the unit shall be disconnected from all utilities and the unit shall be removed from the premises.

SECTION 5. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 21st day of April, 2022.
FINALLY PASSED AND APPROVED on this the 5th day of May, 2022.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine Delisle, Mayor



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Conduct a Public Hearing regarding Zoning Case 22-TOD-Z-004 to amend the current zoning of SFU-2-B (Single-Family Urban), GC-3-C (General Commercial), and T4 Transect (General Urban Zone) to T5 Transect (Urban Center Zone) on 21 parcels of land approximately 6.652 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036035–R036040, R036043–R036046, R036072, R036074, R036078–R036080, R036087–R036089, R036104, R036105, and R097401; and generally located on the east side of N. Brushy Street between W. Broade Street and W. South Street, and located along Broade Street between Brushy Street and N. West Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case 22-TOD-Z-004 as described above.

BACKGROUND:

This request is the second step in the zoning process.

HISTORY/TIMELINE:

1978 – This property is a part of the original incorporation of the city in 1978.
03/24/2022 – Planning & Zoning Commission, 1st Public Hearing

APPLICANT/AGENT:

City of Leander on behalf of Robert Abbott, Baireuth LLC, Mark A. & Mary Jeanene Snyder, Terry & Iris E Davis, Iris T Davis Trustee of the Edna Conner Beasley Charitable Trust, MKS Stewardship LLC, Glenn R Saler, 105 W Willis LLC & the No 1 Sideline INC, Vilma E Valdivieso, Douglas W & Della Fay Lohmann, Randall Lee McSpadden, R & R Elite Investments LLP, William Wade & Heike Ward, Peggy Sue Whitt (LE) & Dennis J Roberts, CJJP LLC, Century Water Solutions LLC, Krasniqi Real Estate Holdings LLC, and Joshua Waley.

RECOMMENDATION:

The Planning & Zoning Commission unanimously recommended approval of the zoning case during the March 24, 2022 meeting.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Attachments

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Public Notification Map
5. Proposed Zoning Map
6. Aerial Map
7. Letter of Intent
8. Neighborhood Outreach
9. Correspondance

10. Ordinance



PLANNING ANALYSIS

ZONING CASE 22-TOD-Z-004 OLD TOWN T5 LARGE AREA REZONE

GENERAL INFORMATION

Owner/Agent:	City of Leander
Current Zoning:	PUD/TOD (Planned Unit Development/Transit Oriented Development) CS (Civic Space)
Proposed Zoning:	GC-3-C (General Commercial)
Size and Location:	PUD/TOD (Planned Unit Development/Transit Oriented Development) T5 (Urban Center Zone)
Staff Contact:	Justin Hunt Planner

APPLICANT REQUEST

The City has initiated a large area zoning case to change the zoning of 22 properties from T4 Transect - General Urban Zone to the T5 Transect - Urban Center Zone. This change would allow for higher density mixed use developments that includes commercial, office, restaurant uses as well as alcohol sales, in addition to the uses allowed in T4. All property owners involved with this case have been informed of the rezone, and have been notified of their options to be involved including information regarding the differences between the two zonings.

STAFF CONCLUSIONS

Y N

- ☒ ☐ Does the proposal comply with the intent statements of the Composite Zoning Ordinance? *See page 3*
- ☒ ☐ Does the proposal comply with the goal statements of the Comprehensive Plan? *See page 4*
- ☒ ☐ Does the proposal warrant any other special considerations?

SPECIAL CONSIDERATIONS

The City initiated this change because of the continued growth of Old Town and the transition towards more entertainment based uses. The existing T4 Transect is more residential in nature. Updating the zoning along Brushy Street and Broade Street will allow for the continuation of the vision of Old Town by providing the opportunity for a vibrant mixtures of uses while maintaining the walkable environment.

This zoning case is voluntary and the property owners may request to not be included. This change does not impact the existing use of the property, but it does impact the future redevelopment.

SITE INFORMATION:**ABUTTING ZONING AND LAND USE:**

	ZONING	LAND USE
NORTH	T4 GC-3-C	Undeveloped Undeveloped
EAST	GC-3-C	Uses adjacent to US Hwy 183
SOUTH	CB T5	Pat Bryson Building, Chamber of Commerce, City Hall Davis House, 203, 208, 210 N. Brushy Street
WEST	SFU-2-B T4	Single-Family Residence Casa Costa, DFD Architects Inc, Single-Family Residences

SURROUNDING AREA:

All subject properties are located in the Old Town Mixed-Use Future Land Use category. This area is surrounded by more Old Town properties with a mix of current zonings of GC (general commercial), SFU (single-family urban), and some properties have already transitioned to the smart code zonings of CB, T4 and T5. Along US Hwy 183 and Hero Way West are general commercial uses and zonings.

PHYSICAL AND NATURAL FEATURES:

Established trees exist on most of the lots, and 15 of the properties are located in the floodplain.

PROPERTY HISTORY:

These properties are a part of the original incorporation of the city in 1978.

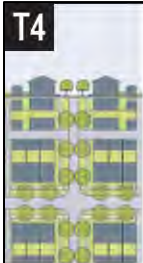
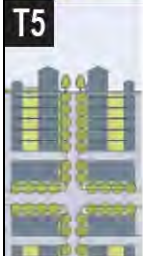
EXISTING UTILITIES:

These properties have access to an 8" waterline and a 4", and a 6" wastewater line in the general vicinity. Some properties will need to extend the waterline, and could require an offsite waterline easement.

CURRENT LAND USES:

There is a mixture of commercial and Residential land uses on the subject properties and multiple accessory buildings. A couple of the parcels are undeveloped with no structures located on the site.

PROPOSED ZONING DISTRICT:

	T4 GENERAL URBAN ZONE T4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It includes a wide range of building types: detached, semi-detached, rowhouses, and small apartment buildings. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.	General Character: mix of houses, townhouses & small apartment buildings, with scattered commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: shallow to medium front and side yard setbacks Frontage Types: porches, fences, dooryards Typical Building Height: 1- to 3-story with a few taller apartment buildings Civic Space Types: squares and greens, pocket parks, playgrounds Thoroughfare Types: streets, avenues, boulevards, bikeways
	T5 URBAN CENTER ZONE T5 Urban Center Zone consists of higher density mixed use development that accommodates retail, offices, rowhouses, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting, and buildings set close to the sidewalks.	General Character: Shops with apartments and office above; townhouses, larger apartment houses, live-works, and civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity, frequent retail frontages Building Placement: shallow setbacks or none; buildings oriented to street defining a street Frontage Types: stoops, shopfronts, galleries Typical Building Height: 2- to 4-story with some single story Civic Space Types: plazas and squares, pocket parks, playgrounds Thoroughfare Types: streets, commercial streets, avenues, boulevards, bikeways

COMPREHENSIVE PLAN:**Applicable Comprehensive Plan goal statements**

- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Provide a balanced mix of complementary uses that support a strong and diverse tax base.
- Promote Old Town as a civic and cultural destination.
- Promote the Transit Oriented Development (TOD) as an urban destination within a suburban community.

Applicable Future Land Use categories

- **OLD TOWN MIXED-USE**

Old Town as a future development category is intended for a mix of uses that keeps Leander historic center interesting and dynamic. New development and redevelopment within Old Town should be designed in harmony with the existing character that acknowledges Leander's heritage. This includes older buildings and historic, contributing structures along with a mix of new and adaptive reuse buildings.

Old Town buildings are to be activated towards the street, encouraging walkability, eating establishments, central gathering spaces, and civic conversation. Old Town is scaled-down urban without on-site parking requirements, high impervious cover yet green space, street tree canopy and safe mix of vehicles and pedestrians. Old Town character includes small businesses, professional office, entertainment, shopping, arts and culture elements, and civic activity, each contributing to daytime and evening buzz. An assortment of residential is suitable and encouraged based on the context, focused on a balance of scale between building, site and streets. In the core, urban lofts and townhouses are appropriate; in the south and east districts, across US 183, attached and detached housing may be appropriate with design context and limitations.

Compatible Uses: T4, T5.

INTERGOVERNMENTAL/INTERDEPARTMENTAL REVIEW:

This proposal was reviewed by all applicable departments within the City of Leander.

SCHEDULE:**DEVELOPMENT MEETING**

No development meeting was held.

NOTIFICATION

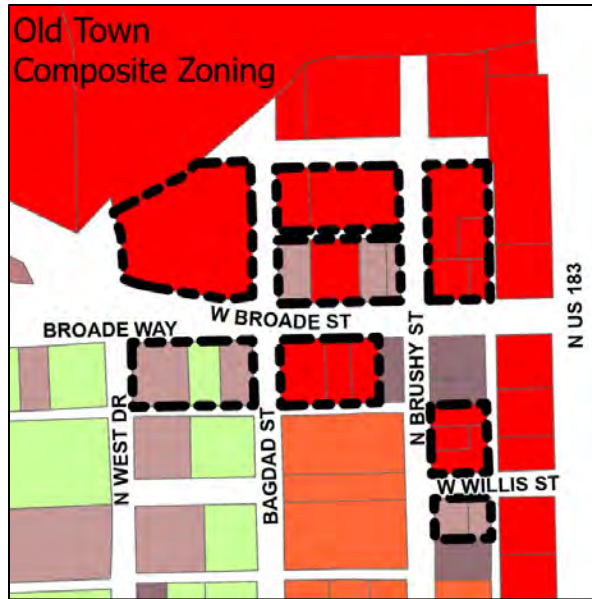
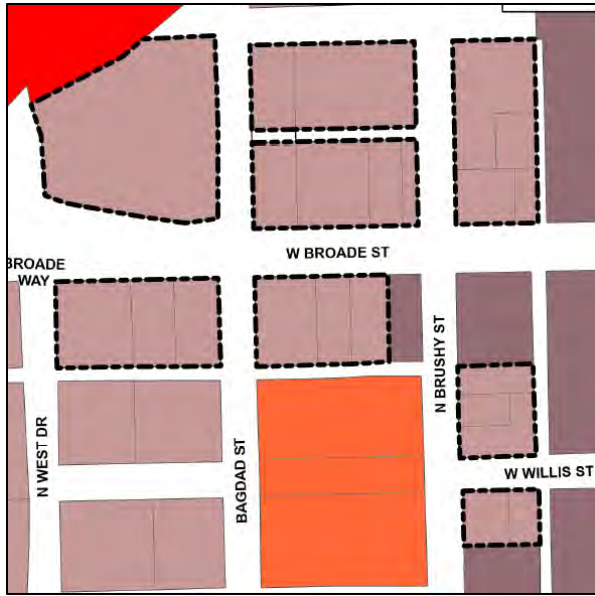
03/03/2022 - Public Notice on Hill Country News
 03/09/2022 - Mail Notification to Property Owners within 200'
 03/09/2022 - Public Hearing Signage Posted on Property
 03/24/2022 - Planning and Zoning Commission Public Hearing
 04/21/2022 - City Council Public Hearing & First Reading of the Ordinance
 05/05/2022 - City Council Second & Final Reading of the Ordinance

PUBLIC NOTIFICATION:

In addition to the notice mailed on behalf of the City to all property owners within 200', the city reached out to all property owners of property zoned as single-family or any properties used as single-family uses within 500' as per Article X, Section 3 (d) of the Composite Zoning Ordinance. The neighborhood outreach letter is attached to your packet attachment eight.

APPROVAL CRITERIA:

The subject properties are located within Old Town and identified as part of the Old Town Mixed Use land use category by the Comprehensive Plan. Properties within Old Town have the option to develop under a conventional zoning or the SmartCode. Below, please find a comparison.

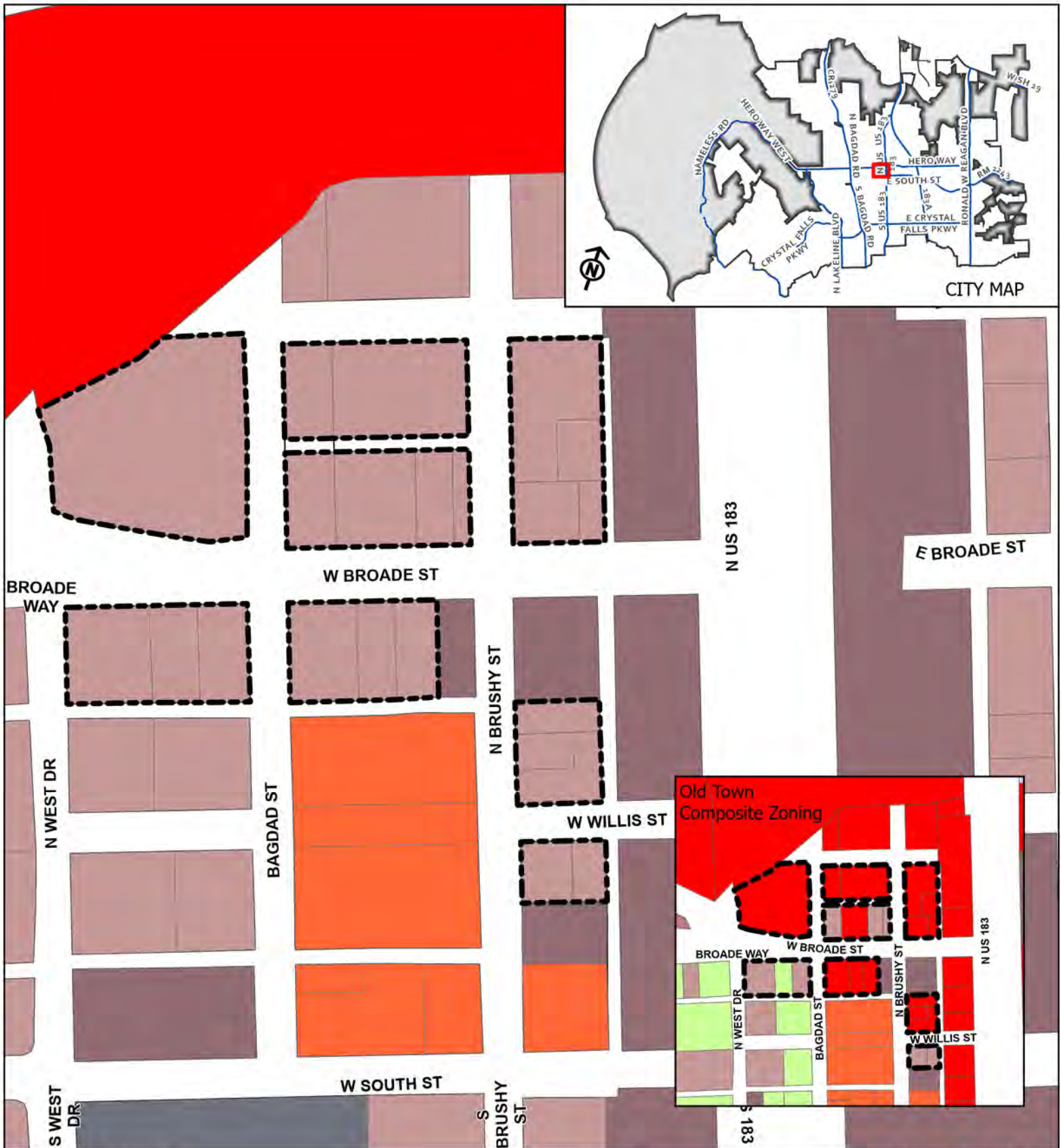
CONVENTIONAL ZONING**SMART CODE**

The City initiated zoning case would change the zoning the property to SmartCode with the T5 Urban Center Zone. This change will provide for a variety of land uses at a higher intensity. The Comprehensive Plan calls for infill development to complement the existing historic fabric of Old Town. The plan encourages a mix of uses, including office, retail and restaurants. Old Town should be extremely walkable, providing for safe and convenient pedestrian access throughout the area.

The T5 Urban Center Zone has several features that make it advantageous for property owners including reduced setback requirements, higher density allowances, and a focus on pedestrian connectivity in the form of reduced parking requirements on site.

Included here are a list of upcoming CIP projects:

- a. P.48 Old Town Park (Ready to bid)
- b. T.49 South Street Improvements (FY24)
- c. T.53 West Drive Improvements (FY24)
- d. W.22 Downtown Fire Improvements (In design)
- e. T.16 East Street (If approved)
- f. P.33 & P.34 Brushy Creek Trail (Future)



CASE: 22-TOD-Z-004

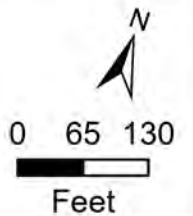
ATTACHMENT #2

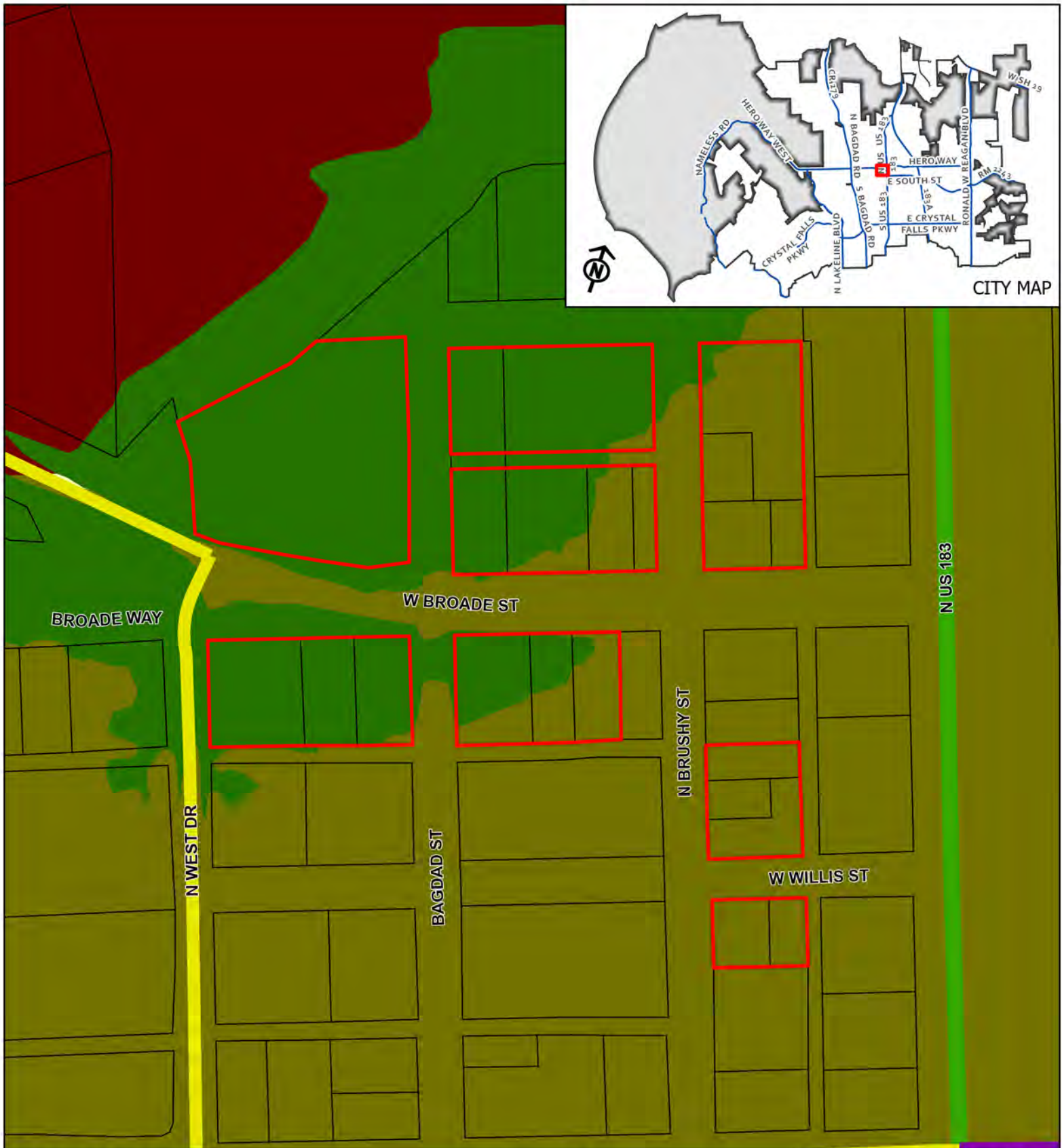
OLD TOWN LARGE
AREA REZONING

Zoning Verification

This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

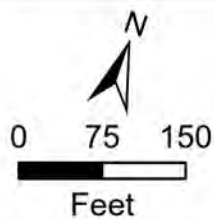
- | | |
|---------------------------|-----------------------|
| Leander City Limits | S2 - Station Sector |
| Leander ETJ | Civic Building |
| Subject Area | T4 - Genral Urban |
| SFU - Single-Family Urban | T5 - Urban Center |
| GC - General Commercial | SD - Special District |





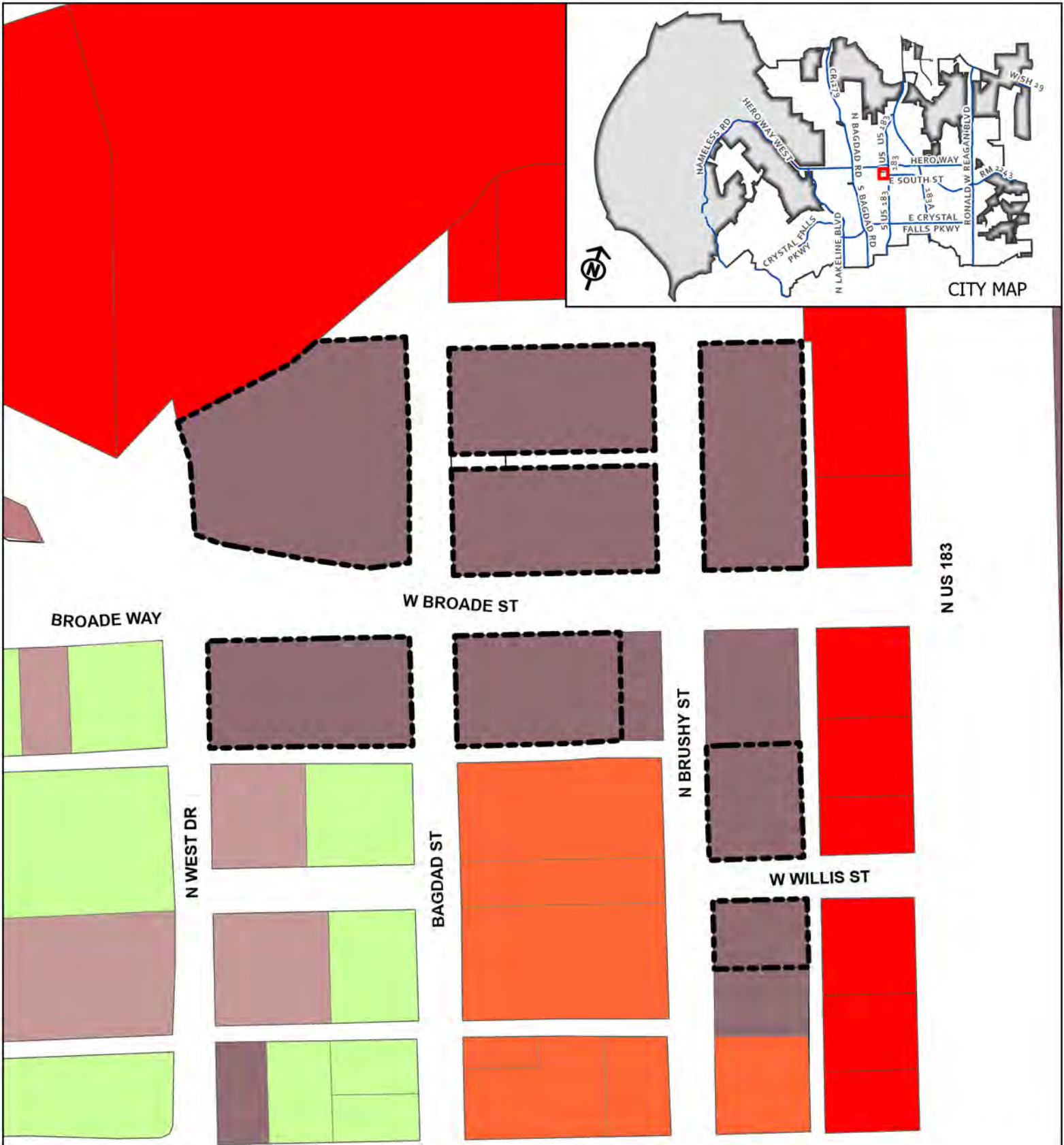
Future Land Use Map

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- Leander City Limits
- Leander ETJ
- Subject Area
- Activity Center
- Greenway
- Neighborhood Residential

- Old Town
- Urban Mixed Use
- Arterial 6 Lane, Existing
- Arterial 4 Lane, Existing
- Collector, Existing



CASE: 22-TOD-Z-004

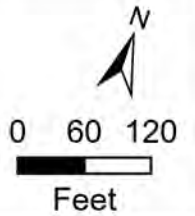
ATTACHMENT #2

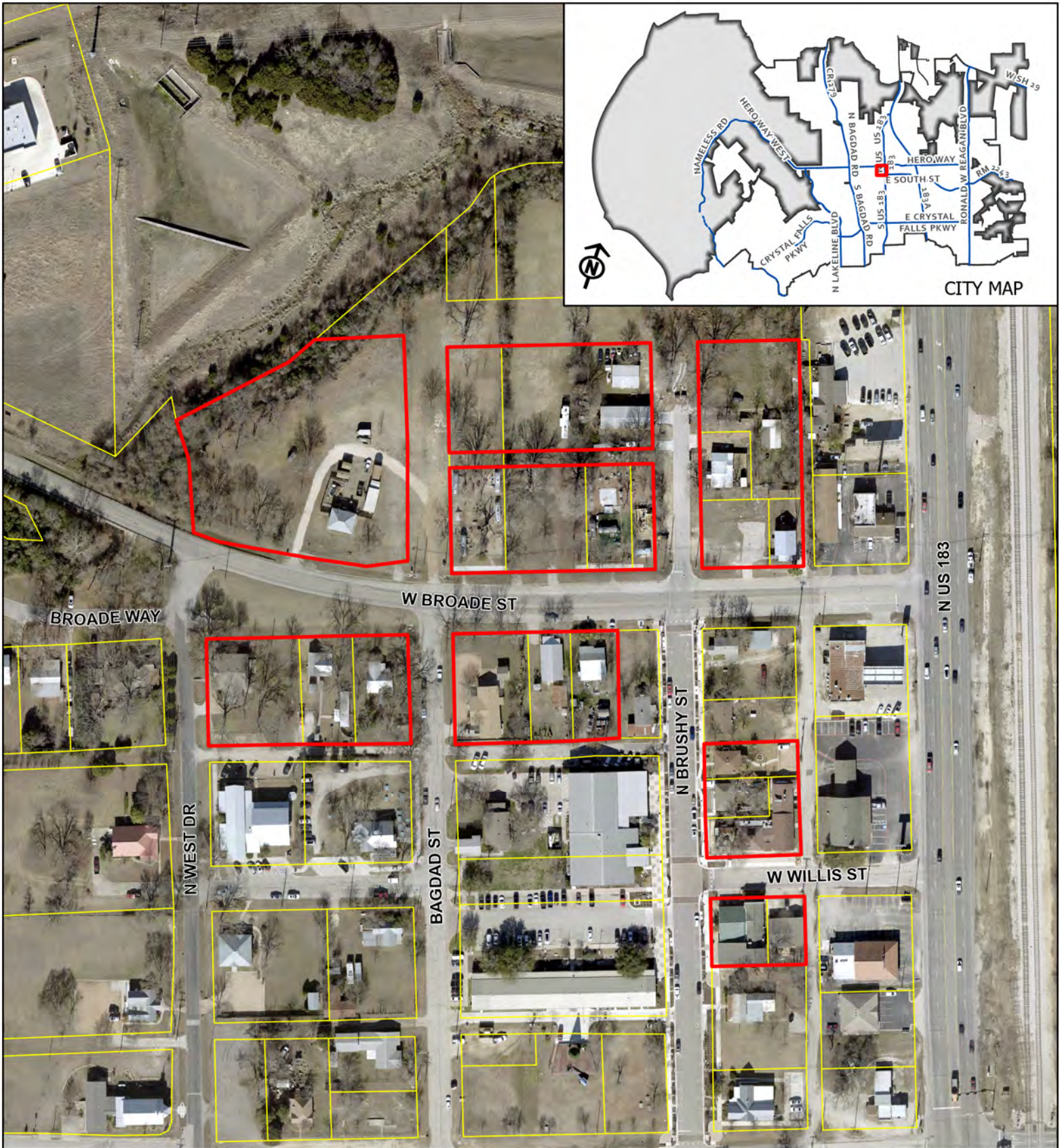
OLD TOWN LARGE
AREA REZONING

Proposed Zoning Map

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- | | |
|---------------------------|-------------------------|
| Leander City Limits | GC - General Commercial |
| Leander ETJ | S2 - Station Sector |
| Subject Area | Civic Building |
| SFU - Single-Family Urban | T4 - General Urban |
| LC - Local Commercial | T5 - Urban Center |





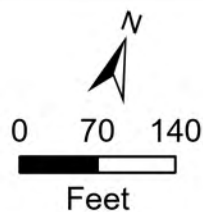
CASE: 22-TOD-Z-004

ATTACHMENT #6

OLD TOWN LARGE
AREA REZONING

Aerial Map

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- Leander City Limits
- Leander ETJ
- Subject Area



February 17, 2022

To whom it may concern:

The City of Leander has initiated a zoning change for multiple properties located within Old Town. The change includes updating the zoning category from T4 General Urban Zone to T5 Urban Center Zone. This change does not impact the existing use of the properties, but it does affect future redevelopment of the properties. The T4 Transect is predominately residential in nature while the T5 Transect allows for higher density mixed use development that includes commercial, office, and restaurant uses as well as alcohol sales. All property owners involved with this case have agreed to the rezone, and has been informed with the same information.

Thank you,
Case Manager

Cameron Goodman, Director of Economic Development – cgoodman@leandertx.gov or 512-528-2855

February 17, 2022

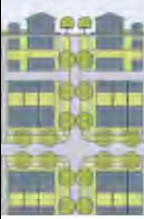
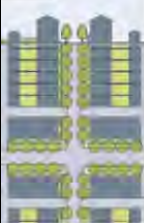
Dear Property Owner:

This letter was sent to you in order to inform you of a nearby rezoning case. Your property is within 500' of the proposed rezone request, and the letter here will give you information regarding the case. The City of Leander has initiated a zoning change for multiple properties located within Old Town and shown on the map provided. The change includes updating the zoning category from T4 General Urban Zone to T5 Urban Center Zone. This change does not impact the existing use of the properties, but it does affect future redevelopment of the properties. The T4 Transect is predominately residential in nature while the T5 Transect allows for higher density mixed use development that includes commercial, office, and restaurant uses as well as alcohol sales. All property owners involved with this case have agreed to the rezone, and has been informed with the same information.

Location: The subject properties are identified below with a heavy dashed black line.



T4 GENERAL URBAN ZONE & T5 URBAN CENTER ZONE INTENT STATEMENTS

T4 	GENERAL URBAN ZONE T4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It includes a wide range of building types: detached, semi-detached, rowhouses, and small apartment buildings. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.	General Character: mix of houses, townhouses & small apartment buildings, with scattered commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: shallow to medium front and side yard setbacks Frontage Types: porches, fences, dooryards Typical Building Height: 1- to 3-story with a few taller apartment buildings Civic Space Types: squares and greens, pocket parks, playgrounds Thoroughfare Types: streets, avenues, boulevards, bikeways
T5 	URBAN CENTER ZONE T5 Urban Center Zone consists of higher density mixed use development that accommodates retail, offices, rowhouses, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting, and buildings set close to the sidewalks.	General Character: Shops with apartments and office above; townhouses, larger apartment houses, live-works, and civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity, frequent retail frontages Building Placement: shallow setbacks or none; buildings oriented to street defining a street Frontage Types: stoops, shopfronts, galleries Typical Building Height: 2- to 4-story with some single story Civic Space Types: plazas and squares, pocket parks, playgrounds Thoroughfare Types: streets, commercial streets, avenues, boulevards, bikeways

Thank you,
Case Manager
Justin Hunt, Planner – jhunt@leandertx.gov or 512-528-2751

parcelid	ownernme	pstladdres	pstlcity	pstlstate	pstlzip5	siteaddress	sitcity	sitest	sitezip
R031378	HIGH TIME	17819 STU	SPRING	TX	77379	CR 274	LEANDER	TX	78641
R036031	VINCIK, JO	335 BAKER	LEANDER	TX	78641	400 BRUSH	LEANDER	TX	78641
R036033	BAIREUTH	3508 FAR V	AUSTIN	TX	78731	BRUSHY ST	LEANDER	TX	78641
R036041	LEANDER L	309 HWY 1	LEANDER	TX	78641	309 HWY 1	LEANDER	TX	78641
R036042	SJK LEANDI	125 WOOD	SANTA RO	FL	32459	303 N HWY	LEANDER	TX	78641
R036069	SHEETAL EI	207 N HWY	LEANDER	TX	78641	207 N HWY	LEANDER	TX	78641
R036070	COMPASS I	ATT:DIANA	BIRMINGH	AL	35296	201 N HWY	LEANDER	TX	78641
R036075	BRUSHY PR	5205 TURN	AUSTIN	TX	78731	208 N BRU	LEANDER	TX	78641
R036076	BRUSHY PR	5205 TURN	AUSTIN	TX	78731	210 N BRU	LEANDER	TX	78641
R036077	JOHNNY 9	8315 BURN	AUSTIN	TX	78757	203 N BRU	LEANDER	TX	78641
R036081	CITY OF LE	PO BOX 31	LEANDER	TX	78646	202 BAGDA	LEANDER	TX	78641
R036090	305 WILLIS	3061 N BA	LEANDER	TX	78641	305 WILLIS	LEANDER	TX	78641
R036091	SWEETEN I	1004 CLEA	LEANDER	TX	78641	201 BAGDA	LEANDER	TX	78641
R036092	WICKEY, F	PO BOX 70	CENTREVIL	MI	49032	107 BAGDA	LEANDER	TX	78641
R036093	304 W WIL	918 PALOS	LEANDER	TX	78641	304 W WIL	LEANDER	TX	78641
R036094	SCHAEFER,	601 DEERC	LEANDER	TX	78641	303 W SOU	LEANDER	TX	78641
R036095	SCHAEFER,	101 BAGDA	LEANDER	TX	78641	101 BAGDA	LEANDER	TX	78641
R036096	SHOPP, JO	13821 LON	LEANDER	TX	78641	301 W SOU	LEANDER	TX	78641
R036097	CITY OF LE	PO BOX 31	LEANDER	TX	78646	200 WILLIS	LEANDER	TX	78641
R036098	CITY OF LE	PO BOX 31	LEANDER	TX	78646	205 SOUTH	LEANDER	TX	78641
R036099	CITY OF LE	PO BOX 31	LEANDER	TX	78646	103 N BRU	LEANDER	TX	78641
R036100	SOTO, CHR	109 N HIGH	LEANDER	TX	78641	109 N HWY	LEANDER	TX	78641
R036101	WITCHER, (	P.O. BOX 1	LEANDER	TX	78646	107 N US 1	LEANDER	TX	78641
R036102	AHP HOLDI	12160 W P	CEDAR PAR	TX	78613	101 N US 1	LEANDER	TX	78641
R036103	CITY OF LE	PO BOX 31	LEANDER	TX	78646	100 & 104	LEANDER	TX	78641
R036139	MDC COAS	Attn: CORP	IRVING	TX	75063	101 S HWY	LEANDER	TX	78641
R036148	DAVIS, P R	201 N WES	LEANDER	TX	78641	404 BROAC	LEANDER	TX	78641
R036149	BECHTOL J	23305 WIN	LEANDER	TX	78641	400 W BRC	LEANDER	TX	78641
R036150	MANNING,	207 N WES	LEANDER	TX	78641	207 N WES	LEANDER	TX	78641
R036151	DAVIS, P R	201 N WES	LEANDER	TX	78641	201 N WES	LEANDER	TX	78641
R036152	TKRESS LLC	104 COVIN	GEORGETO	TX	78628	103 N WES	LEANDER	TX	78641
R109480	LEANDER I	PO BOX 21	LEANDER	TX	78646	204 W SOU	LEANDER	TX	78641
R109608	LEANDER, I	PO BOX 11	LEANDER	TX	78646	101 N WES	LEANDER	TX	78641
R305215	LEANDER, I	PO BOX 11	LEANDER	TX	78646	WEST DR	LEANDER	TX	78641
R357805	CITY OF LE	PO BOX 31	LEANDER	TX	78646	102 BAGDA	LEANDER	TX	78641
R418897	OT VILLAGI	% Preferre	AUSTIN	TX	78720	202 N TRE	LEANDER	TX	78641
R418947	PSTLZIP5	UNAVAILAI	LEANDER	TX	78641	106 WINDM	LEANDER	TX	78641
R418948	LEBLANC, A	11012 LON	AUSTTIN	TX	78754	108 WINDM	LEANDER	TX	78641
R418949	AVILA, VAL	200 WINDM	LEANDER	TX	78641	200 WINDM	LEANDER	TX	78641
R418950	FLORES, JU	202 WINDM	LEANDER	TX	78641	202 WINDM	LEANDER	TX	78641
R418951	THOM, ERI	204 WINDM	LEANDER	TX	78646	204 WINDM	LEANDER	TX	78641
R418952	RAMACHAI	15513 FISH	AUSTIN	TX	78717	206 WINDM	LEANDER	TX	78641
R418953	REYNOLDS,	208 WINDM	LEANDER	TX	78641	208 WINDM	LEANDER	TX	78641
R418954	OT VILLAGI	% Preferre	AUSTIN	TX	78720	210 WINDM	LEANDER	TX	78641
R487428	LEANDER I	PO BOX 21	LEANDER	TX	78646	202 W SOU	LEANDER	TX	78641
R487429	LEANDER I	PO BOX 21	LEANDER	TX	78646	104 S BRUS	LEANDER	TX	78641

R496898 A+ FEDERA PO BOX 14: AUSTIN TX
 R496900 H E BUTT GATTN: PRO SAN ANTOI TX
 R503958 UNKNOWN 000 Bagdad Leander TX
 R542549 PEMAS LLC 13-24 JACK LONG ISLA INY
 R542550 H E BUTT GATTN: PRO SAN ANTOI TX
 R565243 NGUYEN, K 708 LOS RC LEANDER TX
 R565244 5TH ELEME 16701 RED LEANDER TX
 R565245 WARREN, F 201 N MOL CEDAR PARTX
 R565246 KABILAN, S 129 BEISA I ROUND RO TX
 R566532 CITY OF LE/ PO BOX 31: LEANDER TX
 R590758 UNKNOWN 000 missin: Georgetow TX
 R590759 UNKNOWN 000 missin: Georgetow TX
 R619585 CITY OF LE/ % RIDE OR AUSTIN TX

78761 11255 HER LEANDER TX	78641
78283 N HWY 183 LEANDER TX	78641
78641 BAGDAD ST LEANDER TX	78641
11101 11245 HER LEANDER TX	78641
78283 BROADE ST LEANDER TX	78641
78641 E EVANS ST LEANDER TX	78641
78641 BROADE ST LEANDER TX	78641
78613 WILLIS ST LEANDER TX	78641
78681 SOUTH ST LEANDER TX	78641
78646 WILLIS ST LEANDER TX	78641
78626 N US 183 LEANDER TX	78641
78626 N BRUSHY: LEANDER TX	78641
78748 104 N BRU: LEANDER TX	78641

February 17, 2022

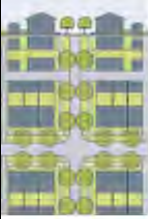
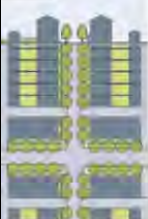
Dear Property Owner:

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Case Manager

Justin Hunt, Planner – jhunt@leandertx.gov or 512-528-2751

If you do not wish to be included in this City initiated zoning case, please notify the Planning Department before March 24, 2022 by emailing planning@leandertx.gov or calling 512-528-2751.

The process for rezoning property within Leander city limits includes public hearings before the Planning & Zoning Commission and City Council, as well as two readings of the ordinance.

Scheduled public hearings:

- **Planning & Zoning Commission – March 24, 2022 at 7:00 p.m.**
- **City Council – April 21, 2022 at 7:00 p.m.**

Please do not hesitate to contact me if you have any questions.

Sincerely,

parcelid	ownernme1	pstladdress	pstlcity	pstlstate	pstlzip5	siteaddress	sitcity	sitest	sitezip
R036031	VINCIK, JOSHUA DANE	335 BAKER LN	LEANDER	TX	78641	400 BRUSHY ST	LEANDER	TX	78641
R036033	BAIREUTH LLC	3508 FAR WEST BLVD STE 190	AUSTIN	TX	78731	BRUSHY ST	LEANDER	TX	78641
R036041	LEANDER LAND LTD CO	309 HWY 183 N	LEANDER	TX	78641	309 HWY 183 N	LEANDER	TX	78641
R036042	SJK LEANDER 183 LLC	125 WOOD BEACH DR	SANTA ROSA BEACH	FL	32459	303 N HWY 183	LEANDER	TX	78641
R036069	SHEETAL ENTERPRISE LLC	207 N HWY 183	LEANDER	TX	78641	207 N HWY 183	LEANDER	TX	78641
R036070	COMPASS BANK	ATT:DIANA SEALE-TAX ACCT DEPT PO BOX 10566	BIRMINGHAM	AL	35296	201 N HWY 183	LEANDER	TX	78641
R036075	BRUSHY PROPERTIES LLC	5205 TURNABOUT LN	AUSTIN	TX	78731	208 N BRUSHY ST	LEANDER	TX	78641
R036076	BRUSHY PROPERTIES LLC	5205 TURNABOUT LN	AUSTIN	TX	78731	210 N BRUSHY ST	LEANDER	TX	78641
R036077	JOHNNY 99 LLC	8315 BURNET RD #D	AUSTIN	TX	78757	203 N BRUSHY ST	LEANDER	TX	78641
R036081	CITY OF LEANDER	PO BOX 319	LEANDER	TX	78646	202 BAGDAD ST	LEANDER	TX	78641
R036090	305 WILLIS STREET LLC	3061 N BAGDAD RD	LEANDER	TX	78641	305 WILLIS ST	LEANDER	TX	78641
R036091	SWEETEN UP BAKE SHOP LLC	1004 CLEAR LAKE LN	LEANDER	TX	78641	201 BAGDAD ST	LEANDER	TX	78641
R036097	CITY OF LEANDER	PO BOX 319	LEANDER	TX	78646	200 WILLIS ST	LEANDER	TX	78641
R036098	CITY OF LEANDER	PO BOX 319	LEANDER	TX	78646	205 SOUTH ST	LEANDER	TX	78641
R036099	CITY OF LEANDER	PO BOX 319	LEANDER	TX	78646	103 N BRUSHY ST	LEANDER	TX	78641
R036100	SOTO, CHRISTIAN CRUZ & BENJAMIN CRUZ JR	109 N HIGHWAY 183	LEANDER	TX	78641	109 N HWY 183	LEANDER	TX	78641
R036101	WITCHER, C K	P.O. BOX 1865	LEANDER	TX	78646	107 N US 183	LEANDER	TX	78641
R036102	AHP HOLDINGS LLC	12160 W PARMER LN STE 130-807	CEDAR PARK	TX	78613	101 N US 183	LEANDER	TX	78641
R036103	CITY OF LEANDER	PO BOX 319	LEANDER	TX	78646	100 & 104 N BRUSHY ST	LEANDER	TX	78641
R036150	MANNING, ROBERT SCOTT	207 N WEST DR	LEANDER	TX	78641	207 N WEST DR	LEANDER	TX	78641
R036151	DAVIS, P REESE & NORMA JEAN	201 N WEST DR	LEANDER	TX	78641	201 N WEST DR	LEANDER	TX	78641
R496900	H E BUTT GROCERY CO	ATTN: PROPERTY TAX OFFICE PO BOX 839999	SAN ANTONIO	TX	78283	N HWY 183	LEANDER	TX	78641
R503958	UNKNOWN, LEANDER	000 Bagdad	Leander	TX	78641	BAGDAD ST	LEANDER	TX	78641
R542550	H E BUTT GROCERY CO	ATTN: PROPERTY TAX OFFICE PO BOX 839999	SAN ANTONIO	TX	78283	BROADE ST	LEANDER	TX	78641
R566532	CITY OF LEANDER	PO BOX 319	LEANDER	TX	78646	WILLIS ST	LEANDER	TX	78641
R619585	CITY OF LEANDER	% RIDE OR DIE LLC 11308 ROBERT WOODING DR	AUSTIN	TX	78748	104 N BRUSHY ST	LEANDER	TX	78641

Write the Case Number

22-TOD-SU-001

Found in the attached letter

ONLINE OPTION

If you prefer, submit
comments online at:

leandertx.gov/notice

A property owner near you has requested a change as described in the attached letter. Complete and mail this postcard or visit the city website to provide comments. Postage has been prepaid for your convenience.

Name: Toni Shopp

Address: 15621 Long Hollow Loop
Leander, TX 77951

Email: [REDACTED]

☒ **SUPPORT** ☐ **OPPOSE** the requested change as described. **Other comments:**

Good luck and God bless!

Write the Case Number

22-TOD-SU-001

Found in the attached letter

ONLINE OPTION

If you prefer, submit
comments online at:

leandertx.gov/notice

A property owner near you has requested a change as described in the attached letter. Complete and mail this postcard or visit the city website to provide comments. Postage has been prepaid for your convenience.

Name: Anja Schaefer

Address: 101 BAGPAP ST.

Email: [REDACTED]

☒ **SUPPORT** ☐ **OPPOSE** the requested change as described. **Other comments:**

The RV is not in the way and helping family members is important. I applaud Faith for her decision and commitment.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY APPROVING A SPECIAL USE PERMIT TO ALLOW FOR THE TEMPORARY RESIDENTIAL USE OF A TRAVEL TRAILER OR RECREATIONAL VEHICLE FOR USE BY AN ILL, CONVALESCENT OR OTHERWISE DISABLED FRIEND OR RELATIVE NEEDING CARE FROM THE OCCUPANT OF THE PRIMARY RESIDENCE, OR A FRIEND OR RELATIVE PROVIDING NECESSARY CARE FOR AN ILL, CONVALESCENT OR OTHERWISE DISABLED OCCUPANT; AND A TIME FRAME OF ONE (1) YEAR; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned; and

Whereas, after giving at least ten (10) days written notice to the owners of land within two hundred (200') feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Zoning Ordinance. Ordinance No. 05-018-00, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

SECTION 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property." That certain parcel of land being 0.3856 acres, more or less, located in Leander, Williamson County, being more particularly described in Exhibit "A", and addressed as 107 Bagdad Street, more particularly described in Document Number 2010021829, Official Public Records of Williamson County, Texas, and identified by tax identification number R036092.

SECTION 4. Special Use Permit. The amendment to the Special Use Permit is hereby approved to allow temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary

residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant. The term of this permit shall be limited to a time frame of one (1) year. Within sixty (60) days of cessation of the temporary use, all occupancy of the unit shall cease, the unit shall be disconnected from all utilities and the unit shall be removed from the premises.

SECTION 5. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 21st day of April, 2022.
FINALLY PASSED AND APPROVED on this the 5th day of May, 2022.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine Delisle, Mayor



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action regarding solicitation #S22-009B to select Kimley Horn to complete the Old Town Master Plan, authorizing the City Manager negotiate and execute any and all necessary documents.

BACKGROUND:

The City of Leander advertised a request for qualifications (RFQ) for the preparation of an Old Town Master Plan. Three responses were received on March 17, 2022. After a review of qualifications, staff has selected Kimley-Horn for the project. The approved budget is \$75,000 and the proposal is for \$130,000. There are two options:

1. Proceed with the first three phases within budget and request the remainder in the 2022/2023 budget. The first three phases include stakeholder engagement, state of the city analysis, mapping, visioning of the study area, and the downtown framework. This option would cause a delay in the completion of the project.
2. Proceed with the complete proposal and amend the budget to address the \$55,000

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

Staff recommends that the Council moves forward with amending the budget to proceed with the plan without separating the phasing.

PRESENTER:

Robin M. Griffin, AICP, Executive Director of Development Services

Fiscal Impact

Amount requested: \$130,000.00

Approved in current budget (Yes / No): Yes

Expenditure (New / Amended): Amended

Recurring or one-time: One

Fund source (Operating / Utility / etc.): Operating

Attachments

1. Evaluation
2. RFQ

Bid Info: City of Leander Old Town Master Plan

Solicitation No. S22-009b Opening: 3/17/2022

EVALUATION CRITERIA	Max Points			
Relevant Qualifications and Experience	50	43.3	41.7	46
Available Resources	15	14	12.7	14.7
Methodology, Approach and Timeline	15	13.3	8	14.3
Work Samples and References	20	14.7	13.5	16
TOTAL:	100	85	76	91



**Purchasing Division
105 N. Brushy Street
Leander, TX 78641
www.leandertx.gov**

Solicitation #S22-009b

**REQUEST FOR QUALIFICATIONS
FOR THE
OLD TOWN MASTER PLAN**

Responses Due: March 17, 2022

CITY OF LEANDER
REQUEST FOR QUALIFICATIONS
PRESERVATION PLAN PLANNING
AND ENGINEERING SERVICES FOR THE OLD TOWN MASTER
PLAN

PART I

GENERAL

1. **PURPOSE:** The City of Leander, herein after “City”, seeks an agreement with a qualified Individual, Firm, or Corporation, herein “Respondent”, to provide services required to develop an Old Town Master Plan.
2. **BACKGROUND:** The City has experienced unprecedented growth with a population estimated at 86,880. In response to the growth, the City recently completed a major update to the Comprehensive Plan and adoption of a Master Transportation Plan. Historically, the City has had a reputation for quality of life and small town feel. The City recognizes that there is a great opportunity for the promotion and revitalization of the historic town center, Old Town. Citizens describe the future of Old Town as: funky, artsy, pedestrian-scaled, historic hot spot, restaurant destination, organic, small businesses, charming, welcoming, and a community gathering place. It is currently comprised of a mix of residential uses and new commercial development. There are many opportunities for adaptive reuse of existing buildings as well as infill development.

The City has completed several key milestones that have encouraged new businesses to open in Old Town. The accomplishments include:

- Completion of the Comprehensive Plan Update
 - o Includes goals associated with Old Town
 - o Citizen Committee identified Old Town as a top priority
 - Adoption of Economic Development Incentives
 - o Provided incentives to aid the location and expansion of businesses in Old Town
 - o 7 incentives in the amount of \$166,500 have been approved
 - Expansion of programming including festivals and other activities
 - Voter Approved Bonds including:
 - o Completion of improvements to S Brushy Street (road, waterlines, on street parking, landscaping, streetlights, and other pedestrian amenities)
 - Approval of improvements to East Street
 - Relocation and Expansion of Pat Bryson Municipal Hall
 - Approve of Old Town Park Plans
3. **GOALS:** In order to build on this momentum, the City has funded a master planning process to implement the goals of the Comprehensive Plan and the desires of the community. This plan will include:
 - 3.1. Evaluate the branding of Old Town and create a vision and cohesive design theme including a Master Sign Plan and development of a plan for entry features to define the area;
 - 3.2. Develop a parking strategy that provides an assessment of existing parking and proposed solutions;
 - 3.3. Proposing updates to the zoning to support desired land uses;
 - 3.4. Evaluating and planning for infrastructure including a needs assessment including the use and/or improvement to the existing substandard alleys;

- 3.5. Review, evaluate, and propose a Capital Improvement Plan that is based on a needs analysis for improving the infrastructure for both pedestrians and vehicles in Old Town
- 3.6. SWOT Analysis including a review of the land use, infrastructure, civic and public space, design and preservation elements;
- 3.7. Reexamine the boundaries of Old Town and determine if there should be two separate districts.
4. **ANTICIPATED TASKS AND SERVICES:** The selected consultant will be responsible for public outreach, research, development and production associated with the Old Town Master Plan.
 - 4.1. Creation of an Old Town Master Plan and all supporting documentation;
 - 4.2. Research and review of Comprehensive Plan, SmartCode, and development cases.
 - 4.3. Stakeholder meetings with property owners within Old Town;
 - 4.4. Action plan for suggested implementation of the Old Town Master Plan.
 - 4.5. Production of plan materials and in various media and interactive formats.
 - 4.6. Products produced as part of the process include GIS layers, studies, bookmarked pdf)
5. **DEFINITIONS, TERMS AND CONDITIONS:** By submitting a response to this solicitation, the Respondent agrees that the City's standard Definitions, Terms and Conditions, in effect at the time of release of the solicitation, shall govern unless specifically provided otherwise in a separate agreement or on the face of a purchase order. It is the sole responsibility of Respondents to stay apprised of changes. The City's Definitions, Terms and Conditions can be obtained from the City's webpage at: <http://www.leandertx.gov/finance/page/purchasing>.
 - 5.1. Any acceptance to or additional terms and conditions attached to the response will not be considered unless Respondent specifically references them on the front of the Solicitation Document. WARNING: Exception to or additional terms and conditions may result in disqualification of the response.
6. **ATTACHMENTS:** Attachments A and C are herein made a part of this solicitation:
 - 6.1. Attachment A: Reference Sheet
 - 6.2. Attachment B: Submittal Cover Sheet
 - 6.3. Attachment C: CIQ Form
7. **CLARIFICATION:** For questions or clarifications of specifications, you may contact:
Kelly Wenzel, General Services Manager
Purchasing Department
City of Leander
Telephone: 512-528-2792
kwenzel@leandertx.gov

The individual listed above may be contacted by telephone or visited for clarification of the specifications only. No authority is intended or implied that specifications may be amended or alterations accepted prior to solicitation opening without written approval of the City of Leander through the Purchasing Department.
8. **RESPONDENT REQUIREMENTS:** The opening of a solicitation shall not be construed as the City's acceptance of such as qualified and responsive.
 - 8.1. Respondents shall be firms, corporations, individuals or partnerships normally engaged in the provision or service described herein.

- 8.2. City shall contract for the design and project management services only with an experienced team member of the firm with direct expertise in the project type specified. City shall require that only the agreed to and contracted team work with and interact with City staff.
- 8.3. **Persons and firms practicing Architectural and Engineering Services in the State of Texas must possess proper licensing and registration in accordance with Texas laws.**
9. **COMMITTEE REVIEW AND SELECTION:** An evaluation committee will review each response to determine the most highly qualified Respondent on the basis of demonstrated competence and qualifications using the following weighted criteria. A consensus score will be assigned to each response. A committee of City of Leander evaluators has been established to evaluate the Solicitation Responses.

Respondents may be required to make an oral presentation to the selection team to further present their qualifications. These presentations will provide the Respondent the opportunity to clarify their qualifications and ensure a mutual understanding of the services to be provided and the approach to be used.

Criteria	Possible Points
Relevant Qualifications and Experience	50
Available Resources	15
Methodology, Approach and Timeline	15
Work Samples and References	20
Total	100

The evaluation process may reveal additional information for consideration. The City reserves the right to modify, without notice, the evaluation structure and weighted criteria to accommodate these additional considerations to serve the best interest of the City.

10. **AWARD:** The City reserves the right to enter into an Agreement or a Purchase Order with a single award, split awards, non-award, or use any combination that best serves the interest and at the sole discretion of the City. Award announcement will be made upon City Council approval of staff recommendation and executed agreement. Award announcement will appear on the City's website at <http://www.leandertx.gov/rfps>.
- 10.1. The City reserves the right to reject any or all responses, or delete any portion of the response, or to accept any response deemed most advantageous, or to waive any irregularities or informalities in the response received that best serves the interest and at the sole discretion of the City.
- 10.2. Chapter 176, Texas Local Government Code requires that disclosures of certain relationships be made in relation to certain contracts with the City. Local government officers are the members of the City Council, the City Manager, and other City employees or agents who exercise discretion in planning, recommending, selecting and contracting of a vendor. Please contact the City Secretary for a list of City employees and agents who may qualify as local government officers. Click here **Chapter 176, Texas Local Government Code**, to review this requirement.
- 10.2.1. A completed CIQ Form, herein Attachment C, is required with each response.
- 10.2.2. Once a selection is made and the City has the intent to award, the successful respondent will be required to submit Form 1295 to the State of Texas electronically prior to executing the agreement or purchase order.
- https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

11. **AGREEMENT TERM:** The initial term of the resulting agreement shall be determined by the proposed and agreed upon project timeline.
 - 11.1. If the Respondent fails to perform its duties in a reasonable and competent manner, the City shall give written notice to the Respondent of the deficiencies and the respondent shall have thirty (30) days to correct such deficiencies. If the Respondent fails to correct the deficiencies within the thirty (30) days, the City may terminate the agreement by giving the Respondent written notice of termination and the reason for the termination.
 - 11.2. If the agreement is terminated, for any reason, the respondent shall turn over all records, to include but not be limited to the following: drawings, plans and estimates, to the City within fifteen (15) working days after completion of duties contained in the agreement.
12. **ACCEPTANCE:** Acceptance inspection should not take more than thirty (30) working days. The successful Respondent will be notified within this time frame if the goods or services provided are not in full compliance with the specifications. If any agreement or purchase order is canceled for non-acceptance, the needed good or service may be purchased elsewhere and the successful Respondent may be charged full increase, if any, in cost and handling.
13. **PROMPT PAYMENT POLICY:** Payments will be made in accordance with the Texas Prompt Payment Law, Texas Government Code, Subtitle F, Chapter 2251. The City will pay Successful Respondent within thirty days after the acceptance of the supplies, materials, equipment, or the day on which the performance of services was completed or the day, on which the City receives a correct invoice for the supplies, materials, equipment or services, whichever is later. The Successful Respondent may charge a late fee (fee shall not be greater than that which is permitted by Texas law) for payments not made in accordance with this prompt payment policy; however, this policy does not apply to payments made by the City in the event:
 - 13.1. There is a bona fide dispute between the City and Successful Respondent concerning the supplies, materials, services or equipment delivered or the services performed that causes the payment to be late; or
 - 13.2. The terms of a federal agreement, grant, regulation, or statute prevent the City from making a timely payment with Federal Funds; or
 - 13.3. There is a bona fide dispute between the Successful Respondent and a subcontractor or between a subcontractor and its suppliers concerning supplies, material, or equipment delivered or the services performed which caused the payment to be late; or
 - 13.4. The invoice is not mailed to the City in strict accordance with instructions, if any, on the purchase order or agreement or other such contractual agreement.
14. **NON-APPROPRIATION:** The resulting Agreement is a commitment of the City's current revenues only. It is understood and agreed the City shall have the right to terminate the Agreement at the end of any City fiscal year if the governing body of the City does not appropriate funds sufficient to purchase the estimated yearly quantities, as determined by the City's budget for the fiscal year in question. The City may affect such termination by giving successful Respondent a written notice of termination at the end of its then current fiscal year.
15. **COSTS INCURRED:** Respondent shall acknowledge that the issuance of a solicitation shall in no way obligate the City to award a contract or to pay any costs associated with the preparation of a response to said solicitation. The costs in developing and submitting proposals, preparing for and participating in oral presentations or any other similar expenses incurred by a Respondent are the sole responsibility of the Respondent and shall not be reimbursed by the City.

PART II

SCHEDULE

1. **SOLICITATION SCHEDULE:** It is the City's intention to comply with the following solicitation timeline:

Event	Event Date*
RFQ Released	February 24, 2022
Deadline for Vendor Questions Submitted to the City of Leander	March 4, 2022 by 5:00 p.m. CST
Questions and Answers to be posted on the City of Leander website on or before	March 9, 2022 by 5:00 p.m. CST
RFQ Opened (last day to submit Responses)	March 17, 2022 by 3:00 p.m. CST
Contract Award Target	May 2022
Oral Presentation (if necessary)	TBD
Services to begin upon execution of contract	

Respondents may be required to make an oral presentation to the selection team to further present their qualifications. These presentations will provide the Respondent the opportunity to ensure a mutual understanding of the services to be provided and the approach to be used.

All questions regarding the solicitation shall be submitted via email to Purchasing@leandertx.gov by 5:00 PM on the due date noted above. A copy of all the questions submitted and the City's response to the questions shall be posted on our webpage at: <https://bids.leandertx.gov/>.

The City reserves the right to modify these dates. Notice of date change will be posted to the City's website.

2. **SOLICITATION UPDATES:** Respondents shall be responsible for monitoring the City's website at: <http://www.leandertx.gov/rfps> for any updates pertaining to the solicitation described herein. Various updates may include addendums, cancelations, notifications, and any other pertinent information necessary for the submission of a correct and accurate response. The City will not be held responsible for any further communication beyond updating the website.
3. **RESPONSE DUE DATE:** Signed and sealed responses are due no later than **3:00 PM**, on the date noted above to the Purchasing Department. Mail or carry sealed responses to:

FedEx, UPS or Hand Deliver to:

**City of Leander
Purchasing Department
105 N. Brushy Street
Leander, Texas 78641**

Mail to:

**City of Leander
Purchasing Department
PO Box 319
Leander, TX 78646**

- 3.1. Responses received after this time and date shall not be considered.

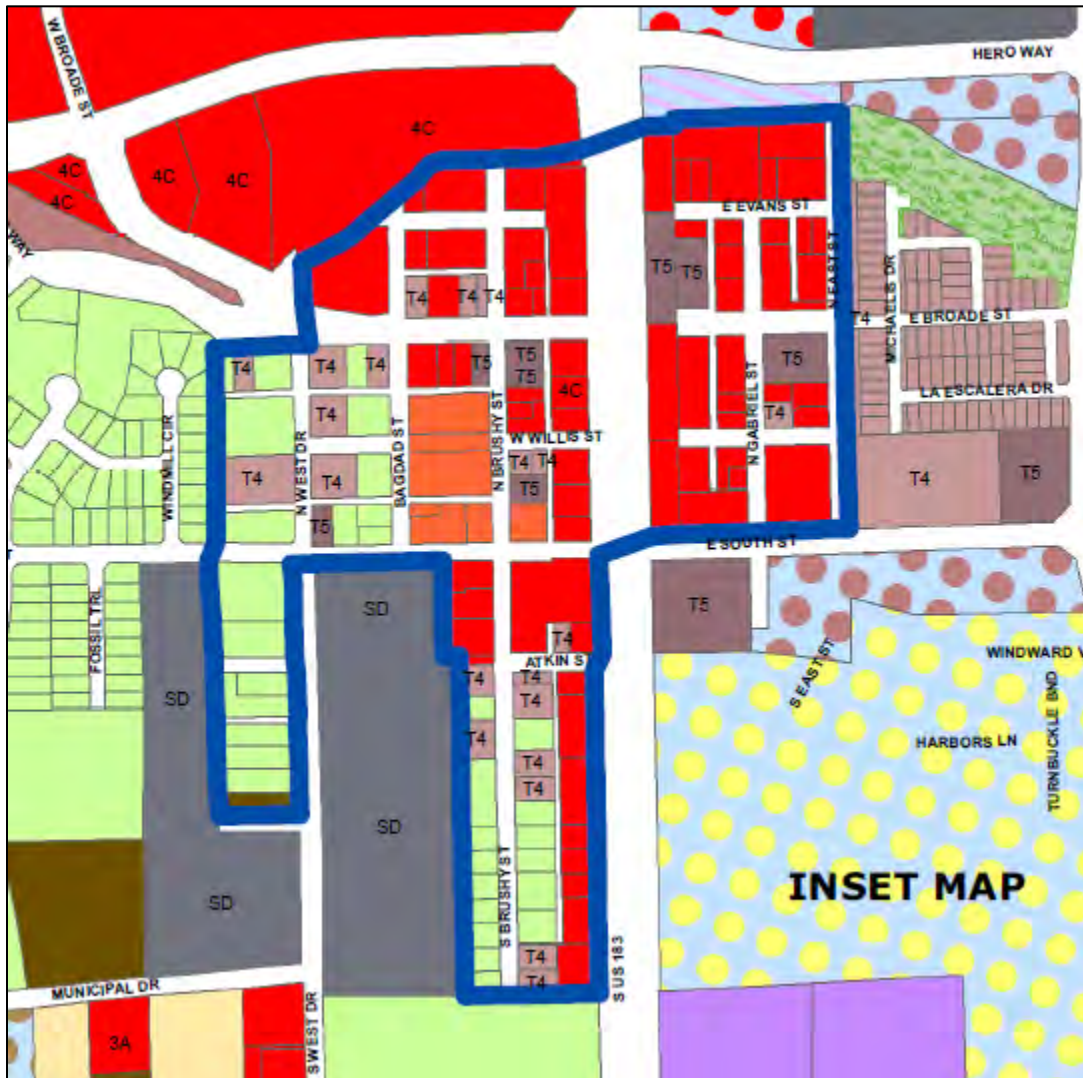
- 3.2. Sealed responses shall be clearly marked on the outside of packaging with the Solicitation title, number, due date and **“DO NOT OPEN”**.
- 3.3. Facsimile or electronically transmitted responses will **not be accepted**.
- 3.4. Late responses will be returned to Respondent unopened if return address is provided.
- 3.5. Responses cannot be altered or amended after opening.
- 3.6. No response can be withdrawn after opening without written approval from the City for an acceptable reason.
- 3.7. The City will not be bound by any oral statement or offer made contrary to the written specifications.
4. **AGREEMENT NEGOTIATIONS:** In establishing an agreement as a result of the solicitation process, the City may:
 - 4.1. Review all submittals and determine which Respondents are reasonable qualified for award of the agreement.
 - 4.2. Determine the Respondent whose submittal is most advantageous to the City considering the evaluation criteria.
 - 4.3. Attempt to negotiate with the most responsive, qualified Respondent an agreement at fair and reasonable terms, conditions and cost.
 - 4.4. If negotiations are successful, enter into an agreement or issue a purchase order.
 - 4.5. If not successful, formally end negotiations with that Respondent. The City may then:
 - 4.5.1. Select the next most highly qualified Respondent and attempt to negotiate an agreement at fair and reasonable terms, conditions and cost with that Respondent.
 - 4.5.2. The City shall continue this process until an agreement is entered into or all negotiations are terminated.
 - 4.6. The City also reserves the right to reject any or all submittals, or to accept any submittal deemed most advantageous, or to waive any irregularities or informalities in the submittal received.
5. **POST AWARD MEETING:** The City and Respondent shall have a post award meeting to discuss, but not be limited to the following:
 - 5.1. Provide City contact(s) information for implementation of agreement.
 - 5.2. Identify specific milestones, goals and strategies to meet objectives.

PART III

SPECIFICATIONS

1. **PROJECT START-UP:**
 - 1.1. Work with the City Staff to develop the detailed work plan and timeline for the project.
 - 1.2. Review the existing ordinances to understand the available tools.
 - 1.3. Meet with an Old Town Stakeholder Group to receive feedback on the desires and concerns for the area.
2. **EXISTING CONDITIONS INVENTORY AND MAPPING:**

- 2.1. Prepare an inventory of the existing infrastructure systems in Old Town including:
 - 2.1.1. Water
 - 2.1.2. Wastewater
 - 2.1.3. Streets
 - 2.1.4. Drainage
 - 2.1.5. Parking
 - 2.1.6. Solid Waste
 - 2.1.7. Electric
 - 2.1.8. Other Dry Utilities
 - 2.2. Prepare an inventory of vacant lots or opportunities for infill development.
 - 2.3. Prepare an inventory of the existing structures in Old Town and consider historic significance.
3. **INFRASTRUCTURE GAP ANALYSIS:** Utilizing the land use assumptions for Old Town included in the City's Future Land Use Plan and zoning ordinance, document the deficiencies in the existing infrastructure and identify and prioritize improvements necessary to facilitate the City's land use goals for Old Town.
4. **MASTER PLAN:**
- 4.1. Prepare a master plan focused on the Old Town area to aid staff and City leaders to make a detailed and coordinated effort in carrying forward the comprehensive plan recommendations. The plan should establish a cohesive design theme, desired land uses and intensity, and a master infrastructure plan that addresses fire flow and drainage.
 - 4.2. The development of the plan should include public participation, especially from property owners and business owners in and around Old Town Leander.
 - 4.3. The following are recommendations that should be further explored through the master planning process:
 - 4.3.1. Creation of an Old Town Master Sign Plan that includes specific signage along US 183 to indicate arrival to the area through historic entry and associated wayfinding signage, etc.).
 - 4.3.2. Establish development areas for Old Town.
 - 4.3.3. Incorporate the results from the infrastructure gap analysis in to the plan by establishing recommendations for improvements.
 - 4.3.4. Seek funding sources and partnerships to facilitate public art installations in public spaces and along streets in Old Town.
 - 4.3.5. Conduct a parking assessment to determine on-street parking needs and whether or not a parking facility is needed. Provide recommendations based on this assessment providing parking solutions and strategies.
 - 4.3.6. Solidify the design of Old Town streets with adequate on-street parking, safe traffic flow, and a pedestrian-and storefront-friendly environment with attractive street-side elements tailored to the character of Old Town. Include connectivity to Capital Metro and Northline.
 - 4.3.7. Explore options for amenity development along Brushy Creek in Old Town that provides a connection to nearby commercial developments and the Leander Station. Seek opportunities to partner with nearby landowners to create an enhanced Old Town gateway amenity from the Hero Way intersection to the creek crossing.
 - 4.3.8. Propose amendments to development codes to encourage innovative and desired uses in Old Town.
 - 4.3.9. Develop an annual work plan for development initiatives including funding opportunities, capital investments, art and beautification, façade grants, and pedestrian improvements.
5. **TIMEFRAME:** The anticipated timeframe for the plan is 3 to 6 months.



7. **PUBLIC MEETINGS:** The consultant will participate in public meetings as a part of the update process including, at a minimum, meeting with the stakeholder groups throughout the project, conducting two joint workshops with the Planning & Zoning Commission and City Council, a public hearing before the Planning & Zoning Commission and the City Council (total of four meetings with the Commission and Council). The consultant should stipulate the cost for attending additional public meetings if required.
8. **CONSULTANT QUALIFICATIONS:** The City is interested in working with consultants who have prior experience with local calibration of the SmartCode, preferably for municipalities in the State of Texas. Further, the City would prefer a consultant who has worked with a municipality to upgrade a locally calibrated SmartCode from a prior version to a newer version.

Consultants should submit qualifications and samples of work that meet the City's requirements along with a fee proposal based upon the preliminary scope of work described above.
9. **SUPPLEMENTAL INFORMATION:** A copy of the City's currently adopted SmartCode may be found on our web site at the following address: <http://www.leandertx.gov/tod/page/smartcode>.

PART IV

RESPONSE REQUIREMENTS

1. **SOLICITATION SUBMISSION REQUIREMENTS:** To achieve a uniform review process and obtain the maximum degree of comparability, the responses shall be organized in the manner specified below. Responses shall not exceed twenty (20) pages in length (excluding title pages(s) and index/table of contents, attachments or dividers). Information in excess of those pages allowed will not be evaluated. One page shall be interpreted as one side of a double-spaced, printed, 8 1/2" X 11" sheet of paper. It is recommended that responses not be submitted in ringed binders or metal spirals to conserve cost for both the Respondent and the City.

The Respondent shall submit **one (1) original signed paper copy and four (4) copies**, clearly identified as a "COPY" of its Response.

In addition, the Respondent shall submit one (1) flash drive, each containing a complete copy of Respondent's submission in an acceptable electronic format (PDF, RTF, TXT, DOC, XLS). A complete copy of the Response includes all documents required by this Solicitation. The flash drive shall be titled: "SOLICITATION NUMBER - Complete copy of [Name of Respondent]'s submission." **Failure to provide a flash drive may result in disqualification for award.**

If supplemental materials are included with the Response, each flash drive must include such supplemental materials. The Response and accompanying documentation are the property of the City and will not be returned.

- 1.1. Title Page (1 page) – Show the solicitation title and number, the name of firm, address, telephone number(s) name of contact person and date.

TAB #1

- 1.2. Letter of Transmittal (1 page) – Identify the services for which solicitation has been prepared.

- 1.2.1. Briefly state your firm's understanding for the services to be performed and make a positive commitment to provide the services as specified.

- 1.2.2. Provide the name(s) of the person(s) authorized to make representations for your firm, their titles, address, telephone numbers and e-mail address.

- 1.2.3. The letter shall be signed by a corporate officer or other individual who has the authority to bind the firm. The name and title of the individuals(s) signing the solicitation shall be clearly shown immediately below the signature.

TAB #2

- 1.3. Table of Contents (1 page) – Clearly identify the materials by Tab and Page Number.

TAB #3

- 1.4. Previous Performance/Experience – Provide detailed information on firm and team experience with providing Services as described in the Scope of Work.

- 1.4.1. Respondent shall identify key project staff, task leaders and sub-consultants along with their respective field and expected services to the City for the Scope of Work on behalf of the firm. Information shall include education and professional registrations. Resumes shall be included for each of the individuals and sub-consultants referenced which demonstrate their qualifications to satisfy all the critical and service requirement areas. The City reserves the right to approve or disapprove all sub-consultants prior to any work being performed. **RESUMES SHALL NOT COUNT TOWARD THE 20-PAGE CONTENT LIMIT.**

- 1.4.2. **Respondent shall provide a representative list of similar completed projects in the past 3-4 years with a scale and complexity similar to the project being considered by the City. The list shall include the location, City, services provided by your firm, term of services, project construction cost and an owner**

contact name, telephone and e-mail address. Include a brief overview of each project with, at a minimum, a short description of the services provided and methodology used for projects. Each project shall show acreage size and photography of completed installation.

- 1.4.3. **Proof of licensure shall be required with submittal. Persons and firms practicing Architectural and Engineering Services in the State of Texas must possess proper licensing and registration in accordance with Texas laws.**

- | | |
|---------------|--|
| TAB #4 | 1.5. <u>Available Resources and Consultant Location</u> – Provide information on size, resources and business history of the firm. |
| TAB #5 | 1.6. <u>Methodology</u> – Respondent shall define the method and approach to be used. |
| TAB #6 | 1.7. <u>Timeline</u> – Respondent shall provide a timeline to complete the project as per the Scope of Work contained herein. |
| TAB #7 | 1.8. <u>Work Samples</u> – Respondent shall provide work samples of designs successfully completed for similar properties. Work samples can include but are not limited to preservation plans, drawings, renderings and photography. |

PART V

1. **CONFIDENTIALITY OF CONTENT:** All documents submitted in response to a solicitation shall be subject to the Texas Public Information Act. Following an award, responses are subject to release as public information unless the response or specific parts of the response can be shown to be exempt from the Texas Public Information Act. Pricing is not considered to be confidential under any circumstances.
 - 1.1 Information in a submittal that is legally protected as a trade secret or otherwise confidential must be clearly indicated with stamped, bold red letters stating "CONFIDENTIAL" on that section of the document. The City will not be responsible for any public disclosure of confidential information if it is not clearly marked as such.
 - 1.2 If a request is made under the Texas Public Information Act to inspect information designated as confidential, the Respondent shall, upon request from the City, furnish sufficient written reasons and information as to why the information should be protected from disclosure. The matter will then be presented to the Attorney General of Texas for final determination.
2. **ETHICS ORDINANCE AND DISCLOSURE STATEMENTS:** The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the following link:
<http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

Sec. 9.05.007 Persons doing business with the city

- (a) Persons seeking discretionary contracts.
 - (1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.

- (2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.
- (b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:
 - (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
 - (2) Any member of the board or city body; has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

Sec. 9.05.009(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.



City of Leander Bid Form - Attachment B
PURCHASING DEPARTMENT
105 N. Brushy Street • Leander, Texas 78641

RFQ Submittal Cover Sheet

Issue Date:	February 24, 2022	RFQ #:	S22-009b	Response Deadline:	March 17, 2022 at 3:00p.m.
Category Code:	907-00	Solicitation Description:	Old Town Master Plan		

- Please use the table below to organize your Response in the following order by the corresponding tab number.
- Provide digital copy of Response on a USB flash drive with the original Response binder.
- Response pages must be numbered and contain an organized, paginated, table of contents corresponding to the Section and pages of the Response.
- Response shall include all of these elements or may be disqualified.

Requested Item	Tab Number	Vendor Initials	City Initials
Title page (PART IV; Section 1.1)	Front Page of Binder		
RFQ Submittal Checklist (Attachment B)	1		
Letter of Transmittal (PART IV; Section 1.2)	1		
Table of Contents (PART IV; Section 1.3)	2		
Previous Performance/Experience (PART IV; Section 1.4)	3		
Available Resources and Consultant Location (PART IV; Section 1.5)	4		
Methodology (PART IV; Section 1.6)	5		
Timeline (PART IV; Section 1.7)	6		
Work Samples (PART IV; Section 1.8)	7		
References (Attachment A)	8		
CIQ Form (Attachment C)	9		
Terms & Conditions Issues (PART I; Section 3)	9		
Proposer's Contract and/or Terms and Conditions (PART I; Section 3)	10		
Solicitation Addenda, <i>if applicable</i> (From the ESBD and/or the City of Leander Website)	11		
Vendor Addenda, <i>if applicable</i>	12		



City of Leander Bid Form - Attachment B
PURCHASING DEPARTMENT
105 N. Brushy Street • Leander, Texas 78641

Vendor Information

Vendor Name:		Address:	
Email Address:		*City, State, Zip:	
Phone Number:		Federal EIN*:	

*Federal Employers Identification number in the Federal EIN field above. In an effort to minimize identity theft, every company MUST have an Employers Identification Number (EIN) prior to award of a contract. For information on obtaining your EIN, you may contact the IRS at (800) 829-4933 or visit <https://www.irs.gov/forms-pubs> and complete the Form SS-4.

Award Notice: The City of Leander reserves the right to accept or reject all or any part of any bid, waive minor technicalities, and award the bid that will best serve the interest of the City of Leander. The City of Leander also reserves the right to reject any and all bid items at the sole discretion of the City of Leander. Bid prices are requested to be firm for the City of Leander acceptance for 90 days from the Solicitation Response Deadline (Opening Date).

SIGNATURE REQUIRED

The person who signs this Coversheet must have the authority to bind the company into a contract.

Printed
Name:

Job
Title:

Signature:

Date:

*By signing this form, Vendor certifies that if a Texas address is shown as the address of the company, the Vendor qualifies as a Texas Resident Bidder as defined in TAC Rule § 20.38.

CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ****For vendor doing business with local governmental entity**

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information in this section is being disclosed.

Name of Officer

This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the vendor has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more?

☐ Yes ☐ No

D. Describe each employment or business and family relationship with the local government officer named in this section.

4

Signature of vendor doing business with the governmental entity

Date



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on K. Friese and Associates Task Order KFA-58 for the Water System Capital Improvement Plan in an amount not to exceed \$98,354.00; authorize the City Manager to negotiate and execute any and all necessary documents; and provide an effective date.

BACKGROUND:

With the need for an assured water supply, and improved means for distributing water throughout Leander, Task Order KFA-58 provides for professional services to develop the Water System Capital Improvement Plan. The purpose is to assess the current City of Leander water delivery assets, model the water system, and determine what improvements need to be scheduled to provide for the continued growth of the city.

The scope of work for this study is contained in Attachment 2. Compensation for this analysis is a not-to-exceed amount of \$98,354.00, to be billed on an hourly basis. This amount will not be exceeded without authorization by the City of Leander.

RECOMMENDATION:

Staff requests authorization for the City Manager to negotiate and execute Task Order KFA-58 for the Water System Capital Improvement Plan in an amount not to exceed \$98,354.00.

PRESENTER:

Ross E. Blackketter, P.E., City Engineer

Fiscal Impact

<u>Amount requested:</u>	\$98,354.00
<u>Approved in current budget (Yes / No):</u>	Yes
<u>Expenditure (New / Amended):</u>	New
<u>Recurring or one-time:</u>	One-time
<u>Fund source (Operating / Utility / etc.):</u>	Utility 25-31-5681

Attachments

1. Task Order KFA-58
2. Scope & Fees to KFA-58

TASK ORDER FOR PROFESSIONAL SERVICES

TASK ORDER NO. KFA-58

This will constitute authorization by the City of Leander, Texas (Owner), for K Friese & Associates, Inc., Austin, Texas (Engineer), to proceed with the following described engineering services.

CITY OF LEANDER LEANDER 2022 WATER CIP UPDATE

A. PROJECT DESCRIPTION

Professional services to provide preparation of population and growth estimates, water system modeling, and preparation of an updated Water System Capital Improvement Plan.

B. SCOPE OF SERVICES

KFA will provided the Scope of Services described in the attached Scope document.

C. BASIS OF COMPENSATION

KFA will perform this work on an hourly basis not to exceed \$98,354.00 without prior authorization.

D. TIME FOR COMPLETION

KFA will begin work as soon as authorized and as services are requested. Pending availability of information, a Draft Summary CIP Report would be anticipated to be completed within 90 days of notice to proceed and a final report 30 days after comments are received.

APPROVED:

CITY OF LEANDER, TEXAS

By _____

Title _____

Attest _____

Date _____

ACCEPTED:

K FRIESE & ASSOCIATES, INC.

By  _____

Dale Murphy, P.E.
Vice-President

Attest  _____

Date 4-7-22

SCOPE OF SERVICES

LEANDER WATER CAPITAL IMPROVEMENTS PLAN UPDATE - 2022

With the City of Leander's tremendous growth, changing development patterns, and changing system demands, the Water Capital Improvements Plan (CIP) needs an update to plan for the next 20 years. This project will update the existing water model with the 2022 system and demands, and will project future growth and the needed improvements to the water system to meet that anticipated growth.

The 2022 Water CIP will include evaluation of the system, raw and treated water supply sources, and infrastructure needs. Growth rates and patterns will be discussed and agreed to with City Staff, and models will be prepared for the current, 5-year, 10-year, and 20-year systems. From these updated models, sizing of future infrastructure elements will be determined. The CIP will include cost estimates and a summary of recommendations for the system for a 20-year period.

SCOPE OF SERVICES

1. Project Management/Meetings - This task includes monitoring budgets and schedules, communications, and other tasks directly associated with the project. Coordination with the City will be a key component, including several in person meetings. Anticipated meetings include:
 - a. Project Kick-Off – One (1) with City Staff
 - b. Population Projections & Known Developments Meeting – One (1) with City Staff
 - c. Project Status Meetings – Two (2) with City Staff
 - d. CIP Summary Meeting/Presentation – One (1) with City Staff
2. Data Collection and System Inventory - With the assistance of City Staff, KFA will develop an updated inventory of major system components including pumps, tanks, large diameter pipelines, and treatment facilities. City Staff will forward updated GIS data representing current water system pipeline alignments, plat information, and existing/proposed land use mapping. KFA will compile the GIS data for use in preparing the CIP.
3. Planning and Design Criteria - KFA will work with the City to review and update the water system planning and design criteria, including demands per LUE, fire flow requirements, pressure requirements, diurnal curves, etc.
4. Population Projections & Projected System Demands - KFA will work with City Staff to determine population projections based on historical growth rates, future land use plans, expected growth in specific areas of the City, and other population/growth source data. KFA will rely on input from City Staff regarding existing and future land use plans, and anticipated growth and development patterns. Based on the population projections, KFA will develop overall projected system demands and apply them to the system model for each of the 5, 10, and 20 year models.

SCOPE OF SERVICES
LEANDER WATER CAPITAL IMPROVEMENTS PLAN UPDATE - 2022

5. Water System Modeling - Utilizing Bentley WaterCAD, KFA will update the existing City water model for use in static, extended period, and fire flow scenarios, including:
 - a. Update existing water system infrastructure based on GIS data provided by the City.
 - b. Assign existing demands to nodes within the system based on existing meter data and locations. Run model of existing system and compare to City provided pumping system data.
 - c. Make demand projections at nodes based on future anticipated growth, for 5-, 10-, and 20-year planning periods.
 - d. Analyze the existing system for static, extended period, and fire flow model runs to determine existing deficiencies in the system.
 - e. Size future system components and settings for 5-, 10-, and 20-year planning periods.
6. Water System CIP List - KFA will develop 5-, 10-, and 20-year water system CIP lists based on the approved system criteria and modeled system. The CIP lists will be depicted in graphical and tabular format with estimated costs.
7. Cost Estimating - KFA will develop cost estimates for each of the infrastructure elements identified in the Water System CIP List. Cost estimates will include anticipated engineering and land acquisition costs.
8. CIP Summary Report - KFA will document criteria, assumptions, demands, model results and recommended improvements in a Water System CIP - 2022 summary report. KFA will issue a draft for final City review, address comments and then issue a final report. KFA will distribute five (5) hard copies of the draft and final reports, along with an electronic (PDF) file to the City.
9. QA/QC - KFA will perform QA/QC of deliverables at the various stages of progress.

Water System Support

1. KFA will provide general water system support for modeling specific elements of the CIP as required for coordination with design teams for various elements. KFA will participate in meetings and tasks as requested by City Staff on overall water system modeling and planning, including meetings/coordination with Leander Public Works, Leander Engineering, LCRA, BCRUA, wholesale cities, developers, rate consultants, etc. KFA will provide these water system support services on an as requested basis.

SCOPE OF SERVICES
LEANDER WATER CAPITAL IMPROVEMENTS PLAN UPDATE - 2022

PROJECT ASSUMPTIONS

KFA has made the following assumptions in preparing this Scope and Fee:

1. The City of Leander will provide GIS files and data showing the existing water system, existing and future land use maps, historical water usage, and meter billing data.
2. The City of Leander will assist KFA in assembling data on existing infrastructure elements, including pump curves, treatment units, etc.
3. KFA and the City of Leander will work together to determine future growth patterns and densities.
4. Only the preparation of a Summary CIP Report is included, it is not a full Master Plan update.
5. No surveying of existing infrastructure is included.
6. No public meetings or presentations to City Council or other Commissions are anticipated.

**KFA MANPOWER/BUDGET ESTIMATE
CITY OF LEANDER WATER CIP UPDATE - 2022**

Task		Principal Hours	Project Manager Hours	Project Engineer Hours	EIT Hours	CADD Technician Hours	Clerical Hours	Total Labor Hours	Total Labor Cost	Sub- Consultant Cost	Expenses Cost	Total Cost
		\$ 260.00	\$ 230.00	\$ 178.00	\$ 110.00	\$ 118.00	\$ 88.00					
Leander Water CIP Update												
1	Project Management/Meetings		16	16	8		8	48	\$8,112		\$250	\$8,362
2	Data Collection and System Inventory Update		4	8	16	12		40	\$5,520		\$100	\$5,620
3	Planning and Design Criteria		4	8	4			16	\$2,784			\$2,784
4	Population Projections & System Demand Updates		4	16	16			36	\$5,528			\$5,528
5	Water System Modeling - 5, 10, 20 Year		16	72	40			128	\$20,896			\$20,896
6	Water System CIP Update		4	16	32			52	\$7,288			\$7,288
7	Cost Estimating		4	16	24			44	\$6,408			\$6,408
8	Reporting		12	24	32	24	8	100	\$14,088		\$300	\$14,388
9	QA/QC	8						8	\$2,080			\$2,080
Water CIP Subtotal		8	64	176	172	36	16	472	\$72,704	\$0	\$650	\$73,354
Water System Support												
1	Water System Support (Hourly NTE Budget)							0	\$25,000		\$0	\$25,000
Water System Support Subtotal		0	0	0	0	0	0	0	\$25,000	\$0	\$0	\$25,000
PROJECT TOTALS		8	64	176	172	36	16	472	\$97,704	\$0	\$650	\$98,354



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on the proposal from Parkhill for professional services for the Leander Municipal Athletic Center at San Gabriel Park for master planning, design, and construction phase services in amount of \$1,861,400.00, and authorizing the City Manager to execute any and all necessary documents.

BACKGROUND:

San Gabriel Park is an undeveloped seventy-seven (77)- acre park site, located at 2401 US Hwy 183, along the north bank of the South San Gabriel River. The City-owned property has the ability to meet the top (5) five priorities of the Parks, Recreation & Open Space Master Plan 2011-2021, is a top priority of the 2019 Parks and Recreation Comprehensive Plan, and in public input surveys conducted in mid-2021, and was approved and funded in the City's FY 22 Capital Improvement Plan (CIP).

Once farmland, this site has wide open spaces adequate for athletic and recreational opportunities, as well as wilderness areas. Unique to San Gabriel Park, there are two (2) highly significant riparian areas. These two (2) areas are incredible features which will enhance the plan venues for the park and their beauty will enhance the park's appeal and enjoyment.

The first is a creek which has flowed through this area from prior to European settlement of the region. It enters the park at the northwest corner, and encompasses a spring fed pool in the center of the property. The creek generally flows from northwest to southeast, roughly bisecting the property, flowing out of a picturesque little canyon cut through the limestone shelves, spilling into the South San Gabriel River.

The South San Gabriel River is the second riparian area, bordering the southern edge of the property. This portion of the river contains some of the deepest pools and more pristine water for several miles, either west or east of the park site.

The San Gabriel Park provides the opportunity for great recreation and sports venues for residents and visitors, enhancing the City's appeal with the beauty and environmental quality of this site, available to nearby neighborhoods between both cities of Leander and Liberty Hill. The goal will be to eventually attach this park to other parks, such as to Georgetown's nearby Garey Park, via trails systems.

View the request for proposal:

<https://bids.leandertx.gov/rfp/request-qualifications-planning-architectural-design-and-engineering-services-leander-municipal>

HISTORY/TIMELINE:

August 18, 2011 - City Council passed Ordinance #11-023-00, adopting the 2011-2021 Master Plan, declaring that the City desires "to create an unparalleled park and recreation system for the use and enjoyment of its citizens..." The master plan identified that youth sports facilities are the second-highest priority, behind walking trails.

May 7, 2016 - Bond Election – Proposition No. 2 – Citizens voted and approved to issue bonds up to \$26.65M for the acquisition and development of city parks, including the South San Gabriel River Park, also known as the San Gabriel Park.

March 25, 2019 – The 2019 Parks, Public Spaces, and Recreation Comprehensive Plan noted the new South San Gabriel River Park, (aka San Gabriel Park) as one of the top priorities in the Parks system, to achieve the requirements for the city and its citizens.

September 16, 2021 – City Council approved the 2022 Capital Improvement Program (CIP) five (5)- year plan, which includes the design and construction of the South San Gabriel River Park and Trail system.

APPLICANT/AGENT:

Parkhill

RECOMMENDATION:

Staff requests authorization of the City Manager to execute a professional services agreement and task order with Parkhill for San Gabriel Park and Leander Municipal Athletic Center for master planning, design, and construction phase services in amount of \$1,861,400.00.

PRESENTER:

Tony Bettis, PMP CIP Project Manager

Fiscal Impact

Amount requested:

\$1,861,400.00

Approved in current budget (Yes / No): Yes

Expenditure (New / Amended): New

Recurring or one-time: One-time

Fund source (Operating / Utility / etc.): Park GO Bonds



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on an Ordinance amending Ordinance No. 21-077-00 adopting the annual budget of the City of Leander, Texas for Fiscal Year 2022.

BACKGROUND:

On December 2, 2021, the City Council approved a bond reimbursement resolution which allows the City the option to reimburse certain expenditures with future bond (debt) proceeds. The resolution covered several projects that are included in the upcoming May 5, 2022 debt issuance for transportation and utility projects. In addition to those projects, the resolution included reimbursement of expenditures related to the remaining GO bonds associated with the San Gabriel River Park and Trail. The total remaining bonds authorized but unissued is \$11,895,000..00.

The current FY 2022 budget included \$1,660,000.00 for design. Elsewhere on the agenda, the Parks Department is requesting approval to move forward with design with a proposal in the amount of \$1,861,400.00. This amendment would increase the current budget by \$201,400..00. The funds would come from General Fund reserves, but reimbursed with bond proceeds once the design is complete and a firmer construction estimate is finalized, and the Park GO bonds are sold.

The budget amendment also appropriates funds within the Utility Fund for purposes of creating a new position to specialize on water conservation efforts. The estimate assumes partial-year funding through the remainder of this year, plus initial startup for computer and offices supplies, printing, etc. If approved, the position would be incorporated into the FY 2023 budget preparation as well.

RECOMMENDATION:

Recommend approval subject to approval of the design contract.

PRESENTER:

Robert G. Powers, Executive Finance Director

Attachments

1. Ordinance Amendment

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING
ORDINANCE NO. 21-077-00 ADOPTING THE ANNUAL BUDGET OF THE
CITY OF LEANDER, TEXAS FOR FISCAL YEAR 2022.

WHEREAS, a proposed budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022 for the City of Leander, Texas was duly filed with the City Secretary and was duly presented to the Mayor and City Council; and

WHEREAS, the City Council approved and adopted the FY 2022 budget; and

WHEREAS, the City Council desires to amend the budget to account for changes that were unanticipated prior to adoption of the budget.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Budget Amendment. The FY 2022 Budget is hereby amended as shown in Exhibit A.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

PASSED AND APPROVED on this 21st day of April 2022.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

EXHIBIT A - SUMMARY

FUND	ADOPTED FY 2022 BUDGET	AMENDMENT 1 FY 2022 CHANGE	AMENDMENT 2 FY 2022 CHANGE	REVISED FY 2022 BUDGET
20 - UTILITY FUND				
REVENUES	41,138,200	1,375,000	0	42,513,200
EXPENDITURES	40,204,440	1,375,000	44,420	41,623,860
40 - GENERAL CIP				
REVENUES	4,447,500	0	0	4,447,500
EXPENDITURES	8,024,784	347,380	201,400	8,573,564

EXHIBIT A - DETAIL

FUND	DEPARTMENT	DESCRIPTION	AMENDMENT 2 FY 2022 CHANGE	TOTAL
20 - UTILITY FUND				
REVENUES				
		Fund Balance		44,420
EXPENDITURES				
20-02-5120	Water Maintenance	Personnel - Operations (mid-year)	22,500	
20-02-5180	Water Maintenance	Social Security	1,720	
20-02-5182	Water Maintenance	Insurance	2,400	
20-02-5188	Water Maintenance	TMRS	2,800	
20-02-5215	Water Maintenance	Computer Hardware	5,000	
20-02-5250	Water Maintenance	Office Supplies; furniture	2,200	
20-02-5807	Water Maintenance	Cell Phone	300	
20-02-6202	Water Maintenance	Advertising & Printing	7,500	
		Sub-total		44,420
40 - GENERAL CIP				
REVENUES				
EXPENDITURES				
40-04-5600	General CIP	San Gabriel River Park & Trail (design)	201,400	
		Total Expenditures		201,400



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on an annual blanket agreement with PBS of Texas, LLC to provide janitorial services pursuant to a piggyback clause in City of Round Rock Contract No. R-2018-5767 in an amount of \$88,539.00; and authorize the City Manager to execute all necessary documents.

BACKGROUND:

Funds were budgeted in the beginning of FY22 to accommodate staff for the temporary cleaning of Pat Bryson and the Police Department. The Library was already under an annual agreement with PBS of Texas, LLC. During FY22 the Police Department cleaning was brought back in-house. With the recent addition of the Leander Activity Center (LAC) and the inability to internally clean Pat Bryson we're requesting council approves PBS of Texas, LLC to continue providing janitorial services for Pat Bryson, The Library, and the LAC.

Local Government Code Chapter 791: Interlocal Cooperation Contracts provide that a local government, including a council of governments, may agree with another local government or with the state or a state agency, including the comptroller, to purchase goods and services.

The City of Round Rock conducted a competitive best value bid in June 2018 in which PBS was selected from eight (8) bidders. The contract was approved by Round Rock's City Council on August 23, 2018 for a term of sixty (60) months. Staff recommends award of the City of Leander's janitorial and floor cleaning services to PBS of Texas through an interlocal agreement with the City of Round Rock.

ILA Regional Contract dated July 9th, 2009 will be used to utilize the City of Round Rock Contract No. R-2018-5767.

RECOMMENDATION:

Staff respectfully recommends Council approve the procurement of janitorial services through PBS of Texas, LLC utilizing the interlocal agreement and the City of Round Rock contract noted.

PRESENTER:

Kelly Wenzel, General Services Manager

Fiscal Impact

Amount requested: \$88,539.00

Approved in current budget (Yes / No): yes

Expenditure (New / Amended): new

Recurring or one-time: Recurring

Fund source (Operating / Utility / etc.): 01-13-5600

Attachments

1. Vendor Quote - Pat Bryson/ Library
2. Vendor Quote - LAC



PBS OF TEXAS

INVOICE

3456 Alemeda #448
Fort Worth, TX 76126
(817) 560 - 1511

INVOICE DATE	NO
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March 31, 2022	2460100617
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Customer ID:	246-0102-000
Ref.	Monthly
For the month of:	March 2022
City of Leander	

Contract Number:	D46-0102-000
	Net 30 Days

SOLD TO

ATTN: Kelly Wenzel
City of Leander
201 N Brushy St
Leander, TX 78641

Page 1 of 1

DESCRIPTION	AMOUNT	TAX
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Janitorial Services	2,167.16	NT
Pat Byson Municipal Center		
Janitorial Services	3,456.03	NT
Library		

Sales Total:	5,623.19
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Total Invoice Amount	5,623.19
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TOTAL REMITTANCE DUE

5,623.19

ORIGINAL COPY

Total	\$7,917.16
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EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on adopting a Resolution of support for the City of Leander's Community Project Funding request to Congressman John Carter.

BACKGROUND:

The House Committee on Appropriations announced that it will be accepting Community Project Funding (CPF) requests from members of the House of Representatives. Each member is permitted to submit up to ten (10) projects for consideration. The program is competitive, and a submission does not guarantee funding.

City of Leander staff have met with Congressman Carter's staff to discuss this funding opportunity and examine projects with the best opportunity to receive funding. This process led to a focus on a CPF request for \$500,000.00 that would enable the City of Leander to include the development of a community counseling center operated by the Williamson County Children's Advocacy Center within the footprint of the planned Senior Activity Center building.

RECOMMENDATION:

Staff recommendation is to approve the resolution of support.

PRESENTER:

Cameron Goodman, Economic Development Director

Attachments

1. Resolution

A RESOLUTION OF THE CITY OF LEANDER, TEXAS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, IN SUPPORT OF U.S. CONGRESS “COMMUNITY PROJECT FUNDING” ASSISTANCE FOR THE SENIOR ACTIVITY CENTER.

WHEREAS, To meet urgent needs of communities across the United States, the House Appropriations Committee has invited Members of Congress to request funding for projects in their communities;

WHEREAS, To build upon the successful return of earmarks in fiscal year 2022 via the Community Project Funding (CPF) process, members of Congress in fiscal year 2023 will again solicit requests for earmarks to support specific community projects as part of the annual appropriations process;

WHEREAS, The City of Leander seeks to design and construct a 12,000 square foot Senior Activity Center on City owned land;

WHEREAS, Requested CPF funding would enable the City of Leander to include the development of a counseling annex facility operated by the Williamson County Children’s Advocacy Center within the Senior Activity Center site footprint;

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

The Leander City Council hereby supports the request for CPF funding assistance in order to establish a community counseling annex facility as part of the construction of a Senior Activity Center.

PRESENTED AND PASSED on this 21st day of April, 2022, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Leander, Texas.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on award of Solicitation #S22-021 for Interim Transit Services to Star Shuttle, Inc.; and authorize the City Manager to execute any and all necessary documents.

BACKGROUND:

City Council has expressed a strong interest in providing transportation options in the event that the City of Leander's membership ends as a result of Proposition A failing in the upcoming May 7th election. A failure of Proposition A would result in the cessation of transit service provided by Capital Metro following the canvassing of votes.

Leander staff has met with Capital Metro to discuss Capital Metro's availability to provide contract bus service in the event of Proposition A failing. Capital Metro has expressed that it will not consider a contract for service until after the election has concluded. In order to provide Leander residents with transitional transit service in the event that Proposition A fails, the City of Leander has issued RFP #S22-021 to provide interim transit service for a period of six to eight (6 – 8) months. The RFP was distributed on March 24, 2022 and closed on April 7, 2022. The RFP highlighted the need for ADA compliant vehicles for both pickup service, as well as commuter bus service. If Proposition A fails to pass, City of Leander staff anticipate issuing a separate RFP for longer term (3-5 years) transit service.

Staff are recommending awarding a contract for service to Star Shuttle, Inc. The amount quoted for Pickup Service is \$458,360.00 and Commuter Service is \$62,160.00 bringing the total service amount to \$520,520.00. The contract for service is contingent upon Proposition A failing which would result in the end of transit service provided by Capital Metro.

View request for proposal document:

<https://bids.leandertx.gov/rfp/request-proposal-interim-transportation-service>

RECOMMENDATION:

Staff recommendation is to accept the contract with the following contingencies:

1. Accept proposal for on-demand based service.
2. Accept proposal for commuter bus service contingent upon one of the following scenarios:
 - a. Capital Metro providing access to Lakeline Station & Leander Station for commuter/park and ride operation
 - b. The finalization of a lease agreement with a third party property owner that will allow for a reliable site for commuter/park and ride operations for the duration of the contract.

PRESENTER:

Cameron Goodman, Economic Development Director

Fiscal Impact

Amount requested: \$520,520.00

Approved in current budget (Yes / No): No

Expenditure (New / Amended): New
Recurring or one-time: One Time
Fund source (Operating / Utility / etc.): General Fund

Attachments

- 1. RFP Evaluation Sheet

Bid Info: City of Leander Interim Transit

Solicitation No. S22-021 Opening: 4/7/2022

EVALUATION CRITERIA	Max Points	
COST	55	50
		\$520,520.00
Relevant Qualifications and Experience	35	29
Available Resources	10	9
References		
Acceptable/ Inacceptable		Acceptable
TOTAL:	100	88
		AWARD



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on the appointment of members to fill unexpired terms on the Active Adult Advisory Committee, Board of Adjustment, Economic Development Committee and Library Foundation Board.

BACKGROUND:

Vacancies on city boards and commissions are filled twice a year; unexpired terms mid-year in April and annual appointments in October.

The chart below reflects the city boards and their respective number of vacancies and expiration date of the unexpired terms:

BOARD/COMMITTEE	NUMBER OF VACANCIES WITH TERM EXPIRATION
Active Adult Advisory	One (1) vacancy expiring 2021 & Three (3) vacancies expiring 2023
Board of Adjustment	One (1) vacancy expiring 2022 & One (1) vacancy expiring 2023
Economic Development	Three (3) vacancies expiring 2023
Library Foundation	One (1) vacancy expiring 2023 & One (1) vacancy expiring 2024

This item will provide the City Council an opportunity to appoint members to fill the unexpired terms of these boards. Appointments will be conducted using a ballot process.

PRESENTER:

Debora Penberg, Sr. Deputy City Secretary



EXECUTIVE SUMMARY
04/21/2022

AGENDA SUBJECT:

Discuss and consider action on ratifying the Mayor's appointments to the Ad Hoc Committee to promote beautification, conservation, volunteerism and community engagement in the City of Leander.

BACKGROUND:

The Mayor's ad hoc committee was established to promote beautification, conservation, volunteerism and community engagement. The committee shall consist of eight (8) citizen members including but not limited to senior citizens, one (1) ETJ resident, Leander business owner who may or may not reside within the city limits and one (1) high school senior as an ex-officio member. The members are selected through an open process and formally appointed by the Mayor with the approval of the City Council. The members shall serve for the term of Mayor Christine DeLisle expiring May 2024.

This item provides the City Council the opportunity to ratify the Mayor's appointments to the Mayor's Ad Hoc Committee.

List of appointees:

- Anna Smith
- Christian Bolding
- James Oliver
- Jennifer Howell
- Jennifer White
- Kirsten Lynch
- Kristi Palm
- Zachary Voith

PRESENTER:

Council Directive
