



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday - December 1, 2022
Regular Meeting at 7:00 PM



**Mayor – Christine DeLisle
Place 1 – Kathryn Pantalione-Parker
Place 2 – Esme Mattke Longoria
Place 3 – David McDonald**

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

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

REGULAR MEETING – CONVENE AT 7:00 PM

1. Open Meeting, Invocation and Pledges of Allegiance.
2. Roll Call.
3. 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.]

CONSENT AGENDA: ACTION

4. Approval of the minutes for meeting held on November 17, 2022.
5. Acceptance of public infrastructure improvements for Bryson Phase 14 subdivision.
6. Acceptance of public infrastructure improvements for Alta Leander Station.
7. Acceptance of public infrastructure improvements for Emerson at Benbrook.
8. Authorize purchase of one (1) RAM 3500 Tradesman Crew Cab 4x2 and upfitting in the amount of \$74,932.00 for the Police Department from Cameron County, Caldwell County, Texas, utilizing Tarrant County Cooperative Contract 2022-187; and authorize the City Manager to execute any and all necessary documents.

PUBLIC HEARING: ACTION

9. Conduct a Public Hearing regarding Zoning Case Z-22-0019 to amend the current zoning of SFU/MH-2-B (Single-Family Urban/Manufactured House) to adopt the Horseshoe Addition PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) on one (1) parcel of land approximately 2.9 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036462; and more commonly known as 500 Horseshoe Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0019 as described above.

10. Conduct a Public Hearing regarding Zoning Case Z-22-0026 to amend the current zoning of LO-3-B (Local Office) to adopt the Northpoint PUD (Planned Unit Development) with the base zoning district of LC-2-A (Local Commercial) on one (1) parcel of land approximately 13.871 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R599180; and more commonly known as 10880 W. Crystal Falls Parkway, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0026 as described above.

11. Conduct a Public Hearing regarding Zoning Case Z-22-0035 to amend the current zoning of LC-2-B (Local Commercial), TF-2-B (Two-Family), SFU-2-B (Single-Family Urban), and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) and LC-2-A (Local Commercial) on four (4) parcels of land approximately 14.79 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R491364, R511667, R501146, and R579460; and generally located to the northeast of the intersection of Bagdad Road and W. San Gabriel Parkway, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0035 as described above.

REGULAR AGENDA

12. Discuss and consider action on an Ordinance amending Code of Ordinances, Article 1.14, Division 2, Public Art Commission, providing for the addition of two (2) members to the board composition.
13. Conduct City board and commission applicant interviews and discuss and consider action on appointments to the following boards and commissions: Leander Public Art Commission (LPAC), Tax Reinvestment Zone No. 1 (TIRZ) Board and Development Authority Board.
14. Discuss and consider adopting a Resolution establishing council liaison guidelines relating to City of Leander Boards, Commissions and Committees.
15. Discuss and consider action on the appointment/reappointment of a council liaison to the Parks and Recreation Advisory Board; Public Art Commission; Historic Preservation Commission; Active Adult Advisory Committee; and Economic Development Committee for a term of one (1) year.
16. Discuss and consider action on the annual appointment of the Tax Increment Reinvestment Zone (TIRZ) No. 1 Board Chair for a term from January 1, 2023 through December 31, 2023.
17. Council Member Closing Statements.
18. 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 28 day of November 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 dark ink and is positioned above a horizontal line.

Dara Crabtree, City Secretary, TRMC



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Approval of the minutes for meeting held on November 17, 2022.

BACKGROUND:

Attached are the minutes for the meeting held on November 17, 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 - November 17, 2022



Mayor – Christine DeLisle
Place 1 – Kathryn Pantalion-Parker
Place 2 – Esme Mattke Longoria
Place 3 – David McDonald

Place 4 – Na'Cole Thompson, *Mayor Pro Tem*
Place 5 – Chris Czernek
Place 6 – Becki Ross
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 6:00 p.m.
2. Roll call reflected all present.
3. Mayor Christine provided Oath of Office to Planning and Zoning Commissioner, Place 5.
4. Joint discussion with Planning and Zoning Commission regarding comprehensive plan and future plans for the City with regards to water and development. Discussion included: Resolution No. 22-031-00 limiting consideration of zoning requests; concerns resolution would limit large developments; developers desire mixed-use component; multi-use family projects currently in process to be developed; developers can make more per acre with residential development; examples of mixed-use dense with limited residential; multi-family projects timeline approved versus when construction begins; infrastructure maintenance; consider limiting vertical mixed-use component; not targeting high density apartment developments; review number connections to determine 1 to 1; relying on professional data and confirming the information; general and commercial zoning requests directly next to residential neighborhoods; Planning & Zoning recommendations of Comprehensive Plan will be coming in April, potential workshop at that time; desire of better definition of percentages; what would tip scales to need a moratorium; BCRUA deep water intake project; discussion helps to understand intent behind resolution; Planning & Zoning Commission responsibility to look at zoning not water; resolution is another lever to pull along with AMI; if zoned properly can be developed; allows time for commercial to catch up to residential; review at retreats and see if messaging is working and provide additional data; feedback from HBA and other partners; council expectation of Planning & Zoning Commission is not too design projects; consider reviewing roles of Commission; and appreciate all work put in on the Commission and extension of the City Council.

5. Discuss possible January retreat topics included political signs (size and number); review Resolution No. 22-031-00 and use new modeling numbers rainfall for 2021 and 2022; current FY forecasts;

Briefing workshop adjourned at 6:50 p.m.

REGULAR MEETING – CONVENE AT 7:00 PM

6. Opened meeting at 7:01 p.m., Invocation provided by Pastor Wendall Holmes and Mayor Christine led the Pledges of Allegiance.
7. Roll call reflected all present.
8. 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.]

9. Recognitions/Proclamations/Visitors.
 - TPUSA at Tom Glenn High School recognition of community service
 - National Family Caregivers Month (November)
10. Leander History included Leanderthal Lady presentation on November 21 at library; Wreaths across America; and Leander MIA Lt. Col. William Young Duggan.
11. Staff Reports
 - Public Works update included: combined lake storage; daily storage; and water conservation activities.

CONSENT AGENDA: ACTION

Mayor Christine announced consent agenda item 34 was pulled from consent and will be considered separately. Councilmember Mattke Longoria will be recusing herself from voting on this item due to a conflict of interest.

Motion by Councilmember Kathryn Pantalione-Parker, Seconded by Councilmember Esme Mattke Longoria to approve consent agenda items 12 through 33.

Vote: 7 - 0

12. Approval of the minutes for meeting held on November 3, 2022.
13. Acceptance of the Quarterly Investment Report for the period ending September 30, 2022.

14. Approval of Amendment #3 to the contract agreement with Brown Reynolds Watford Architects, Inc. for redesign of Leander Fire Station #2 (CIP M.16), in the amount of \$115,600.00, for a total contract amount of \$294,700.00; and authorize the City Manager to execute any and all necessary documents.
15. Approval of Work Order No. 4 with Pavement Restoration, Inc. utilizing Solicitation #S20-023 agreement for asphalt rejuvenating agent application to asphalt concrete roadways in the amount of \$59,127.25; and authorize the City Manager to execute any and all necessary documents.
16. Approval of FY 2023 Roadway Striping Program with D.I.J. Construction, Inc. in the total amount of \$75,000.00 utilizing Solicitation #S20-18 agreement; and authorize the City Manager to execute any and all necessary documents.
17. Acceptance of public infrastructure improvements for Bryson Phase 5 Section 2 subdivision.
18. Acceptance of public infrastructure improvements for Horizon Lake Phase 2 Section 1 subdivision.
19. Acceptance of Travisso Phase 3, Sections 1, 3 and 4 reclaimed water irrigation and landscaping improvements.
20. Acceptance of public infrastructure improvements for Bluffview Phase 3 subdivision.
21. Approval of right-of-way warranty deed with the Leander Independent School District for the proposed Raider Way improvements (CIP T.12); and authorize the City Manager to execute any and all necessary documents.
22. Approval of the Dairy Queen Leander License Agreement, Case LA-22-0006, to allow for the installation and maintenance of landscaping and irrigation within portions of the right-of-way of W. Metro Drive, Leander, Williamson County, Texas.
23. Approval of the Bluffview Phase 3 License Agreement, Case LA-22-0007, to allow for the installation and maintenance of landscaping and irrigation within portions of the right-of-way of Tswana Drive, Leander, Williamson County, Texas.
24. Approval of a Resolution of the City of Leander, Texas accepting the petition for the Bar W Ranch East Annexation Case A-22-0006 regarding the voluntary annexation of 51.426 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R021711; and generally located to the southeast of the intersection of Kauffman Loop and Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.
25. Approval of the contract for the Camino software for the first year in the amount of \$22,500.00, with the annual licensing for a term of three (3) years for a total of \$67,500.00; and authorize the City Manager to execute any and all necessary documents.
26. Approval of Change Order No. 2 for an amendment to the contract for the EnerGov aka Development Hub for additional user and view accounts; and authorize the City Manager to execute any and all necessary documents.

27. Approval of Development Agreement Case 22-DA-032 regarding an addendum to the Edgewood Development on four (4) parcels of land approximately 140.239 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcels R031736, R032138, R496874, and R496876; generally located to the southeast of the intersection of RM 2243 and CR 175 in Leander, Williamson County, Texas.
28. Approval of the purchase of the Yaupon Grove right-of-way pursuant to the second addendum to the Barnett Professional Plaza Development Agreement, Leander, Williamson County, Texas in the amount of approximately \$71,000.00; and authorize the City Manager to execute any and all necessary documents.
29. Approval of Development Agreement Case 22-DA-021 regarding the Crystal Village Multi-Family Development on one (1) parcel of land approximately 15.004 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R634276; and generally located to the southeast of the intersection of E. Crystal Falls Parkway and US 183, adjacent to the southern city limits, Leander, Williamson County, Texas.
30. Approval of Development Agreement Case 21-DA-026 regarding an addendum to the Tylerville Commercial Parcel 3 Masonry Development Agreement for one (1) parcel of land approximately 2.0738 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R568377; and located to the southeast of the intersection Main Street and Hero Way, Leander, Williamson County, Texas.
31. Approval of a Special Event Permit and street closures for the Old Town Christmas Parade and the Old Town Christmas Festival being held on December 3, 2022.
32. Authorize the renewal of manufacturer service contracts and threat detection subscriptions for all City firewalls from Bell IT Services, Inc. utilizing DIR contract #DIR-TSO-4288 in the total amount of \$68,029.98; and authorize the City Manager to execute any and all necessary documents.
33. Authorize the purchase of digital cameras, a Network Video Recorder and associated peripherals from Convergent Technologies LLC, to be located in the police department headquarters, utilizing Sourcewell purchasing contract #030421-CTL, in the amount of \$52,678.38; and authorize the City Manager to execute any and all necessary documents.
34. *[Councilmember Mattke Longoria recused herself and left the room.]*

Authorize the purchase of laptops, tablets, docking stations, and associated peripherals from Dell Marketing LP, for use in police vehicles utilizing DIR Contract #DIR-TSO-3763 in the amount of \$61,258.12; and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Mayor Pro Tem Na'Cole Thompson to approve the purchase of laptops, tablets, docking stations, and associated peripherals from Dell Marketing LP, for use in police vehicles utilizing DIR Contract #DIR-TSO-3763 in the amount of \$61,258.12; and authorize the City Manager to execute any and all necessary documents.

Vote: 6 - 0

REGULAR AGENDA

35. Discuss and consider action on casting ballot for representative member of the Board of Directors of the Travis Central Appraisal District.

Motion by Councilmember Chris Czernek, Seconded by Councilmember Kathryn Pantalion-Parker to cast the City of Leander vote to Tom Buckle for Travis Central Appraisal District Board of Director.

Vote: 7 - 0

36. Discuss and consider action on a Subrecipient Agreement between Williamson County and the City of Leander for American Rescue Plan Act (ARPA) funding in the amount of \$3,500,000.00 to reimburse expenses related to the Northline reclaimed water system (CIP WW.46); and authorize the City Manager to execute any and all necessary documents.

Motion by Councilmember Kathryn Pantalion-Parker, Seconded by Mayor Christine DeLisle to approve the Subrecipient Agreement between Williamson County and the City of Leander for American Rescue Plan Act (ARPA) funding in the amount of \$3,500,000.00 to reimburse expenses related to the Northline reclaimed water system (CIP WW.46); and authorize the City Manager to execute any and all necessary documents.

Vote: 7 - 0

37. Council Member Future Agenda Items *[Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.]* None.

38. Council Member Closing Statements.

Kathryn Pantalion-Parker - commented on grand reopening of driving arrange at Crystal Falls Golf Course on Saturday along with Harvestfest at Lakewood Park; and wished everyone happy Thanksgiving.

Esme Mattke Longoria - wished everyone happy Thanksgiving.

David McDonald - wished everyone happy Thanksgiving.

Na'Cole Thompson - wished everyone happy Thanksgiving.

Chris Czernek - commented on thankful for the students here tonight and engaged; gives him hope; and wished everyone happy Thanksgiving.

Becki Ross - wished everyone happy Thanksgiving.

Christine DeLisle - commented on shopping local; Southern's Pizza provided dinner tonight; reminded everyone of upcoming Old Town Christmas Parade on December 3; and police department collecting for Blue Santa.

39. Convened into Executive Session at 7:32 p.m. pursuant to Section 551.087, Texas Government Code to deliberate proposed economic development incentives for one or more business prospects that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations related to the following project(s): Project Fulcrum.

Reconvened into open session at 7:41 p.m. to take action as deemed appropriate in the City Council's discretion regarding Project Fulcrum.

Motion by Mayor Pro Tem Na'Cole Thompson, Seconded by Councilmember Becki Ross to authorize the City Manager and the City Attorney to negotiate a 380 Agreement regarding Project Fulcrum as discussed in executive session; and authorize the City Manager to execute the Agreement and any related documents.

Vote: 7 - 0

40. Adjourned at 7:42 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Acceptance of public infrastructure improvements for Bryson Phase 14 subdivision.

BACKGROUND:

The Public infrastructure improvements required for the Bryson Phase 14 Subdivision have been installed, inspected, and are satisfactorily completed. All documentation required for acceptance of these subdivisions have been received, including record drawings, statement of substantial completion prepared by a professional engineer licensed in the State of Texas, copies of all inspection reports and certified test results, electronic files of the improvements and final plat, affidavit of all bills paid, and a two (2)- year term Maintenance Bond.

The maintenance bond will commence its two (2)- year term upon City Council acceptance, as anticipated, on December 1, 2022 which will provide warranty and maintenance coverage for the public infrastructure improvements through December 1, 2024. The Engineering Department will perform a formal inspection of the improvements approximately thirty (30) days prior to the expiration of the maintenance bond to assure that any defects in materials, workmanship, or maintenance are corrected prior to expiration of the bond.

RECOMMENDATION:

Staff recommends City Council's formal acceptance of the public infrastructure improvements for the Bryson Phase 14 Subdivision.

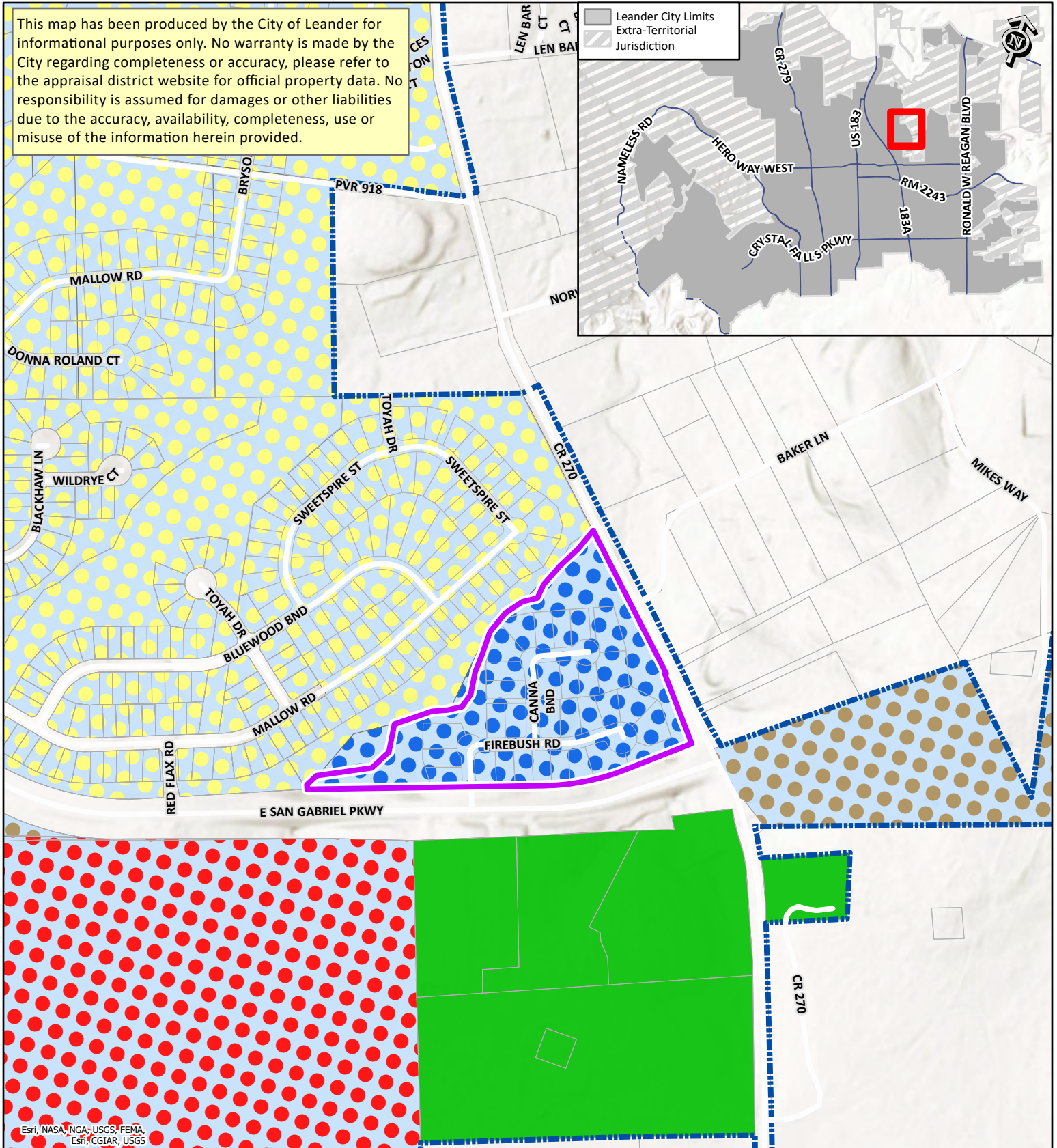
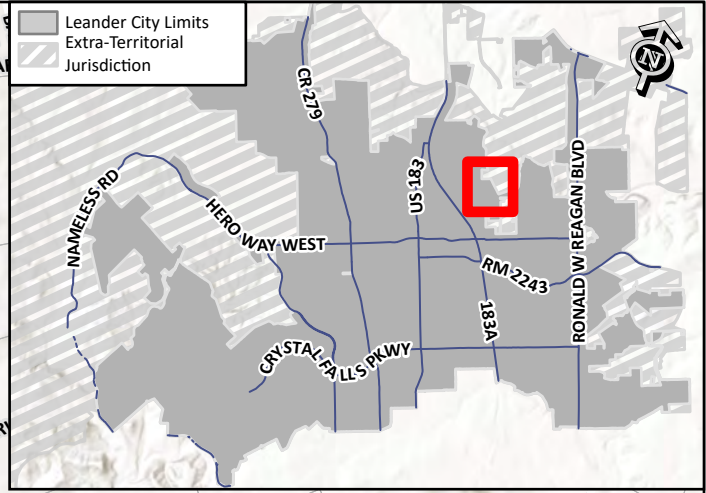
PRESENTER:

Emily Truman, PE, CFM, PMP, City Engineer

Attachments

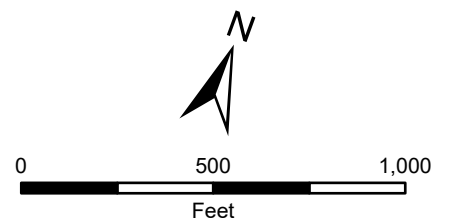
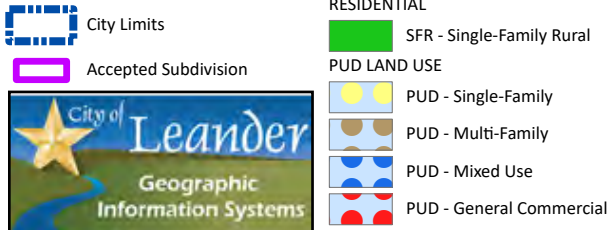
1. Acceptance Documents Bryson Phase 14

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, please refer to the appraisal district website for official property data. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



SUBDIVISION ACCEPTANCE

Bryson 14 - 21-TOD-PICP-011





August 26, 2022

Attention: Curtis Campbell
Johnson Development Corp.
1960 Pleasant Hill Road
Leander, TX 78641

RE: *Engineer's Concurrence Letter for Bryson Phase 14, City Project No. 21-TOD-PICP-011*

Dear Mr. Campbell,

On this day, I, the undersigned professional engineer, or my representative, made a visual observation of the above referenced project. No discrepancies in the approved construction plans or deficiencies in construction were visible or brought to my attention. I, therefore, certify that all improvements are constructed in substantial compliance with the approved construction plans.

Please contact me at 512-782-0602 if additional information is required.

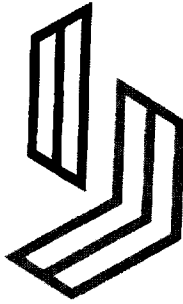
Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Alejandro E. Granados Rico".

Alex Granados, P.E.
Associate
TBPE F-928





DESIGNBUILD CONSULTING SERVICES_{LLC}

P.O. Box 185112
FORT WORTH, TX 76181-0112

SMILLER@DESIGNBUILDCONSULTING.NET

September 23, 2022

Mr. Mike Hellwig
ERW Site Solutions
7524 Jack Newell Blvd, S
Fort Worth, TX 76118

RE: Final Retaining Wall Review
Bryson 5-14
Leander, TX

Dear Mr. Hellwig:

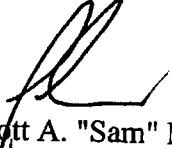
The design drawings for the masonry gravity stone retaining walls were prepared by my office as revised on July 27, 2022. During the construction, numerous photographs were taken of the retaining wall construction by ERW Site Solutions, as well as site visits by representatives of DesignBuild Consulting Services LLC. In addition, my office was in contact with the project manager for this project on several occasions regarding details and clarifications, as necessary. The dimensions, materials and general site conditions around the walls, where documented appeared to be placed in accordance with the wall plans prepared by my office.

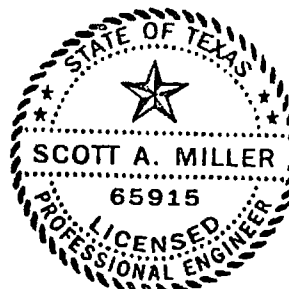
Based upon review of the documentation, I recommend accepting the retaining walls as built on-site by ERW Site Solutions. Based upon the information provided, the retaining walls should perform within typical tolerances for walls of this type.

I appreciate this opportunity to be of continuing service to you and ERW Site Solutions. Should you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

DESIGNBUILD CONSULTING SERVICES, LLC


Scott A. "Sam" Miller, PE
President & Senior Engineer





October 21, 2022

Curtis R. Campbell
Bryson MPC Holdings LLC
5005 Riverway, Suite 500
Houston, Texas 77056

TDLR Project No.: TABS2021018882

PROJECT:

Bryson Phase 14
San Gabriel Parkway
Leander, TX 78641

CORRECTIVE MODIFICATIONS – NO VIOLATIONS

Dear Curtis:

Your submittal regarding the referenced violations pending report has been reviewed. We are pleased to inform you that all items cited in the inspection report appear to be in substantial compliance with requirements of the Texas Government Code, Chapter 469.

These results will be forwarded to the Texas Department of Licensing and Regulation for issuance of the final approval letter. For newly constructed buildings and facilities, the Department will provide a Notice of Substantial Compliance (Certificate and Decal) to the owner upon receipt of a completed Notice of Substantial Compliance Request Form.

This determination is applicable only to ensuring compliance with Texas Government Code, Chapter 469 and does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other federal, state, or local requirement. For information on the ADA, call the ADA Hotline, (800) 949-4232 or the United States Department of Justice at (202) 514-0301.

Please reference the TDLR Project Number in all future correspondence pertaining to this project.

Sincerely,

A handwritten signature in blue ink that reads 'Jesús Lardizábal'.

Jesús Lardizábal, RAS #1051

MAINTENANCE BOND
Subdivision Improvements

Bond No. 4405333-02

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

KNOW ALL BY THESE PRESENTS, that Cornerstone Site Services, LLC as Principal, whose address is 4801 University Bld., Ste. 410, Round Rock, TX 78665 and FCCI Insurance Company, a Corporation organized under the laws of the State of Florida, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Leander, Texas as Obligee, in the penal sum of One Hundred Forty Three Thousand Four Hundred Thirty Dollars and Twenty-Cents (\$143,430.20) to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has constructed Bryson Section 14-Public Improvements, City of Leander Project No. #21-TOD-PICP-011. Streets, Drainage, Water, Wastewater, Electric, Telecom, Gas (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of two (2) years after acceptance by the Obligee, against all defects in workmanship and materials which may become apparent during said period;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal keeps and perform the requirement of the Obligee's ordinances and this Maintenance Bond to maintain the improvements and keep the same in good repair and shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of two (2) years from and after the date of acceptance by the Owner, then this obligation shall be void, otherwise to remain in full force and effect, and Owner shall have and cover from said Principal and Surety damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the Principal and Surety hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said improvements shall continue throughout the maintenance period, and the same shall not be diminished in any manner from any cause during said time.

Principal agrees to repair or reconstruct the improvements in whole or in part at any time within the two year period to such extent as the Obligee deems necessary to properly correct all defects except for normal wear and tear. If the Principal fails to make the necessary corrections within ten days after being notified, the Obligee may do so or have done all said corrective work and shall have recovery hereon for all expenses thereby incurred. Principal will maintain and keep in good repair the improvements for a period of two years from the date of acceptance; it being understood that the purpose of this Maintenance Bond is to cover all defective conditions arising by reason of defective material, work, or labor performed by said Principal or its

subcontractors, and in the case the said Principal shall fail to do so within ten days after being notified, it is agreed that the Obligee may do said work and supply such materials, and charge the same against Principal and Surety on this obligation.

The Surety shall notify the Obligee at least fifteen (15) days prior to the end of the first full calendar year and prior to the lapse of this Maintenance Bond at the end of the second full calendar year.

Surety and Principal agree that whenever a defect or failure of the improvement occurs within the period of coverage under this Bond, the Surety and Principal shall provide a new maintenance bond or other surety instrument in a form acceptable to the Obligee and compliant with the Obligee's ordinances conditioned to guarantee for the period of one (1) year after the Obligee's acceptance of the corrected defect or failure, against all defects in workmanship and materials associated with the corrected defect or failure which may become apparent during said period, which shall be in addition to this Maintenance Bond.

The Surety agrees to pay the Obligee upon demand all loss and expense, including attorneys' fees, incurred by the Obligee by reason of or on account of any breach of this obligation by the Surety. Provided further, that in any legal action be filed upon this bond, venue shall lie in the county where the improvements are constructed.

This Bond is a continuing obligation and shall remain in full force and effect until cancelled as provided for herein.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the improvements, or the work to be performed thereon, or the plans, specifications or drawings accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the improvements, or the work to be performed thereon.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 26th day of September, 2022.

Cornerstone Site Services, LLC

FCCI Insurance Company

Principal

Surety

By: _____

By: _____

Title: _____

(Kenneth Nitsche)
Title: Attorney-In-Fact

Address: 4801 University Blvd., Ste. 410
Round Rock, TX 78655

Address: 6300 University Parkway
Sarasota, FL 34240

The name and address of the Resident Agent of Surety is:

The Nitsche Group

143 E. Austin, Giddings, TX 78942

(Seal)



GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Robert James Nitsche; Craig Parker; Kenneth Nitsche; Gary A Nitsche

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$10,000,000.00): \$10,000,000.00

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 23rd day of July, 2020.

Attest:

Christina D. Welch, President
FCCI Insurance Company



Christopher Shoucair,
EVP, CFO, Treasurer, Secretary
FCCI Insurance Company

State of Florida
County of Sarasota

Before me this day personally appeared Christina D. Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023

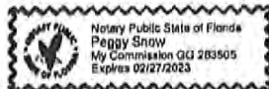


Notary Public

State of Florida
County of Sarasota

Before me this day personally appeared Christina D. Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2023



Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 27, 2020 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 26th day of September, 2022

Christopher Shoucair, EVP, CFO, Treasurer, Secretary
FCCI Insurance Company

IMPORTANT NOTICE

To obtain information or make a complaint:

You may call FCCI Insurance Group's (FCCI)* toll-free telephone number for information or to make a complaint at 1-800-226-3224.

You may also write to FCCI Insurance Group Compliance Department e-mail at StateComplaints@fcci-group.com.

For Claims, you may write to FCCI Insurance Group Claim Department e-mail at newclaim@fcci-group.com.

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at 1-800-252-3439.

You may write the Texas Department of Insurance:

PO Box 149104

Austin TX 78714-9104

Fax: 1-512-490-1007

Web: <http://www.tdi.texas.gov>

E-mail: ConsumerProtections@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES

Should you have a dispute concerning your premium or about a claim you should contact FCCI first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR BOND

This notice is for information only and does not become a part or condition of the attached documents.

*The FCCI Insurance Group includes the following insurance carriers: Brierfield Insurance Company, FCCI Advantage Insurance Company, FCCI Commercial Insurance Company, FCCI Insurance Company, Monroe Guaranty Insurance Company, and National Trust Insurance Company.

September 14, 2022
Sarvesh Dhakal
City of Leander
201 N. Brushy Street
Leander, Texas 78641

Attn,

The following is the information as applicable to the Final Cost and Quantities, and inspection fee settle up of the Bryson Phase 14 Project #21-TOD-PICP-011 of this "project".

Final Plat Legal Name as Recorded: Bryson Phase 14
Name on Approved Construction Documents: Bryson Phase 14, Public Improvement Construction Plans, Project #21-TOD-PICP-011, City of Leander, Williamson County, Texas, Leander TODD MUD UTILITY DISTRICT No.1
Name on Bank Bond for Fiscal Posting: FCCI Insurance Co.

Final Cost and Quantities:

Costs Categories	Totals
Streets	\$267,030.00
Stormwater/Drainage	\$616,108.50
Water	\$214,928.50
Wastewater	\$260,635.00
Streetlights	\$75,600.00
Landscape Improvements	\$0.00

Total = **\$1,434,302.00**

Total Improvements =	\$1,434,302.00
Maintenance Bond (10%) =	\$143,430.20

*Note that this total differs from the final pay application from the contractor as it excludes private electrical work, private gas work, bonds and offsite items that were not part of Phase 14. The total for the developer private items is \$572,388.00. These items have been crossed out in red on the final pay application attached for reference. The inspection fee receipt is also included for reference.

Inspection Fee Settle Up:

Total Improvements =	\$1,434,302.00
Currently Paid Inspection Fees =	\$51,382.15
Inspection Fees (3.5%) =	\$50,200.57
Insp. Fee to be Reimbursed to Developer=	\$1,181.58

If you have any questions or require any additional information, please do not hesitate to contact me at 512-782-0602.

Sincerely,

Alejandro E. Granados Rico

Alex Granados, P.E.
Project Manager
TBPE F-928



Attachments: Final Pay Application for Bryson Phase 14, Final Cost and Quantities Breakdown

BRYSON PHASE 14 FINAL COSTS AND QUANTITIES

	STREETS				
D1	24" CONCRETE CURB AND GUTTER EXCLUDING 30' FOR INLETS AND TRANSITIONS COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	2,931	\$ 14.50	\$ 42,499.50
D2	2" HMAC COMPLETE IN PLACE AS DETAILED AND SPECIFIED	SY	5,221	\$ 12.00	\$ 62,652.00
D3	8" CRUSHED STONE FLEXIBLE BASE COURSE 3' BEHIND BOC COMPLETE IN PLACE AS DETAILED AND SPECIFIED (COLLECTOR SECTION)	SY	6,915	\$ 9.70	\$ 67,075.50
D4	PREPARE SUBGRADE PREPARATION 3' BEHIND BOC COMPLETE IN PLACE AS DETAILED AND SPECIFIED	SY	6,915	\$ 2.60	\$ 17,979.00
D5	SIGNAGE AND STRIPING	LS	1	\$ 3,000.00	\$ 3,000.00
D6	CONCRETE SIDEWALK, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	SY	1,116	\$ 51.00	\$ 56,916.00
D7	PEDESTRIAN RAMPS, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	4	\$ 1,050.00	\$ 4,200.00
D8	2-4" SCHEDULE 40 PVC IRRIGATION SLEEVES	LF	104	\$ 27.00	\$ 2,808.00
D9	CONSTRUCTION STAKING	LS	1	\$ 9,900.00	\$ 9,900.00
	SUBTOTAL STREETS				\$ 267,030.00
	STORMWATER/DRAINAGE				
A1	MOBILIZATION, LUMP SUM	LS	1	\$ 80,000.00	\$ 80,000.00
A2	CLEARING AND GRUBBING ROW, SPOILS AND UTILITY EASEMENTS COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LS	1	\$ 10,500.00	\$ 10,500.00
A3	DRAINAGE AND ROADWAY GRADING EARTHWORK TO SUBGRADE(CUT), COMPLETE IN PLACE AS DETAILED AND SPECIFIED*	CY	1	\$ 95,000.00	\$ 95,000.00
A4	DRAINAGE AND ROADWAY GRADING EARTHWORK (FILL), COMPLETE IN PLACE AS DETAILED AND SPECIFIED*	CY	1	\$ 32,000.00	\$ 32,000.00
A5	DRAINAGE AND ROADWAY GRADING IMPORT OF MATERIAL IF REQUIRED. COMPLETE IN PLACE AS DETAILED AND SPECIFIED	CY	0	\$ -	\$ -
A6	DRAINAGE AND ROADWAY GRADING EXPORT OF MATERIAL IF REQUIRED. COMPLETE IN PLACE AS DETAILED AND SPECIFIED	CY	0	\$ -	\$ -
A7	STABILIZED CONSTRUCTION ENTRANCE AS DETAILED AND SPECIFIED	EA	1	\$ 1,400.00	\$ 1,400.00
A8	CURB INLET AND AREA INLET PROTECTION COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	8	\$ 95.00	\$ 760.00
A9	SILT FENCE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	6,260	\$ 2.50	\$ 15,650.00
A10	ROCK BERMS	LF	125	\$ 24.00	\$ 3,000.00
A11	EROSION CONTROL BLANKET, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	SY	1,600	\$ 6.00	\$ 9,600.00
A12	REVEGETATION COMPLETE IN PLACE AS DETAILED AND SPECIFIED	SY	14,150	\$ 1.50	\$ 21,225.00

BRYSON PHASE 14 FINAL COSTS AND QUANTITIES

A13	CURLEX MATTING ALONG 3:1 SLOPES AS DETAILED AND SPECIFIED	SY	5,604	\$	1.50	\$	8,406.00
A14	VEGETATIVE FILTER STRIPS	SY	1,607	\$	2.50	\$	4,017.50
A15	CONCRETE WASHOUT AREA	EA	1	\$	2,050.00	\$	2,050.00
A16	18" REINFORCED CONCRETE PIPE, CLASS 3 COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	188	\$	60.00	\$	11,280.00
A17	24" REINFORCED CONCRETE PIPE, CLASS 3 COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	1,044	\$	70.00	\$	73,080.00
A18	4' DIA MANHOLE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	5	\$	3,700.00	\$	18,500.00
A19	5' DIA MANHOLE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	1	\$	6,600.00	\$	6,600.00
A20	10' CURB INLET INCL. TRANSITIONS COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	8	\$	5,300.00	\$	42,400.00
A21	TRENCH SAFETY ALL DEPTHS, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	1,232	\$	1.25	\$	1,540.00
A22	CONSTRUCTION STAKING	LS	1	\$	5,150.00	\$	5,150.00
A23	24" HEADWALL COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	2	\$	4,250.00	\$	8,500.00
A24	24" HEADWALL, COMPLETE IN PLACE AS DETAILED AND SPECIFIED (POND A OUTFALL)	EA	1	\$	6,750.00	\$	6,750.00
A25	SMARTBATCH DETENTION OUTLET STRUCTURE	EA	1	\$	69,000.00	\$	69,000.00
A26	STORMTROOPER SWAQ-40-BYPASS	EA	1	\$	70,000.00	\$	70,000.00
A27	DETENTION POND ACCESS DRIVEWAYS	EA	1	\$	5,700.00	\$	5,700.00
A28	DETENTION POND OUTLET STRUCTURE (STRUCTURAL DESIGN TO INCLUDE IN BID FOR OUTFALL STRUCTURE)	EA	1	\$	9,000.00	\$	9,000.00
CR-3	OUTFALL CHANGE	LS	1	\$	5,000.00	\$	5,000.00
	SUBTOTAL STORMWATER/DRAINAGE					\$	616,108.50

BRYSON PHASE 14 FINAL COSTS AND QUANTITIES

	WATER				
B1	8" C900 PVC WATER MAIN COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	1,351	\$ 53.00	\$ 71,603.00
B2	CONNECT TO EXISTING WATER LINE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	1	\$ 2,700.00	\$ 2,700.00
B3	8" GATE VALVE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	6	\$ 2,100.00	\$ 12,600.00
B4	PRESSURE REDUCING VALVE, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	1	\$ 54,000.00	\$ 54,000.00
B5	FIRE HYDRANT ASSEMBLY (6" VALVE, 6" DUCTILE IRON LEED, AND TEE) COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	5	\$ 6,100.00	\$ 30,500.00
B6	DOUBLE WATER SERVICE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	11	\$ 1,825.00	\$ 20,075.00
B7	SINGLE WATER SERVICE COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	8	\$ 1,765.00	\$ 14,120.00
B8	IRRIGATION WATER SERVICE, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	1	\$ 2,850.00	\$ 2,850.00
B9	SAFETY TRENCH COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	1,351	\$ 1.50	\$ 2,026.50
B10	TESTING (HYDROSTATIC) & CHLORINATION	LF	1,351	\$ 2.00	\$ 2,702.00
CR-2	ADDITIONAL JOINT RESTRAINT AND 2 WATER SERVICES	LS	1	\$ 1,752.00	\$ 1,752.00
	SUBTOTAL WATER				\$ 214,928.50

	WASTEWATER				
C1	8" SDR 26 ASTM D3034 PVC GRAVITY WASTEWATER 0-8' DEEP COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	980	\$ 47.00	\$ 46,060.00
C2	8" SDR 26 ASTM D3034 PVC GRAVITY WASTEWATER 8-10' DEEP COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	725	\$ 49.00	\$ 35,525.00
C3	8" SDR 26 ASTM D3034 PVC GRAVITY WASTEWATER 10-12' DEEP COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	93	\$ 61.00	\$ 5,673.00
C4	8" SDR 26 ASTM D3034 PVC GRAVITY WASTEWATER 12-14' DEEP COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	248	\$ 64.00	\$ 15,872.00
C5	STEEL CASING FOR 8" WASTEWATER COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LF	174	\$ 93.00	\$ 16,182.00
C6	4' DIAMETER PRECAST CONCRETE WASTEWATER MANHOLE, (ALL DEPTHS) INCLUDING COATING, AND RING AND LID COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	16	\$ 5,300.00	\$ 84,800.00
C7	DOUBLE GRAVITY SEWER LATERAL COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	11	\$ 2,500.00	\$ 27,500.00
C8	SINGLE GRAVITY SEWER LATERAL COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	8	\$ 2,000.00	\$ 16,000.00
C9	TRENCH SAFETY ALL DEPTHS, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	EA	2,046	\$ 1.50	\$ 3,069.00
C10	TESTING	LF	2,046	\$ 1.50	\$ 3,069.00
C11	CONNECT TO EXISTING WASTEWATER MANHOLE	LF	1	\$ 6,500.00	\$ 6,500.00

BRYSON PHASE 14 FINAL COSTS AND QUANTITIES					
C12	ADJUST RIM OF EXIST MANHOLE TO PROPOSED GRADE	LS	1	\$ 385.00	\$ 385.00
	SUBTOTAL WASTEWATER				\$ 260,635.00

	STREETLIGHTS				
D9	STREET LIGHTS INCLUDING CONDUIT, METER AND ALL APPURTENANCES, PER EACH, COMPLETE IN PLACE AS DETAILED AND SPECIFIED	LS	1	\$ 75,600.00	\$ 75,600.00
	SUBTOTAL STREETLIGHTS				\$ 75,600.00

CONDITIONAL PARTIAL WAIVER AND RELEASE ON PROGRESS PAYMENT

Project: Bryson 14
Job No.: 2124

On receipt by the signer of this document of a check from **Bryson MPC Holdings LLC** (maker of check) in the sum of \$ **219,494.25 (Pay App 9 - July)** payable to **Cornerstone Site Services** (payee or payees of check) and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any mechanic's lien right, any right arising from a payment bond that complies with a state or federal statute, any common law payment bond right, any claim for payment, and any rights under any similar ordinance, rule, or statute related to claim or payment rights for persons in the signer's position that the signer has on the property of **Bryson MPC Holdings LLC** (owner) located at **Bryson 14** (location) to the following extent: **Site Utilities and Earthwork** (job description).

This release covers a progress payment for all labor, services, equipment, or materials furnished to the property or to **Bryson MPC Holdings LLC** (person with whom signer contracted) as indicated in the attached statement(s) or progress payment request(s), except for unpaid retention, pending modifications and changes, or other items furnished.

Before any recipient of this document relies on this document, the recipient should verify evidence of payment to the signer.

The signer warrants that the signer has already paid or will use the funds received from this progress payment to promptly pay in full all of the signer's laborers, subcontractors, materialmen, and suppliers for all work, materials, equipment, or services provided for or to the above referenced project in regard to the attached statement(s) or progress payment request(s).

Date: July 22, 2022

Cornerstone Site Services (Company name)

By: Beau Keith
Name: **Beau Keith**
Title: **Project Manager**

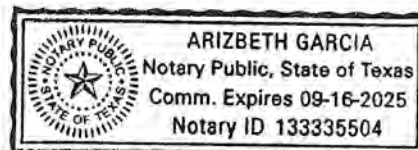
STATE OF TX

COUNTY OF Williamson

Before me, the undersigned authority, on this day personally appeared, **Beau Keith**, the **Project Manager** of **Cornerstone Site Services** (Company Name) known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me the she executed it for the purposes therein expressed, and in the capacity therein stated as the act and deed of said **LLC** (corporation, limited partnership, etc.)

Sworn to and subscribed before me, under my official hand and seal of office on this the 22nd day of July, 2022.

Arizbeth Garcia
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS



**FINAL BILLS PAID AFFIDAVIT
AND WAIVER OF LIEN**

STATE OF TEXAS
COUNTY OF WILLIAMSON

Date: 10/24/22

Developer: BRYSON WPC HOLDINGS LLC

Contractor/Material
Provider ("Affiant"): CORNERSTONE SITE SERVICES

Project: BRYSON PHASE 14, CITY PROJECT NO. 21-TOP-PIC?-011

This is to acknowledge and certify that Affiant has completed the construction of all improvements for the project noted above and that Affiant has been paid in full for all labor and material provided to the above-noted construction project, except for retainage, and acknowledges and certifies that Affiant, and all of his or its agents, employees, successors, assigns, subsidiaries, and legal representatives will and do release and waive all Mechanic's liens, or similar lien rights, which have or might arise as a result of the Affiant's or Affiant's agents' or employees' providing labor and materials to the above-noted project. Affiant understands that a portion or all of the property upon which the project is located has been or will be accepted by the City of Leander, Texas, for ownership, maintenance, and operation. Affiant further agrees that it shall look solely to the Developer for payment of the retainage and shall have no cause of action whatsoever, against the City in the event that the retainage is not paid to the Affiant, and that Affiant shall not file a lien of any kind which has or may arise related to the release of the retainage for the project. Affiant acknowledges and understands that the City is relying on the representations made in this document to accept the phase or portion of the subdivision in which the project is located.

In addition to the foregoing, Affiant acknowledges and certifies that Affiant has paid all laborers, subcontractors, materialmen, and all other persons or parties who have provided labor or materials through, for, or on behalf of the Affiant to the above-noted construction project.

Affiant indemnifies and holds Owner harmless from any liens, debts or obligations which arise as a result of labor or materials provided by or through Affiant to the project through the date set out above. Affiant further indemnifies and holds harmless all real property on which the improvements were constructed and all interests in such property, including leasehold interests, from any liens, debts, or obligations arising from any labor or materials provided by or through Affiant to the project through the date set out above.

SUBSCRIBED AND SWORN TO BY Affiant on this 24th day of OCT, 2022.

Initialed: BK

AFFIANT:

Signature: Beau Keith

Typed Name: BEAU KEITH

Title: PROJECT MANAGER

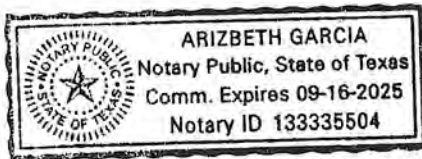
STATE OF TEXAS

COUNTY OF WILLIAMSON

BEFORE ME the undersigned authority on this day personally appeared BEAU KEITH, known to me to be the person noted above, and acknowledged to me the following: that he/she executed the foregoing for the purpose and consideration therein expressed, in the capacity therein stated, and as the duly authorized act and deed of the party releasing and waiving the lien therein; and that every statement therein is within his/her knowledge and is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 24th day of OCT, 2022.

[SEAL]



Arizbeth Garcia
Notary in and for the State of Texas

Name: Arizbeth Garcia

My commission expires: 09-16-2025

Initialed: _____



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Acceptance of public infrastructure improvements for Alta Leander Station.

BACKGROUND:

The Public infrastructure improvements required for Alta Leander Station have been installed, inspected, and are satisfactorily completed. All documentation required for acceptance of these subdivisions have been received, including record drawings, statement of substantial completion prepared by a professional engineer licensed in the State of Texas, copies of all inspection reports and certified test results, electronic files of the improvements and final plat, affidavit of all bills paid, and a two (2)- year term maintenance bond.

The maintenance bond will commence its two (2)- year term upon City Council acceptance, as anticipated, on December 1, 2022 which will provide warranty and maintenance coverage for the public infrastructure improvements through December 1, 2024. The Engineering Department will perform a formal inspection of the improvements approximately thirty (30) days prior to the expiration of the maintenance bond to assure that any defects in materials, workmanship, or maintenance are corrected prior to expiration of the bond.

RECOMMENDATION:

Staff recommends City Council's formal acceptance of the infrastructure improvements for Alta Leander Station.

PRESENTER:

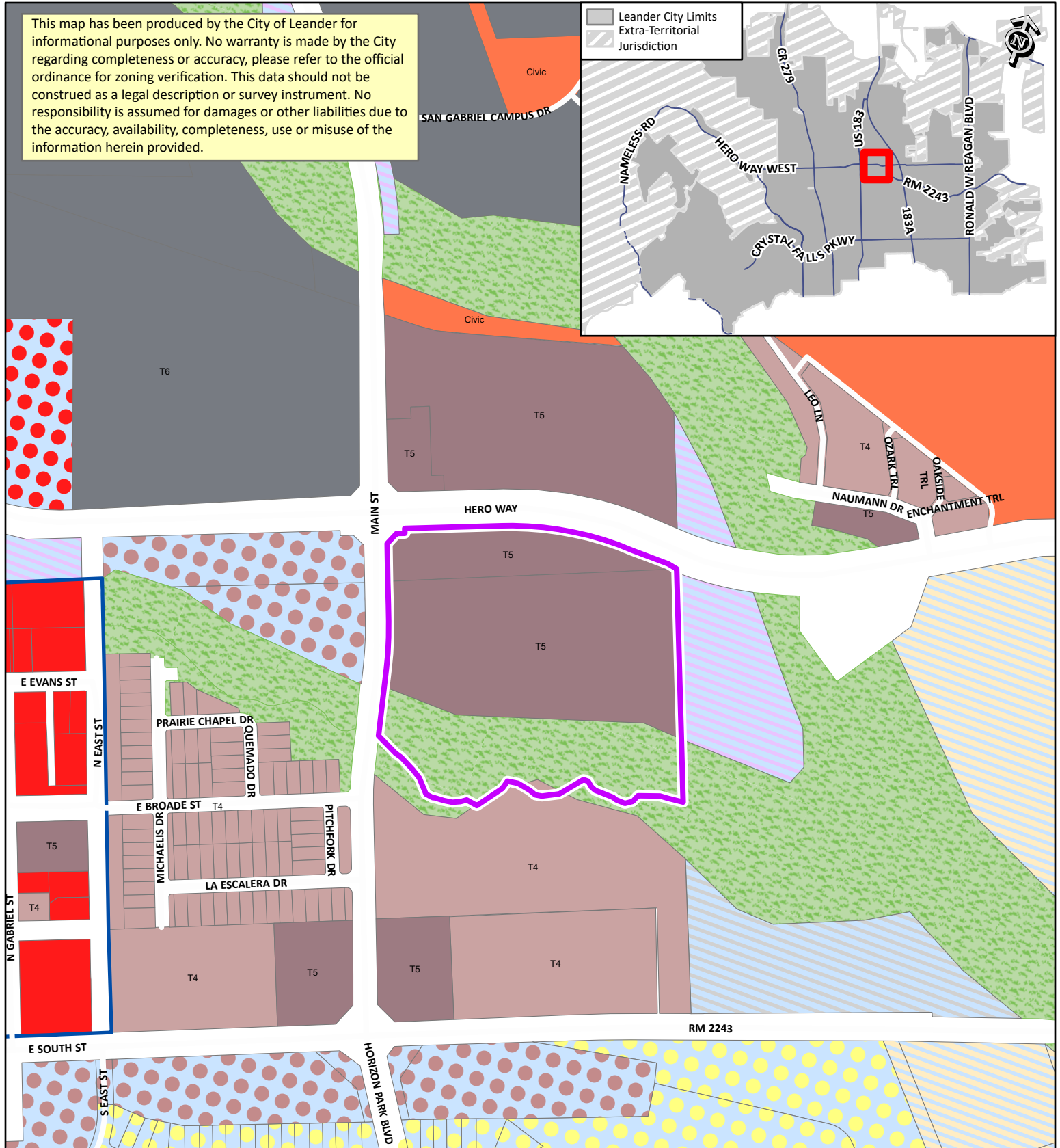
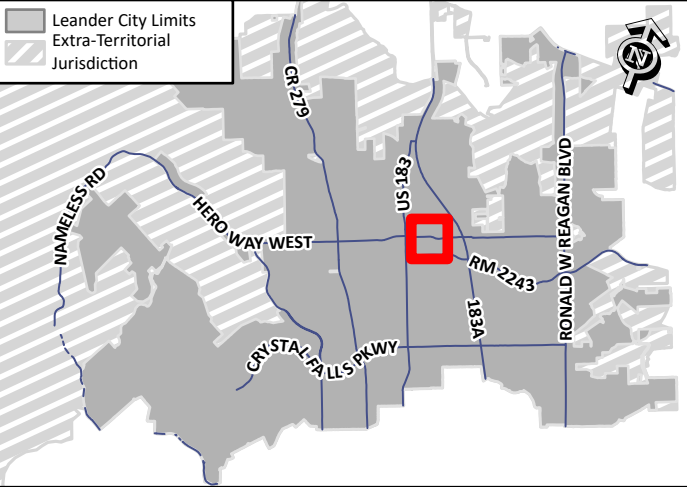
Emily Truman, P.E., CFM, PMP, City Engineer

Attachments

1. Acceptance Documents Alta Leander Station

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, please refer to the official ordinance for zoning verification. 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
Extra-Territorial
Jurisdiction



SUBDIVISION ACCEPTANCE

Alta Leander Station 20-TOD-PICP-025

- Accepted Subdivision
- Original Town of Leander



RETAIL / COMMERCIAL

GC - General Commercial

PUD LAND USE

PUD - Single-Family

PUD - Local Commercial

PUD - General Commercial

SECTORS

OS - Open Space

CD - Conventional Sector

S1 - General Sector

S2 - Station Sector

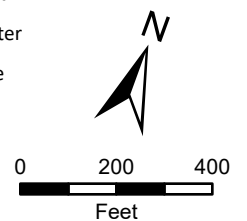
TRANSECTS

Civic Building

T4 - Genral Urban

T5 - Urban Center

T6 - Urban Core





30194487.00

November 08, 2022

City of Leander
201 N Brushy St
Leander, TX 78641

RE: Engineer's Concurrence Letter
Public Utility Leander Station - ALTA
1681 Hero Way
Leander, Williamson County, Texas 78641
Case No. **20-TOD-PICP-025**

To Whom It May Concern:

On November 08, 2022, a representative from my firm made a final visual inspection of the above referenced project. I, Joel Blok, the undersigned professional engineer (No. 123800), have also visited the site during construction to monitor progress. The project consists of *offsite* utility improvements, utility backfilling, and driveway and sidewalk improvements associated with the new construction at the **ALTA Leander Station** project addressed above.

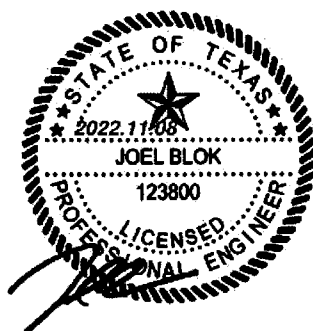
Please accept this Engineer's Letter of Concurrence as my statement that the contractor has constructed all improvements in general compliance with the approved construction documents with insignificant deviation; to best of my knowledge, all work has been performed according to City of Leander standard specifications using materials and appurtenances from the City of Leander/Austin Standard Products List.

I trust that this letter is sufficient for its intended purpose of conveying to your office that the above referenced project has been sufficiently completed. Should you have any questions, please don't hesitate to contact our office.

Sincerely,

WGI
Texas Engineering Firm No. F-15085

Joel Blok, P.E.
Market Leader – Civil Operations





Access Design Consultants

Design | Consultation | Plan Review | Inspections

ATTN:

City of Leander
201 N Brushy St
Leander, TX 78641

06/29/2022

RE:

Public trail along the southern border
ALTA Leander Station Phase I
348 Main St
Leander, TX 7864

Building Permit: 20-TOD-PICP-025 ALTA
LEANDER STATION

Accessibility Concurrence Letter

To whom it may concern,

On June 23, 2022, I inspected the public trail constructed along the southern border of the ALTA Leander Station development and found that it fully complied with the Texas Accessibility Standards (TAS) and all other applicable accessibility standards. I, Spencer Cook, the undersigned Registered Accessibility Specialist #1524, verify the adequate completion of the sidewalk.

Exceptions include the handrails that will be installed along the trail.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Spencer Cook

A handwritten signature in black ink, appearing to read 'Spencer', written over a horizontal line.

Registered Accessibility Specialist #1524
spencer@accessdesignconsultants.com
(361) 537-7051



Access Design Consultants

Design | Consultation | Plan Review | Inspections

ATTN: City of Leander 07/07/2022
201 N Brushy St
Leander, TX 78641

RE: Sidewalk along Hero Way
ALTA Leander Station Phase I
348 Main St
Leander, TX 7864

Building Permit: 20-TOD-PICP-025

Accessibility Concurrence Letter

To whom it may concern,

On June 23, 2022, I inspected the sidewalk constructed in the right of way along Hero Way and found that it fully complied with the Texas Accessibility Standards (TAS) and all other applicable accessibility standards. I, Spencer Cook, the undersigned Registered Accessibility Specialist #1524, verify the adequate completion of the sidewalk.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Spencer Cook

A handwritten signature in black ink, appearing to read 'Spencer', written over a horizontal line.

Registered Accessibility Specialist #1524
spencer@accessdesignconsultants.com
(361) 537-7051



Access Design Consultants

Design | Consultation | Plan Review | Inspections

ATTN: City of Leander 11/7/22
201 N Brushy St
Leander, TX 78641

RE: ALTA Leander Station Phase I
348 Main St
Leander, TX 7864

Building Permit: 20-TOD-PICP-025 ALTA
LEANDER STATION

Accessibility Concurrence Letter

To whom it may concern,

On November 5, 2022, I inspected the public trail and railing constructed along the southern border of the ALTA Leander Station development and found that it fully complied with the Texas Accessibility Standards (TAS) and all other applicable accessibility standards. I, Spencer Cook, the undersigned Registered Accessibility Specialist #1524, verify the adequate completion of the sidewalk and railing.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Spencer Cook

A handwritten signature in black ink, appearing to read 'Spencer Cook', written in a cursive style.

Registered Accessibility Specialist #1524
spencer@accessdesignconsultants.com
(361) 537-7051

MAINTENANCE BOND
Subdivision Improvements

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

KNOW ALL BY THESE PRESENTS, that Leander Station Builders, LLC, dba Wood Partners as Principal, whose address is 4401 West Gate Blvd., Ste. 308, Austin, TX 78745 and Harco National Insurance Company a Corporation organized under the laws of the State of Illinois, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Leander, Texas as Obligee, in the penal sum of Fifty-Four Thousand Five Hundred Fifty-Two and 04/100 Dollars (\$ 54,552.04) to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has constructed Public Improvements along Hero Way and the public Parkland Trail on the south side of the property 20-TOD-PICP-025 (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of two (2) years after acceptance by the Obligee, against all defects in workmanship and materials which may become apparent during said period;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal keeps and perform the requirement of the Obligee's ordinances and this Maintenance Bond to maintain the improvements and keep the same in good repair and shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of two (2) years from and after the date of acceptance by the Owner, then this obligation shall be void, otherwise to remain in full force and effect, and Owner shall have and cover from said Principal and Surety damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the Principal and Surety hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said improvements shall continue throughout the maintenance period, and the same shall not be diminished in any manner from any cause during said time.

Principal agrees to repair or reconstruct the improvements in whole or in part at any time within the two year period to such extent as the Obligee deems necessary to properly correct all defects except for normal wear and tear. If the Principal fails to make the necessary corrections within ten days after being notified, the Obligee may do so or have done all said corrective work and shall have recovery hereon for all expenses thereby incurred. Principal will maintain and keep in good repair the improvements for a period of two years from the date of acceptance; it being understood that the purpose of this Maintenance Bond is to cover all defective conditions arising by reason of defective material, work, or labor performed by said Principal or its

subcontractors, and in the case the said Principal shall fail to do so within ten days after being notified, it is agreed that the Obligee may do said work and supply such materials, and charge the same against Principal and Surety on this obligation.

The Surety shall notify the Obligee at least fifteen (15) days prior to the end of the first full calendar year and prior to the lapse of this Maintenance Bond at the end of the second full calendar year.

Surety and Principal agree that whenever a defect or failure of the improvement occurs within the period of coverage under this Bond, the Surety and Principal shall provide a new maintenance bond or other surety instrument in a form acceptable to the Obligee and compliant with the Obligee's ordinances conditioned to guarantee for the period of one (1) year after the Obligee's acceptance of the corrected defect or failure, against all defects in workmanship and materials associated with the corrected defect or failure which may become apparent during said period, which shall be in addition to this Maintenance Bond.

The Surety agrees to pay the Obligee upon demand all loss and expense, including attorneys' fees, incurred by the Obligee by reason of or on account of any breach of this obligation by the Surety. Provided further, that in any legal action be filed upon this bond, venue shall lie in the county where the improvements are constructed.

This Bond is a continuing obligation and shall remain in full force and effect until cancelled as provided for herein.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the improvements, or the work to be performed thereon, or the plans, specifications or drawings accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the improvements, or the work to be performed thereon.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 8th day of July, 2022.

See attached signature page
Principal

Harco National Insurance Company
Surety

By: See attached signature page

By: Yatasha W. Davis

Title: See attached signature page

Title: Attorney-In-Fact

Address: 3715 Northside Pkwy. NW

Address: 4200 Six Forks Rd., Suite 1400

Suite 4-600

Raleigh, NC 27609

Atlanta, GA 30327

The name and address of the Resident Agent of Surety is:

Nicole Evans

16000 N. Dallas Parkway, Suite 850 Dallas, TX 75248

(Seal)



Leander Station Builders, LLC, a
Delaware limited liability company

By: WP Texas Builders, LLC, a Delaware
limited liability company, its manager

By: Bart Barnett
Name: Bart Barnett
Its: Vice President

POWER OF ATTORNEY

Bond # 0821828

HARCO NATIONAL INSURANCE COMPANY

INTERNATIONAL FIDELITY INSURANCE COMPANY

Member companies of IAT Insurance Group, Headquartered: 4200 Six Forks Rd, Suite 1400, Raleigh, NC 27609

KNOW ALL MEN BY THESE PRESENTS: That HARCO NATIONAL INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

NATASHE A. DAVIS, MARGARET A. GINEM

Tampa, FL

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of HARCO NATIONAL INSURANCE COMPANY at a meeting held on the 13th day of December, 2018.

"RESOLVED, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY have each executed and attested these presents on this 31st day of December, 2021



STATE OF NEW JERSEY
County of Essex

Kenneth Chapman

Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2021, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley, a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, July 08, 2022

A02772

Irene Martins, Assistant Secretary



November 08, 2022

30193924.01

Sarvesh Dhakal, P.E., CFM
City of Leander
Pat Bryson Municipal Hall
201 N. Brushy Street
Leander, Texas 78641

Attn. Mr. Dhakal,

The following is the information as applicable for PICP (20-TOD-PICP-025) (ALL PHASES).
Final Plat Legal Name as Recorded: ALTA Leander Station
Name on Approved Construction Documents: ALTA Leander Station
Name on Bank Bond for Fiscal Posting: Harco National Insurance Company

COSTS CATEGORIES	AMOUNT
Streets	\$146,830.00
Drainage	\$8,500.00
Water	\$262,991.00
Wastewater	\$88,849.00
Streetlights	\$8,350.40
Landscape Improvements	\$30,000.00
TOTAL	\$545,520.40

Total Improvements = \$545,520.40
Maintenance Bond (10%) = **\$54,552.04**

Total Improvements = \$545,520.40
Currently Paid Inspection Fees = \$37,521.54
Inspection Fees (3.5%) = \$19,093.22
Overpaid Insp. Fees to be returned
for credit = (\$18,428.32)

I trust that this letter is sufficient for its intended purpose of conveying to your office that the above referenced portions of the project have been sufficiently completed with a final contract amount for preparation of a maintenance bond. Should you have any questions, please don't hesitate to contact our office at 512-669-5560, or email me at Ian.Williams@WGInc.com.

Sincerely,

WGI
Texas Engineering Firm No. F-15085

Joel Blok, P.E.
Market Leader – Civil Operations

2021 East 5th Street, Suite 200, Austin, TX 78702



512.669.5560

WGInc.com



4401 E. Hwy 29 Burnet, TX 78611 / 512-756-5012 (phone) / 512-756-5015 (fax) / tristar.bb@gmail.com

Final Cost & Quantities

Alta Leander Station
Hero Way & Mel Mathis Ave.
Leander, TX

28-Jun-22

PUBLIC WATER OFFSITE

12" C-900 DR-14	835 lf	
8" C-900 DR-14	920 lf	
24" Casing	90 lf	
Cut Steel Casing As Needed	1 ls	
Tie 12" to Existing Stub	1 ls	
12" Cut In Tee	1 ea	
Fittings	1 ls	
12" x 2" ARV	1 ea	
12" x 2" Blowoff Assem.	1 ea	
12" Gate Valve w/ Box	3 ea	
8" Gate Valve w/ Box	2 ea	
6" Gate Valve w/ Box	6 ea	
Std. Fire Hydrant	6 ea	
Sidewalk Repair	1 ls	
		\$226,505.00

PUBLIC WATER

8" DI Class-350	30 lf	
8" FIRE Demand Meter w/ Vault	1 ea	
1.5" IRR Meter w/ Box	1 ea	
		\$36,486.00

PUBLIC SANITARY SEWER

8" SDR-26	995 lf	
6" SDR-26	15 lf	
Place Std. MH on Exist. Line	1 ea	
Std. 4' Dia. MH	6 ea	
		\$88,849.00

Total Amount: \$351,840.00

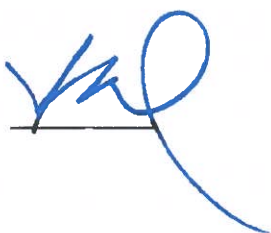
Submitted By: **Barrett Branon**
Tri Star Utilities, Inc.

**FINAL BILLS PAID AFFIDAVIT
AND WAIVER OF LIEN**STATE OF TEXAS
COUNTY OFDate: JULY 1ST 2022Developer: CG/WOOD ALTA LEANDER STATION, LLCContractor/Material
Provider ("Affiant"): LEANDER STATION BUILDERS, LLCProject: ALTA LEANDER STATION

This is to acknowledge and certify that Affiant has completed the construction of all improvements for the project noted above and that Affiant has been paid in full for all labor and material provided to the above-noted construction project, except for retainage, and acknowledges and certifies that Affiant, and all of his or its agents, employees, successors, assigns, subsidiaries, and legal representatives will and do release and waive all Mechanic's liens, or similar lien rights, which have or might arise as a result of the Affiant's or Affiant's agents' or employees' providing labor and materials to the above-noted project. Affiant understands that a portion or all of the property upon which the project is located has been or will be accepted by the City of Leander, Texas, for ownership, maintenance, and operation. Affiant further agrees that it shall look solely to the Developer for payment of the retainage and shall have no cause of action whatsoever, against the City in the event that the retainage is not paid to the Affiant, and that Affiant shall not file a lien of any kind which has or may arise related to the release of the retainage for the project. Affiant acknowledges and understands that the City is relying on the representations made in this document to accept the phase or portion of the subdivision in which the project is located.

In addition to the foregoing, Affiant acknowledges and certifies that Affiant has paid all laborers, subcontractors, materialmen, and all other persons or parties who have provided labor or materials through, for, or on behalf of the Affiant to the above-noted construction project.

Affiant indemnifies and holds Owner harmless from any liens, debts or obligations which arise as a result of labor or materials provided by or through Affiant to the project through the date set out above. Affiant further indemnifies and holds harmless all real property on which the improvements were constructed and all interests in such property, including leasehold interests, from any liens, debts, or obligations arising from any labor or materials provided by or through Affiant to the project through the date set out above.

SUBSCRIBED AND SWORN TO BY Affiant on this 1ST day of JULY, 2022Initialed: 

AFFIANT:

Signature: _____

Typed Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF WILLIAMSON

BEFORE ME the undersigned authority on this day personally appeared RAYMOND WILGEROTH, known to me to be the person noted above, and acknowledged to me the following: that he/she executed the foregoing for the purpose and consideration therein expressed, in the capacity therein stated, and as the duly authorized act and deed of the party releasing and waiving the lien therein; and that every statement therein is within his/her knowledge and is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 1st day of July, 2022

[S E A L]



Notary in and for the State of Texas

Name: Elizette Tirk

My commission expires: 06/26/2026

Initialed: _____



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Acceptance of public infrastructure improvements for Emerson at Benbrook.

BACKGROUND:

The Public infrastructure improvements required for the Improvements for Emerson at Benbrook have been installed, inspected, and are satisfactorily completed. All documentation required for acceptance of these subdivisions have been received, including record drawings, statement of substantial completion prepared by a professional engineer licensed in the State of Texas, copies of all inspection reports and certified test results, electronic files of the improvements and final plat, affidavit of all bills paid, and a two-year term maintenance bond.

The maintenance bond will commence its two (2)- year term upon City Council acceptance, as anticipated, on December 1, 2022 which will provide warranty and maintenance coverage for the public infrastructure improvements through December 1, 2024. The Engineering Department will perform a formal inspection of the improvements approximately thirty (30) days prior to the expiration of the maintenance bond to assure that any defects in materials, workmanship, or maintenance are corrected prior to expiration of the bond.

RECOMMENDATION:

Staff recommends City Council's formal acceptance of the infrastructure improvements for the Emerson at Benbrook.

PRESENTER:

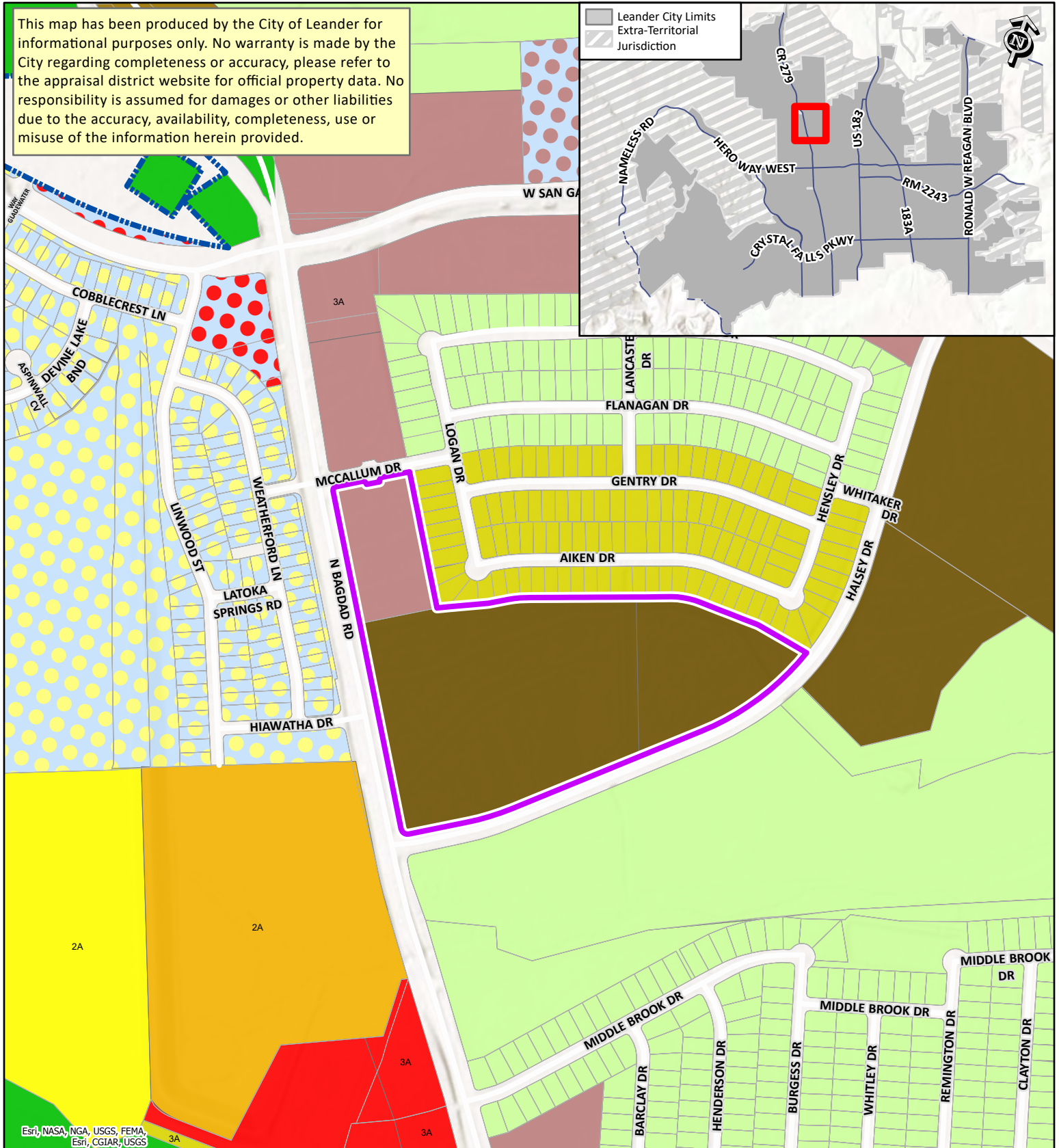
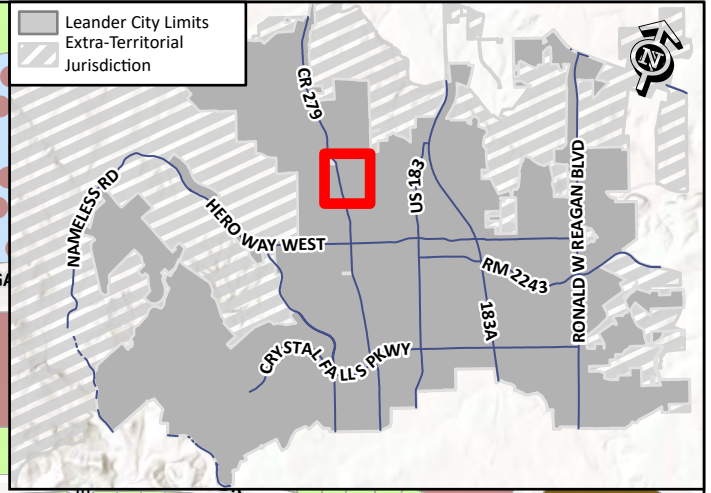
Emily Truman, P.E., CFM, PMP, City Engineer

Attachments

1. Acceptance Documents Emerson at Benbrook

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, please refer to the appraisal district website for official property data. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.

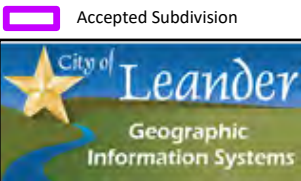
Leander City Limits
Extra-Territorial
Jurisdiction



SUBDIVISION ACCEPTANCE

Emerson at Benbrook - 20-PICP-033

City Limits



Accepted Subdivision

RESIDENTIAL

- SFR - Single-Family Rural
- SFU - Single-Family Urban
- SFC - Single-Family Compact
- SFL - Single-Family Limited
- SFT - Single-Family Townhouse
- TF - Two Family
- MF - Multi-Family

RETAIL / COMMERCIAL

- LC - Local Commercial
- GC - General Commercial
- PUD LAND USE**
- PUD - Single-Family
- PUD - Local Commercial
- PUD - General Commercial



0 500 1,000
Feet

November 8, 2022

Project: The Emerson at Benbrook Site Development Plan (Public Improvements)
Address: 1101 Halsey Drive, Leander, Texas 78641
Site Plan Number: 20-PICP-033

On this day I, Charles Hager V, P.E., the undersigned professional engineer, made a final visual inspection of the above referenced project for all public improvements. I have visited the site during construction and observed that the grading, drainage structures, and filtration pond(s) were constructed per the approved plans with insignificant deviation. I, therefore, verify the adequate completion of the following items:

All public water, wastewater, paving, channels, outfall structures, driveways, replacement sidewalks / paving, permanent erosion controls, and similar public construction items associated with the subject permit number.

Signature

By: CR Hager
Charles Hager V, P.E.
Sr. Project Manager
LJA Engineering, Inc.



11/10/2022

Sarvesh Dhakal
City of Leander
201 N. Brushy Street
Leander, Texas 78641

Attn. City of Leander Engineering Department, Attn. Sarvesh Dhakal,

The following is the information as applicable for the public improvements of this project.

Final Plat Legal Name as Recorded: Benbrook Ranch Section 2 Phase 2B Final Plat
Name on Approved Construction Documents: The Emerson at Benbrook Public Improvement Construction
Plan Project No. 20-PICP-033
Name(s) on Bank Bond for Fiscal Posting: Paragon Sports Constructors, Leander Benbrook, LP, and
Philadelphia Indemnity Insurance Company

COSTS CATEGORIES	AMOUNT
Streets	\$43,091.25
Drainage	\$279,022.61
Wastewater	\$110,965.00
Landscape Improvements	\$21,258.00
Water	\$8,686.24
TOTAL	\$463,023.10

Total Improvements = \$463,023.10
Maintenance Bond (10%) = \$46,302.31

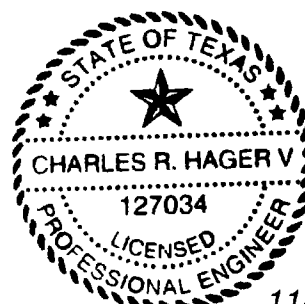
Total Improvements = \$463,023.10
Currently Paid Inspection Fees = \$10,012.07
Inspection Fees (3.5%) = \$16,205.81
Remaining Insp. Fees to be Paid = \$6,193.74

Owner/Developer Contact:
Leander Benbrook, LP
Attn: Taylor Stone
tstone@cesmre.com
214-507-7646

Civil Engineer Contact:
LJA Engineering
Attn: Charles Hager
chager@lja.com
303-546-2715

General Contractor Contact:
Duke Inc. General Contractos
Attn: Rob Stone
rob.stone@dukecompanies.com
972-385-1676

[Sign and Seal from a Texas Licensed Professional Engineer]



11/10/2022

C R H

MAINTENANCE
BOND
Subdivision
Improvements

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

KNOW ALL BY THESE PRESENTS, that we, PARAGON SPORTS CONSTRUCTORS, LLC. whose address is 5001 Saunders Road, Fort Worth, Texas 76119 and LEANDER BENBROOK, LP. whose address is 3131 Turtle Creek Blvd, 11th Floor, Dallas, Texas 75219 as Principal, and **PHILADELPHIA INDEMNITY INSURANCE COMPANY**, a Corporation organized under and by the laws of the State of Pennsylvania, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Leander, 105 N. Brushy Street, Leander Texas 78641 as Obligee, in the penal sum of FOURTY SIX THOUSAND THREE HUNDRED TWO AND 31/100 (\$46,302.31) Dollars to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has constructed The Emerson at Benbrook Public Improvement Construction Plan Project No. 20-PICP-033 (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of two (2) years after acceptance by the Obligee, against all defects in workmanship and materials which may become apparent during said period;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal keeps and perform the requirement of the Obligee's ordinances and this Maintenance Bond to maintain the improvements and keep the same in good repair and shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of two (2) years from and after the date of acceptance by the Owner, then this obligation shall be void, otherwise to remain in full force and effect, and Owner shall have and cover from said Principal and Surety damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the Principal and Surety hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said improvements shall continue throughout the maintenance period, and the same shall not be diminished in any manner from any cause during said time.

Principal agrees to repair or reconstruct the improvements in whole or in part at any time within the two year period to such extent as the Obligee deems necessary to properly correct all defects except for normal wear and tear. If the Principal fails to make the necessary corrections within ten days after being notified, the Obligee may do so or have done all said corrective work and shall have recovery hereon for all expenses thereby incurred. Principal will maintain and keep in good repair the improvements for a period of two years from the date of acceptance; it being understood that the purpose of this Maintenance Bond is to cover all defective conditions arising by reason of defective material, work, or labor performed by said Principal or its

subcontractors, and in the case the said Principal shall fail to do so within ten days after being notified, it is agreed that the Obligee may do said work and supply such materials, and charge the same against Principal and Surety on this obligation.

The Surety shall notify the Obligee at least fifteen (15) days prior to the end of the first full calendar year and prior to the lapse of this Maintenance Bond at the end of the second full calendar year.

Surety and Principal agree that whenever a defect or failure of the improvement occurs within the period of coverage under this Bond, the Surety and Principal shall provide a new maintenance bond or other surety instrument in a form acceptable to the Obligee and compliant with the Obligee's ordinances conditioned to guarantee for the period of one (1) year after the Obligee's acceptance of the corrected defect or failure, against all defects in workmanship and materials associated with the corrected defect or failure which may become apparent during said period, which shall be in addition to this Maintenance Bond.

The Surety agrees to pay the Obligee upon demand all loss and expense, including attorneys' fees, incurred by the Obligee by reason of or on account of any breach of this obligation by the Surety. Provided further, that in any legal action be filed upon this bond, venue shall lie in the county where the improvements are constructed.

This Bond is a continuing obligation and shall remain in full force and effect until cancelled as provided for herein.

Surety, for value received, stipulates and agrees that no change, extension of time, alteration or addition to the improvements, or the work to be performed thereon, or the plans, specifications or drawings accompanying the same, shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the improvements, or the work to be performed thereon.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 3rd day of November, 2022.

PARAGON SPORTS CONSTRUCTORS, LLC
Principal

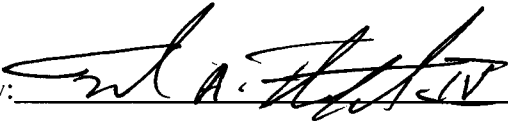
By: 

Title: Vice President

Address: 5001 Saunders Road

Fort Worth, TX 76119

Philadelphia Indemnity Insurance Company
Surety

By: 

Title: Attorney-in-Fact

Address: One Bala Plaza, Suite 100

Bala Cynwyd, PA 19004

The name and address of the Resident Agent of Surety is:

Fred Thetford

Contract Bond Agency, 2525 Ridgmar Blvd., Suite 250, Fort Worth, Texas 76116

(Seal)

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Jared Young, Fred A. Thetford, Jr., Tobin Tucker, Tom Young, and/or Fred A. Thetford IV of Contract Bond Agency, LLC**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$50,000,000**.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED:

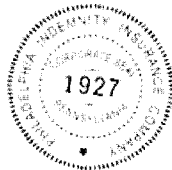
That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER
RESOLVED:**

That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.

(Seal)



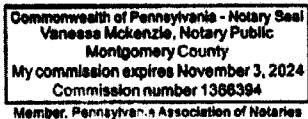
John Glomb

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:

Vanessa McKenzie



residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 3rd day of November, 2022

Ed Sayago

Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY



IMPORTANT NOTICE

To obtain information or make a complaint:
You may call the Surety's toll free telephone
number for information or to make a
complaint at:

1-877-438-7459

You may also write Philadelphia Indemnity
Insurance Company at:

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
Attention: Senior Vice President and
Director of Surety

You may contact the Texas Department of
Insurance to obtain information on
companies, coverage, rights or complaints
at:

1-800-252-3439.

You may write the Texas Department of
Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax# 512-475-1771
Web: <http://www.tdi.state.tx.us>
Email: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES: Should
you have a dispute concerning your
premium or about a claim, you should
contact the Surety first. If the dispute is not
resolved, you may contact the Texas
Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:
This notice is for information only and does
not become a part or condition of the
attached document.

ADVISO IMPORTANTE

Para obtener informacion o para someter una
queja: Usted puede llamar al numero de
telefono gratis de para informacion o para
someter una queja al:

1-877-438-7459

Usted tambien puede escribir a Philadelphia
Indemnity Insurance Company at:

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
Attention: Senior Vice President and
Director of Surety

Puede comunicarse con el Departamento de
Seguros de Texas para obtener informacion
acerca de companias, coberturas, derechos
o quejas al:

1-800-252-3439

Puede escribir al Departamento de Seguros
de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax# 512-475-1771
Web: <http://www.tdi.state.tx.us>
Email: ConsumerProtection@tdi.state.tx.us

**DISPUTAS SOBRE PRIMAS O
RECLAMOS:** Si tiene una disputa
concerniente a su prima o a un reclamo,
debe comunicarse con el Surety primero. Si
no se resuelve la disputa, puede entonces
comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA: Este
aviso es solo para proposito de informacion
y no se convierte en parte o condicion del
documento adjunto.

**FINAL BILLS PAID AFFIDAVIT
AND WAIVER OF LIEN**

STATE OF TEXAS
COUNTY OF

Date: 11/10/22

Developer: Leander Benbrook, LP

Contractor/Material
Provider ("Affiant"): Duke Inc. General Contractors

Project: The Emerson at Benbrook Public Improvement Construction Plan Project No. 20-PICP-033

This is to acknowledge and certify that Affiant has completed the construction of all improvements for the project noted above and that Affiant has been paid in full for all labor and material provided to the above-noted construction project, except for retainage, and acknowledges and certifies that Affiant, and all of his or its agents, employees, successors, assigns, subsidiaries, and legal representatives will and do release and waive all Mechanic's liens, or similar lien rights, which have or might arise as a result of the Affiant's or Affiant's agents' or employees' providing labor and materials to the above-noted project. Affiant understands that a portion or all of the property upon which the project is located has been or will be accepted by the City of Leander, Texas, for ownership, maintenance, and operation. Affiant further agrees that it shall look solely to the Developer for payment of the retainage and shall have no cause of action whatsoever, against the City in the event that the retainage is not paid to the Affiant, and that Affiant shall not file a lien of any kind which has or may arise related to the release of the retainage for the project. Affiant acknowledges and understands that the City is relying on the representations made in this document to accept the phase or portion of the subdivision in which the project is located.

In addition to the foregoing, Affiant acknowledges and certifies that Affiant has paid all laborers, subcontractors, materialmen, and all other persons or parties who have provided labor or materials through, for, or on behalf of the Affiant to the above-noted construction project.

Affiant indemnifies and holds Owner harmless from any liens, debts or obligations which arise as a result of labor or materials provided by or through Affiant to the project through the date set out above. Affiant further indemnifies and holds harmless all real property on which the improvements were constructed and all interests in such property, including leasehold interests, from any liens, debts, or obligations arising from any labor or materials provided by or through Affiant to the project through the date set out above.

SUBSCRIBED AND SWORN TO BY Affiant on this 11th day of November, 2022

Initialed: RS

AFFIANT:

Signature: _____

Typed Name: _____

Title: _____

Robert J. Stone III
Robert J. Stone III
President

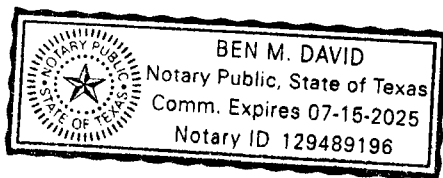
STATE OF TEXAS

COUNTY OF _____

BEFORE ME the undersigned authority on this day personally appeared Robert J. Stone III, known to me to be the person noted above, and acknowledged to me the following: that he/she executed the foregoing for the purpose and consideration therein expressed, in the capacity therein stated, and as the duly authorized act and deed of the party releasing and waiving the lien therein; and that every statement therein is within his/her knowledge and is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of November, 2022

[S E A L]



Ben M. David
Notary in and for the State of Texas

Name: Ben M. David

My commission expires: 7-15-25

Initialed: _____



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Authorize purchase of one (1) RAM 3500 Tradesman Crew Cab 4x2 and upfitting in the amount of \$74,932.00 for the Police Department from Cameron Country, Caldwell County, Texas, utilizing Tarrant County Cooperative Contract 2022-187; and authorize the City Manager to execute any and all necessary documents.

BACKGROUND:

In the prior year FY 2022 budget, funds were included to replace a 2007 Ford Econoline E250 van acquired by the Police Department in 2011 for use by its SWAT Team. On November 4, 2021, City Council approved its replacement - a 2021 RAM 3500 Cargo Van in the amount of \$41,065.90. During 2022, auto manufacturers began canceling orders for various vehicles due to production issues and the van was one of those that was canceled. The Police Department now desires to purchase a 2022 RAM 3500 Tradesman Crew Cab with a base price of \$56,590.00, plus upfitting costs of \$18,342.00 for a total cost of \$74,932.00. The Cargo Van award did not include any upfitting costs. The truck provides more versatility and can accommodate more passengers than the van. Funds are available in the Vehicle Replacement Fund.

RECOMMENDATION:

Recommend Approval.

PRESENTER:

Greg Minton, Police Chief
Jackson Mitchell, Lieutenant Support Services
Robert G. Powers, Executive Director of Finance

Fiscal Impact

Amount requested: \$74,932.00
Approved in current budget (Yes / No): No
Expenditure (New / Amended): Amended
Recurring or one-time: One-time
Fund source (Operating / Utility / etc.): Vehicle Reserve

Attachments

1. Vehicle Quote 2022
2. Previous Van Quote



Caldwell Country Chevrolet | Rockdale Country Ford | Cameron Country CDJR
800 State Highway 21 East
Caldwell Texas 77836

Vehicle Quote

Quote No.: DL 220153
Exp. Date: Dec 22, 2022

Prepared for: Leander Police Department
Leander Texas
Jackson Mitchell
jmittchell@leandertx.gov

Tarrant County 2022-187

NAME	PRICE	QTY	SUBTOTAL
RAM 3500 Tradesman Crew Cab 4x2	\$56,590.00	1	\$56,590.00
RAM 3500 Specifications and Options - Diamond Black Crystal			



Upfit Equipment	\$17,342.00	1	\$17,342.00
CAPQ:106099			
Floor Plan Interest	\$900.00	1	\$900.00
Delivery	\$100.00	1	\$100.00
COOP Fee Included	\$0.00	0	\$0.00
			\$74,932.00
Discount			\$0.00
Tax			\$0.00
Total			\$74,932.00

****PRICES/QUOTES ARE VALID FOR THIRTY (30) DAYS DUE TO SUPPLY CHAIN CONSTRAINTS. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHARGES MAY APPLY AFTER A PURCHASE ORDER IS ISSUED****





CAMERON DODGE

2102 THORNTON
CAMERON, TEXAS 76520
972-804-9536 fax 979-567-4376

QUOTE

Customer

Name City of Leander
Address _____
City _____ State TX ZIP _____
Phone _____

Date 9/24/2021
Order No. LEANDER SWAT
Rep BDS
FOB NO

Qty	Description	Unit Price	TOTAL
1	2021 Ram Promaster 3500 Cargo van, hi top	\$ 36,000.00	\$36,000.00
1	AH2, ambulance prep package, for rear conversion	\$1,723.00	\$1,723.00
1	SDD, upgrade rear sway bars	\$220.00	\$220.00
1	CRC, video mirror for reverse camera	\$446.00	\$446.00
1	XAN, blind spot and cross path detection	\$490.00	\$490.00
1	CAP QUOTE#102762	\$1,536.90	\$1,536.90
TASB 601-19			
PLEASE MAKE CHECK PAYABLE TO: CAMERON DODGE 2102 THORNTON CAMERON, TEXAS 76520			
TERMS: NET 30			

Payment Details

- ☐ Cash
☒ Check
☐ Credit Card

Name _____
CC # _____
Expires _____

Subtotal	\$40,415.90
Shipping & Handling	\$650.00
Taxes	State
TOTAL	\$41,065.90

Office use only

PLEASE REMIT PAYMENT TO CAMERON DODGE



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Conduct a Public Hearing regarding Zoning Case Z-22-0019 to amend the current zoning of SFU/MH-2-B (Single-Family Urban/Manufactured House) to adopt the Horseshoe Addition PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) on one (1) parcel of land approximately 2.9 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036462; and more commonly known as 500 Horseshoe Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0019 as described above.

BACKGROUND:

This request is the second step in the zoning process.

HISTORY/TIMELINE:

11/10/2022 - Planning & Zoning Commission, 1st Public Hearing

APPLICANT/AGENT:

Cascade Homes LLC (Brian Crittendon) on behalf of Mickey and Laurie Woods

RECOMMENDATION:

Staff recommends approval of the requested PUD. This request is an extension of the existing development to the west. The Planning & Zoning Commission

PRESENTER:

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

Attachments

1. Planning Analysis
2. Current Zoning
3. Future Land Use Map
4. Public Notice Map
5. Proposed Zoning Map
6. Aerial Map
7. PUD Notes
8. Letter of Intent
9. Neighborhood Outreach
10. Ordinance
11. Draft P&Z Minutes



PLANNING ANALYSIS

ZONING CASE Z-22-0019 HORSESHOE PUD ADDITION

GENERAL INFORMATION

Owner/Agent: Cascade Homes LLC (Brian Crittendon) on behalf of Mickey and Laurie Woods.

Current Zoning: SFU/MH-2-B (Single-Family Urban, Manufactured Home)

Proposed Zoning: Horseshoe PUD (Planned Unit Development) with the base zoning district of: SFT-2-A (Single-FamilyTownhouse).

Size and Location: The property is located at 500 Horseshoe Drive, including approximately 2.9 acres.

Staff Contact: Michael Chenausky AICP,
Senior Planner

APPLICANT REQUEST

The applicant has submitted a request to change the designated zoning district of their property in order to develop a Townhouse subdivision as a continuation of the adjacent development to the west.

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

The property to the west is zoned for condo style residential development with a maximum of 50 units. This addition includes 23 units that will be part of the same development. A resolution was adopted by the City Council to discourage additional density for new zoning cases. Staff feels that it is appropriate to approve this case based on it being an extension of the Horseshoe subdivision and given the nature of adjacent developments in the area.

SITE INFORMATION:

ABUTTING ZONING AND LAND USE:

	ZONING	LAND USE
NORTH	MF-2-A	Apartments – under construction

EAST	SFU, SFU/MH	Established Single-Family House
SOUTH	SFU	Established Single-Family Subdivision (Woods at Mason Creek) Mason Creek Trail and Trailhead
WEST	Horseshoe PUD	Proposed Condo Regime Townhouses

SURROUNDING AREA:

This property is located on the south bend of Horseshoe Drive, on the west side of S. West Drive. Many of the adjacent properties have had zoning changes to provide various forms of residential infill development (figure 1 and 2). The adjacent property to the west is the Horseshoe PUD subdivision project which with a site development permit application that is currently under review.

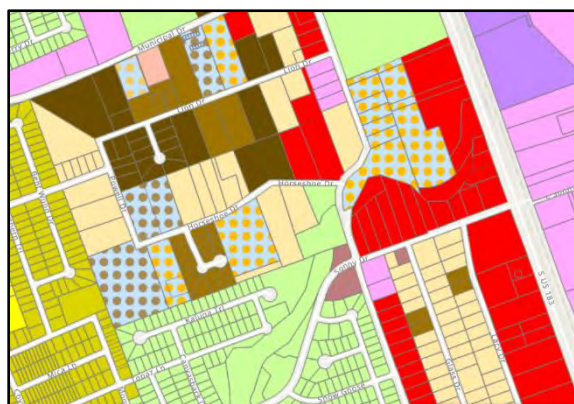


Figure 1 Surrounding Zoning

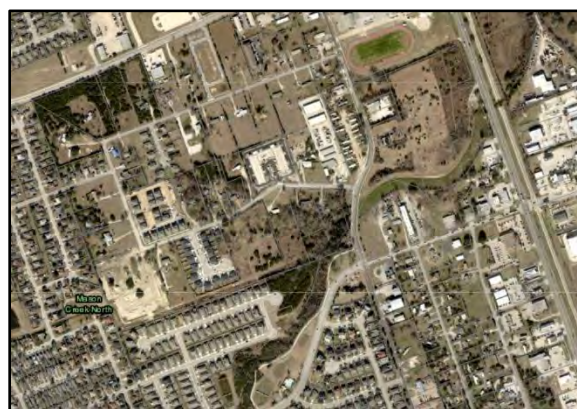


Figure 2 Surrounding Land Use

PHYSICAL AND NATURAL FEATURES:

This property has minimal tree cover and the floodplain overlaps the southern boundary.

PROPERTY HISTORY:

This property is part of the original incorporation of the City of Leander on 01/20/1978.

PREVIOUS ZONING CASES:

The following zone cases were previously submitted for this property:

- No prior zoning cases.

SUBDIVISIONS:

The following subdivision cases were previously submitted for this property:

- This property is part of the Leander Heights Sec. 2 Subdivision

EXISTING UTILITIES:

This property has access to utilities, however upgrades to the existing waterline may be required.

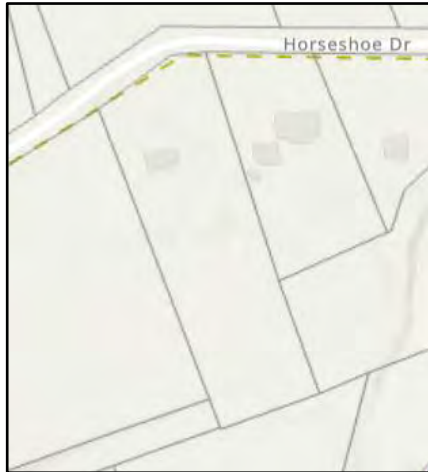


Figure 4 Waterline



Figure 3 Wastewater line

CURRENT LAND USES:

This property is currently vacant.

PROPOSED ZONING DISTRICT:

PUD – PLANNED UNIT DEVELOPMENT:

The purpose and intent of the Planned Unit Development (PUD) district is to design unified standards for development in order to facilitate flexible, customized zoning and subdivision standards which encourage imaginative and innovative designs for the development of property within the City. The intent of this zoning request is to provide for a higher density condo regime style development. The contents of this PUD further explain and illustrate the overall appearance and function desired for this community. A Conceptual Site Layout and Land Use Plan has been attached to this PUD, Exhibit C, to illustrate the design intent for the property. The Conceptual Site Layout and Land Use Plan is intended to serve as a guide to illustrate the general community vision and design concepts and is not intended to serve as a final document. The intent of this zoning district is to cohesively regulate the development to assure compatibility with adjacent single-family residences, neighborhoods, and commercial properties within the region.

USE COMPONENT

SFT – SINGLE FAMILY TOWNHOUSE:

Features: 2,000 sq. ft. lot min; 700 sq. ft. living area min.

Intent: Development of single-family attached dwellings on very small sized lots and for other uses that are compatible and complimentary to attached residential development. A variety of lot sizes shall be provided within one half mile of major intersections such as arterials or collectors and along residential collectors. The higher density residential shall be located closest to major intersections such as arterials or collectors and transition to lower density uses further away from the major intersections. This component provides for higher density lots and serves as a transition between moderate size lots and higher density areas. This component is generally intended as follows:

- (1) To provide an orderly transition and serve as a buffer between larger lot neighborhoods and more intensive uses such as multi-family or commercial uses or arterial roadways.
- (2) To create more variety in housing opportunities and in the fabric of the neighborhoods.
- (3) To include or be located within six hundred feet of parkland or other recreational open space.
- (4) To be located in planned communities of greater than 100 acres and comprising less than ten percent (10%) of the lots, or to provide infill opportunities in appropriate areas of the City such as in areas under transition.
- (5) Lots may provide access to garages from a rear alley.

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 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**

- Support emerging, flexible residential types in appropriate areas.

Applicable Future Land Use categories**NEIGHBORHOOD RESIDENTIAL**

- The Neighborhood Residential land use category is intended to be developed primarily as new single-family detached residential subdivisions with associated amenities, such as parks, trails, open space areas, and elementary schools. These areas are intended to have a mix of suburban and auto-oriented development character which are primarily found in the form of detached residential lots.

Architectural styles, building height and massing are relatively uniform in this type of land use. Most streets are considered to be local and low-volume with curb and gutter, sidewalks, consistent speeds and highly accessible driveways. Strategically located parks are essential and in some cases a school or other institutional use are integrated or in close proximity.

Some neighborhood-serving retail and office uses are permitted in these areas with highly-restrictive use, site and design requirements. These type of uses are residential in scale and architectural design and are walkable in nature, though auto-serving. These uses are not shown on the Future Land Use Map as commercial and are supported when integrated into a development with appropriate site and zoning compatibility considerations.

INTERGOVERNMENTAL/INTERDEPARTMENTAL REVIEW:

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

SCHEDULE:

DEVELOPMENT MEETING

A development meeting was held with Staff on 02/07/2022. The following changes were made to the project since the development meeting was held:

- No Changes.

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

- No applicable changes.

NOTIFICATION

10/20/2022 - Public Notice on Hill Country News
 10/26/2022 - Mail Notification to Property Owners within 200'
 10/26/2022 - Public Hearing Signage Posted on Property
 11/10/2022 - Planning and Zoning Commission Public Hearing
 12/01/2022 - City Council Public Hearing & First Reading of the Ordinance
 12/15/2022 - 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. Public notification signs were posted along the Horseshoe Drive ROW (Figures 5 & 6).



Figure 6 Public Notification Sign A



Figure 5 Public Notification Sign B

A neighborhood meeting was held at on 08/02/2022. Please see attachment #9 Neighborhood Outreach for more detail.

- No Issues noted.

The following changes were made to address issues discussed.

- No changes.

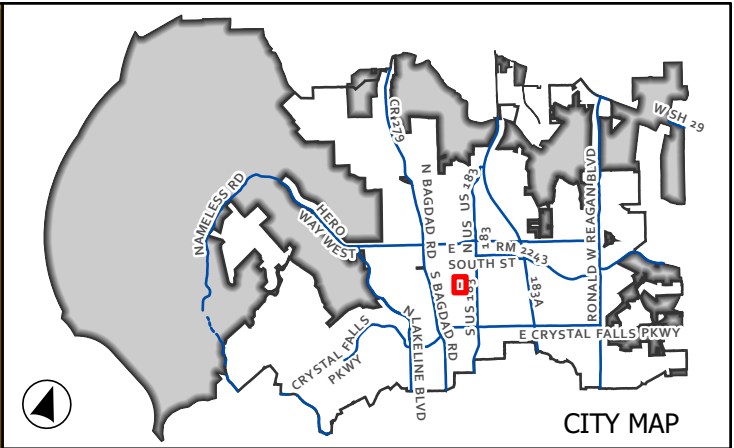
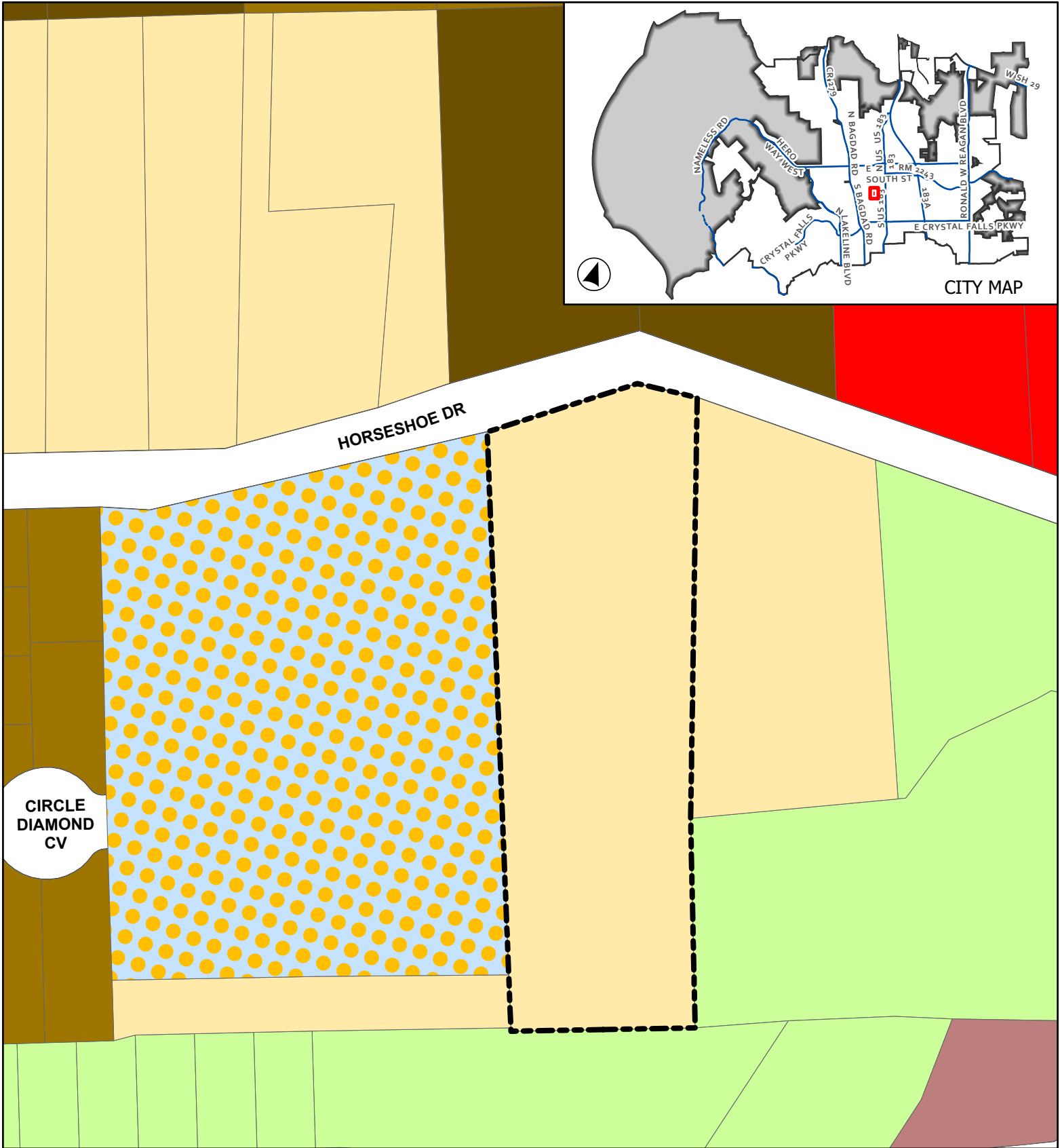
Please see the full report from the applicant attached.

APPROVAL CRITERIA:

This request is compatible with the current zoning and land uses in the area. The adjacent properties have similar development proposals and are under construction residential development.

This Planned Unit Development includes the following higher standards and is requesting the following waivers.

HIGHER STANDARDS	WAIVERS
A minimum of ten (10%) percent of required parking spaces will be unassigned guest parking in common areas.	
Street Trees and Type-A Architectural Component.	Allow multiple units on one lot.



CASE: Z-22-0019 ATTACHMENT 2 HORSESHOE ADDITION PUD

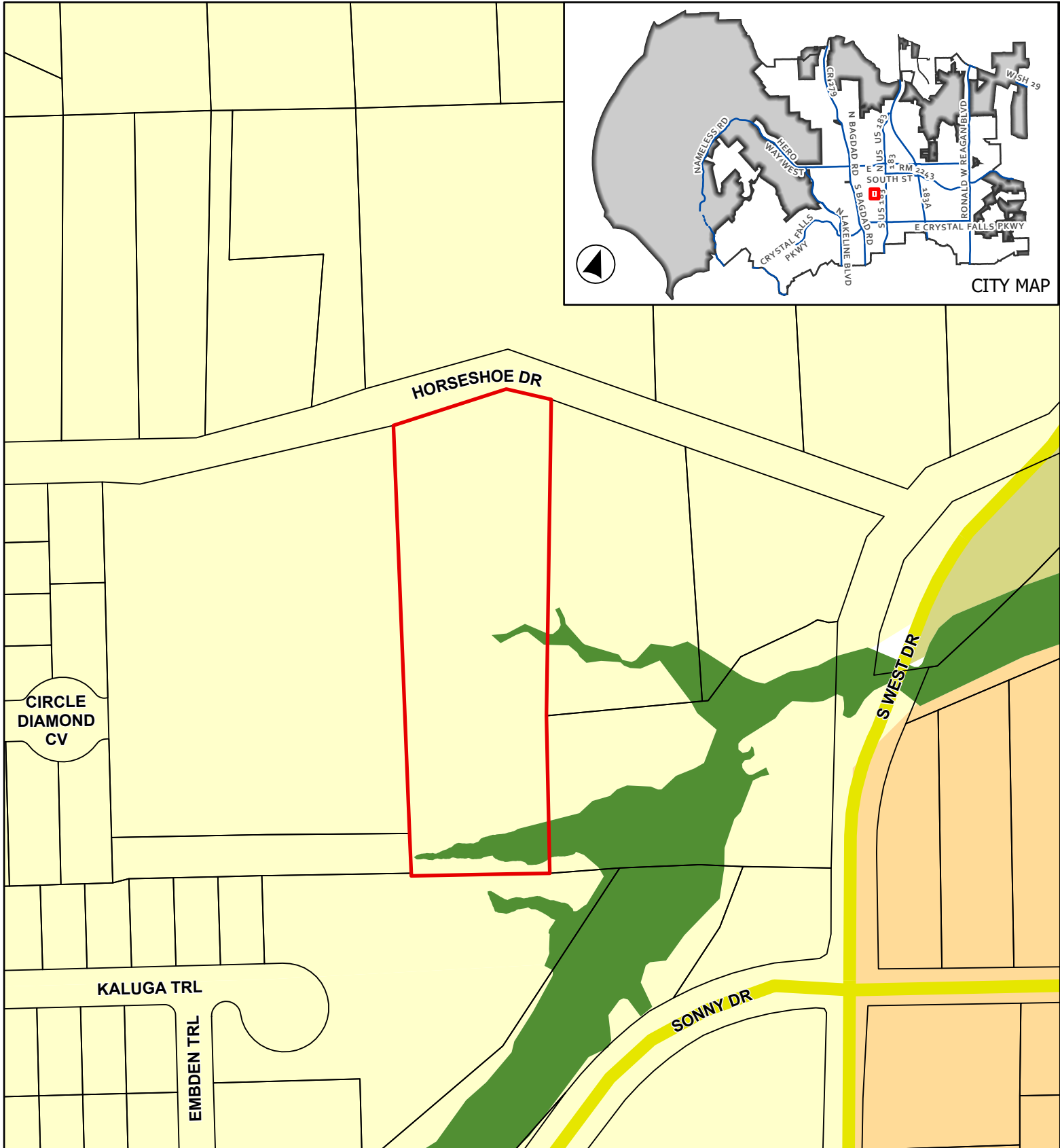
Current Zoning

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
- Proposed ETJ
- Subject Area
- SFU - Single-Family Urban
- SFU/MH - Single-Family Urban/Manufactured Home

- TF - Two Family
- MF - Multi-Family
- LC - Local Commercial
- GC - General Commercial
- PUD - Townhomes

0 50 100 Feet



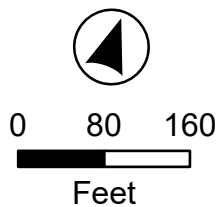
CASE: 22-Z-0019

ATTACHMENT 3

HORSESHOE ADDITION PUD

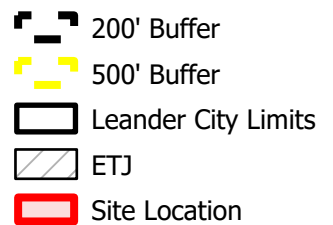
Future Land Use Map

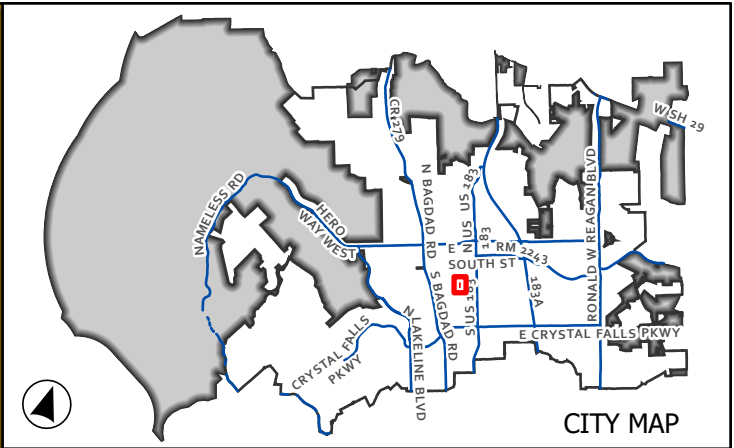
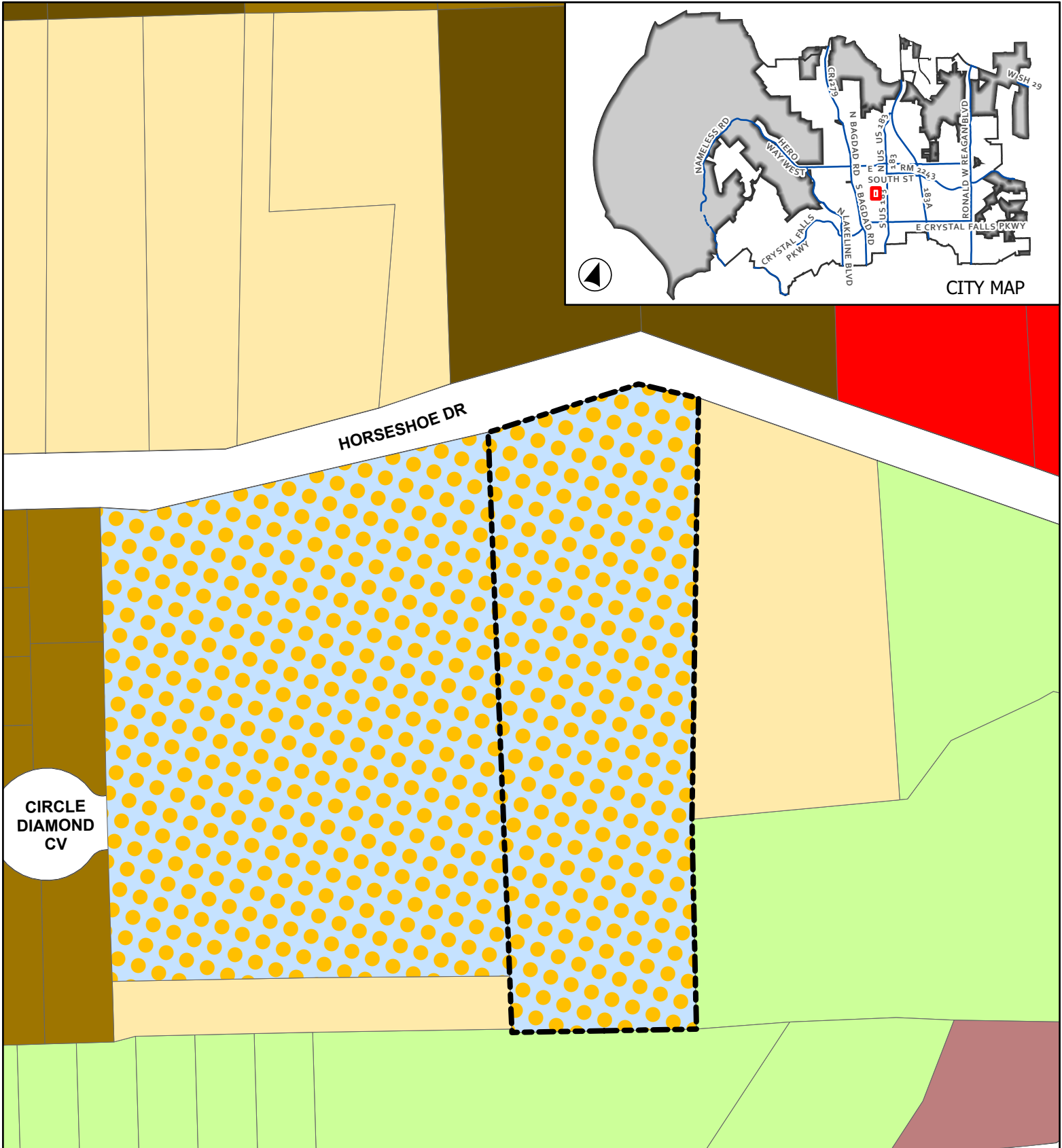
This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the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



- Leander City Limits
- Leander ETJ
- Subject Area
- Collector, Existing

- Future Land Use**
- Neighborhood Residential
 - Transitional Residential
 - Urban Mixed Use
 - Greenway





CASE: Z-22-0019

ATTACHMENT 5

HORSESHOE ADDITION PUD

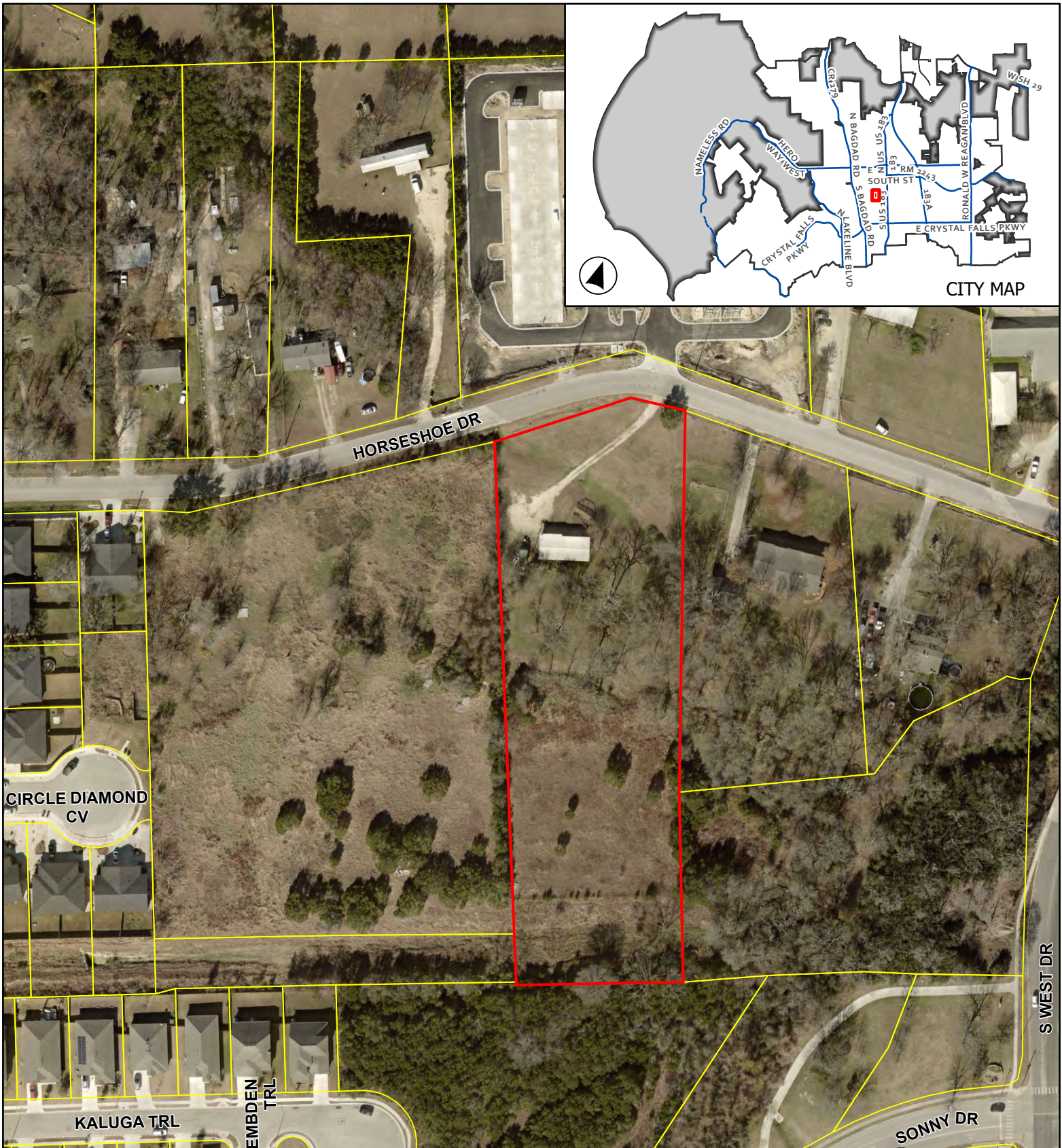
Proposed Zoning

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- Leander City Limits
- Proposed ETJ
- Subject Area
- SFU - Single-Family Urban
- SFU/MH - Single-Family Urban/Manufactured Home
- TF - Two Family
- MF - Multi-Family
- LC - Local Commercial
- GC - General Commercial
- PUD - Townhomes

0 50 100

Feet



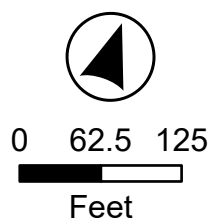
CASE: Z-22-0019

ATTACHMENT 3

HORSESHOE ADDITION PUD

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

Horseshoe PUD Addition

A. Purpose and Intent

1. The Horseshoe PUD Addition is comprised of 2.9 acres, as shown in **Exhibit B**. The development of this property includes Single-Family Townhouse.

B. Applicability and Base Zoning

1. All aspects regarding the development of this PUD shall comply with the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled **Exhibit A**.
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:

SFT-2-A (Single-Family Townhouse)

C. Conceptual Site Layout and Land Use Plan

1. A Conceptual Site Layout and Land Use Plan has been attached to this PUD, **Exhibit C**, to illustrate the design intent for the property. The Conceptual Site Layout and Land Use Plan is intended to serve as a guide to illustrate the general community vision and design concepts and is not intended to serve as a final document.

D. Allowable Use

1. The allowable uses shall include detached residential dwellings, with multiple units permitted on a single lot.
2. The maximum unit count shall be 23 units.
3. The unit size shall be a minimum of 900 square feet per attached unit. Patios (covered or uncovered) and decks are not included in this dimension.
4. A maximum of eight attached units shall be permitted per building.

E. Development Standards

1. The following setbacks shall apply.

	Building Setbacks	Paving Setbacks
Front-Loaded		
Unit Width (minimum unit width)	20 ft.	-
Front Setback (from public streets)	20 ft.	20 ft.
Front Setback (from private streets)	15 ft.	15 ft.
Perimeter Setback (minimum)	20 ft.	5 ft.
Building Separation (minimum)	10 ft.*	-

** 10 feet on both sides of a building with attached units.*

F. Private Drives

1. The proposed homes will front a private drive as shown on Exhibit C, and will not have rear alley access. The private drive cross section is provided as Exhibit D.
2. Refer to the 'Typical Drive Sections' detail in Exhibit D for the detailed cross section of the private drive.
3. Private drives shall conform to minimum width and turning radius requirements to allow for fire access.
4. Access to the site may be gated. Geometric layout of the gated entries will be detailed at the Site Plan phase and will be designed to not affect public R.O.W.

G. Garage and Parking Requirements

1. All garages associated townhomes shall comply with Article VIII Architectural Standards of the Composite Zoning Ordinance unless modified herein.
2. Units will have single or double car garages with private driveway and community parking for a minimum total count of 3 spaces per unit.
3. A minimum of ten (10%) percent of required parking spaces will be unassigned guest parking in common areas. These spaces may be placed across both the adjacent Horseshoe PUD and this property.

H. Lighting

1. Street lighting shall be required at drive intersections with public streets. Street lighting to be optional in the interior of the project.

I. Sidewalks

1. Walkways are provided to the mailbox central to the property and a pedestrian connection (which may be concrete or crushed granite) to Horseshoe Drive.
2. A concrete sidewalk will be placed along Horseshoe Drive.

J. Landscape and Fencing

1. This project shall comply with the applicable Landscape Requirements for single-family districts as listed in Article VI of the Composite Zoning Ordinance. In addition, this project shall comply with the multi-family provisions regarding Tree Preservation and Protection.
2. The intent for this development is to provide an attractively landscaped vista. Each unit will install at minimum one 2-inch caliper tree and four shrubs per residential unit.
3. A minimum six (6) feet tall masonry wall shall be provided along the boundary with Horseshoe Drive.
4. Picket fencing may be perimeter fences along the eastern, western and southern boundaries of the property.
5. Street trees and shrubs shall be planted in the front setbacks adjacent to Horseshoe Drive at a ratio of two – 2 caliper inch trees and four shrubs per 600 square feet.
6. Side setbacks along the west and east side of the property shall include shrubs planted at a ratio of four shrubs per 600 square feet.
7. Turf grass in the landscape strips between sidewalk and street pavement shall be allowed so long as irrigation is installed in a drip system and not reliant on spray heads.
8. Any HOA Landscape Lots or community common space shall be limited to fifty (50%)

percent turf grass coverage. This restriction does not apply to stormwater detention or water quality facility areas.

9. The development will meet all city parkland dedication requirements.

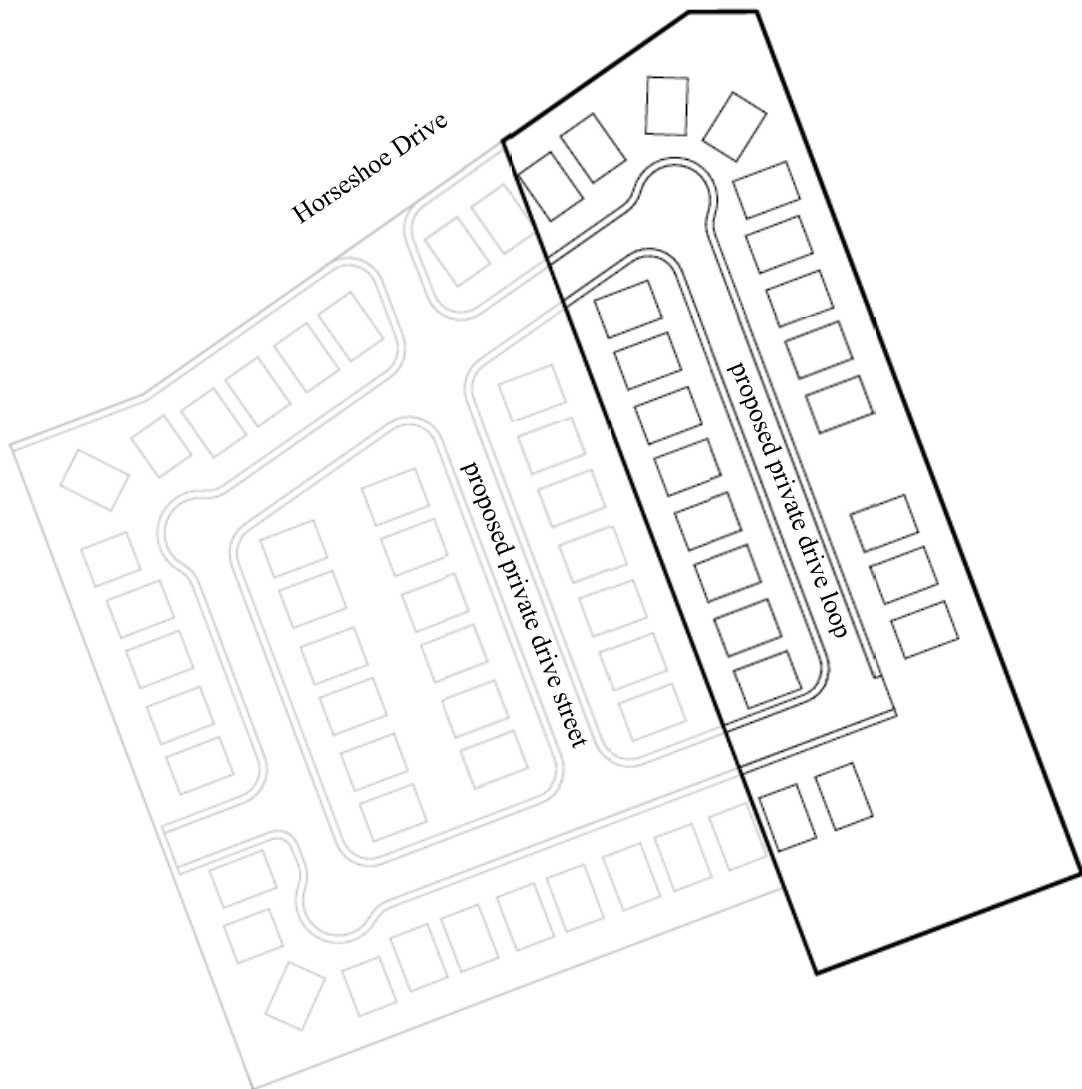
EXHIBIT B

Legal Description

Lot 22, Block A, Leander Heights Section Two, a subdivision in Williamson County, Texas, according to the map or plat as recorded in Cabinet B, Slide 105, of the Plat Records, Williamson County, Texas.

Exhibit C
Concept Plan

This exhibit is conceptual and has not been reviewed for compliance with the Composite Zoning Ordinance or Subdivision Ordinance.





June 27, 2022

City of Leander Planning Department
105 North Brushy Street
PO Box 319
Leander, TX 787646

Re: Horseshoe PUD Addition Resubmittal

Please find attached, an application to create a Planned Unit Development ("PUD") at the property located at 500 Horseshoe Drive.

The property totals 2.9 acres and is currently zoned Single-Family Urban / Manufactured Home.

The applicant is requesting a zoning change to establish the Horseshoe PUD Addition that would allow for development of up to 23 single-family townhomes in condominium regime on one lot, with the same base zoning district, waivers, and higher standards as the existing Horseshoe PUD. In response to Leander city staff comments, this resubmittal reflects a reduced maximum unit count of 23 residential dwellings or approximately 8 units per acre.

The applicant believes the proposed zoning change would facilitate development that is consistent with the adjacent use and provide continuity to with the homes being developed in the surrounding area. Additionally, the applicant is the developer of both Horseshoe PUD and Horseshoe PUD Addition, which should further facilitate the creation of a cohesive and attractive development.

Please feel free to contact us if you have any questions or need additional information. Thank you for your assistance in processing this zoning request.

Sincerely,

A handwritten signature in black ink, appearing to read "BCA", written over a light blue horizontal line.

Brian Crittendon
Cascade Homes, LLC
President

APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

This summary is only required for a PUD or a Minor PUD.

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.

The surrounding owners were notified two weeks in advance, via a mailed letter, of an information session we hosted on August 2nd at a nearby restaurant. Addresses and materials presented at the information session are attached.

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.

Both property owners and the neighboring HOA were notified. Addresses and names attached.

3. What concerns were raised during these communications?

None

4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

None given the lack of concerns.

The above information is deemed to be true to the best of my knowledge.

Signature: 

Date 10/26/22

Horseshoe PUD Addition*List of Property Owners Within 500 Feet*

Property Owner	Property Address	Parcel ID Number	Mailing Address
Jimmie Short	605 Horseshoe Dr., Leander, TX 78641	R036487	605 Horseshoe Dr., Leander, TX 78641
Ignacio Bernal	601 Horseshoe Dr., Leander, TX 78641	R427545	1405 Pecan St. Cedar Park, TX 78613
Hector M Vasquez & Maria Del Rosario Romo	509 Horseshoe Dr., Leander, TX 78641	R427546	509 Horseshoe Dr., Leander, TX 78641
Equity Trust Co Custodian fbo John Steczkowski IRA	507 Horseshoe Dr., Leander, TX 78641	R036485	675 Whitewater Dr., Betram, TX 78605
Pete Herrera	505 Horseshoe Dr., Leander, TX 78641	R036484	505 Horseshoe Dr., Leander, TX 78641
Venkatapurna Parathasarathy & Lakshmi Surekha Madhira	506 Lion Dr., Leander, TX 78641	R036470	213 Southern Cross Dr., Austin, TX 78717
Syed Raza Rizvi	500 Lion Dr., Leander, TX 78641	R036471	500 Lion Dr., Leander, TX 78641
HG Developers LLC	414 Lion Dr., Leander, TX 78641	R036472	209 Sky Springs Pass, San Marcos, TX 78666
Barbara A, John E & David L Davis	410 Lion Dr., Leander, TX 78641	R036473	410 Lion Dr., Leander, TX 78641
N E Walker Inc.	401 Horseshoe Dr., Leander, TX 78641	R036480	PO Box 1274 Leander, TX 78646
Platinum 2021 LLC	Sonny Dr., Leander, TX 78641	R036222	13917 Carolina Ln., Austin, TX 78759
Keene Roofing LLC	800 S West Dr., Leander, TX 78641	R496108	1821 Morgans Point Rd., Belton, TX 76513
Woods Commercial Inc.	804 S West Dr., Leander, TX 78641	R496109	23084 Nameless Rd., Leander, TX 78641
Magnolia Homeowners Association	400 Sonny Dr., Leander, TX 78641	R456319	2300 Greenhill Dr. #1010, Round Rock, TX 78664
Horseshoe Apartments LLC	501 Horseshoe Dr., Leander, TX 78641	R563415	12669 S FM 548 Royse City, TX 75189
Ldon Shipman	407 Horseshoe Dr., Leander, TX 78641	R036481	PO Box 906, Cedar Park, TX 78630
Shane Derocher	402 Horseshoe Dr., Leander, TX 78641	R036464	402 Horseshoe Dr., Leander, TX 78641
Michael DeGrasse	408 Horseshoe Dr., Leander, TX 78641	R036463	PO Box 449, Port Neches, TX 77651
Leander Circle Diamond LLC	600-721 Circle Diamond Ln., Leander 78641	R557948	1610 Williams Dr., Georgetown, TX 78628



500-510 HORSESHOE FEASIBILITY

500-510 HORSESHOE DRIVE
LEANDER, TEXAS USA

ISSUE:
FEASIBILITY
DATE:
03/11/2022
PROJECT NUMBER:
2022-0007
SHEET TITLE:
SITE CONCEPT -
SHARED WQ
PHASE 2
SD1.03



1 SITE PLAN - FEASIBILITY

SCALE: 1" =100' NOTE: UNIT FOOTPRINT IS REPRESENTATIONAL AND MAY CHANGE.



CASCADE HOMES

500-510 HORSESHOE FEASIBILITY

500-510 HORSESHOE DRIVE
LEANDER, TEXAS USA

ISSUE:
FEASIBILITY
DATE:
03/11/2022
PROJECT NUMBER:
2022-0007
SHEET TITLE:
SITE CONCEPT -
SHARED WQ

SD1.01

©2022 Forge Craft Architecture + Design



PROJECT TEAM		PROJECT INFORMATION		SHEET INDEX	
PROJECT NAME:	HORSESHOE	PROJECT NAME: HORSESHOE		AGN0.1 COVER SHEET, SHEET INDEX, PROJECT INFORMATION, PROJECT TEAM	
LOCAL JURISDICTION	XXX	LOCATION: TEXAS			
BUILDER/OWNER:	CASCADE HOMES	PROJECT TYPE: SINGLE FAMILY FOR RENT			
ARCHITECT:	BSB DESIGN-DALLAS	THE PROJECT SHALL COMPLY WITH THE FOLLOWING BUILDING CODES:		ELEVATION A	
STRUCTURAL ENGINEER:	XXX			A1.1A	MAIN FLOOR PLAN
ELECTRICIAN:	XXX			A2.1A	UPPER FLOOR PLAN
PLUMBING:	XXX			A3.1A	FRONT & LEFT EXTERIOR ELEVATIONS
ENERGY CONSULTANT:	XXX			A3.2A	RIGHT & REAR EXTERIOR ELEVATIONS
MECHANICAL CONSULTANT:	XXX			A3.3A	ROOF PLAN
				ELEVATION B	
				A1.1B	MAIN FLOOR PLAN
				A2.1B	UPPER FLOOR PLAN
				A3.1B	FRONT & LEFT EXTERIOR ELEVATIONS
				A3.2B	RIGHT & REAR EXTERIOR ELEVATIONS
				A3.3B	ROOF PLAN



Elevation A

Elevation B

Horseshoe

Austin, Texas

SQUARE FOOTAGES		
	Elevation A	Elevation
MAIN FLOOR LIVING	678	678
UPPER FLOOR LIVING	843	843
TOTAL LIVING	1521	1521
GARAGE	417	417
PORCH	55	55
PATIO	61	61

ISSUE DATE: MU-DA-YEAR

REVISIONS

CONCLUSIONS

THESE PLANS AND SPECIFICATIONS ARE PROTECTED UNDER
FEDERAL COPYRIGHT LAWS. © BSB DESIGN MAINTAINS
OWNERSHIP OF SUCH AND ALL RIGHTS AND PRIVILEGES.

DESIGN DEVELOPMENT - MAY 26, 2022

Cascade Homes
901 S. MoPac Expressway
Building 1, Suite 300
Austin Texas



www.bsbdesign.com

7855 Dallas Parkway, Suite 105
Dallas, Texas 75287
972 720 1778

JOB NO: SR220237.00 PROJ MGR: CR
DRAWN: KDB CHECKED: CR

COVER SHEET,
SHEET INDEX,
PROJECT INFORMATION,
PROJECT TEAM

**HORSESHOE
PLAN A**

AGN0.1

PROJECT TEAM		PROJECT INFORMATION		SHEET INDEX	
PROJECT NAME:	HORSESHOE	PROJECT NAME: HORSESHOE		AGN0.1 COVER SHEET, SHEET INDEX, PROJECT INFORMATION, PROJECT TEAM ELEVATION A A1.1A MAIN FLOOR PLAN A2.1A UPPER FLOOR PLAN A3.1A FRONT & LEFT EXTERIOR ELEVATIONS A3.2A RIGHT & REAR EXTERIOR ELEVATIONS A3.3A ROOF PLAN ELEVATION B A1.1B MAIN FLOOR PLAN A2.1B UPPER FLOOR PLAN A3.1B FRONT & LEFT EXTERIOR ELEVATIONS A3.2B RIGHT & REAR EXTERIOR ELEVATIONS A3.3B ROOF PLAN	
LOCAL JURISDICTION	XXX	LOCATION: TEXAS			
BUILDER/OWNER:	CASCADE HOMES	PROJECT TYPE: SINGLE FAMILY FOR RENT			
ARCHITECT:	BSB DESIGN-DALLAS	THE PROJECT SHALL COMPLY WITH THE FOLLOWING BUILDING CODES:			
STRUCTURAL ENGINEER:	XXX	-2012 INTERNATIONAL RESIDENTIAL CODE			
ELECTRICIAN:	XXX	-2012 INTERNATIONAL MECHANICAL CODE			
PLUMBING:	XXX	-2012 INTERNATIONAL PLUMBING CODE			
ENERGY CONSULTANT:	XXX	-2011 NATIONAL ELECTRICAL CODE			
MECHANICAL CONSULTANT:	XXX	-2012 INTERNATIONAL FIRE CODE			
		-2012 INTERNATIONAL ENERGY CODE			
		-ALL APPLICABLE STATE AND LOCAL CODES.			



Elevation A

Elevation B

Horseshoe

Austin, Texas

SQUARE FOOTAGES		
	Elevation A	Elevation B
MAIN FLOOR LIVING	727	727
UPPER FLOOR LIVING	1077	1077
TOTAL LIVING	1804	1804
GARAGE	413	413
PORCH	57	57
PATIO	60	60

ISSUE DATE: MO-DA-YEAR

REVISIONS

THESE PLANS AND SPECIFICATIONS ARE PROTECTED UNDER

Cascade Homes
901 S. MoPac Expressway
Building 1, Suite 300
Austin Texas



www.bsbdesign.com
17855 Dallas Parkway, Suite 105
Dallas, Texas 75287
972 720 1778

JOB NO: SR220237.00 **PROJ MGR:** C
DRAWN: KDB **CHECKED:** C

COVER SHEET,
SHEET INDEX,
PROJECT INFORMATION,
PROJECT TEAM

**HORSESHOE
PLAN C**

AGN0.1

DESIGN DEVELOPMENT - MAY 26, 2022

PROJECT TEAM		PROJECT INFORMATION		SHEET INDEX	
PROJECT NAME:	HORSESHOE	PROJECT NAME:	HORSESHOE	AGN0.1 COVER SHEET, SHEET INDEX, PROJECT INFORMATION, PROJECT TEAM	
LOCAL JURISDICTION	XXX	LOCATION:	TEXAS		
BUILDER/OWNER:	CASCADE HOMES	PROJECT TYPE:	SINGLE FAMILY FOR RENT	ELEVATION A	
ARCHITECT:	BSB DESIGN-DALLAS	THE PROJECT SHALL COMPLY WITH THE FOLLOWING BUILDING CODES:		A1.1A	MAIN FLOOR PLAN
STRUCTURAL ENGINEER:	XXX			A2.1A	UPPER FLOOR PLAN
ELECTRICIAN:	XXX			A3.1A	FRONT & LEFT EXTERIOR ELEVATIONS
PLUMBING:	XXX			A3.2A	RIGHT & REAR EXTERIOR ELEVATIONS
ENERGY CONSULTANT:	XXX			A3.3A	ROOF PLAN
MECHANICAL CONSULTANT:	XXX	-2012 INTERNATIONAL RESIDENTIAL CODE -2012 INTERNATIONAL MECHANICAL CODE -2012 INTERNATIONAL PLUMBING CODE -2011 NATIONAL ELECTRICAL CODE -2012 INTERNATIONAL FIRE CODE -2012 INTERNATIONAL ENERGY CODE -ALL APPLICABLE STATE AND LOCAL CODES.		ELEVATION B	
				A1.1B	MAIN FLOOR PLAN
				A2.1B	UPPER FLOOR PLAN
				A3.1B	FRONT & LEFT EXTERIOR ELEVATIONS
				A3.2B	RIGHT & REAR EXTERIOR ELEVATIONS
		A3.3B	ROOF PLAN		



Elevation A

Elevation B

Horseshoe

Austin, Texas

SQUARE FOOTAGES		
	Elevation A	Elevation B
MAIN FLOOR LIVING	899	899
UPPER FLOOR LIVING	1192	1207
TOTAL LIVING	2091	2106
GARAGE	413	413
PORCH	53	53
PATIO	60	60

ISSUE DATE: MU-DA-YEAR

REVISIONS

CONCLUSIONS

THESE PLANS AND SPECIFICATIONS ARE PROTECTED UNDER
FEDERAL COPYRIGHT LAWS. © BSB DESIGN MAINTAINS
OWNERSHIP OF SUCH AND ALL RIGHTS AND PRIVILEGES.

DESIGN DEVELOPMENT - MAY 26, 2022

Cascade Homes
901 S. MoPac Expressway
Building 1, Suite 300
Austin Texas



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DESIGN

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55 Dallas Parkway, Suite 105
Dallas, Texas 75287
972 720 1778

JOB NO: SR220237.00 PROJ MGR: CR
DRAWN: KDB CHECKED: CR

COVER SHEET,
SHEET INDEX,
PROJECT INFORMATION,
PROJECT TEAM

**HORSESHOE
PLAN D**

AGN0.1

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 HORSESHOE ADDITION PUD (PLANNED UNIT DEVELOPMENT) WITH THE BASE ZONING DISTRICT OF SFT-2-A (SINGLE-FAMILY TOWNHOUSE); 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 2.9 acres, ±; being more particularly described in Exhibit "B"; and identified by tax identification number R036462; more particularly described in Instrument Number 2022080151 recorded in the Official Public Records of Williamson County, Texas.

SECTION 4. Property Rezoned. The Zoning Ordinance is hereby amended by creating the Horseshoe Addition PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse). The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", and "C" 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 1st day of December, 2022.

FINALLY PASSED AND APPROVED on this the 15th day of December, 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

November 10, 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 present except Commissioner Moss.
3. Swearing of Planning and Zoning Commissioners Ron May and Donnie Mahan.
Mayor Christine DeLisle swore in Commissioner May and Commissioner Mahan.
4. Director's report to the Planning & Zoning Commission on actions taken by the City Council at the November 3, 2022 meeting.
5. Review of meeting protocol.
6. Citizen Comments:
No one wished to speak.

CONSENT AGENDA: ACTION

7. Approval of the submittal schedule for Subdivision, Site Development Applications, and Dry Utility Applications pursuant to Article IX, Section 9 (a) (1) b. of the Composite Zoning Ordinance and Article II, Section 20 (e) of the Subdivision Ordinance; Leander, Williamson & Travis Counties, Texas.

8. Approval of Subdivision Case 20-FP-017 regarding Palmera Bluff Section 4 Final Plat on three parcels of land approximately 35.76 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcels R032201, R032200 and R032109; generally located northwest of the terminus of Logan Del Way and Tarvin Elementary School in Palmera Bluff Phase 11 , Leander, Williamson County, Texas.
9. Approval of Subdivision Case 20-FP-027 regarding Palmera Bluff Section 2 Final Plat on one parcel of land approximately 28.89 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcel R032201; generally located northeast of the intersection of Isaias Drive and Clarissa Lynn Way, and northeast of Tarvin Elementary School in Palmera Bluff Phase 11 , Leander, Williamson County, Texas.
10. Approval of Subdivision Case FP-22-0005 regarding Urbana at Hero Way Final Plat on nine parcels of land approximately 18.12 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcels R432891, R366161, R032167, R432893, R635406, R432892, R575954, R336502 and R635407; generally located at 13303 Hero Way, Leander, Williamson County, Texas.
11. Approval of Subdivision Case FP-22-0010 regarding Horizon Lake Phase 3 Section 3 Final Plat on one parcel of land approximately 12.870 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R031236; generally located west of Horizon Park Blvd. and Leeward Pass, Leander, Williamson County, Texas.
12. Approval of Minutes.
Commissioner Carpenter motioned to approve Consent Agenda items 7-12, seconded by Commissioner May.
6-0 pass

PUBLIC HEARING: ACTION

13. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0019 to amend the current zoning of SFU/MH-2-B (Single-Family Urban/Manufactured House) to adopt the Horseshoe PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) on one parcel of land approximately 2.9 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036462; and more commonly known as 500 Horseshoe Drive, Leander, Williamson County, Texas.
 - Discuss and consider action regarding Zoning Case Z-22-0019 as described above.

Motion made by Vice Chair Donnie Mahan, seconded by Commissioner Laura Lantrip to approve the zoning case.

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

NAY: Commissioner Rick Carpenter, Commissioner Gary Hampton, Jr.

4 - 2 Passed

14. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0026 to amend the current zoning of LO-3-B (Local Office) to adopt the Northpoint PUD (Planned Unit Development) with the base zoning district of LC-2-A (Local Commercial) on one parcel of land approximately 13.871 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R599180; and more commonly known as 10880 W Crystal Falls Pkwy, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0026 as described above.

Approved to be presented on next P & Z meeting (11/22/22). 6-0

Motion: Ron May

Second motion: Richard Carpenter

Motion made by Commissioner Ron May, seconded by Commissioner Rick Carpenter to reschedule the P&Z meeting to 11/22/2022 to allow for updates to the PUD.

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

6 - 0 Passed

15. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0035 to amend the current zoning of LC-2-B (Local Commercial), TF-2-B (Two-Family), SFU-2-B (Single-Family Urban), and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) and LC-2-A (Local Commercial) on four parcels of land approximately 14.79 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R491364, R511667, R501146, and R579460; and generally located to the northeast of the intersection of Bagdad Road and W San Gabriel Pkwy, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0035 as described above.

Motion made by Commissioner Laura Lantrip, seconded by Vice Chair Donnie Mahan to approve the zoning case.

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

6 - 0 Passed

REGULAR AGENDA

16. Adjournment at 7:37 pm.

APPROVED:

CHAIRMAN COSGROVE

ATTEST:

ELLEN COUFAL
PLANNING & ZONING COMMISSION SECRETARY



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Conduct a Public Hearing regarding Zoning Case Z-22-0026 to amend the current zoning of LO-3-B (Local Office) to adopt the Northpoint PUD (Planned Unit Development) with the base zoning district of LC-2-A (Local Commercial) on one (1) parcel of land approximately 13.871 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R599180; and more commonly known as 10880 W. Crystal Falls Parkway, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0026 as described above.

BACKGROUND:

This request is the second step in the zoning process.

HISTORY/TIMELINE:

11/06/2002 - The northern portion of the lot was annexed.
01/03/2007 - The small back west portion was annexed.
01/13/2013 - The southern portion of the lot was annexed.
06/29/2020 - Plat Date
11/10/2022 - 1st Public Hearing, Planning & Zoning Commission
11/22/2022 - Planning & Zoning Commission Action

APPLICANT/AGENT:

Headwaters Capital Partners (Rachel Shanks) on behalf of Northpoint Austin (Barry Cox)

RECOMMENDATION:

Staff recommends approval of the request. The Planning & Zoning Commission reviewed this request during the November 11, 2022 meeting and requested that the applicant work with staff to update the project to clarify manufacturing and limit the hours of operation. The Planning & Zoning Commission recommendation from the November 22, 2022 meeting will be available at the 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. Minor PUD Notes
8. Letter of Intent

9. Neighborhood Outreach Report

10. Ordinance

11. Draft P&Z Minutes 11/10



PLANNING ANALYSIS

ZONING CASE 22-Z-026 NORTHPOINT PUD

GENERAL INFORMATION

Owner/Agent: Headwaters Capital Partners (Rachel Shanks) on behalf of Northpoint Austin (Barry Cox).

Current Zoning: LO-3-B (Local Office)

Proposed Zoning: Northpoint PUD (Planned Unit Development) with the following base zoning district:
LC-2-A (Local Commercial)

Size and Location: The property is located at 10880 W Crystal Falls Pkwy, including approximately 13.871 acres.

Staff Contact: Justin Hunt
Planner

APPLICANT REQUEST

The applicant has submitted a request to change the designated zoning district of their property in order to allow for the additional uses of manufacturing as a secondary use as well as associated warehouse and distribution uses.

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 property is located within a Multi-Use Corridor and is currently limited to office uses. The request to add manufacturing as a secondary use is not allowed by right in the LC (Local Commercial) use component, but can be permitted through the use of a PUD (Planned Unit Development). Manufacturing as a secondary use allows for secondary processing, fabrication, or assembly of semi-finished uses. This type of manufacturing is limited to 40,000 square feet, and must be contained entirely inside the building and an entire building may not be used for manufacturing. The manufacturing use is limited to fifty (50%) of the total building, and manufacturing shall only be permitted on the front portion of the property. The remainder (100 feet from the rear property line) shall be limited to uses permitted in the LC use component. Also, parking and drive aisles associated with distribution shall not be permitted 100 feet from the rear property line, and overhead doors shall be limited to the interior of the project and shall not face adjacent residential properties. The applicant has also entered into a masonry agreement to provide 100% masonry on the buildings.

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

	ZONING	LAND USE
NORTH	Roadway/School	E. Crystal Falls Parkway & Rouse High school
EAST	SFC-2-B	Cold Springs subdivision
SOUTH	PUD-SF	Crystal Springs Subdivision
WEST	PUD-SF	Crystal Springs Subdivision

SURROUNDING AREA:

This property is located west of the Cold Springs subdivision and south of E. Crystal Falls Pkwy. The Crystal Springs subdivision is surrounding the remaining sides of the property. The adjacent properties fronting E. Crystal Falls Parkway are zoned Local Commercial.

PHYSICAL AND NATURAL FEATURES:

This property is undeveloped with half the lot covered in trees.

PROPERTY HISTORY:

The subject area contains three annexations. The north portion of the lot was annexed 11/6/2002, a small back west portion of the property was annexed 1/3/2007, and the south portion was annexed 1/13/2013. This lot was platted with the Northpoint Short Form Final Plat and recorded 6/29/2020.

MAJOR CORRIDORS:

This property has access onto E. Crystal Falls Parkway.

TRANSPORTATION PLAN REQUIREMENTS:

The development of the property has not been evaluated for roadway adequacy/boundary street improvements, turn lanes, deceleration lanes or TIA at this time.

EXISTING UTILITIES:

This property has access to water along E. Crystal Falls Parkway (figure 1) and wastewater along the southern property boundary (figure 2).



Figure 1 Water



Figure 2 Wastewater

CURRENT LAND USES:

The property is currently undeveloped.

PROPOSED ZONING DISTRICT:**PUD – PLANNED UNIT DEVELOPMENT:**

The purpose and intent of the Planned Unit Development (PUD) district is to design unified standards for development in order to facilitate flexible, customized zoning and subdivision standards which encourage imaginative and innovative designs for the development of property within the City. The intent of this zoning request is to provide for a commercial development that includes office and commercial uses, as well as manufacturing as a secondary use. The contents of this PUD further explain and illustrate the overall function desired for this development. A Conceptual Site Layout and Land Use Plan has been attached to this PUD, Exhibit C, to illustrate the design intent for the property. The Conceptual Site Layout and Land Use Plan is intended to serve as a guide to illustrate the general community vision and design concepts and is not intended to serve as a final document. The intent of this zoning district is to cohesively regulate the development to assure compatibility with adjacent single-family residences, neighborhoods, and commercial properties within the region.

USE COMPONENT**LC – LOCAL COMMERCIAL:**

Features: Any use in LO plus retail sales and services, restaurants, banks, nursery or greenhouse, grocery sales, pharmacies, fitness centers, dance and music academies, artist studio, colleges and universities, bed and breakfast. Hours of operation: 5:00 a.m. to 10:00 p.m. Sun.-Thurs., 5:00 a.m. to 11:00 p.m. Fri. and Sat.

Intent: Development of small scale, limited impact commercial, retail, personal services and office uses located in close proximity to their primary customers, which cater to the everyday needs of the nearby residents, and which may be located near residential neighborhoods. Access should be provided by a collector or higher classification street.

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 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

- Strategy 1.1: Guide future growth and development following the comprehensive plan to achieve a more balanced, diverse economy.

Applicable Future Land Use categories

MULTI-USE CORRIDOR

- The Multi-Use Corridor future development category is intended for mixed-use areas to be developed at a higher density/intensity and with uses not primarily supported in Neighborhood Residential. These areas are intended to provide for a mix of both commercial and residential uses that are not integrated into neighborhoods but maintain a seamless, compatible transition between residential and commercial uses.

Multi-Use Corridors are not intended for strip commercial nor are they expected to be predominantly commercial. These corridors have been identified as opportunity areas for businesses and daily services, high-intensity residential such as townhouses, civic and employment uses, but also traditional single-family neighborhoods where streets access these corridors.

These areas are intended to be developed with an auto-oriented character, which means vehicles and parking areas are a primary visual characteristic from the street. Access management is recommended to maintain safe traffic movement along these streets. Appropriate bufferyards are required to ensure compatibility with adjacent Neighborhood Residential.

NEIGHBORHOOD RESIDENTIAL

- The Neighborhood Residential land use category is intended to be developed primarily as new single-family detached residential subdivisions with associated amenities, such as parks, trails, open space areas, and elementary schools. These areas are intended to have a mix of suburban and auto-oriented development character which are primarily found in the form of detached residential lots.

Architectural styles, building height and massing are relatively uniform in this type of land use. Most streets are considered to be local and low-volume with curb and gutter, sidewalks, consistent speeds and highly accessible driveways. Strategically located parks are essential and in some cases a school or other institutional use are integrated or in close proximity.

Some neighborhood-serving retail and office uses are permitted in these areas with highly-restrictive use, site and design requirements. These type of uses are residential in scale and architectural design and are walkable in nature, though auto-serving. These uses are not shown on the Future Land Use Map as commercial and are supported when integrated into a development with appropriate site and zoning compatibility considerations.

INTERGOVERNMENTAL/INTERDEPARTMENTAL REVIEW:

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

SCHEDULE:
DEVELOPMENT MEETING

A development meeting was held with staff on 5/2/2022 and no significant changes have accrued from their original proposal.

NOTIFICATION

- 10/20/2022 - Public Notice on Hill Country News
- 10/26/2022 - Mail Notification to Property Owners within 200'
- 10/26/2022 - Public Hearing Signage Posted on Property
- 11/10/2022 - Planning and Zoning Commission Public Hearing
- 12/01/2022 - City Council Public Hearing & First Reading of the Ordinance
- 12/15/2022 - 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. No concerns have been brought up.

A neighborhood outreach letter was mailed out 07/18/2022. Please see the Neighborhood Outreach attachment 9 for more detail.





APPROVAL CRITERIA:

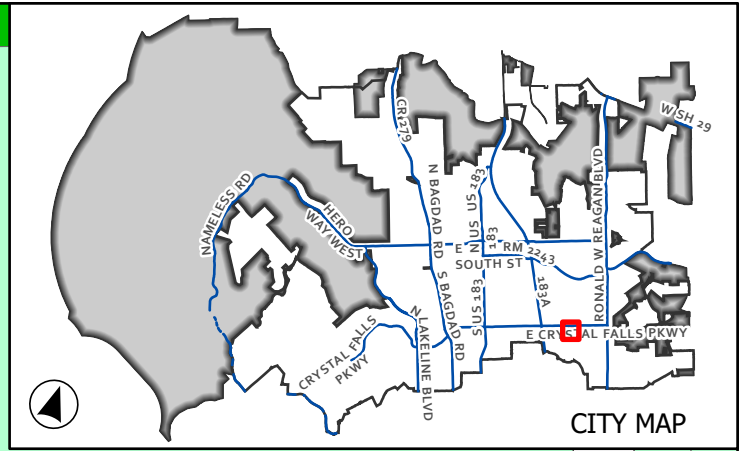
The majority of this property falls under the Multi-Use Corridor. Because of the higher standards of the PUD, the requested PUD with base zoning of LC-2-A (Local Commercial) is a compatible use category in the Future Land Use map.

The applicant is requesting a more intense use than what could be permitted at this location, but with higher standards the more intense use of manufacturing as a secondary use and the associated warehouse, and distribution are limited. The LC base zoning also includes restricted hours of operation which would not be applicable to the property if it were zoned with the HC (Heavy Commercial) use component.

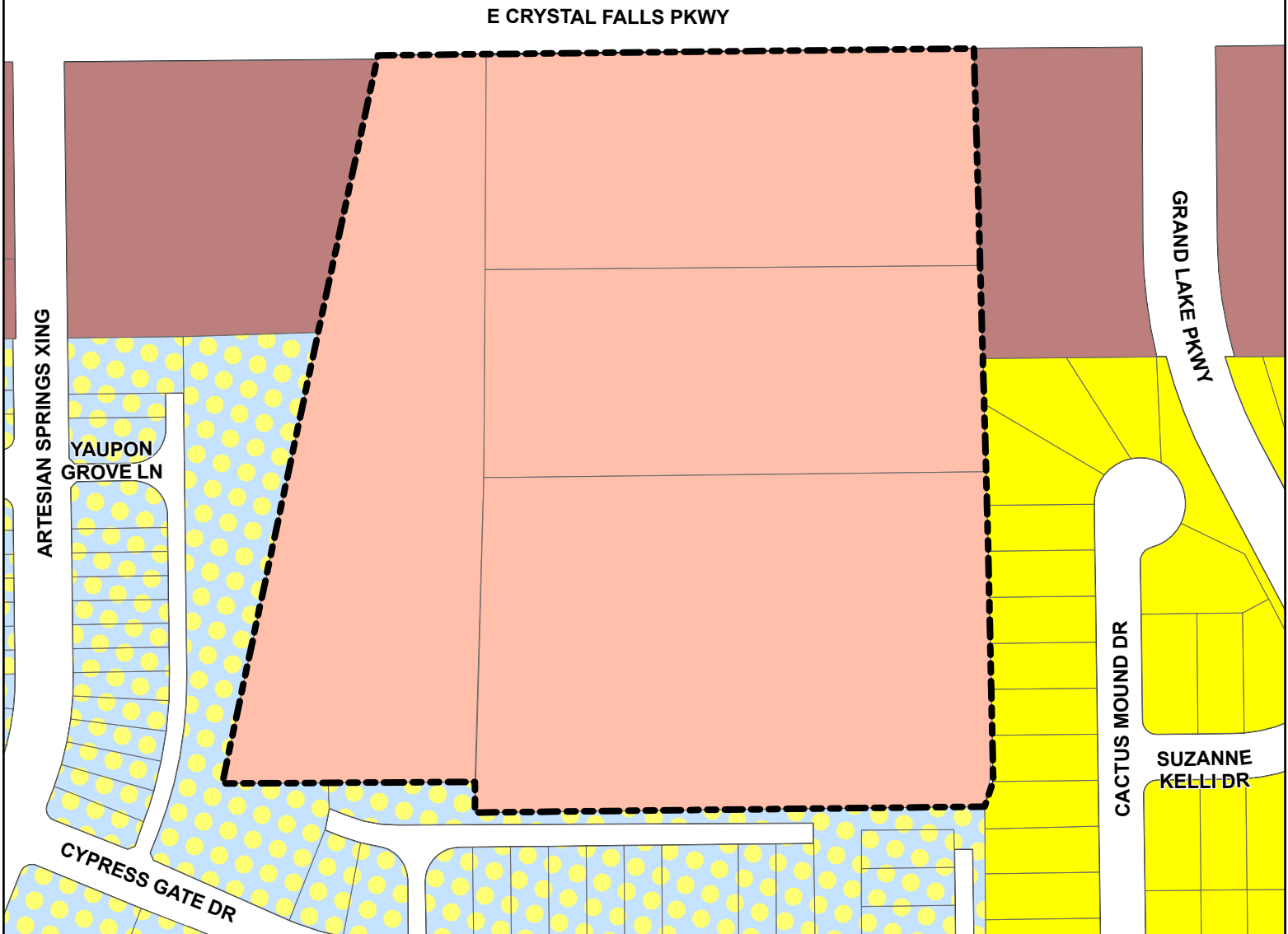
In addition to the higher standards established by the PUD, the Composite Zoning Ordinance requires the developer to provide a 6' masonry screening wall for commercial development adjacent to residential. Furthermore, the ordinance requires a 50' building setback for new buildings adjacent to residentially zoned property.

This Planned Unit Development includes the following allowed/prohibited uses

HIGHER STANDARDS	WAIVERS
	Allowing manufacturing as a secondary use as well as the associated processing and distribution.
	Manufacturing is limited to 40,000 square feet, and must be contained entirely inside the building
	Manufacturing use is limited to fifty (50%) of the total building, and manufacturing shall only be permitted on the front portion of the property.
Parking and drive aisles associated with distribution shall not be permitted 100 feet from the rear property line.	
Overhead doors shall be limited to the interior of the project and shall not face adjacent residential properties.	
100% Masonry on all new buildings.	



CITY MAP



CASE: Z-22-0026

ATTACHMENT 2

NORTHPOINT
MINOR PUD

Current Zoning

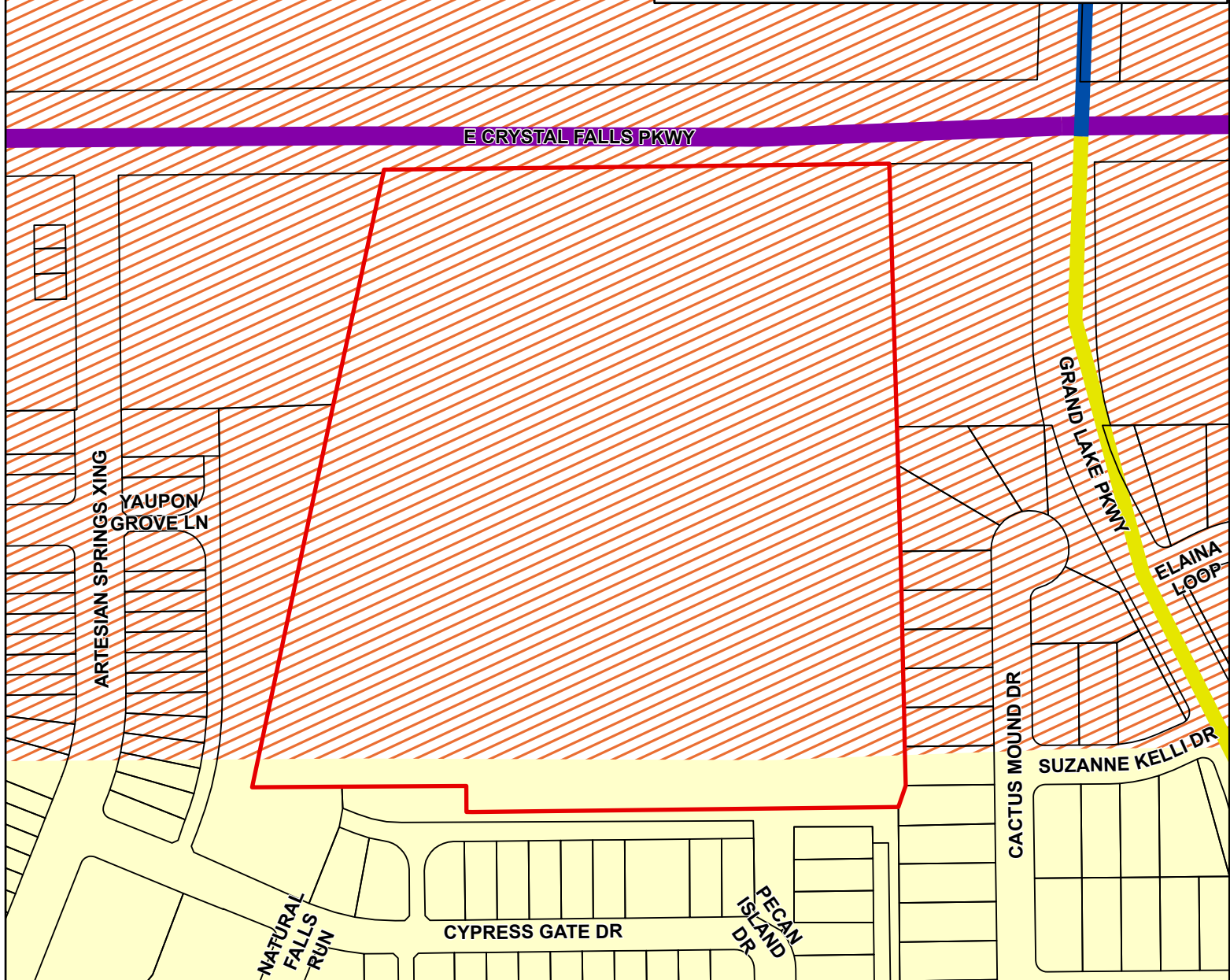
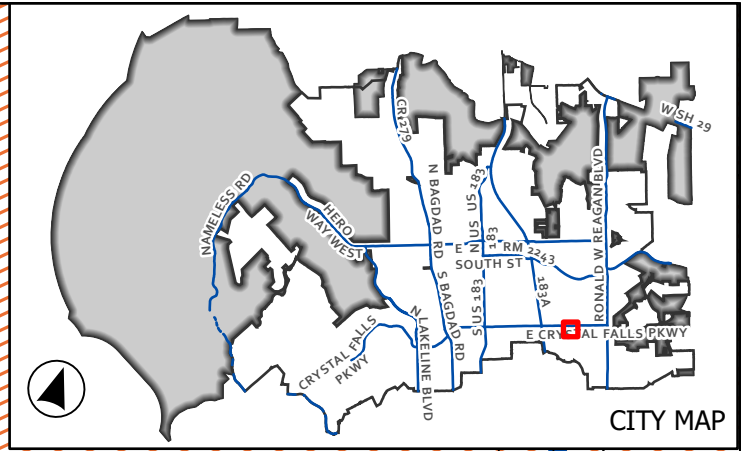
This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the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

- Leander City Limits
- Proposed ETJ
- Subject Area
- SFR - Single-Family Rural
- SFS - Single-Family Suburban

- SFC - Single-Family Compact
- LO - Local Office
- LC - Local Commercial
- PUD - Single-Family



0 60 120
Feet



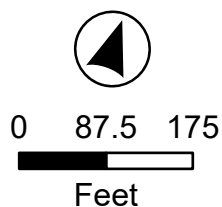
CASE: 22-Z-0026

ATTACHMENT 3

NORTHPOINT
MINOR PUD

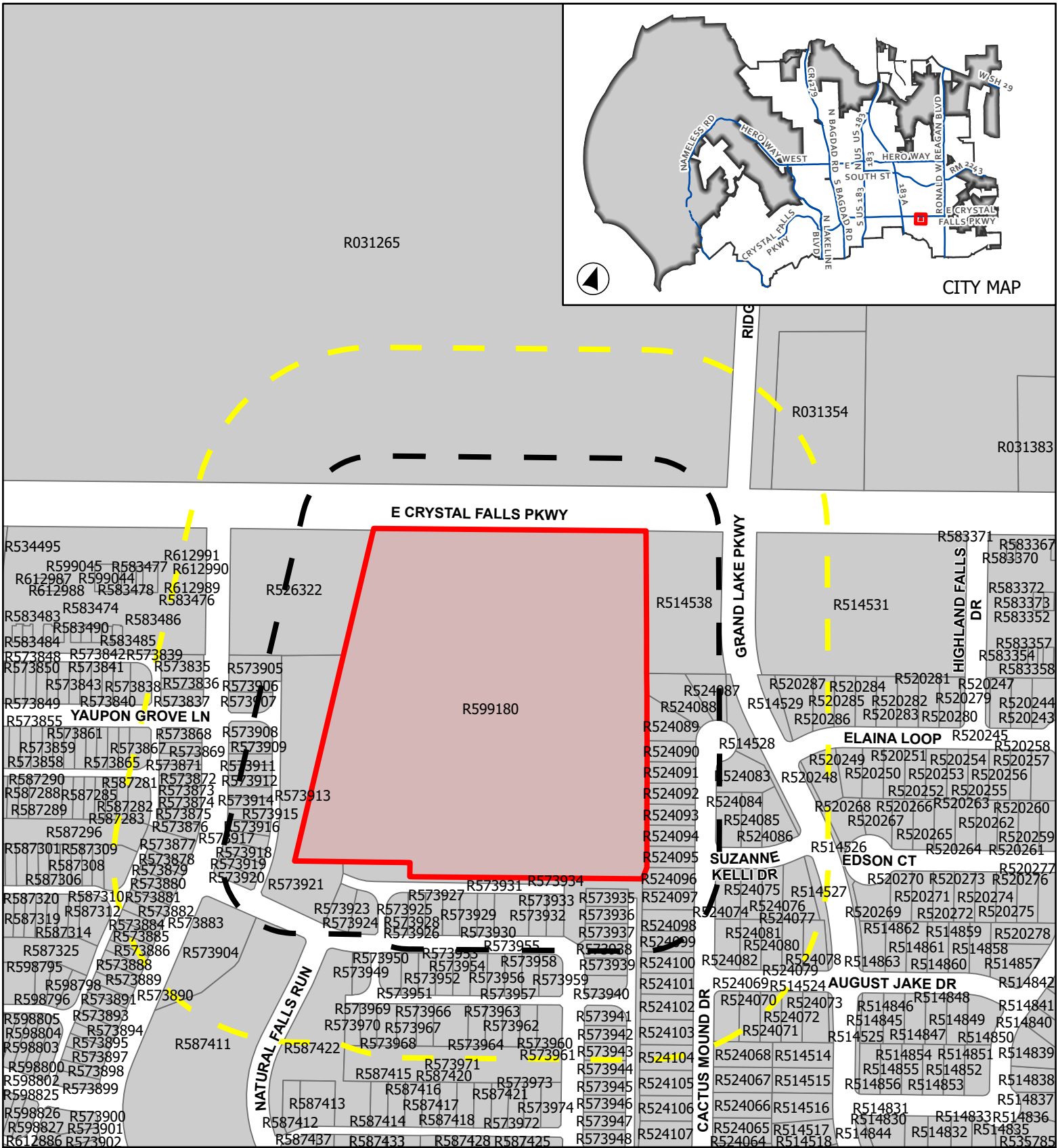
Future Land Use Map

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
- Arterial 4 Lane, Existing
- Collector, Existing

- Rural, Existing
- Future Land Use**
- Neighborhood Residential
- Multi-Use Corridor



CASE: Z-22-0026 ATTACHMENT 4 NORTHPOINT MINOR PUD

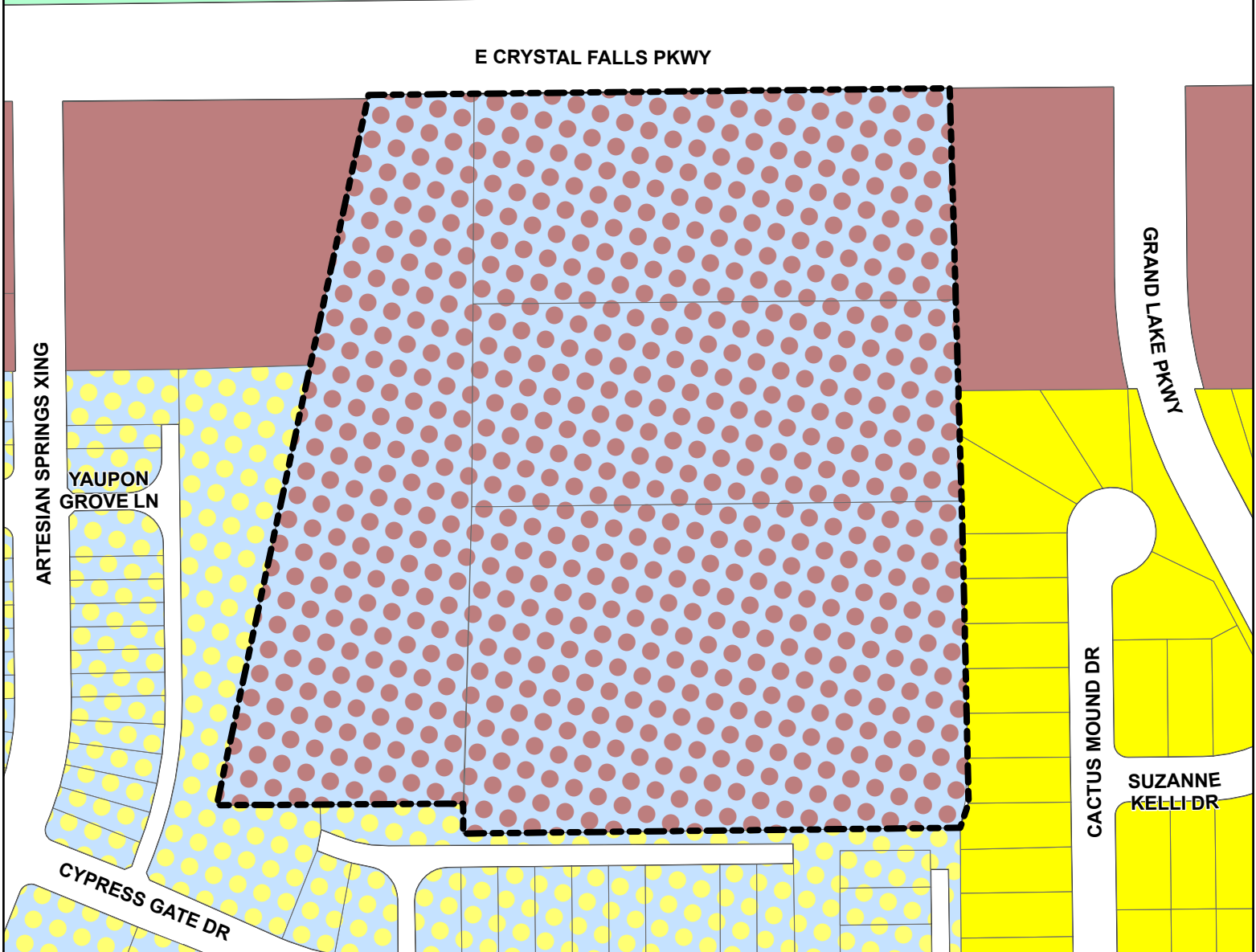
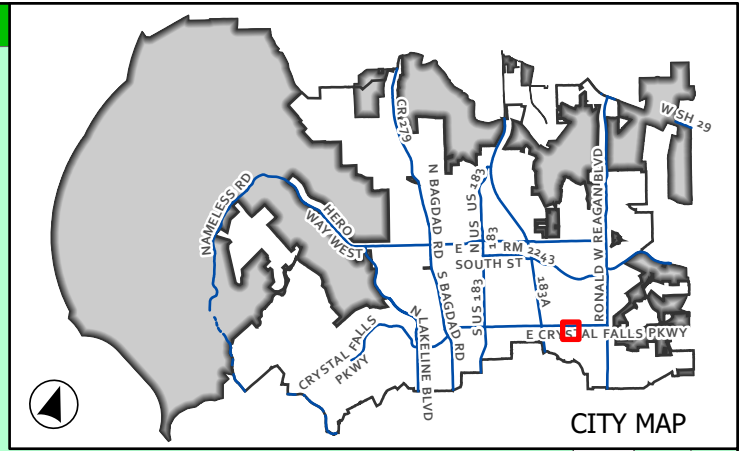
PUBLIC NOTIFICATION

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0 145 290

Feet

- 200' Buffer
- 500' Buffer
- Leander City Limits
- ETJ
- Site Location



CASE: Z-22-0026

ATTACHMENT 5

NORTHPOINT
MINOR PUD

Proposed Zoning

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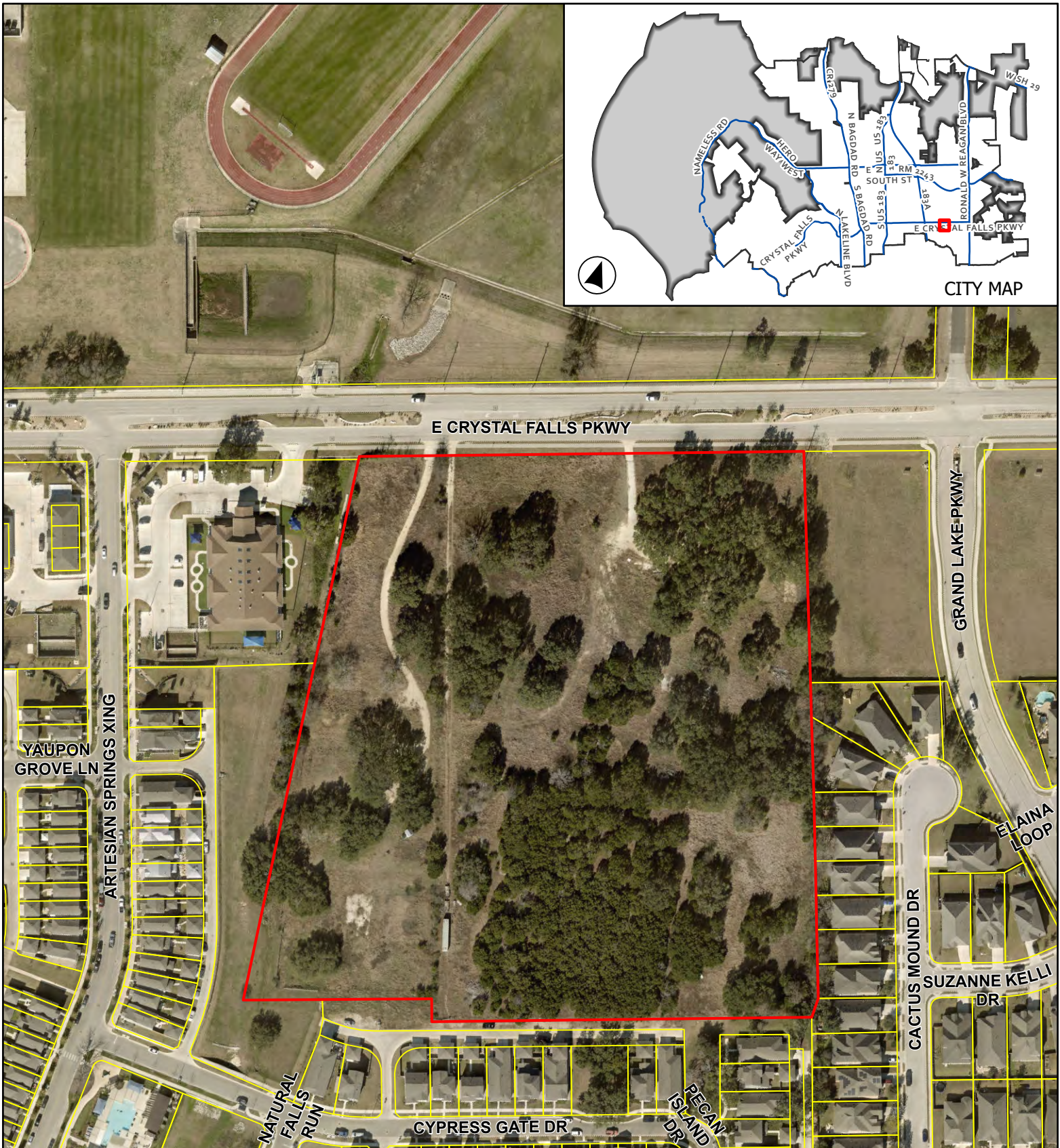
- Leander City Limits
- Proposed ETJ
- Subject Area
- SFR - Single-Family Rural
- SFS - Single-Family Suburban

- SFC - Single-Family Compact
- LC - Local Commercial
- PUD - Single-Family
- PUD - Local Commercial



0 60 120

Feet



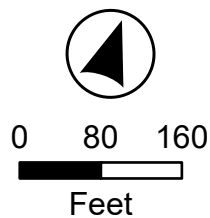
CASE: Z-22-0026

ATTACHMENT 3

**NORTHPOINT
MINOR PUD**

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

Northpoint PUD Minor Planned Unit Development

A. Purpose and Intent

1. The Northpoint PUD is comprised of approximately 13.781 acres (the “Subject Property”), as shown in **Exhibit B**. The development of this property includes several office buildings and a church, as shown in **Exhibit C**.

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**.
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.

LC-2-A (Local Commercial)

C. Allowable / Prohibited Uses

1. The allowable uses shall include those permitted items within LC-2-A Local Commercial District and additional uses as listed below.
 - a. Manufacturing as a secondary use – Establishments engaged in the manufacture of products for final use or consumption. This usually involves the secondary processing, fabrication, or assembly of semi-finished uses. This type of manufacturing is limited to 40,000 square feet located on the Subject Property. Manufacturing must be contained entirely inside the building and an entire building may not be used for manufacturing. The manufacturing is limited to fifty (50%) of the total building. Warehouse storage and distribution of the manufactured goods is permitted as an accessory use.
2. The prohibited uses shall include manufacturing as a primary use and outdoor manufacturing.

D. Development Standards

1. The manufacturing uses listed in Section C shall only be permitted on the front portion of the property. The remainder (100 feet from the rear property line) shall be limited to uses permitted in the LC use component.
2. Parking and drive aisles associated with distribution shall not be permitted 100 feet from the rear property line.
3. Overhead doors shall be limited to the interior of the project and shall not face adjacent residential properties.
4. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday through Saturday. Hours of operations do not apply to church events located inside the church building such as lock-ins.

EXHIBIT B LEGAL DESCRIPTION:

DESCRIPTION OF A 10.221 ACRE TRACT OF LAND LOCATED IN THE WALTER CAMPBELL SURVEY, ABSTRACT NO. 3, WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 10.59 ACRE TRACT DESCRIBED IN VOLUME 1827, PAGE 950, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING THAT SAME 10.59 ACRES CONVEYED TO CATHY LYNNE BROUN BY INDEPENDENT EXECUTOR'S DISTRIBUTION DEED OF RECORD IN DOCUMENT NUMBER 2015035808, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT CALLED 0.3631 ACRE TRACT CONVEYED TO THE CITY OF LEANDER BY SPECIAL CASH WARRANTY DEED OF RECORD IN DOCUMENT NUMBER 2003044998, SAID OFFICIAL PUBLIC RECORDS, SAID 10.221 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod found, in the south right-of-way line of County Road 272, more commonly known as East Crystal Falls Parkway, a variable width roadway, of which no dedication was found to date, for the southeast corner of said 0.3631 acre City of Leander tract, being the southwest corner of a called 0.3069 acre tract conveyed to the City of Leander by Special Cash Warranty Deed of record in Document No. 2002053535, said Official Public Records, being the northwest corner of COLD SPRINGS, SECTION TWO, a subdivision of record in Document No. 2012008535, said Official Public Records, for the northeast corner of the herein described tract, from which a 1/2-inch iron rod with cap stamped "G&R SURVEYING" found, bears North 70°00'01" East, with said south right-of-way of East Crystal Falls Parkway, a distance of 180.10 feet;

THENCE, with the east line of said 10.59 acres, being the east line of the herein described tract, the following two(2) courses and distances:

1. South 21°10'32" East, with the west line of said COLD SPRINGS, SECTION TWO, and COLD SPRINGS, SECTION FIVE, a subdivision of record in Document No. 2013089271, said Official Public Records, a distance of 489.78 feet, to a 1/2-inch iron rod found;

2. South 20°45'40" East, continuing with the west line of said COLD SPRINGS, SECTION FIVE, a distance of 329.86 feet, to a 1/2-inch iron rod with cap stamped "STEGER BIZZELL" set, for a northeast corner of a tract called 128.40 acres conveyed to Century Land Holdings II, LLC, by Special Warranty Deed of record in Document No. 2017090246, said Official Public Records, for the southeast corner of said 10.59 acres, and for the southeast corner of the herein described tract;

THENCE, South 69°36'47" West, with the north line of said 128.40 acre tract, being the south line of said 10.59 acre tract, and being the south line of this tract, being the same line described in a Boundary Line Agreement of record in Document No. 2013067006, said Official Public Records, a distance of 556.89 feet, to a 1/2-inch iron rod with illegible cap found for an interior ell corner of said 128.40 acre tract, being the southwest corner of said 10.59 acre tract and being the southwest corner of the herein described tract;

(Continued)

THENCE, with the west line of said 10.59 acre tract and being the west line of the herein described tract, the following two(2) courses and distances:

1. North 19°04'13" West, with an east line of said 128.40 acre tract and the east line of a remainder tract called 8.07 acres conveyed to David O. Brown, and spouse, Mary J. Brown in a General Warranty Deed with Vendor's Lien of record in Document No. 2005045871, said Official Public Records, a distance of 328.85 feet, to a 1/2-inch iron rod found;

2. North 19°12'22" West, continuing with said 8.07 acre remainder tract, a distance of 488.26 feet, to a 1/2-inch iron rod with cap stamped "COTTON SURVEYING" found in the said south right-of-way of East Crystal Falls Parkway, for the northeast corner of said 8.07 acre remainder tract, being the southeast corner of a called 0.0845 acre tract conveyed to the City of Leander by Special Cash Warranty Deed of record in Document No. 2002066206, said Official Public Records, being the southwest corner of said 0.3631 acre tract, for the northwest corner of the herein described tract, from which an "X" cut in concrete found, bears South 69°21'12" West, a distance of 116.77 feet;

THENCE, North 69°19'29" East, with the said south right-of-way line of East Crystal Falls Parkway, a distance of 530.38 feet, to the POINT OF BEGINNING, and containing 10.221 acres of land, more or less, within these metes and bounds.

BEING A 3.56 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE WALTER CAMPBELL SURVEY, ABSTRACT NO. 3, SITUATED IN THE CITY OF LEANDER, WILLIAMSON COUNTY, TEXAS, SAME BEING THE CALLED 8.07 ACRE TRACT OF LAND, AS DESCRIBED IN A DEED TO DAVID O. BROWN AND SPOUSE, MARY J. BROWN, IN DOCUMENT NUMBER 20050405871, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THE CALLED 0.0845 OF AN ACRE TRACT, AS DESCRIBED IN A DEED TO THE CITY OF LEANDER IN DOCUMENT NUMBER 2002066206, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, AND SAVE AND EXCEPT THE CALLED 4.42 ACRE TRACT OF LAND, AS DESCRIBED IN A DEED TO CS LEANDER I, LTD., A TEXAS LIMITED PARTNERSHIP, IN DOCUMENT NUMBER 2013050833, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, at a found 1/2" iron rod, on the east right-of-way line of East Crystal Falls Parkway (a variable width right-of-way; a.k.a County Road 272), at the northwest corner of Lot 6, Block R, Cold Springs, Section Two, a subdivision as recorded in Doc. No. 2012008535, Official Public Records, Williamson County, Texas, same being a point on the east line of a called 10.59 acre tract as described in a deed (now or formerly) to Waurane Jones Cluck in Volume 1827, Page 950, Deed Records, Williamson County, Texas, also being the southeast corner of a called 0.3631 acre tract of land, as described in a deed to the City of Leander, in Doc. No. 2003044998, Official Public Records, Williamson County, Texas.

THENCE, S 69°20'08" W along said east r.o.w., same being the south line of said 0.3631 acre tract, and traversing through said Cluck tract, for a distance of 530.35 feet, to a found 1/2" iron rod with cap stamped "Cotton Surveying", at the southwest corner of said 0.3631 acre tract, same being the southeast corner of said 0.0845 acre, and being a point on the east line of said 8.07 acre tract, for the northeast corner of herein described tract and the POINT OF BEGINNING;

THENCE, along the west line of said Cluck tract, same being the east line of said 8.07 acre tract, the following two (2) courses and distances:

1. S 19°12'38" E (S 16°34'20" E), 488.40 feet to a found 1/2" iron rod for an angle point hereof;
2. S 19°05'20" E (S 16°28'46" E), 302.33 feet to a found "A" iron rod with cap stamped "Baker", for a point on the west line of said Cluck tract, same being a point on the east line of said 8.07 acre tract, and being the northeast corner of a said 4.42 acre tract, and being a point on a northerly line of a called 128.40 acre tract of land as described in a deed to Century Land Holdings II, DBA Century LH II, LLC, in Doc. No. 2017090246, Official Public Records, Williamson County, Texas, for the southeast corner of the herein described tract;

THENCE, S 69°37'38" W (S 69°33'22" W) along the north line of said 4.42 acre tract, same being a northerly line of said Century tract, and being the south line of herein described tract, for a distance of 274.40 (274.89) feet, to a found 1/2" iron rod with cap stamped "Pape Dawson" (called to be a cap stamped "Baker" on the subdivision plat of Crystal Springs, as recorded in Doc. No. 2014003978, Official Public Records, Williamson County, Texas, as surveyed by Pape Dawson), at the northwest corner of said 4.42 acre tract, same being an angle point on the east line of Lot 3, Block A, in said Crystal Springs, and being a point on the west line of said 8.07 acre tract, for the southwest corner of the herein described tract;

THENCE, N 08°00'13" W (N 05°21'27" W) along the east line of said Lot 3, same being the west line of said 8.07 acre tract, for a distance of 501.10 (501.65 per said Crystal Springs plat) feet, to a found 1/2" iron rod with cap stamped "Baker", at the common easterly corner of said Lot 3 and Lot 4, in said Block A, same being an angle point on the west line of said 8.07 acre tract, for an angle point on the west line of the herein described tract,

THENCE, N 07°50'04" W (N 05°11'21" W) along the east line of said Lot 4, same being the west line of said 8.07 acre tract, at a distance of 14.47 feet, passing a found fence post (appears to be the called original angle corner of

(Continued)

said 8.07 acre tract), and continuing for a total distance of 307.84 (307.81 per said Crystal Springs plat) feet, to a found "X" on concrete, on the east r.o.w. of said East Crystal Falls Parkway, same being a point on the west line of said 8.07 acre tract, also being at the northeast corner of said Lot 4, and being the southwest corner of said 0.0845 acre tract. for the northwest corner of herein described tract;

THENCE, N 69°20'08" E (N 69°18'33" E) along the south line of said 0.0845 acre tract, same being north line of herein described tract, for a distance of 116.91 (116.71 feet), to the POINT of BEGINNING, containing 3.56 acres more or less.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

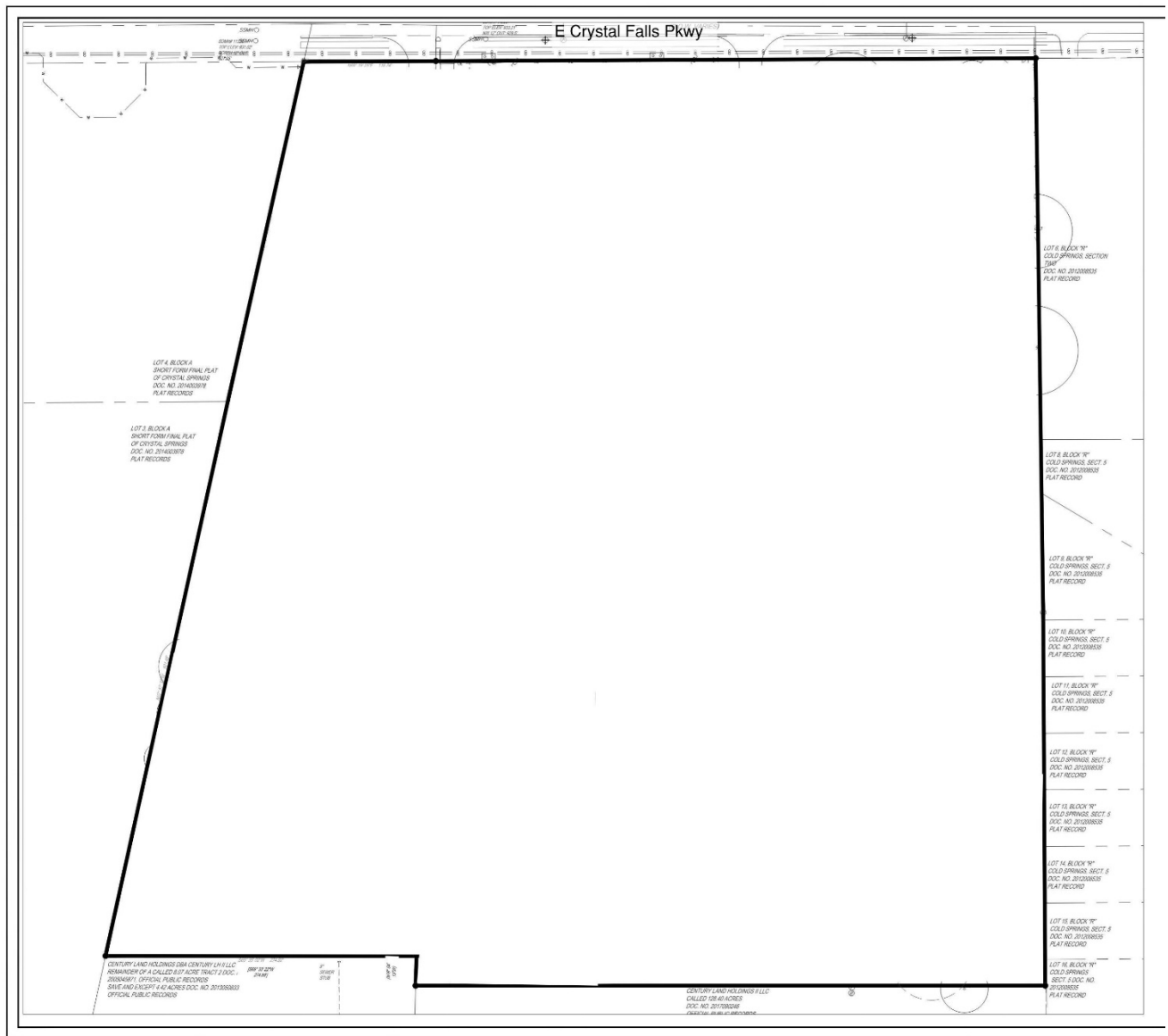
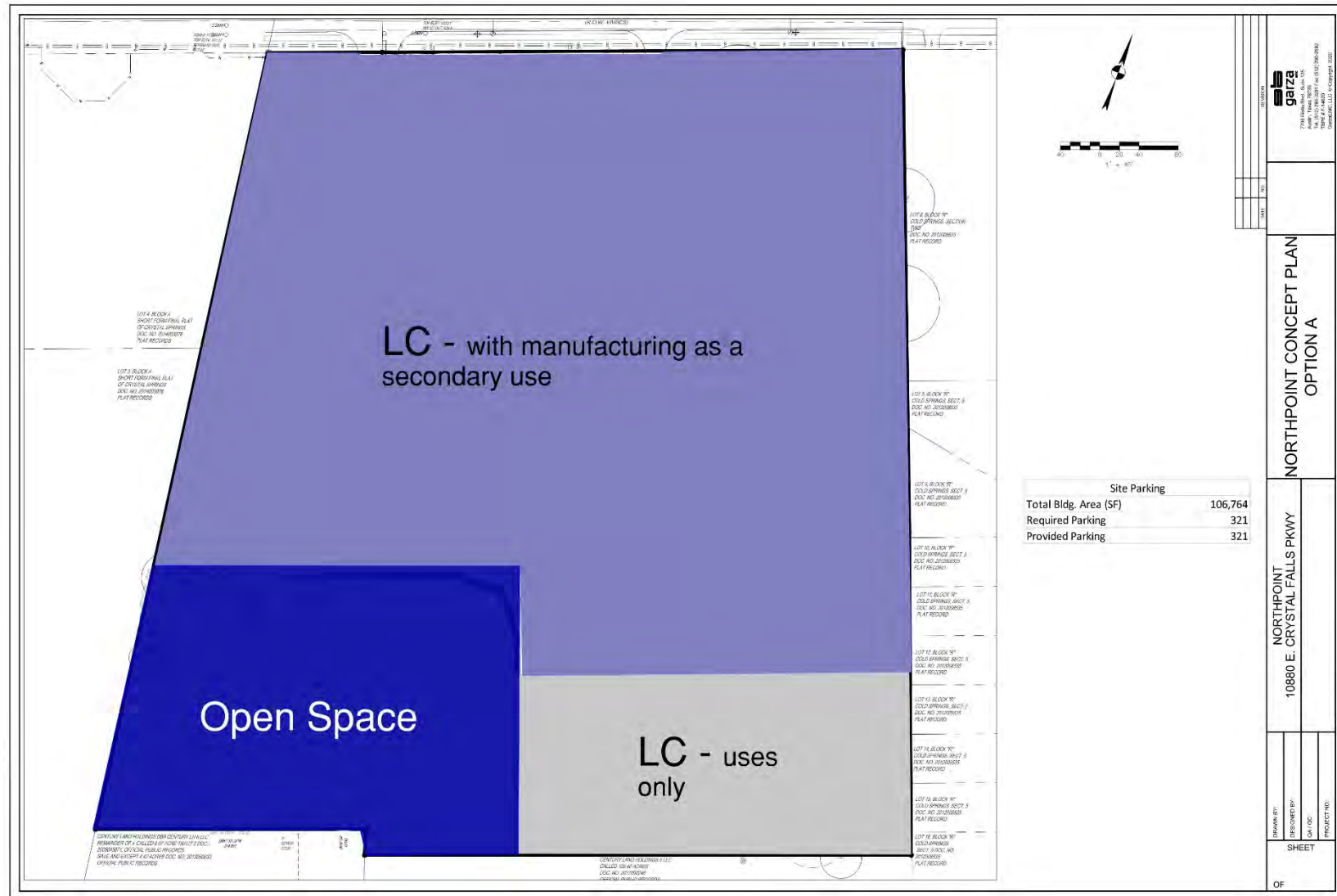


EXHIBIT C CONCEPT PLAN:





June 28, 2022

City of Leander
Planning Dep
P.O. Box 319
Leander, Texas 78646

Re: Northpoint Minor PUD
10880 E Crystal Falls Pkwy, Leander, Texas 78641

To Whom It May Concern:

On behalf of the owner, Northpoint Austin, Headwaters Capital Partners is submitting this application as intent to rezone and create a Minor PUD the following property, R599180 (13.781 acres). The intent of this application and its supporting documents is to create a Minor PUD with the base zoning designation of LC-2-C (Local Commercial).

The property in question is located along E Crystal Falls Pkwy, in between 183 A and Ronald Reagan Blvd. The nature of the existing property is primarily undeveloped with several existing trees. The site is currently zoned Local Office (LO-3-B). The site is bordered by properties zoned local commercial on the west and east boundaries, Crystal Springs PUD on the southern boundary, and Cold Springs neighborhood on the south-eastern boundary.

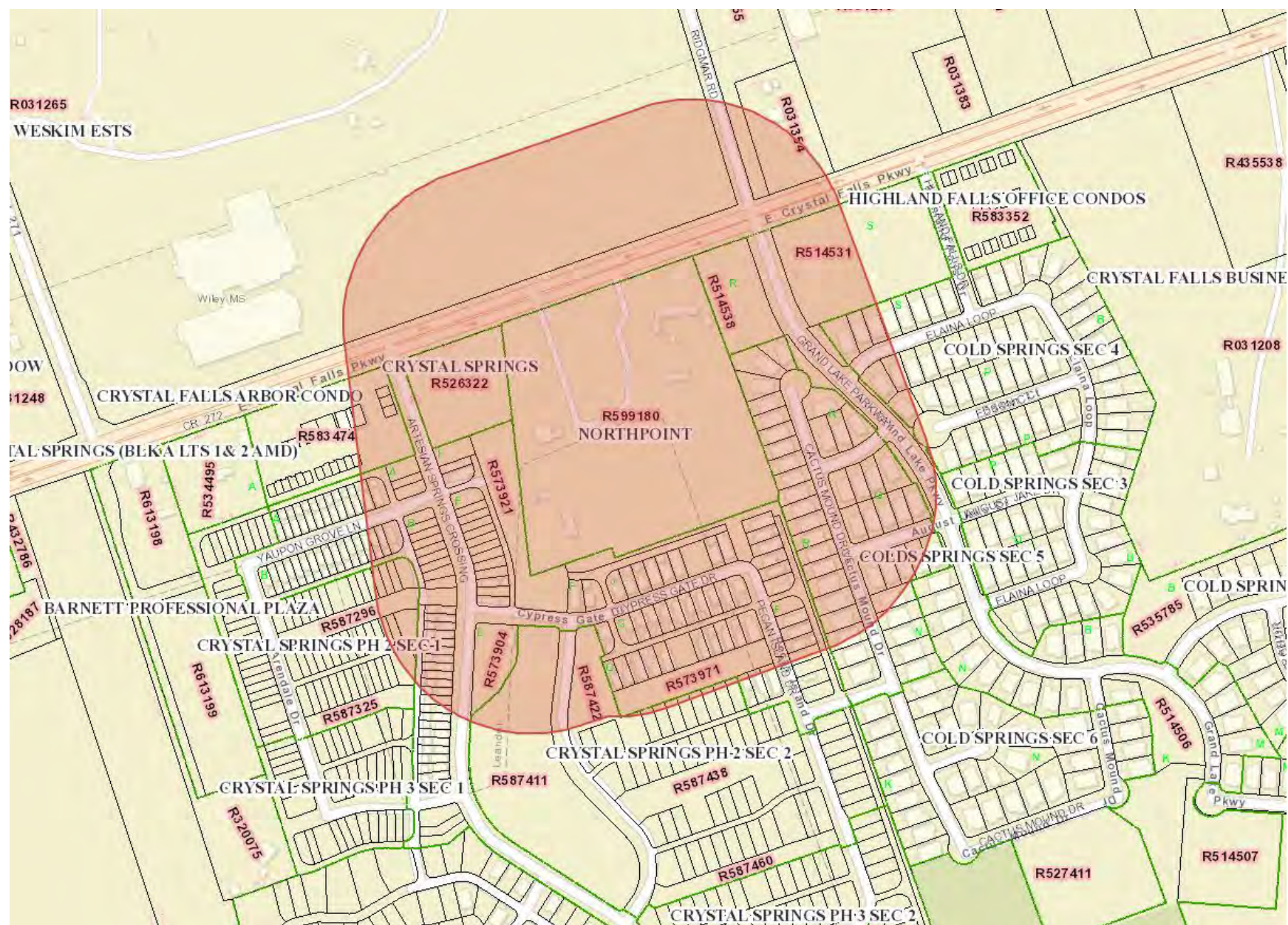
The Minor PUD proposal with a base zoning designation of LC-2-C would allow for this tract of land to have the same base zoning of the adjacent commercial tracts.

The proposed Minor PUD is also requesting for a waiver to add additional uses from Heavy Commercial zoning. The requested uses are Light Manufacturing, and Warehouse & Distribution. These additional uses will be limited to 55,000 SF building space within the project. Similar properties that have these requested uses are Crystal Falls Commerce Center LLC and Crystal Falls Business Park LLC, both zoned Heavy Commercial. These sites are approximately 600 feet and .3 miles away from the property.

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

Sincerely,
Rachel Shanks

Headwater Capital Partners
P.O. Box 1399
Georgetown, TX 78627
O: 512.763.4444
HW-Companies.com



APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

This summary is only required for a PUD or a Minor PUD.

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.

We mailed out notices to the HOAs and property owners that had different mailing address to the site addresses on July 18, 2022. We went door to door on October 21st for property owners that lived near the development. Jarrett Dooley, VP at Headwater, handled any emailed correspondence. Rachel Shanks, with Headwater, handled door to door questions.

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.

Every property owner and HOA within 500 ft was notified. Please see attached.

3. What concerns were raised during these communications?

No concerns were raised. Everyone seemed curious and supportive of the development.

4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

There were no concerns.

The above information is deemed to be true to the best of my knowledge.

Signature: Rachel Shanks Date 10/24/2022



July 18, 2022

Headwaters Capital Partners & Northpoint Church

P.O. Box 1399

Georgetown, TX 78627

RE: Notice of an application for a zoning change

Dear Property Owner,

We are in the process of submitting to the City of Leander a Minor PUD application for the property located at 10880 E Crystal Falls Pkwy, Leander, Texas 78641 in order to change the Local Office to a base zoning of Local Commercial.

For information about this zoning category, please visit:

<https://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

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

Sincerely,

Jarrett Dooley

Jarrett@HW-Companies.com

512-557-0420

Headwater Capital Partners

P.O. Box 1399

Georgetown, TX 78627

O: 512.763.4444

HW-Companies.com



R573918	MULLAPUDI, KALPANA & RAM M KANDIMALLA	1748 ARTESIAN SPRINGS XING
R573885	TARTE, MADHURI & VENKATA SANTHOSH KIRAN DINAVAH	1805 ARTESIAN SPRINGS XING
R520268	PENG, YUNXI	2101 EDSON CT
R526322	LEANDER SCHOOL PROPERTY LLC	10836 E CRYSTAL FALLS PKWY
R031354	SIMPSON, KENNETH L	10907 E CRYSTAL FALLS PKWY
R573913	ROESE, STEPHEN ROBERT & JACQUELINE ANNE	1728 ARTESIAN SPRINGS XING
R587281	GARDUNO, EDGAR CANIZALES	1868 ARENDALE DR
R587416	PATIL, NARENDRA K & SANDHYA N & MIHIR N	2129 PECAN ISLAND DR
R573873	1729 ARTESIAN LLC	1729 ARTESIAN SPRINGS XING
R573912	CHEN, TSUNG-CHE & I-CHUN	1724 ARTESIAN SPRINGS XING
R573952	CHEN, FENG & DAN WANG	1912 CYPRESS GATE DR
R524084	CHEN, TAIPING & CUIJU QIAN	2001 SUZANNE KELLI DR
R573910	WEN, TSANG-BIN & YI-JING TSAI	1716 ARTESIAN SPRINGS XING
R573924	YEUNG KWOK & MONICA TRUSTEES OF THE YEUNG FAMILY REVOCABLE LIVING TRUST	1853 CYPRESS GATE DR
R573955	SHAH, AVNI & SARIN	1924 CYPRESS GATE DR
R583476	MINER FAMILY HOLDINGS LLC SERIES 1	CRYSTAL FALLS PKWY #301
R573936	MITCHELL, BRANDT VILLAR & ELIZABETH ANNE	1808 PECAN ISLAND DR
R573939	LUTZ, JEAN-PIERRE & SARA	1820 PECAN ISLAND DR
R573880	SCHNEIDER, HANS R & VALENTYNA	1765 ARTESIAN SPRINGS XING
R573908	NEEL K KAMIDI & CHANDRIKA KASI TR OF THE NEEL K KAMIDI & CHANDRIKA KASI TRUST	1708 ARTESIAN SPRINGS XING
R573884	SUBRAMANIAN, NADHIYA	1801 ARTESIAN SPRINGS XING
R573940	TU, QIANG	1824 PECAN ISLAND DR
R524091	NGUYEN, NHATANH LUONG & STEVEN TRAN	1717 CACTUS MOUND DR
R573928	GCG INVESTMENTS LLC	1917 CYPRESS GATE DR
R573932	NAGAREDA, BRADLEY ERIC & CHRISTINA	1937 CYPRESS GATE DR
R587284	RUPPERT, JESSICA LYNN	1856 ARENDALE DR
R587309	KOLLURU, SUDHEER KUMAR	2053 ARENDALE DR
R587312	KIM, JU K & ENJUNG	2056 ARENDALE DR
R573837	MORAN, GUILLERMO ALEJANDRO & KARLA YOLANDA PEREZ ZUBIETA	1661 ARTESIAN SPRINGS XING
R573868	SANTOMARCO, GINA RENEE	1709 ARTESIAN SPRINGS XING
R573869	MORACCO, DANIELLA NICOLE	1713 ARTESIAN SPRINGS XING
R573911	JACKSON, LAUREN RAE	1720 ARTESIAN SPRINGS XING
R573872	SADLER, DANIEL MARK	1725 ARTESIAN SPRINGS XING
R573914	BRITTON, BRENDA	1732 ARTESIAN SPRINGS XING

R573875 HAYO, AMANDA JANE
R573916 SUCHON, SARAH RENEE
R573876 GUTIERRE, OWEN GARY & SARAH
R573878 PFEIFFER, EMILY J & CHRISTIAN VELOZ
R573879 YOURIEVA, SESSIL BENKOVA
R573881 SCOTT, MICHELLE LYN
R573882 GRANDA, LUIS DANIEL
R573887 SEAY, KEITH M & MARY B
R573888 ST JAMES, CARLOS
R573890 FERRING, RUSSELL SHEA & MONICA DIANE OROZCO
R573963 WHITE, SASHA LASHAYLA & JUSTIN MARQUE
R524069 JIMENEZ, JUAN JR & CARMEN I
R524082 BUSIGIN, ILLYA & ROUDELIN REGISTRE-BUSIGIN
R524070 PAILA, SREEPATHI & NEELIMA GUNITI
R524081 ATAL, VIJAY
R524071 CASTELLANOS, CHRISTOPHER LUIS & MARYELISE COLINE
R524080 SINGH, KAMALDEEP & JASPREET KAUR
R524079 KIM, PAUL J & CHRISTINE S
R524073 ENSOR, JACQUELINE
R524078 TUTTLE, PATRICIA & MORGAN A
R524087 COLON, MARIA EUGENIA & LUIS GUILLERMO GARCIA RIVADENEYRA
R524088 DANIEL, GLENN R & MEGHAN M
R524089 MENDELSON, KATHRYN & ROBERT PERKINS
R524090 VALDEZ, STACEY & ALEJANDRO
R524083 ALI, MIRZA TAHIR & SANA KHAN
R524092 ZHANG, LIJIE & HONGWEI TIAN
R524095 MYERS, SHAWN L & CRYSTAL M
R524096 MADDEN, LESLIE E & CHRISTOPHER M
R524097 CHUNG, HE U & JEE HYE JUNG
R524098 ENOCHS, BRETT A & MELISSA M
R524100 NIGHTINGALE, THOMAS & CONSTANCE
R524101 MANICKAM, YUVARAJ
R524102 SPARSCHU, ANGELIQUE & BRIAN G
R524103 SHERRILL, ALAN R & CLAUDIA K

1737 ARTESIAN SPRINGS XING
1740 ARTESIAN SPRINGS XING
1745 ARTESIAN SPRINGS XING
1757 ARTESIAN SPRINGS XING
1761 ARTESIAN SPRINGS XING
1769 ARTESIAN SPRINGS XING
1773 ARTESIAN SPRINGS XING
1813 ARTESIAN SPRINGS XING
1817 ARTESIAN SPRINGS XING
1825 ARTESIAN SPRINGS XING
1909 PECAN ISLAND DR
2000 AUGUST JAKE DR
2001 AUGUST JAKE DR
2004 AUGUST JAKE DR
2005 AUGUST JAKE DR
2008 AUGUST JAKE DR
2009 AUGUST JAKE DR
2013 AUGUST JAKE DR
2016 AUGUST JAKE DR
2017 AUGUST JAKE DR
1701 CACTUS MOUND DR
1705 CACTUS MOUND DR
1709 CACTUS MOUND DR
1713 CACTUS MOUND DR
1716 CACTUS MOUND DR
1721 CACTUS MOUND DR
1733 CACTUS MOUND DR
1737 CACTUS MOUND DR
1741 CACTUS MOUND DR
1745 CACTUS MOUND DR
1753 CACTUS MOUND DR
1801 CACTUS MOUND DR
1805 CACTUS MOUND DR
1809 CACTUS MOUND DR

R524068	WYCOFF, JEAN K & GARRET	1812 CACTUS MOUND DR
R524104	GRANDE, EDMUNDO A JR & CAROLINA	1813 CACTUS MOUND DR
R524067	STOCKTON, JONATHAN D & SHANNON L	1816 CACTUS MOUND DR
R524105	KASER, LYDIA & KEITH S	1817 CACTUS MOUND DR
R573923	ROCHE, EMILIA MARGARITA	1849 CYPRESS GATE DR
R573949	BEAN, IAN	1852 CYPRESS GATE DR
R573950	PAXTON, CHARLES STACEY & TERI & EMMA NICOLE	1904 CYPRESS GATE DR
R587310	LIU, ZHENHUA	2057 ARENDALE DR
R573839	ARELLANO, JOSE FRANCISCO A & TANIA MARIA J MENDOZA	1769 YAUPON GROVE LN
R573951	RIESTER, MECHILLE VAUGHAN	1908 CYPRESS GATE DR
R573927	SULLIVAN, LAURA	1913 CYPRESS GATE DR
R573954	BEAN, IAN	1920 CYPRESS GATE DR
R573871	KYRA HOLDINGS LLC	1721 ARTESIAN SPRINGS XING
R573929	XU, DUOHUI	1921 CYPRESS GATE DR
R573930	EQUITY TRUST COMPANY FBO JEFF WARNING IRA & FBO KANDI S WARNING IRA	1925 CYPRESS GATE DR
R573958	BROOKS, MICHAEL & JENNIFER	1936 CYPRESS GATE DR
R573959	RUSO, MATTHEW & BETH WARNING	1940 CYPRESS GATE DR
R520269	JANG, HYUNGSHIK & SUNJA KO	2104 EDSON CT
R520286	Current Owner	1704 ELAINA LOOP
R520248	CHANGSU CHOE & MINJUNG CHOE & KIL H CHOE	1705 ELAINA LOOP
R520285	SCHNUR, GARY D & LINDA J	1708 ELAINA LOOP
R520249	DOSSEY, TOMMY LEE (TOD) & BARBARA GAIL (TOD)	1709 ELAINA LOOP
R520284	MANI, SHRUTHI ARAVIND & YASHWANT DIVAKAR	1712 ELAINA LOOP
R514514	LAN, MARY & YU	2108 GRAND LAKE PKWY
R573935	HORN, ROBIN VAN	1804 PECAN ISLAND DR
R573937	MCNEEL, JOHN WORTH	1812 PECAN ISLAND DR
R573938	STEELE, CAITLIN GROOMS & GRAHAM WILLIAM	1816 PECAN ISLAND DR
R573960	RODRIGUES, THARSIO TEIXEIRA & MELISSA	1903 PECAN ISLAND DR
R587285	BOLENBAUGH, TY	1852 ARENDALE DR
R573969	DORSEY, CRAIG ALLEN & AMANDA WILSON	1923 PECAN ISLAND DR
R573970	NAUMOV, ALEKSEI ANATOLYEVICH & ANNA	1925 PECAN ISLAND DR
R573943	BRAU, TAMISON (TOD)	2012 PECAN ISLAND DR
R573944	JOSE MONTEZ & MELISSA NYGREN-MONTEZ, KIP & MARILYN NYGREN OF NYGREN FAMILY	2016 PECAN ISLAND DR
R573973	JEMISON, ANNE M	2105 PECAN ISLAND DR

R573972	ROMERO, JOSE L TORRES	2107 PECAN ISLAND DR
R587418	MIERA, MONICA MARIE	2121 PECAN ISLAND DR
R573909	SINGH, PRABJOT & JASPREET ARORA	1712 ARTESIAN SPRINGS XING
R587415	ARETY, VENU VINOD	2133 PECAN ISLAND DR
R587414	EDWA, BONNIE L	2137 PECAN ISLAND DR
R524074	ZHU, ANDY D & LIAN SHAN	2000 SUZANNE KELLI DR
R524075	DANIELS, GARY D (TOD) & JUDY	2004 SUZANNE KELLI DR
R573920	TREJO, LUIS A	1756 ARTESIAN SPRINGS XING
R524085	HALAMA, CHRISTOPHER J & MARIA GABRIELA	2005 SUZANNE KELLI DR
R524086	DYER, JIMMY & KATHRYN	2009 SUZANNE KELLI DR
R524077	MURTAZA, SYED ARSHAD & ATIYA FATIMA	2012 SUZANNE KELLI DR
R573864	GALVAN, LUIS ORLANDO	1764 YAUPON GROVE LN
R573865	SUENRAM, SASHA & JOHN GILLARD & SUSAN GILLARD	1768 YAUPON GROVE LN
R573838	GROSS, SUZANNE ELIZABETH	1773 YAUPON GROVE LN
R573867	RAGHURAMAN, KEERTHANA	1776 YAUPON GROVE LN
R573945	TRIANGLE CAPITAL INVESTMENT LLC	2020 PECAN ISLAND DR
R573919	PAREKH, EKTA K & KAUSHAL M	1752 ARTESIAN SPRINGS XING
R587417	VITHALANI, HIREN R	2125 PECAN ISLAND DR
R573953	HARPER, MATTHEW KYLE & MARIA ARAYA GONZALEZ	1916 CYPRESS GATE DR
R573956	ZHOU, ZHENZHEN	1928 CYPRESS GATE DR
R573866	DRIVER, WILLIAM & STACEY	1772 YAUPON GROVE LN
R573964	SANKOLLI-AKERAR REVOCABLE LIVING TRUST	1911 PECAN ISLAND DR
R524076	HOCK, JOHN & SOYEAN C	2008 SUZANNE KELLI DR
R524094	AHUJA, VIVEK	1729 CACTUS MOUND DR
R587283	FANG YANG AND ZHANG SHUHUI TRUSTEES OF THE FANG AND ZHANG FAMILY TRUST	1860 ARENDALE DR
R573906	CHEUNG, JOJO YATFU & PAULA	1656 ARTESIAN SPRINGS XING
R573933	KARMA PROPERTIES LLC	1941 CYPRESS GATE DR
R524093	NASIR PROPERTIES LLC	1725 CACTUS MOUND DR
R583485	THOMASVILLE NATIONAL BANK CB KEITH STEWART CUSTODY IRA	CRYSTAL FALLS PKWY #501
R587420	NIMMAKAYALA, VENKATESWARA PRASAD	2113 PECAN ISLAND DR
R514531	VSPRINGS PROPERTIES LLC	E CRYSTAL FALLS PKWY
R573966	RATHI, NITIN	1917 PECAN ISLAND DR
R573957	BANDAPALLI, KIRAN K & KASI P ANNABATHULA	1932 CYPRESS GATE DR
R612990	SRIDAH PROPERTIES LLC	CRYSTAL FALLS PKWY

R573836 LIN, LEO & HSIN CHIA WANG
R587421 JONNALAGADDA, SUMANTH
R573886 JHAVERI, ANKIT & ROBIN
R573917 BELLA VITA MANAGEMENT LLC-1744 ARTESIAN SERIES
R587419 GUTTIKONDA JAGADISH KUMAR & MOHINI SANTOSHVANI KAVATHAVARAPU
R573941 JITTA, NEELIMA NAIDU
R583474 CWS 272 LTD
R573942 MEARS, TRENT & CYNTHIA
R573974 MANDALA, NITHYA & KRISHNA
R573870 KANDIMALLA, RAM M & KALPANA MULLAPUDI
R573883 PROPERTIZ MANAGER LLC
R573926 CHENG, YUFAN
R573905 CENTURY LAND HOLDINGS dba CENTURY LH II LLC
R573925 CHOI, JONATHAN & JEONG Y
R573907 WGR GROUP LLC
R587311 LEE, HSIANG YUN & MICHAEL CHEN
R524072 RUSLI, VIVI SUHARTI & DEWI RUSLI CHANTANA
R573874 BIAN, YANHUI & BAOLIN LI
R587282 1864 ARENDALE LLC
R520287 LUEN, YUEN SANG & LAI KUEN LUEN WONG
R573962 YENSHAU, JESSICA MUCHANG & JENG-JYE SHAU
R573961 LAMA REALTY LLC
R573968 BANDARU VIJAYA & SUDHA GHANTASALA
R573967 PERUMALIL, SMITHA & HARDIK PATHAK
R514528 COLD SPRINGS HOMEOWNERS ASSOCIATION INC
R524099 LANDEROS ALFONSO LOPEZ SALGADO & FLORENCIA CARRILLO ZERMENO
R031265 LEANDER ISD TRUSTEE
R514538 MATTHEW P CARLTON & MYLINDA M CARLTON DALRYMPLE

1657 ARTESIAN SPRINGS XING
2109 PECAN ISLAND DR
1809 ARTESIAN SPRINGS XING
1744 ARTESIAN SPRINGS XING
2117 PECAN ISLAND DR
2004 PECAN ISLAND DR
CRYSTAL FALLS PKWY
2008 PECAN ISLAND DR
2103 PECAN ISLAND DR
1717 ARTESIAN SPRINGS XING
1777 ARTESIAN SPRINGS XING
1909 CYPRESS GATE DR
1652 ARTESIAN SPRINGS XING
1905 CYPRESS GATE DR
1660 ARTESIAN SPRINGS XING
2061 ARENDALE DR
2012 AUGUST JAKE DR
1733 ARTESIAN SPRINGS XING
1864 ARENDALE DR
1700 ELAINA LOOP
1907 PECAN ISLAND DR
1905 PECAN ISLAND DR
1921 PECAN ISLAND DR
1919 PECAN ISLAND DR
GRAND LAKE PKWY
1749 CACTUS MOUND DR
1222 RAIDER WAY
E CRYSTAL FALLS PKWY

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 NORTHPOINT PUD (PLANNED UNIT DEVELOPMENT) WITH THE BASE ZONING DISTRICT OF LC-2-A (LOCAL 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 13.871 acres, ±; being more particularly described in Exhibit "B"; and identified by tax identification number R599180; more particularly described in Instrument Number 2018104272 and 2018104291 recorded in the Official Public Records of Williamson County, Texas.

SECTION 4. Property Rezoned. The Zoning Ordinance is hereby amended by creating the Northpoint PUD (Planned Unit Development) with the base zoning district of LC-2-A (Local Commercial). The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", and "C" 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 1st day of December, 2022.

FINALLY PASSED AND APPROVED on this the 15th day of December, 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

November 10, 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 present except Commissioner Moss.
3. Swearing of Planning and Zoning Commissioners Ron May and Donnie Mahan.
Mayor Christine DeLisle swore in Commissioner May and Commissioner Mahan.
4. Director's report to the Planning & Zoning Commission on actions taken by the City Council at the November 3, 2022 meeting.
5. Review of meeting protocol.
6. Citizen Comments:
No one wished to speak.

CONSENT AGENDA: ACTION

7. Approval of the submittal schedule for Subdivision, Site Development Applications, and Dry Utility Applications pursuant to Article IX, Section 9 (a) (1) b. of the Composite Zoning Ordinance and Article II, Section 20 (e) of the Subdivision Ordinance; Leander, Williamson & Travis Counties, Texas.

8. Approval of Subdivision Case 20-FP-017 regarding Palmera Bluff Section 4 Final Plat on three parcels of land approximately 35.76 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcels R032201, R032200 and R032109; generally located northwest of the terminus of Logan Del Way and Tarvin Elementary School in Palmera Bluff Phase 11 , Leander, Williamson County, Texas.
9. Approval of Subdivision Case 20-FP-027 regarding Palmera Bluff Section 2 Final Plat on one parcel of land approximately 28.89 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcel R032201; generally located northeast of the intersection of Isaias Drive and Clarissa Lynn Way, and northeast of Tarvin Elementary School in Palmera Bluff Phase 11 , Leander, Williamson County, Texas.
10. Approval of Subdivision Case FP-22-0005 regarding Urbana at Hero Way Final Plat on nine parcels of land approximately 18.12 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcels R432891, R366161, R032167, R432893, R635406, R432892, R575954, R336502 and R635407; generally located at 13303 Hero Way, Leander, Williamson County, Texas.
11. Approval of Subdivision Case FP-22-0010 regarding Horizon Lake Phase 3 Section 3 Final Plat on one parcel of land approximately 12.870 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R031236; generally located west of Horizon Park Blvd. and Leeward Pass, Leander, Williamson County, Texas.
12. Approval of Minutes.
Commissioner Carpenter motioned to approve Consent Agenda items 7-12, seconded by Commissioner May.
6-0 pass

PUBLIC HEARING: ACTION

13. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0019 to amend the current zoning of SFU/MH-2-B (Single-Family Urban/Manufactured House) to adopt the Horseshoe PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) on one parcel of land approximately 2.9 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036462; and more commonly known as 500 Horseshoe Drive, Leander, Williamson County, Texas.
 - Discuss and consider action regarding Zoning Case Z-22-0019 as described above.

Motion made by Vice Chair Donnie Mahan, seconded by Commissioner Laura Lantrip to approve the zoning case.

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

NAY: Commissioner Rick Carpenter, Commissioner Gary Hampton, Jr.

4 - 2 Passed

14. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0026 to amend the current zoning of LO-3-B (Local Office) to adopt the Northpoint PUD (Planned Unit Development) with the base zoning district of LC-2-A (Local Commercial) on one parcel of land approximately 13.871 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R599180; and more commonly known as 10880 W Crystal Falls Pkwy, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0026 as described above.

Approved to be presented on next P & Z meeting (11/22/22). 6-0

Motion: Ron May

Second motion: Richard Carpenter

Motion made by Commissioner Ron May, seconded by Commissioner Rick Carpenter to reschedule the P&Z meeting to 11/22/2022 to allow for updates to the PUD.

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

6 - 0 Passed

15. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0035 to amend the current zoning of LC-2-B (Local Commercial), TF-2-B (Two-Family), SFU-2-B (Single-Family Urban), and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) and LC-2-A (Local Commercial) on four parcels of land approximately 14.79 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R491364, R511667, R501146, and R579460; and generally located to the northeast of the intersection of Bagdad Road and W San Gabriel Pkwy, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0035 as described above.

Motion made by Commissioner Laura Lantrip, seconded by Vice Chair Donnie Mahan to approve the zoning case.

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

6 - 0 Passed

REGULAR AGENDA

16. Adjournment at 7:37 pm.

APPROVED:

CHAIRMAN COSGROVE

ATTEST:

ELLEN COUFAL
PLANNING & ZONING COMMISSION SECRETARY



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Conduct a Public Hearing regarding Zoning Case Z-22-0035 to amend the current zoning of LC-2-B (Local Commercial), TF-2-B (Two-Family), SFU-2-B (Single-Family Urban), and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) and LC-2-A (Local Commercial) on four (4) parcels of land approximately 14.79 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R491364, R511667, R501146, and R579460; and generally located to the northeast of the intersection of Bagdad Road and W. San Gabriel Parkway, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0035 as described above.

BACKGROUND:

This request is the first step in the zoning process.

HISTORY/TIMELINE:

12/19/2001 – Annexation of Parcels R491364, R511667, and R501146 and assignment of zoning.
04/20/2016 – Annexation of Parcel R579460 and assignment of zoning.

APPLICANT/AGENT:

Southwest Land Services, Inc (David Singleton) on behalf of Leander Real Estate LLC (Madhuri Dhanireddy)

RECOMMENDATION:

Staff recommends approval of this request.

PRESENTER:

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

Attachments

1. Planning Analysis
2. Current Zoning
3. Future Land Use Map
4. Public Notification Map
5. Proposed Zoning Map
6. Aerial Map
7. Letter of Intent
8. Neighborhood Outreach
9. Ordinance
10. Draft P&Z Minutes



PLANNING ANALYSIS

ZONING CASE 22-Z-035 BAGDAD CROSSING

GENERAL INFORMATION

Owner/Agent: Southwest Land Services, Inc (David Singleton) on behalf of Leander Real Estate LLC (Madhuri Dhanireddy).

Current Zoning: LC-2-B (Local Commercial)
TF-2-B (Two-Family)
SFU-2-B (Single-Family Urban)
Interim SFR-1-B (Single-Family Rural)

Proposed Zoning: GC-3-A (General Commercial)
LC-2-A (Local Commercial)

Size and Location: The four parcels of land approximately 14.79 acres $\pm$ in size, and generally located to the northeast of the intersection of Bagdad Road and W San Gabriel Pkwy, Williamson County, Texas.

Staff Contact: Merrily Van Leuven
Assistant Planner

APPLICANT REQUEST

The applicant has submitted a request to change the designated zoning district of their property in order to expand an existing employment base and provide additional commercial and retail opportunities.

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?

SITE INFORMATION:

ABUTTING ZONING AND LAND USE:

	ZONING	LAND USE
NORTH	TF-2-B, SFU-2-B	Glen High School
EAST	PUD LC-2-B	Undeveloped commercial, Haven at San Gabriel Minor PUD
SOUTH	LC-2-B, LC-3-A	Undeveloped commercial
WEST	Interim SFR-1-B	Large lot residential

SURROUNDING AREA:

This property is located east of N Bagdad Rd and north of W San Gabriel Pkwy.

PHYSICAL AND NATURAL FEATURES:

This property is undeveloped with minimal tree coverage

PROPERTY HISTORY:

The majority of the property was annexed into the City of Leander on December 19, 2001 and a small portion along Bagdad Rd was annexed April 20, 2016. The area is currently unplatted.

MAJOR CORRIDORS:

This property has access onto W. San Gabriel Pkwy and N Bagdad Rd.

TRANSPORTATION PLAN REQUIREMENTS:

The development of the property has not been evaluated for roadway adequacy/boundary street improvements, turn lanes, deceleration lanes or TIA at this time.

EXISTING UTILITIES:

This property has access to water along the south side of W San Gabriel Parkway and the west side of Bagdad Rd (figure 1). There is wastewater to the east of the proposed property (figure 2).



Figure 1 Water



Figure 2 Wastewater

CURRENT LAND USES:

The 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.

LC – LOCAL COMMERCIAL:

Features: Any use in LO plus retail sales and services, restaurants, banks, nursery or greenhouse, grocery sales, pharmacies, fitness centers, dance and music academies, artist studio, colleges and universities, bed and breakfast. Hours of operation: 5:00 a.m. to 10:00 p.m. Sun.-Thurs., 5:00 a.m. to 11:00 p.m. Fri. and Sat.

Intent: Development of small scale, limited impact commercial, retail, personal services and office uses located in close proximity to their primary customers, which cater to the everyday needs of the nearby residents, and which may be located near residential neighborhoods. Access should be provided by a collector or higher classification street.

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.

TYPE 3:

Features: Accessory buildings up to 30% of primary building; accessory dwellings; drive-thru service; limited outdoor display and storage; outdoor fueling and washing of vehicles; overhead service doors, no indoor parking required.

Intent:

- (1) A Type 3 site component is intended to be utilized with LO and LC use components where adjacent to less restricted districts to provide for a land use transition.
- (2) This component is intended to be utilized with residential components where accessory dwellings or additional accessory structures are appropriate and are not provided for in the Type 1 or 2 site components.
- (3) This component is intended to be combined with LO, LC, GC, HC and HI components where it is appropriate to utilize the outdoor site area for outdoor fuel sales, limited outdoor display and storage or accessory buildings.
- (4) Compliance with Type 1 or 2 standards shall also be deemed as compliance with this component.

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

- Strategy 1.1: Guide future growth and development following the comprehensive plan to achieve a more balanced, diverse economy.

Applicable Future Land Use categories

NEIGHBORHOOD CENTER

- The Neighborhood Center future land use category is intended for areas that will be developed mostly as nonresidential uses that are of an appropriate use, scale, and design that is compatible with abutting or adjacent residential uses. Site design should be neighborhood-focused, prioritizing walkability, screening, light shielding, street landscaping, compatible height, etc.

Typical uses include personal services, day care centers, small offices, fitness centers, restaurants, and retail plazas. Upper-story residential is recommended to create density to support retail, yet height limited for compatibility and scale. At the intersection of arterials and highways, more substantial retail centers and regional uses are appropriate. These locations may include hotels, vertical mixed-use, grocery stores.

Neighborhood Centers are daily activity nodes that see high traffic and turning movements, elevating access as a critical site consideration. Street relationship to the site should be safe, pedestrian-friendly, and supportive of the use type with adequate driveways.

Desired Mix: 70-100% Non-Residential, 0-30% Residential

INTERGOVERNMENTAL/INTERDEPARTMENTAL REVIEW:

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

SCHEDULE:

DEVELOPMENT MEETING

A development meeting was held with staff on 8/30/2021. The original proposal included commercial or commercial and residential project. The current proposal does not include any residential use.

NOTIFICATION

- 10/20/2022 - Public Notice on Hill Country News
- 10/26/2022 - Mail Notification to Property Owners within 200'
- 10/26/2022 - Public Hearing Signage Posted on Property
- 11/10/2022 - Planning and Zoning Commission Public Hearing
- 12/01/2022 - City Council Public Hearing & First Reading of the Ordinance
- 12/15/2022 - 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.

A neighborhood outreach letter was mailed out 10/21/2022. An updated letter reflecting the correct land use was sent out 10/27/2022. Please see the Neighborhood Outreach attachment 8 for more detail.

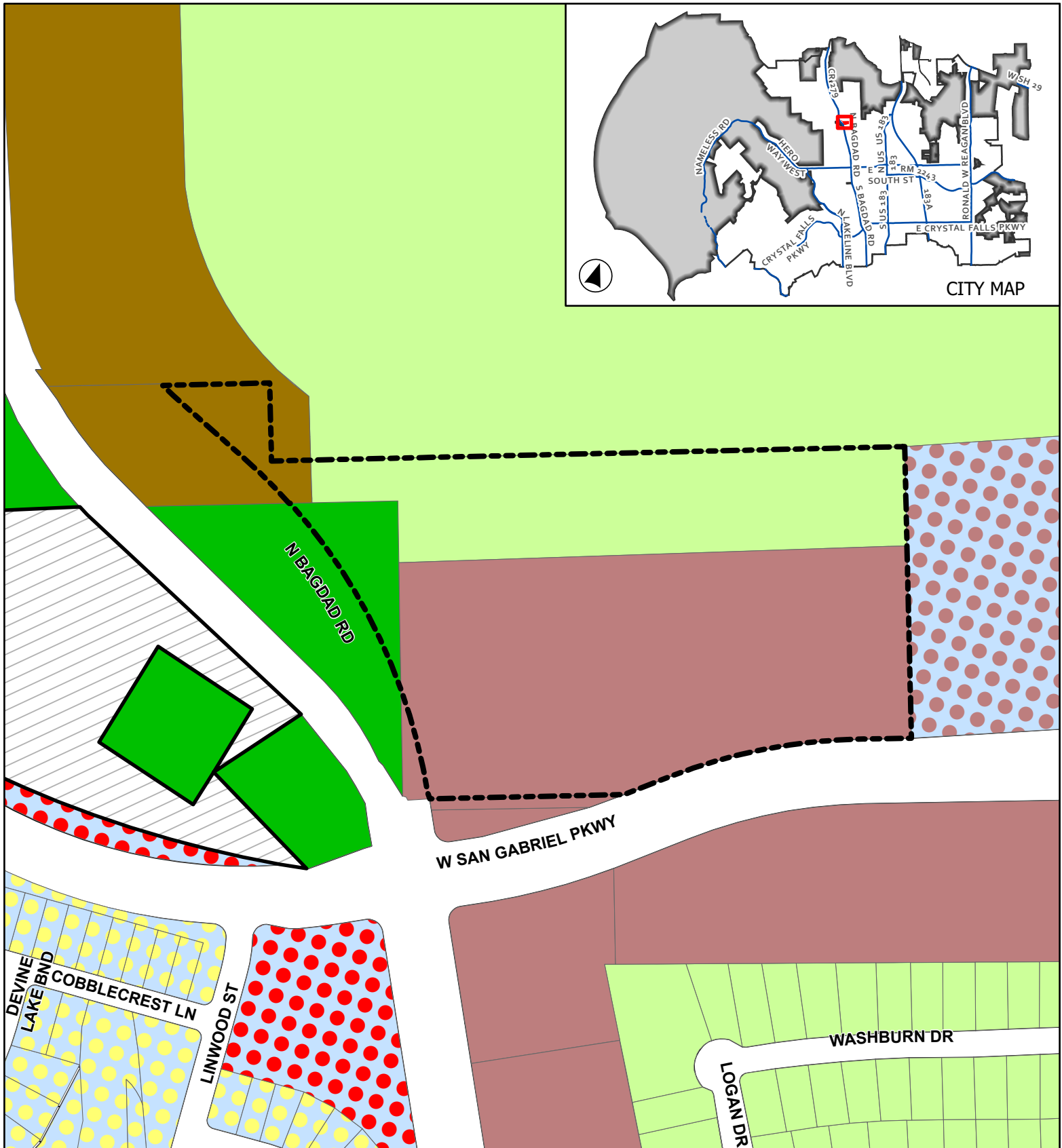






APPROVAL CRITERIA:

The Comprehensive Plan identifies this area as a Neighborhood Center land use category. The proposed zoning complies with the Future Land Use map and includes commercial uses. The Neighborhood Center land use category is compatible with the proposed zoning request of LC (Local Commercial) and GC (General Commercial) when it is along priority commercial centers such as Bagdad Rd.



CASE: Z-22-0035

ATTACHMENT 2

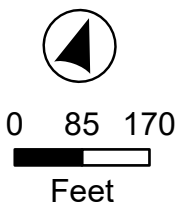
BAGDAD CROSSING

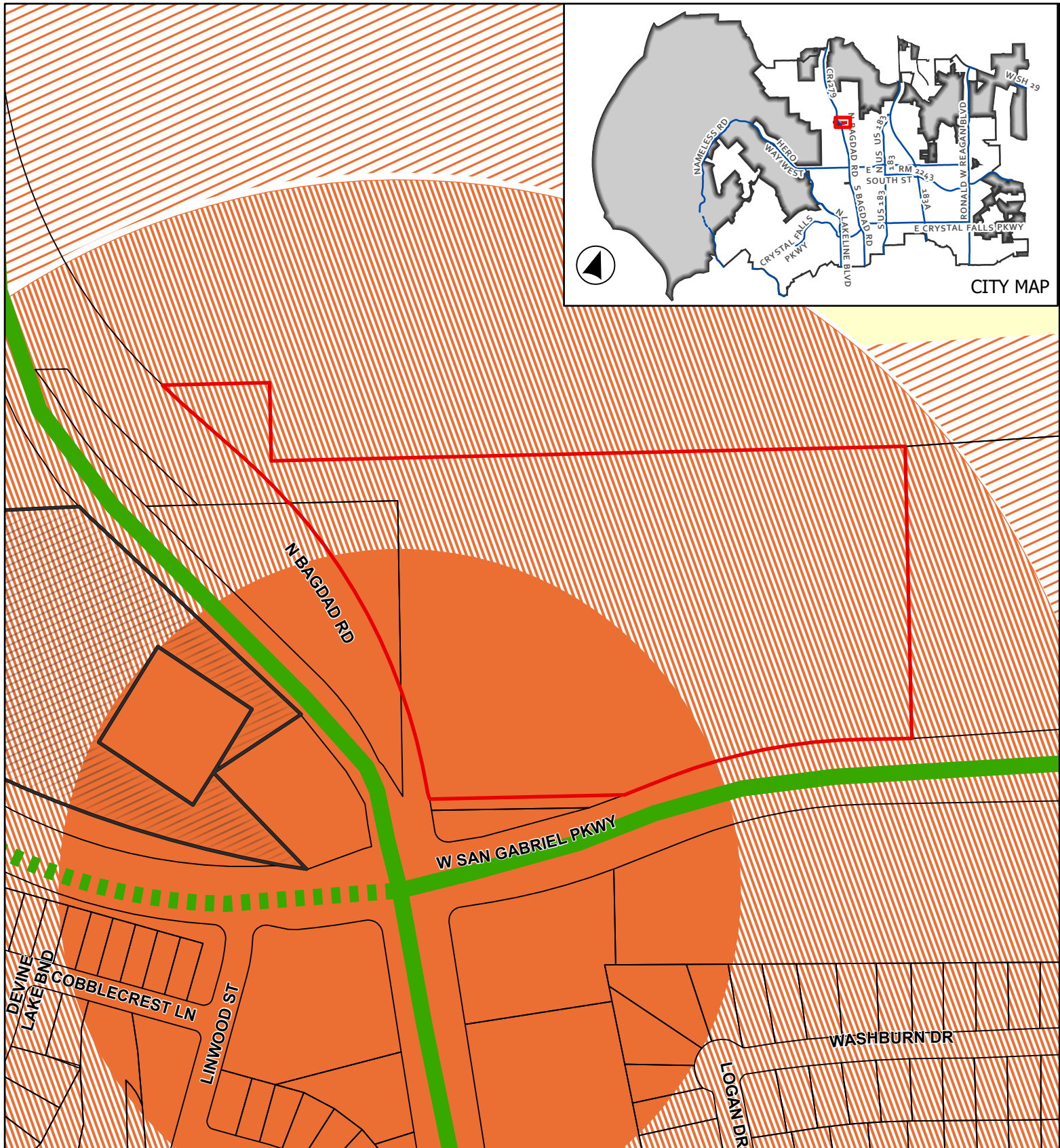
Current Zoning

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
- Proposed ETJ
- Subject Area
- SFR - Single-Family Rural
- SFU - Single-Family Urban

- TF - Two Family
- LC - Local Commercial
- PUD - Single-Family
- PUD - Local Commercial
- PUD - General Commercial





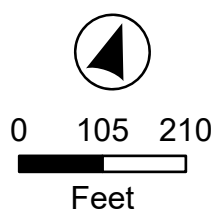
CASE: 22-Z-0035

ATTACHMENT 3

BAGDAD CROSSING

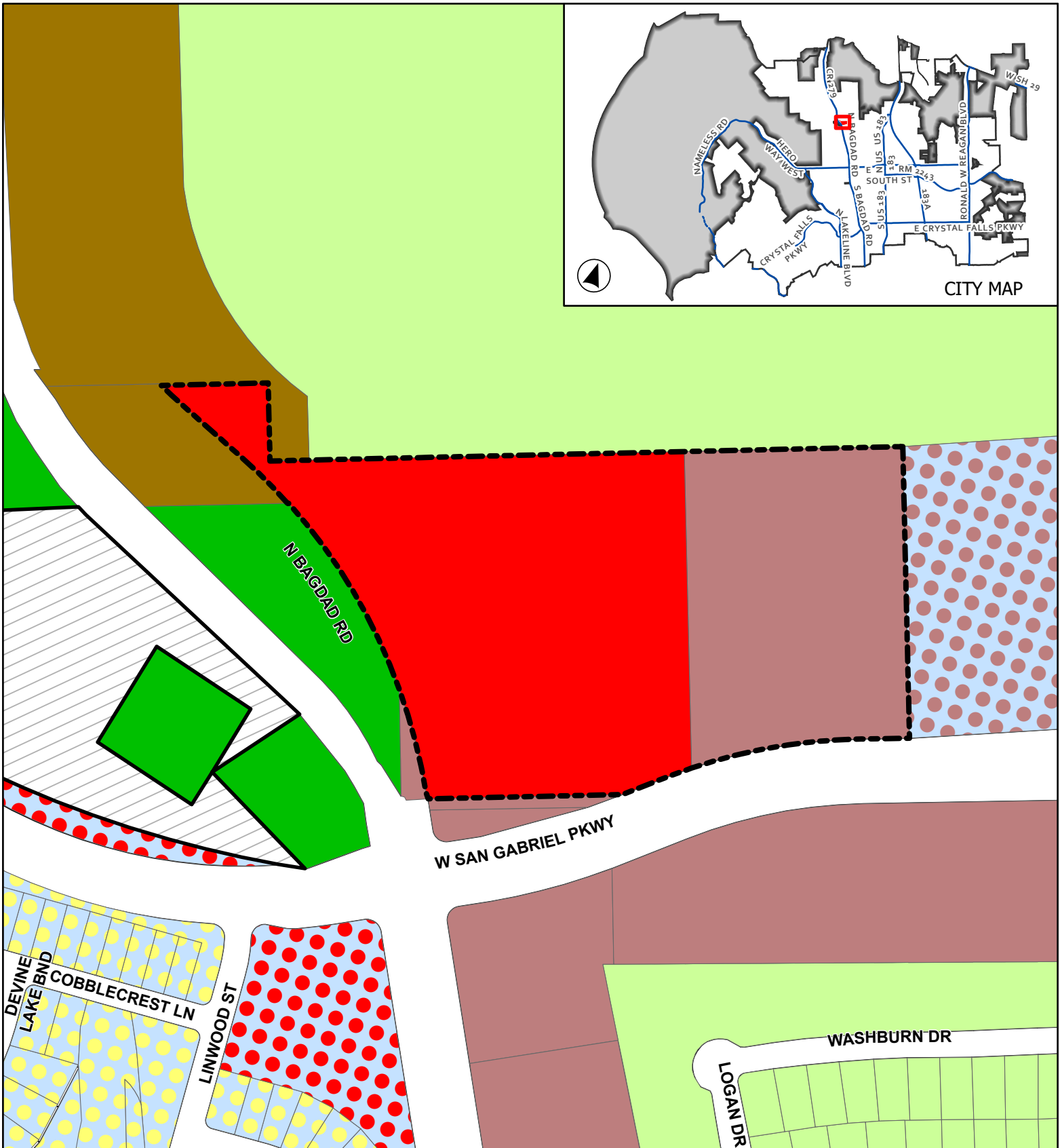
Future Land Use Map

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- Leander City Limits
- Leander ETJ
- Subject Area
- Arterial 6 Lane, Existing
- ARTERIAL 6, Proposed

- Future Land Use: Neighborhood Residential
- Neighborhood Center - Solid
- Neighborhood Center
- Multi-Use Corridor



CASE: Z-22-0035

ATTACHMENT 5

BAGDAD CROSSING

Proposed Zoning

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Leander City Limits

Proposed ETJ

Subject Area

SFR - Single-Family Rural

SFU - Single-Family Urban

TF - Two Family

LC - Local Commercial

GC - General Commercial

PUD - Single-Family

PUD - Local Commercial

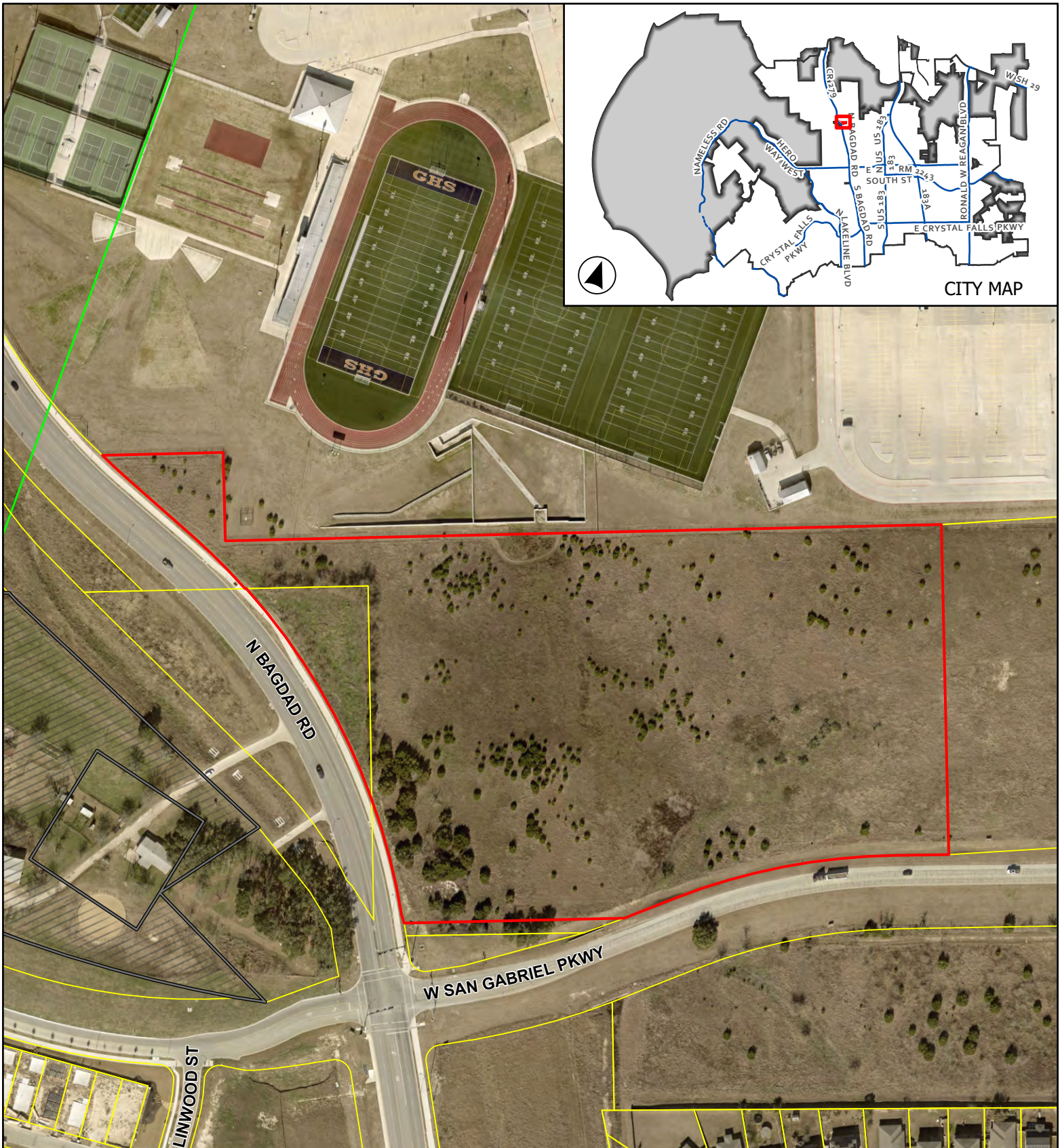
PUD - General Commercial



0 85 170



Feet



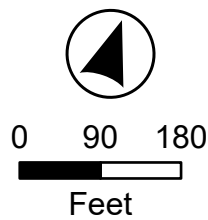
CASE: Z-22-0035

ATTACHMENT 3

BAGDAD CROSSING

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

SOUTHWEST
LAND SERVICES, INC.

August 17, 2022

Robin Griffin, AICP
Executive Director of Development Svcs.
City of Leander
201 N. Brushy Street
Leander, TX 78641

RE: 14.79 acre tract
Bagdad Road & San Gabriel Parkway
Rezoning request

Ms. Griffin,

On behalf of Leander Real Estate, LLC (Owner), we are submitting the enclosed Zoning Application to rezone the referenced property from LC-2-B (Local Commercial), TF-2-B (Two Family), SFU-2-B (Single-Family Urban) and SFR-1-B (Single-Family Rural) to +/- 10.00 acres of GC-3-A (General Commercial) and +/- 4.79 acres of LC-2-A (Local Commercial).

The proposed plan is consistent with the City's Comprehensive Plan designation of (Neighborhood Center) and will further the goals established therein by expanding an existing employment base contiguous to existing and planned transportation arterials and provide additional commercial and retail opportunities within the corporate boundaries of the City.

The topography of the site is relatively flat with slopes of less than two percent (2%).

We respectfully solicit Staff's recommendation for approval of the request and welcome any questions you have in regard to the request.

Sincerely,



David Singleton

Delivery address: 300 CR 269 Leander Texas 78641

Mailing address: P.O. Box 984 Leander Texas 78646-0984

facsimile 512.259.9400

512.259.9000

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.

Letters were mailed from our office to all property Owners within 500' of the subject tract. (A copy of the correspondence and a complete list of notified property owners was previously provided) We offered in-person, phone, email & Zoom meeting opportunities for property Owners to solicit information about the proposed zoning case.

We received two (2) inquiries, one from the Real Estate Broker representing an adjacent tract (Jeffery Mayes) asking what was being proposed and the other from one of the notified property owners (Lisa Birkman) again asking what was being proposed and what uses the proposed zoning classifications allowed. Neither offered any objection or concern. No one requested participation in the scheduled Zoom meeting.

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.

(see #1 above)

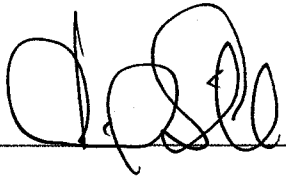
3. What concerns were raised during these communications?

No objections or concerns were relayed by either party.

4. What specific conditions were added to or modified within the zoning request in response to the concerns raised at the meeting?

The above information is deemed to be true to the best of my knowledge.

Signature: _____



Date _____

11.2.2022

JSL COMMERCIAL INVESTMENTS
LLC
4720-4 ROCKCLIFF RD
AUSTIN, TX 78746

GABRIEL LEANDER LLC
7930 THAXTON RD
AUSTIN, TX 78747

SHANGRI LA INVESTMENTS LLC
2704 HAMMOCK LAKE DR
LITTLE ELM, TX 75068

MADISON DECKER LTD
6116 N CENTRAL EXPY 510
DALLAS, TX 75206

LENNAR HOMES OF TEXAS LAND
AND CONSTRUCTION LTD
13620 RANCH ROAD 620 N #STE
B150
Austin, Tx 78717

LEANDER ISD TRUSTEE
PO BOX 218
LEANDER, TX 78646-0218

HAVEN AT SAN GABRIEL LP
366 UPLAND CT
CANYON LAKE, TX 78133

DALLAS X & EVELYN D
GONZALEZ MAGNA
1017 WASHBURN DR
Leander Tx 78641

RICHARD LEWIS, III RIBBLE
1013 WASHBURN DR
Leander, Tx 78641

THOMAS TRUSTEE OF RUTH ANN
LEEVEY IRREVOC TRUST FBO SCOTT
LEEVEY
88 CRAFTSMAN WAY
HENDERSONVILLE NC 28739-7957

GREEN SKY REAL ESTATE
VENTURES LLC
14608 IVEANS WAY
Austin, Tx 78717

SIXTH STREET CAPITAL
INVESTORS LP
12345 VENTURA BLVD #STE H
Studio City, CA91604

NASH & ANAHITA
DARUKHANAWALLA
478 CRYSTALLINE DR
FREMONT, CA 94539

WEI LUO
10505 ROY BUTLER DR
AUSTIN, TX 78717-

AMY AMANDA & DANIELLE
CARVER DELEON
1005 WASHBURN DR
LEANDER, TX 78641

TAMARA & DOUGLAS
HAAS IV AZZANI
1021 WASHBURN DR
LEANDER, TX 78641

BRIAN W ALEXANDER
1015 WASHBURN DR
LEANDER, TX 78641

Sheri A Trustee of the Sheri A
Collings Revoc Trust
1009 WASHBURN DR
LEANDER, TX 78641

EUGENE & SHERI L
CONNER
1007 WASHBURN DR
LEANDER, TX 78641

HAVEN AT SAN GABRIEL LP
366 UPLAND CT
CANYON LAKE, TX 78133

PETER & ANN LUU MOSES
1003 WASHBURN DR
LEANDER, TX 78641

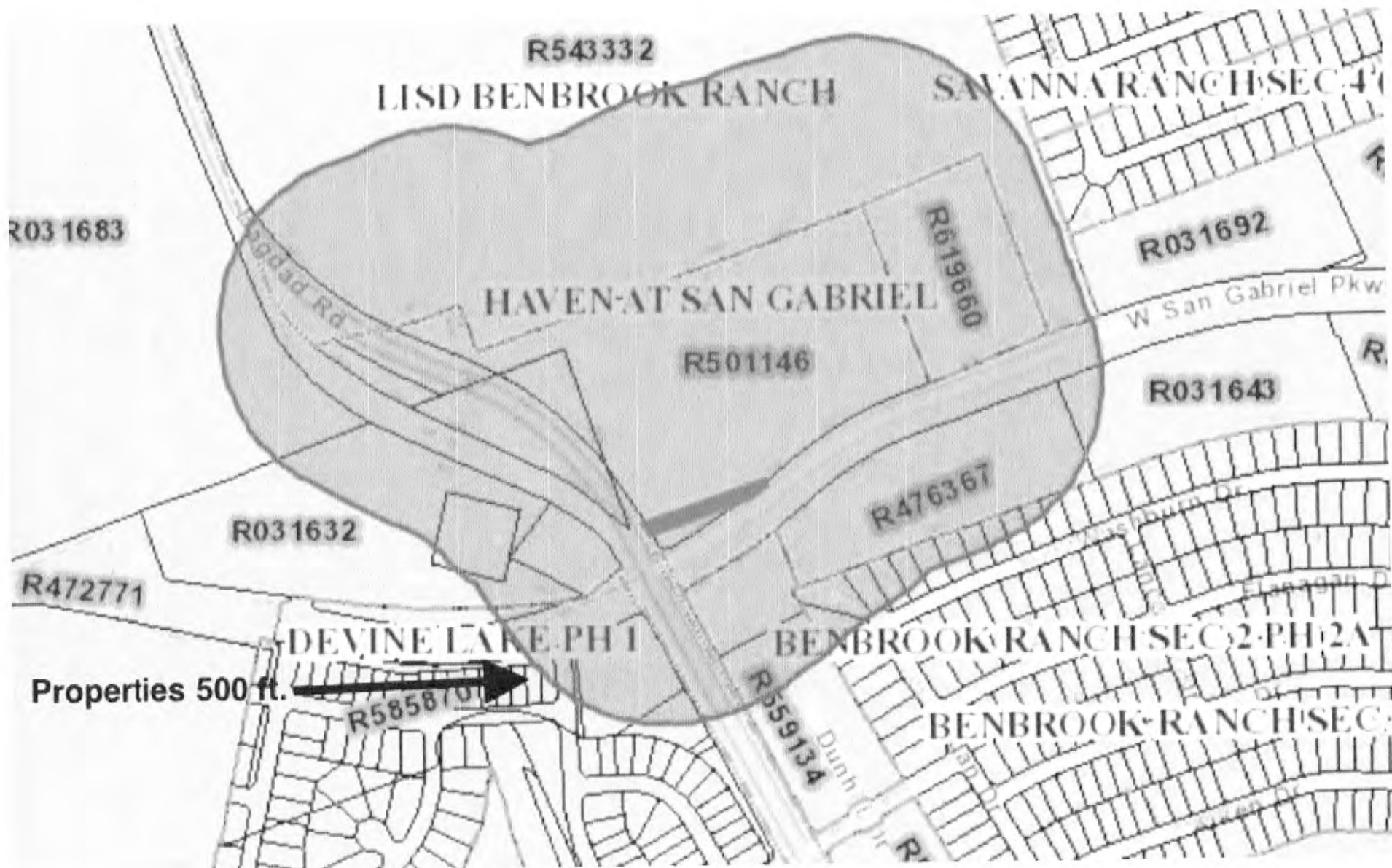
ABIGAIL & DREW HOBSON
DRINKARD
1011 WASHBURN DR
LEANDER, TX 78641

LACKEY HOLDING LTD
Attn: LISA BIRKMAN
409 MARQUESA TRL
GEORGETOWN, TX 7863

KARI ANN KARBER
1319 LOGAN DR
LEANDER, TX 78641

GRAHAM H & KERI N NAGAR
1317 LOGAN DR
LEANDER, TX 78641

Property	Owners 500 ft.	SiteAddress
R578250	JSL COMMERCIAL INVESTMENTS LLC	N BAGDAD RD, LEANDER, TX 78641
R600244	LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD	COBBLECREST LN, LEANDER, TX 78641
R559133	GABRIEL LEANDER LLC	1646 N BAGDAD RD, LEANDER, TX 78641
R031643	SHANGRI LA INVESTMENTS LLC	BAGDAD RD, LEANDER, TX 78641
R381978	MADISON DECKER LTD	N BAGDAD RD, LEANDER, TX 78641
R476400	MAGANA, DALLAS X & EVELYN D GONZALEZ	1017 WASHBURN DR, LEANDER, TX 78641
R476398	RIBBLE, RICHARD LEWIS, III	1013 WASHBURN DR, LEANDER, TX 78641
R476401	LEEVEER, THOMAS TRUSTEE OF RUTH ANN LEEVEER IRREVOC TRUST FBO SCOTT LEEVEER	1019 WASHBURN DR, LEANDER, TX 78641
R031632	MADISON DECKER LTD	N BAGDAD RD, LEANDER, TX 78641
R559134	GREEN SKY REAL ESTATE VENTURES LLC	BAGDAD RD, LEANDER, TX 78641
R600110	SIXTH STREET CAPITAL INVESTORS LP	SAN GABRIEL PKWY, LEANDER, TX 78641
R476406	DARUKHANAWALLA, NASH & ANAHITA	1313 LOGAN DR, LEANDER, TX 78641
R031631	MADISON DECKER LTD	1709 N BAGDAD RD, LEANDER, TX 78641
R476405	LUO, WEI	1315 LOGAN DR, LEANDER, TX 78641
R476394	DELEON, AMY AMANDA & DANIELLE CARVER	1005 WASHBURN DR, LEANDER, TX 78641
R476402	AZZANI, TAMARA & DOUGLAS HAAS IV	1021 WASHBURN DR, LEANDER, TX 78641
R476399	ALEXANDER, BRIAN W	1015 WASHBURN DR, LEANDER, TX 78641
R476396	COLLINGS, SHERI A TRUSTEE OF THE SHERI A COLLINGS REVOC TRUST	1009 WASHBURN DR, LEANDER, TX 78641
R491364	LEANDER REAL ESTATE LLC	BAGDAD RD, LEANDER, TX 78641
R543332	LEANDER ISD TRUSTEE	1320 COLLABORATIVE WAY, LEANDER, TX 78641
R511667	LEANDER REAL ESTATE LLC	CR 274, LEANDER, TX 78641
R579460	LEANDER REAL ESTATE LLC	N BAGDAD RD, LEANDER, TX 78641
R600112	SIXTH STREET CAPITAL INVESTORS LP	LINWOOD ST, LEANDER, TX 78641
R476395	CONNER, EUGENE & SHERI L	1007 WASHBURN DR, LEANDER, TX 78641
R600196	SIXTH STREET CAPITAL INVESTORS LP	LINWOOD ST, LEANDER, TX 78641
R619660	HAVEN AT SAN GABRIEL LP	N BAGDAD RD, LEANDER, TX 78641
R476393	MOSES, PETER & ANN LUU	1003 WASHBURN DR, LEANDER, TX 78641
R600229	LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD	1517 COBBLECREST LN, LEANDER, TX 78641
R476397	DRINKARD, ABIGAIL & DREW HOBSON	1011 WASHBURN DR, LEANDER, TX 78641
R031683	LACKEY HOLDING LTD	CR 280, LEANDER, TX 78641
R476403	KARBER, KARI ANN	1319 LOGAN DR, LEANDER, TX 78641
R501146	LEANDER REAL ESTATE LLC	N BAGDAD RD, LEANDER, TX 78641
R476404	NAGAR, GRAHAM H & KERI N	1317 LOGAN DR, LEANDER, TX 78641
R476367	SHANGRI LA INVESTMENTS LLC	1676 N BAGDAD RD, LEANDER, TX 78641



SOUTHWEST
LAND SERVICES, INC.

October 27, 2022

Re: Bagdad Crossing – Proposed Zoning Case

Dear Neighbor,

The purpose of this letter is to notify you of a proposed zoning change in your area. I represent the owners of approximately 15 acres located at the northeast corner of the intersection of Bagdad Road and San Gabriel Parkway. The owner is proposing to rezone the tract from Two-Family (TF-2-B), Single Family – Urban (SFU-2-B), Local Commercial (LC-2-B) and Single Family Rural (SFR-1-B), to approximately 10 acres of General Commercial (GC-3-A) and approximately 4.79 acres of Local Commercial (LC-2-A).

The subject property is located within an area designated as "Neighborhood Center" on the City of Leander's Comprehensive Land Use Plan. This land use designation encourages a mixture of local and general commercial uses including the uses being proposed for the project.

The Neighborhood Center future land use category is intended for areas that will be developed mostly as nonresidential uses that are of an appropriate use, scale, and design that is compatible with abutting or adjacent residential uses. Site design should be neighborhood-focused, prioritizing walkability, screening, light shielding, street landscaping, compatible height, etc.

Typical uses include personal services, day care centers, small offices, fitness centers, restaurants, and retail plazas. Upper-story residential is recommended to create density to support retail, yet height limited for compatibility and scale. At the intersection of arterials and highways, more substantial retail centers and regional uses are appropriate. These locations may include hotels, vertical mixed-use, grocery stores.

Neighborhood Centers are daily activity nodes that see high traffic and turning movements, elevating access as a critical site consideration. Street relationship to the site should be safe, pedestrian-friendly, and supportive of the use type with adequate driveways.

Delivery address: 300 CR 269 Leander Texas 78641

Mailing address: P.O. Box 984 Leander Texas 78646-0984

facsimile 512.259.9400

512.259.9000

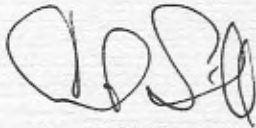
Bagdad Crossing
October 27, 2022
Page Two

The Comprehensive Plan further identifies General Commercial (GC) and Local Commercial (LC) as suitable zoning categories to be utilized within the Activity Center.

Out of an abundance of caution and mindful that due to current COVID conditions some may not be comfortable at an in-person meeting, we are scheduling a Zoom meeting for November 1st, 2022 at 7:30 p.m. Please feel free to call, text or email with questions or concerns, or contact our office for the Zoom call login information.

If you would like to discuss this project in greater detail or ask any questions outside of the Zoom meeting, please contact me by phone at 512-259-9000 or by email at southwestland@gmail.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Singleton', with a stylized flourish at the end.

David Singleton

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING FOUR PARCELS OF LAND FROM LC-2-B (LOCAL COMMERCIAL), TF-2-B (TWO-FAMILY), SFU-2-B (SINGLE-FAMILY URBAN), AND INTERIM SFR-1-B (SINGLE-FAMILY RURAL) TO GC-3-A (GENERAL COMMERCIAL) AND LC-2-A (LOCAL 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 including 14.79 acres $\pm$; being more particularly described in Exhibit "A"; generally located to the northeast of the intersection of Bagdad Road and W San Gabriel Pkwy; identified by Williamson Central Appraisal District tax identification numbers R491364, R511667, R501146, and R579460; more particularly described in Instrument Number 2021151782 recorded in the Official Public Records of Williamson County, Texas.

SECTION 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from LC-2-B (Local Commercial), TF-2-B (Two-Family), SFU-2-B (Single-Family Urban), and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General

Commercial) and LC-2-A (Local Commercial) as shown in Exhibit “A”.

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 1st day of December, 2022.

FINALLY PASSED AND APPROVED on this the 15th day of December, 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

November 10, 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 present except Commissioner Moss.
3. Swearing of Planning and Zoning Commissioners Ron May and Donnie Mahan.
Mayor Christine DeLisle swore in Commissioner May and Commissioner Mahan.
4. Director's report to the Planning & Zoning Commission on actions taken by the City Council at the November 3, 2022 meeting.
5. Review of meeting protocol.
6. Citizen Comments:
No one wished to speak.

CONSENT AGENDA: ACTION

7. Approval of the submittal schedule for Subdivision, Site Development Applications, and Dry Utility Applications pursuant to Article IX, Section 9 (a) (1) b. of the Composite Zoning Ordinance and Article II, Section 20 (e) of the Subdivision Ordinance; Leander, Williamson & Travis Counties, Texas.

8. Approval of Subdivision Case 20-FP-017 regarding Palmera Bluff Section 4 Final Plat on three parcels of land approximately 35.76 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcels R032201, R032200 and R032109; generally located northwest of the terminus of Logan Del Way and Tarvin Elementary School in Palmera Bluff Phase 11 , Leander, Williamson County, Texas.
9. Approval of Subdivision Case 20-FP-027 regarding Palmera Bluff Section 2 Final Plat on one parcel of land approximately 28.89 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcel R032201; generally located northeast of the intersection of Isaias Drive and Clarissa Lynn Way, and northeast of Tarvin Elementary School in Palmera Bluff Phase 11 , Leander, Williamson County, Texas.
10. Approval of Subdivision Case FP-22-0005 regarding Urbana at Hero Way Final Plat on nine parcels of land approximately 18.12 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District parcels R432891, R366161, R032167, R432893, R635406, R432892, R575954, R336502 and R635407; generally located at 13303 Hero Way, Leander, Williamson County, Texas.
11. Approval of Subdivision Case FP-22-0010 regarding Horizon Lake Phase 3 Section 3 Final Plat on one parcel of land approximately 12.870 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R031236; generally located west of Horizon Park Blvd. and Leeward Pass, Leander, Williamson County, Texas.
12. Approval of Minutes.
Commissioner Carpenter motioned to approve Consent Agenda items 7-12, seconded by Commissioner May.
6-0 pass

PUBLIC HEARING: ACTION

13. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0019 to amend the current zoning of SFU/MH-2-B (Single-Family Urban/Manufactured House) to adopt the Horseshoe PUD (Planned Unit Development) with the base zoning district of SFT-2-A (Single-Family Townhouse) on one parcel of land approximately 2.9 acres $\pm$ in size, more particularly described by Williamson Central Appraisal District Parcel R036462; and more commonly known as 500 Horseshoe Drive, Leander, Williamson County, Texas.
 - Discuss and consider action regarding Zoning Case Z-22-0019 as described above.

Motion made by Vice Chair Donnie Mahan, seconded by Commissioner Laura Lantrip to approve the zoning case.

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

NAY: Commissioner Rick Carpenter, Commissioner Gary Hampton, Jr.

4 - 2 Passed

14. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0026 to amend the current zoning of LO-3-B (Local Office) to adopt the Northpoint PUD (Planned Unit Development) with the base zoning district of LC-2-A (Local Commercial) on one parcel of land approximately 13.871 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R599180; and more commonly known as 10880 W Crystal Falls Pkwy, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0026 as described above.

Approved to be presented on next P & Z meeting (11/22/22). 6-0

Motion: Ron May

Second motion: Richard Carpenter

Motion made by Commissioner Ron May, seconded by Commissioner Rick Carpenter to reschedule the P&Z meeting to 11/22/2022 to allow for updates to the PUD.

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

6 - 0 Passed

15. Conduct a Public Hearing and consider action regarding Zoning Case Z-22-0035 to amend the current zoning of LC-2-B (Local Commercial), TF-2-B (Two-Family), SFU-2-B (Single-Family Urban), and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) and LC-2-A (Local Commercial) on four parcels of land approximately 14.79 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R491364, R511667, R501146, and R579460; and generally located to the northeast of the intersection of Bagdad Road and W San Gabriel Pkwy, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-22-0035 as described above.

Motion made by Commissioner Laura Lantrip, seconded by Vice Chair Donnie Mahan to approve the zoning case.

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

6 - 0 Passed

REGULAR AGENDA

16. Adjournment at 7:37 pm.

APPROVED:

CHAIRMAN COSGROVE

ATTEST:

ELLEN COUFAL
PLANNING & ZONING COMMISSION SECRETARY



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Discuss and consider action on an Ordinance amending Code of Ordinances, Article 1.14, Division 2, Public Art Commission, providing for the addition of two (2) members to the board composition.

BACKGROUND:

On October 20, 2022, Council directed staff to prepare amendments to the ordinance which establishes the Public Art Commission. Proposed amendments included changing the name of the Commission, adding two (2) members, and adding to the Commission's duties and responsibilities. On November 3, 2022, Council postponed action to allow the Commission time to review proposed changes.

After a Commission meeting in November 2022, Commission members were unable to define the term "culture" as it relates to the proposed amendments. Additional discussion of amendments and definitions is scheduled for the next Commission meeting, and additional proposed amendments may be presented to Council once a recommendation is approved by the Commission.

The attached ordinance provides for the addition of two (2) Commission members.

HISTORY/TIMELINE:

October 20, 2022 - Council directed staff to prepare ordinance

November 3, 2022 - Council postponed action until December 1, 2022

Attachments

1. Ordinance
2. Draft Minutes 11.09.2022

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING ARTICLE 1.14, DIVISION 2, PUBLIC ART COMMISSION, PROVIDING FOR THE ADDITION OF TWO MEMBERS TO THE BOARD COMPOSITION; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Leander desires to amend Article 1.14, Division 2, regarding Public Art Commission.

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

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

Section 2. Amending Section 1.14.031, Division 2. The first sentence of Section 1.14.031, Division 2, of the Code is hereby amended to read as follows:

....

Division 2. Public Art and Culture Commission

Section 1.14.031 Established; membership; removal of members for absence from meetings.

- (a) The public art commission is hereby established and shall be composed of **nine (9) members** who shall be residents of the city and who shall be appointed ~~by the mayor~~ and approved by the city council.

....
Section 3. Amending Section 1.14.031, Division 2. Section 1.14.031, Division 2, of the Code is hereby amended to add subsection (a)(6) read as follows, and the word “and” shall be removed from the end of subsection (a)(4) and moved to the end of subsection (a)(5):

- (6) Two (2) citizens, at large.**

Section 4. Amending Section 1.14.032(b)(1), 1.14.032(b)(8), and 1.14.032(b)(10), Division 2. Sections 1.14.032(b)(1), 1.14.032(b)(8), and 1.14.032(b)(10), Division 2, of the Code are hereby amended to in their entirety to read as follows:

- (1) Quorum.** The presence of **five (5) or more members of the public arts and culture commission shall constitute a quorum.**

....

- (10) Approval of decisions.** Any policy decision requiring approval by the commission shall be by motion and shall require the approval by a majority of those members present and voting, provided that at least five (5) members must vote for the action to be approved.

Section 5. Amendment of Ordinances. The Leander Code of Ordinances, Article 1.14, Division 2, are hereby amended and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended 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 govern.

Section 6. 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 the public arts commission 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 7. 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.

Section 8. 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 the first reading on this 1st day of December, 2022.

ATTEST:

THE CITY OF LEANDER

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



**MINUTES
PUBLIC ART COMMISSION
CITY OF LEANDER, TEXAS**

Leander Activity Center
11880 Hero Way West, Ste. 600



November 9, 2022

Place 1 – Stephanie Rand	Place 6 – Sammy Panzarino
Place 2 – Keysha Bradford	Place 7 – Steve Kuwitzky
Place 3 – George Quist	Staff Liaison – Kelsey Heiden
Place 4 – Lisa Haynes, Chair	Council Liaison – Na’Cole Thompson
Place 5 – Jessica Alonzo	

1. Call to Order

Chair Haynes called the meeting to order at 6:02 PM

2. Roll Call

All Commissioners were present with the exception of Commissioner Alonzo and Commissioner Rand.

3. Approval of Minutes – October 12, 2022

Commissioner Kuwitzky made a motion to approve the regular meeting minutes from October 12, 2022; Chair Haynes seconded the motion. The motion passed unanimously.

4. Citizens Communication

None

5. Welcome New Commissioners

Chair Haynes welcomed the new commissioners; each commissioner introduce themselves.

6. City Council Liaison Update

Mayor Pro Tem Thompson commented on the unanimous vote of City Council at the October 20th meeting to postpone the ordinance revision, providing time for LPAC to review; any recommendations from tonight’s meeting would be considered at the December 3rd City Council meeting.

7. Election of officers: Chair, Vice Chair and Secretary

Commissioner Kuwitzky made a motion to name Commissioner Haynes as Chair and himself as Secretary. Commissioner Panzarino seconded the motion. Motion passed unanimously.

Commissioner Kuwitzky made a motion to name Commissioner Alonzo as Vice Chair. Motion failed unanimously.

Commissioner Quist nominated himself as Vice Chair Commissioner Haynes seconded the motion. Motion passed unanimously.

8. Budget Update

Staff liaison Heiden shared the approved fiscal year 2023 budget; Staff will provide the Art Fund account balance to the Commission at the next meeting.

9. Discuss and consider recommendations amending Code of Ordinances, Article 1.14, Division 2, Public Art Commission.

Discussion included: amendments to the Code of Ordinances; defining culture within the document; Commissioner Kuwitzky made a motion to recommend the following changes to amending Code of Ordinance, Article 1.14, Division 2, Public Art Commission. Commissioner Quist seconded the motion. Motion passed unanimously.

Leander Public Arts and Culture Commission hereby referred to as LPAC in the remainder of this document.

Section 1.14.034 Powers and Duties, item 17 to read “To actively plan and participate with the parks and recreation department in all matters pertaining to arts and culture.”

Commissioner Quist and Commissioner Panzarino will gather information and send forward a recommendation on a definition of culture.

10. LPAC Subcommittee Discussion, Additions and Appointments

Discussion included: LPAC subcommittee information; new committee members to review and volunteer for various roles; Commissioner Kuwitzky will update for the next meeting.

11. New Business

a. Discuss and consider action on an update to the LPAC Mission Statement.

Discussion included updating the mission statement after the ordinance revisions were approved.

b. Discuss cultural events:

i. MLK

Chair Haynes updated the commission on planning efforts with the Parks and Recreation Department thus far. Commissioner Bradford volunteered to be on the planning subcommittee; they will attend the next planning meeting on December 7th at 3:30pm.

ii. Juneteenth

Chair Haynes updated the commission on planning efforts with the Parks and Recreation Department thus far.

iii. Other cultural events:

Commissioner Kuwitzky made a motion to expand the public art commission to include all cultural and diverse events, exhibits, art displays including MLK, Juneteenth, Diwali, Cinco de Mayo, et cetera; Commissioner Gardner seconded the motion. The motion passed unanimously.

c. Discuss and consider action on mural art in Leander.

Discussion included: the pool and restroom facilities located in Robin Bledsoe Park are approved locations; possible partnership with the Leander Chamber of Commerce; subcommittee appointment of Chair Haynes and Commissioner Panzarino; the subcommittee will bring back discussion items to the next meeting.

d. Discuss and consider action on art displays at the Leander Public Library and Leander Activity Center.

Discussion included: locations to display artwork; subcommittee for Art in Public Spaces includes Commissioner Kuwitzky and Commissioner Quist.

Chair made a motion for the Art in Public Spaces subcommittee to prepare a call to art for review and other options from Humanities Texas at the next meeting. Commissioner Panzarino seconded the motion. Motion passed unanimously.

e. Discuss and consider action on LPAC hosted art programs at Leander Activity Center.

Discussion included: ideas for art activities; current capacity to host additional activities; the commission will look at the existing calendar and continue discussion at the next meeting.

12. Subcommittee Updates

a. LPAC Master Plan

Update included the Subcommittee has been working diligently; a draft will be forthcoming.

13. Items for next agenda

Mayor Pro Tem Thompson asked for an updated list of LPAC events for the 2023 calendar year.

14. Adjournment

Chair Haynes adjourned the meeting at 8:18 PM.

APPROVED:

Chair

ATTEST:

Secretary



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Conduct City board and commission applicant interviews and discuss and consider action on appointments to the following boards and commissions: Leander Public Art Commission (LPAC), Tax Reinvestment Zone No. 1 (TIRZ) Board and Development Authority Board.

BACKGROUND:

Vacancies on City boards and commissions are typically filled twice a year; in April and in October when appointments are made. However, due to the number of vacancies on The TIRZ and Development Authority boards a quorum issue has been created; therefore, appointments to that board are necessary.

In addition, the revision of the LPAC ordinance has created two (2) additional places to be filled.

This item will provide the City Council an opportunity to interview applicants and appoint members to serve on the following boards and commission:

- Leander Public Art Commission, Place 8 with a term ending October 31, 2023; and Place 9 with a term ending October 31, 2024.
- TIRZ & Development Authority, Place 3 with a term ending October 31, 2024; and Place 4 with a term ending October 31, 2023

PRESENTER:

Debora Penberg, Sr. Deputy City Secretary



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Discuss and consider adopting a Resolution establishing council liaison guidelines relating to City of Leander Boards, Commissions and Committees.

BACKGROUND:

On October 20, 2022, Council discussed the appointment/reappointment of council liaisons to the Parks and Recreation Advisory Board, Public Art Commission, Historic Preservation Commission, Active Adult Advisory Committee, and Economic Development Committee. Following the discussion, Council voted to appoint a subcommittee consisting of Council members Pantalion-Parker, Mattke Longoria, and Mayor Pro Tem Thompson to work with staff on developing council liaison guidelines to bring back for Council consideration at a future meeting.

The attached Resolution includes a proposed policy establishing council liaison roles and responsibilities for appointed members of Council. If approved, Staff will propose amendments to the City Council and Boards and Commissions policy documents to include the proposed Council Liaison policy, as well as include the definition of Council Liaison in the City code of ordinances.

RECOMMENDATION:

Staff recommends approval of the Resolution.

Attachments

1. Resolution and Exhibit

A RESOLUTION OF THE CITY OF LEANDER, TEXAS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, ADOPTING A POLICY ESTABLISHING COUNCIL LIAISON ROLES AND RESPONSIBILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at a meeting on October 20, 2022, Leander City Council discussed the creation of a policy that would establish guidelines for Council Liaisons on City appointed boards, commissions, and committees;

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

SECTION 1. Council Liaison Roles and Responsibilities, attached hereto as Exhibit "A," is adopted by the City Council of the City of Leander, Texas.

SECTION 2. This Resolution and the Policy herein shall take effect on the 1st day of December, 2022, and it is accordingly so resolved.

DULY PASSED by the City Council of the City of Leander, Texas, on 1st day of December, 2022.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

EXHIBIT “A”

CITY OF LEANDER, TEXAS COUNCIL LIAISON ROLES AND RESPONSIBILITIES

The City Council hereby adopts the guidelines for Council Liaison members on City appointed Boards, Commissions, and Committees (Boards).

- **Definition.** The Council Liaison acts as spokesperson on behalf of the Council when so directed by the Council as a body.
- **Purpose.** The role of the Council Liaison is to facilitate communication from the Council to the Board by providing information about Council actions and related discussions.
- **Appointments.** No Council member is required to serve as Council Liaison to a Board. Council Liaison appointments will be conducted annually in October at the same meeting during which annual Board appointments are made. Councilmembers desiring to serve as Council Liaison to multiple Boards will be considered for appointment to one Board and then may be considered for additional appointments once other Council members have an opportunity to serve.
- **Attendance.** Attendance by Council Liaisons at Board meetings is not required and is not counted for the purposes of establishing and maintaining Board quorum. However, attendance at all or most Board meetings is encouraged. Frequency of attendance may be determined by each Council Liaison.
- **Participation.** Council Liaisons do not have voting or agenda setting privileges on the Board. Although Council Liaisons may participate in Board discussion, they should not advocate positions before the Board, nor should they attempt to influence Board decisions.

These guidelines apply when a Council member is acting as liaison to a City appointed Board. It does not apply when the Council member is appointed to a Board of non-city bodies where the Council member serves as a representative of the City.



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Discuss and consider action on the appointment/reappointment of a council liaison to the Parks and Recreation Advisory Board; Public Art Commission; Historic Preservation Commission; Active Adult Advisory Committee; and Economic Development Committee for a term of one (1) year.

BACKGROUND:

This item provides the City Council an opportunity to appoint/reappoint Council liaisons to the Parks and Recreation Advisory Board; Public Art Commission; Historic Preservation Commission; Active Adult Advisory Committee; and Economic Development Committee.

Each of the above advisory boards and commissions discussed the option of having a Council member liaison, in addition to a Staff liaison, appointed by the Council to attend regularly scheduled meetings. All of the above advisory boards and commissions were interested in having a Council liaison.

This item was previously discussed by Council on July 30, 2022, during the Council Retreat.

PRESENTER:

Council Directive



EXECUTIVE SUMMARY
12/01/2022

AGENDA SUBJECT:

Discuss and consider action on the annual appointment of the Tax Increment Reinvestment Zone (TIRZ) No. 1 Board Chair for a term from January 1, 2023 through December 31, 2023.

BACKGROUND:

Ordinance No. 06-029-00 creating the TIRZ No. 1 Board, adopted September 7, 2006, states the City Council shall annually appoint a member of the Board to serve as Chair for a one (1)- year term beginning January 1st and ending December 31st. The Board may elect a Vice-Chair to serve in the absence of the Chair, and other Officers as appropriate.

This item will provide the City Council an opportunity to satisfy the requirement of the annual appointment of the Chair to the TIRZ No. 1 Board.

Current Boardmembers are as follows: Place 1 Christine DeLisle (currently serving as Chair), Place 2 Cynthia Long, Place 3 Joseph Eckels (Term expired), Place 4 Vacant, and Place 5 Kelsey Stone (Williamson County's Appointment).

Attachments

1. Ordinance

Sec. 11.05.033 Board of directors

TIRZ #1 shall be governed by a five (5) person board of directors (the board). One member of the board may be appointed by the Williamson County commissioners court (the county). The board of trustees of the LISD and the board of the WCID have, in writing, prior to the date hereof, waived appointment of a board member. Four members of the board shall be appointed by the city council. If the county waives the appointment of a board member, the position shall be filled by a city council appointment.

(1) Qualifications. Each member of the board shall be a qualified voter of the city or county, as applicable, or a person eighteen (18) years of age or older, who owns real property within TIRZ #1.

(2003 Code, sec. 11.423)

(2) Term of office. The members of the board shall be identified by place numbers one (1) through five (5). Board members shall serve two-year terms, with the term beginning on November 1st of the year of appointment and expiring on October 31st two years later. The term for board members 2 and 4 shall begin on November 1st following the general election of the mayor and city council places 2 and 4, and shall expire on October 31st two years later. The term for board members 1, 3, and 5 shall begin on November 1st following the general election of city council places 1, 3, and 5, and shall expire on October 31st two years later. (Ordinance 18-019-00, sec. 12, adopted 4/19/18)

(3) Officers. The city council shall annually appoint a member of the board to serve as chair of the board for a one-year term beginning January 1st and ending December 31st. The board may elect a vice-chair to serve in the absence of the chair, and other officers as appropriate.

(4) Meetings. The board may hold its meetings at any place within the city as the board may from time to time determine; provided that, in the absence of any such determination by the board, the meetings shall be held at the Pat Bryson Municipal Hall or the city hall. The board shall conduct its meetings in accordance with the requirements of the act and the Texas Open Meetings Act, chapter 551, Tex. Gov't. Code, as amended. Regular meetings of the board shall be held at such times and places as shall be designated, from time to time, by resolution of the board. Notice of regular meetings need not be given to each of the directors, but public notice of each meeting shall be given in the manner prescribed by law. Special meetings of the board shall be held whenever called by the chair, or the vice-chair in the absence of the chair, or upon advice of or request by the mayor. A majority of the directors fixed by this division shall constitute a quorum for board meetings. The act of a majority of the directors present at a meeting at which a quorum is in attendance, but not less than three, shall constitute the act of the board, unless the act of a greater number is required by law.

(5) Authority. The board shall have the authority specifically given to the board in chapter 311, Tex. Tax. Code. The board shall also have such other authority as is lawfully delegated by the city council acting by a written resolution or ordinance. Action by the board that is expressly or impliedly provided in chapter 311, or by other state law, to be subject to approval by the city council shall not be effective until approved in writing by the city council.

(6) Duties. The board shall perform each duty and obligation required by chapter 311 to be performed by the board, any project or plan approved by the council, and each such duty and obligation lawfully imposed on the board by the city council consistent with chapter 311.

(7) Preparation of plans. The board shall make recommendations to the city council concerning the administration of the zone. It shall prepare or cause to be prepared and adopt a project plan and a reinvestment zone financing plan for the zone, as described in section 311.011 of the act, and shall submit such plans to the city council for its approval. The city council hereby delegates to the board all powers necessary to prepare the project plan and reinvestment zone financing plan, subject to approval by the city council, including the power to employ any necessary consultants, that may be reasonably necessary or convenient to assist the board in the preparation of the project plan and reinvestment zone financing plan.

(2003 Code, sec. 11.423)