



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, July 18, 2024
Briefing Workshop at 6:00 PM
Regular Meeting at 7:00 PM



Mayor – Christine DeLisle

Place 1 – Kathryn Pantalion-Parker

Place 2 – Michael Herrera

Place 3 – David McDonald

Place 4 – Na'Cole Thompson, Mayor Pro Tem

Place 5 – Chris Czernek

Place 6 – Becki Ross

City Manager – Todd Parton

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

BRIEFING WORKSHOP - CONVENE AT 6:00 PM

1. Open Meeting.
2. Roll Call.
3. Receive a presentation from Embrey regarding proposed attainable housing associated with Bar W Ranch East development generally located to the southeast of the intersection of Kauffman Loop and Ronald W. Reagan Boulevard.

REGULAR MEETING – CONVENE AT 7:00 PM

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

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

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

7. Staff Report
 - Water update
8. Leander History
9. Proclamations/Recognitions/Visitors
 - Live Like Cati Certificate of Recognition

CONSENT AGENDA: ACTION

10. Approval of the minutes for meeting held on July 9, 2024.
11. Approval of the Second Reading of an Ordinance regarding Zoning Case Z-24-0116 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) on three (3) parcels of land approximately 13.5 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R032163, R032164, and R032168; and generally located southwest of the intersection of Hero Way West and Lakeline Boulevard, approximately 560 feet west of Lakeline Boulevard, Leander, Williamson County, Texas.
12. Approval of the Second Reading of an Ordinance regarding the San Gabriel Annexation Case A-24-0013 for the voluntary annexation of 1.109 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R633380; and generally located south of CR 274, approximately 550 feet to the east of San Gabriel Parkway and approximately 860 feet to the west of Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.
13. Acceptance of public improvements for the Williams Tract including the following public improvement categories: streets, drainage, water, wastewater and streetlights.
14. Approval of the purchase of seven (7) police department vehicle camera systems and amending the usage agreement with Axon Enterprise, Inc. utilizing BuyBoard Contract 648-21 in the amount of \$13,558.44 per year for five (5) years for a total amount of \$67,792.20; and authorize the City Manager to execute any and all necessary documents.

PUBLIC HEARING: ACTION

15. Conduct a Public Hearing regarding Subdivision Variance Case VA-24-0018 regarding a variance request from Article III, Section 42 (b)(1) of the Subdivision Ordinance that requires all transportation improvements including streets, trails, driveways, sidewalks, bikeways, traffic control, and parking areas within the City's jurisdiction shall be designed in accordance with the City of Leander Composite Zoning Ordinance, Transportation Master Plan, Comprehensive Plan and the City of Austin's Transportation Criteria Manual and Article III, Section 42 (e) of the Subdivision Ordinance that requires sidewalks be installed by the developer on both sides of all streets within and immediately adjacent to a proposed development associated with 4.83 acres ± in size; more particularly described as Silencer Shop Site Development Plans; generally located to the northwest of FM 1431 and Vista Rock Drive, Leander, Williamson County, Texas.
 - Discuss and consider action regarding Variance Case VA-24-0018 as described above.

REGULAR AGENDA

16. Receive a presentation regarding a Development Proposal Review from Josh Becker regarding a petition for a Comprehensive Plan Amendment for a residential development located north of the intersection of CR 175 and Carthage Street, Leander, Texas, Williamson County.
17. Receive a presentation from Kimley Horn to discuss the 183 Corridor Study project list and cost estimates for the submission associated with the Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan.
18. Discuss and consider action on the Second Reading of an Ordinance regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets, update definitions, update permitted uses, and to provide for related matters; Williamson and Travis Counties, Texas.

19. Discuss and consider action on an Organization Utilization Agreement by and between the City of Leander and Leander Youth Soccer Association for the use of Robin Bledsoe Park athletic facilities beginning August 1, 2024, and ending July 31, 2029; and authorize the City Manager to execute any and all necessary documents.
20. 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.]*
21. Council Member Closing Statements.
22. Convene into Executive Session pursuant to:
 1. Section 551.074, Texas Government Code, to deliberate City Manager duties; and
 2. Section 551.071, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the adoption and structure of City of Leander Personnel Policies; and
 3. Section 551.072, Texas Government Code, to deliberate the acquisition of properties located in the Elijah D. Harmon Survey, Abstract No. 6 for water line easement and temporary construction easement relating to the RM 2243 Water Main Project; and
 4. Section 551.071 and Section 551.072, Texas Government Code, and Section 1.05 Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding demolition contract and acquisition of property located in the Elijah D. Harmon Survey, Abstract No. 6 relating to the Davis House.

Reconvene into open session to take action as deemed appropriate in the City Council's discretion regarding:

1. City Manager duties; and
 2. Adoption and structure of City of Leander Personnel Policies; and
 3. Acquisition of properties located in the Elijah D. Harmon Survey, Abstract No. 6 for water line easement and temporary construction easement relating to the RM 2243 Water Main Project.
 4. Demolition contract and acquisition of property located in the Elijah D. Harmon Survey, Abstract No. 6 relating to Davis House.
23. 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 12 day of July 2024 by 5:00 p.m. pursuant to Chapter 551 of the Texas Government Code.



Dara Crabtree, City Secretary, TRMC



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Receive a presentation from Embrey regarding proposed attainable housing associated with Bar W Ranch East development generally located to the southeast of the intersection of Kauffman Loop and Ronald W. Reagan Boulevard.

BACKGROUND:

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

PRESENTER:

Jimmy McCloskey, Executive Vice President of Development, Embrey

Fiscal Impact

Attachments:

1. Embrey Presentation



BAR W EAST

LEANDER, TX

JULY 2024

ABOUT EMBREY

A DIVERSIFIED REAL ESTATE INVESTMENT COMPANY

Development | Acquisitions | Construction | Property Management
Asset Management | Fund Management

EMBREY is a vertically integrated real estate operator with nearly 50 years of experience in a variety of for-rent properties, including conventional multifamily developments; build-to-rent, low-density duplex/townhome developments; and strategic value-add/core-plus acquisitions across key markets in the Sunbelt and Mountain West regions. Since the company's inception, it has never failed to complete a project or fulfill a guaranty, which demonstrates the value of disciplined investing from a well-researched perspective and the strength of our operations. EMBREY always has the best interests of our investors in mind.



ACQUISITIONS

PROPERTY
MANAGEMENT
AND LEASING

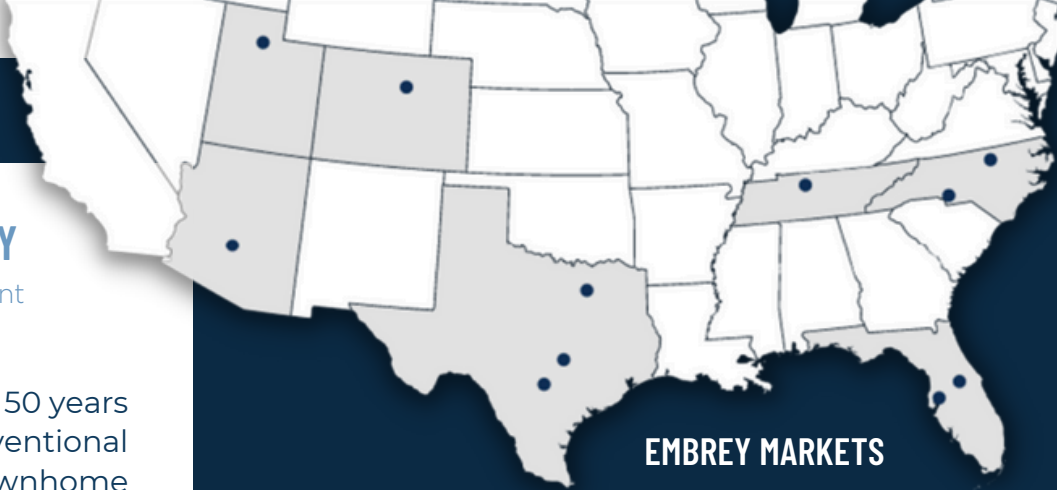
FUND
MANAGEMENT



DEVELOPMENT

CONSTRUCTION

ASSET
MANAGEMENT



EMBREY MARKETS

EMBREY SNAPSHOT

50,000+
Multifamily Units Delivered

6,000+
Units in Development

10,500+
Units Under Management

\$1B+
Current Annual
Development Production

\$2.67B+
Total Sales Transaction
Volume Over Last 10 Years

\$235MM+
Fund Commitments
Currently Managed

INVESTMENT VEHICLES

- Limited Partner Funds
- Co-Invest Funds
- Joint Ventures
- Recapitalization

INVESTMENT STRATEGIES

- Class-A Conventional Multifamily Developments
 - Short- & Long-Term Holds
- Build-to-Rent Developments
- Attainable Housing Developments

EMBREY TEAM



JIMMY MCCLOSKEY
Executive Vice President
of Development



CASEY KLEIN
Senior Director of
Land Acquisitions

ABOUT BARSHOP & OLES

BARSHOP & OLES

C O M P A N Y

Barshop & Oles Company is a full-service commercial real estate development, investment, management and leasing firm with offices in Austin and San Antonio. The Company's current portfolio includes the development and management of 3 million square feet of retail, office and mixed-used projects located in Central and South Texas.

The Company has a thirty-year proven track record of developing and operating numerous high-profile projects with a niche in grocery-anchored, open-air retail centers. Barshop & Oles Company's long-term relationships with industry-leading retailers, institutional investors and valued lenders has sustained it through numerous business cycles, creating a strong foundation for future growth in one of the fastest-growing regions of the U.S.



BARSHOP & OLES SERVICES

DEVELOPMENT

Barshop & Oles Company has played a prominent role in Central and South Texas real estate development over a span of almost three decades. The Company, through its predecessors and affiliates, has developed and owned over 5 million square feet of shopping centers, office / industrial properties, and select service hotels, and several highly acclaimed master-planned mixed-use projects.



ASSET & PROPERTY MANAGEMENT

Barshop & Oles Company offers best-in-class, property and asset management services for shopping centers, and select office / industrial and mixed-use projects across Central and South Texas. The Company's team provides expertise in day-to-day operations, tenant relations, construction management, full-cycle accounting, reporting, budgeting, and reforecasting. The firm's primary objective with each assignment is maintaining properties at their highest level and maximizing value.

LEASING & MARKETING SERVICES

With 30 years of transaction activity in the Austin and San Antonio markets, Barshop & Oles Company has a successful track record of creating value through project leasing. Members of the Company's leasing team have built lasting relationships with local, regional, and national tenants. Specializing in grocery-anchored shopping centers, the firm's leasing team has broad experience in strategic marketing and transaction negotiations.



BARSHOP & OLES TEAM



C. PATRICK OLES, JR.
President & CEO

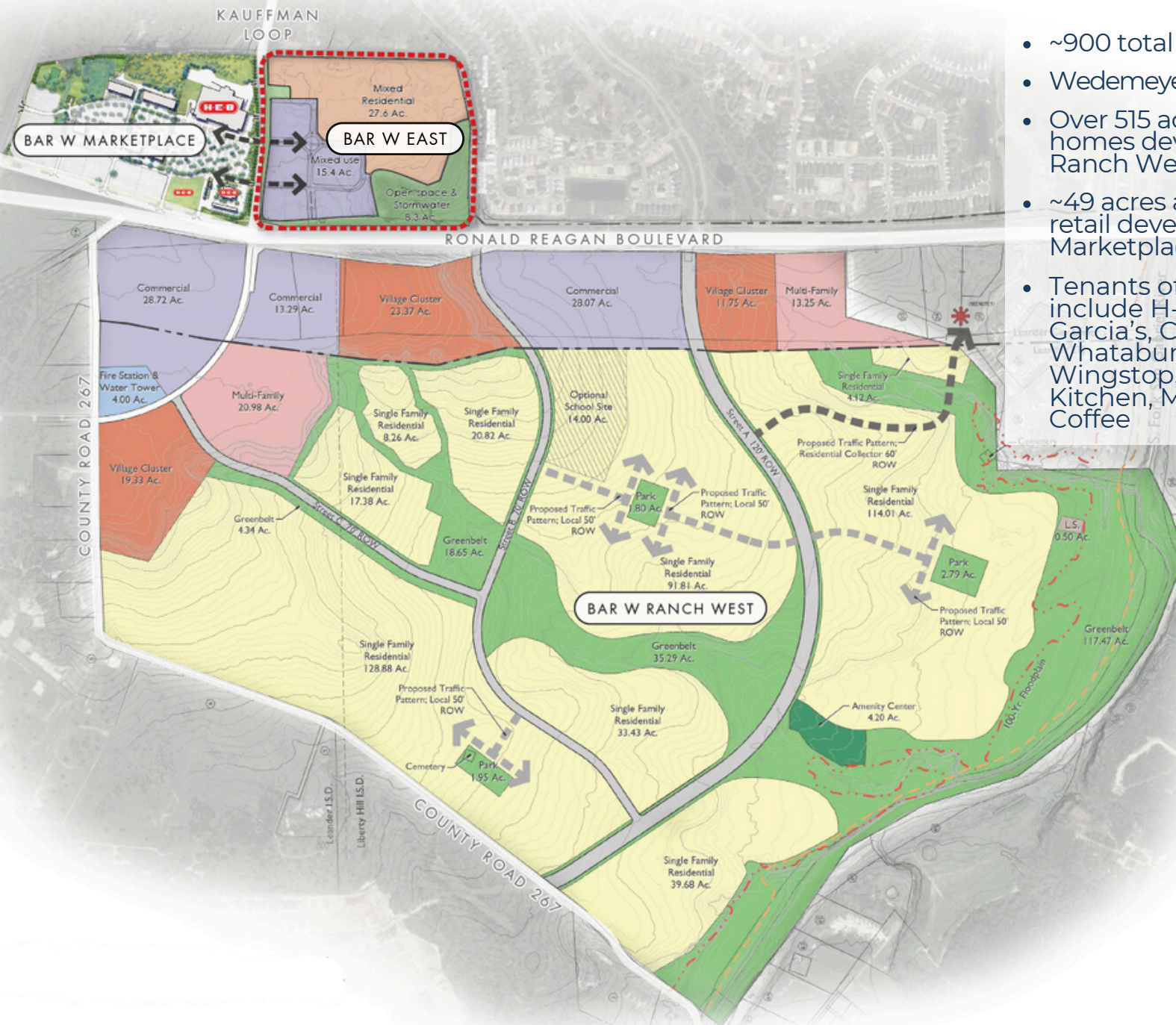


DAN WHEAT
Partner, VP of Leasing



BARKLEY WEDEMEYER
Land Owner/ Master Developer
Bar W Ranch

BAR W RANCH - COMMUNITY



- ~900 total acres
- Wedemeyer ownership since 1947
- Over 515 acres and over 1,500 homes developed at Bar W Ranch West
- ~49 acres and over 209K SF of retail developed at Bar W Marketplace
- Tenants of Bar W Marketplace include H-E-B Grocery, Casa Garcia's, Chili's, McDonald's, Whataburger, Torchy's Tacos, Wingstop, Hao Hao Chinese Kitchen, Milk & Tea, and 7Brew Coffee

BAR W RANCH - WEDEMEYER FAMILY CITY, COUNTY, AND SCHOOL DISTRICT CONTRIBUTIONS

- Created regional wastewater system serving the Ronald Reagan Blvd. corridor ~3,000 LUE's
- Donated 7 acres ROW for Kauffman Loop to Williamson County
- Donated 4 acres to city of Leander for Water Tower and Fire Station
- Reserved over 100 acres of open space and parkland within Bar W Ranch development
- Partnered with city of Leander to extend utilities to the Bar W Marketplace site
- Future commercial development of 160 acres on the west side of Ronald Reagan Blvd.
- Sold site to Liberty Hill ISD for Bar W Elementary School



BAR W EAST - PROJECT OVERVIEW



- PUD zoning approved March 2023
- ~35 Acres Mixed Residential
- ~108,000 SF Commercial Retail
- ~334 multifamily units
- Future ~130 townhomes
- Over \$8.5M Common Infrastructure
- Commercial retail portion of project will be a mix of first-class retail, service, and restaurant tenants consistent with quality found in Bar W Marketplace
- Additional uses for commercial portion of project may include hotel, medical, and office

BAR W EAST - CLASS-A MIXED RESIDENTIAL



BAR W EAST - CLASS-A MULTIFAMILY AMENITIES

- CONTEMPORARY CLUBHOUSE
- BUSINESS LOUNGE WITH COFFEE BAR
- CONFERENCE CENTER AND MICRO OFFICES
- GAME ROOM WITH HD TV'S AND BILLIARDS
- FITNESS CENTER WITH ON-DEMAND VIRTUAL TRAINER
- INDOOR YOGA STUDIO
- BARBEQUE AREA WITH GRILLS
- RESORT-STYLE SWIMMING POOL WITH CABANAS
- PET PARK AND SPA STATION
- PARCEL ROOM WITH REFRIGERATION



IRONRIDGE AT HILL COUNTRY VILLAGE | SAN ANTONIO, TEXAS

BAR W EAST - REPRESENTATIVE EMBREY PRODUCT

IRONRIDGE AT HILL COUNTRY VILLAGE | SAN ANTONIO, TEXAS



TEXAS HOUSING FOUNDATION OVERVIEW

“RAISING THE STANDARD OF LIVING”

The Texas Housing Foundation (THF) is a Texas regional housing authority created to develop, acquire, administer, manage, and provide resident services to affordable housing across Texas. Through 2023, THF has developed and/or acquired and renovated over 5,700 units of affordable workforce and senior housing across the state of Texas have been developed and/or acquired and renovated.

THF is governed by a 7-member Board of Commissioners appointed by the County Commissioners of each participating county, as well as an appointed Resident Commissioner. Currently, THF is comprised of six member counties including: Bastrop, Blanco, Burnet, Hays, Llano and Williamson Counties.



JONATHAN COREAS

Jonathan Coreas is the Director of Development and has been with THF since 2017 in a number of capacities including Director of Accounting and Director of Asset Management. During his time at THF, he has been part of the key team managing the growth of THF from 1,400 to 5,700 units. Prior to that he worked for Brown Graham & Company, PC where he developed a mastery of the affordable housing industry through auditing various players in the industry ranging from housing authorities, for-profit and non-profit corporations.



DOMINIC AUDINO

Dominic Audino is General Counsel for THF and has been in that role since 2018. Prior to that Dominic was outside counsel for THF beginning in 2006. Dominic was first licensed as a real estate agent in Texas in 1989, is currently a licensed Texas real estate broker, a double-board certified real estate attorney, and a formerly certified real estate appraiser in California and Texas. In addition, Dominic also interned at HUD's Fort Worth Office of General Counsel while attending SMU's Dedman School of Law.

CREATE OPPORTUNITIES

Single-family and multifamily residences that meet the housing needs of lower income residents.

CREATE VALUE

Residential properties that are assets to our residents and our communities.

CREATE QUALITY

Residents are customers who have choices. Their satisfaction is our mission.

TEXAS HOUSING FOUNDATION DEALS

CRYSTAL FALLS CROSSING
LEANDER, TX



GATEWAY NORTHWEST
GEORGETOWN, TX



PALLADIUM
MIDLAND, TX

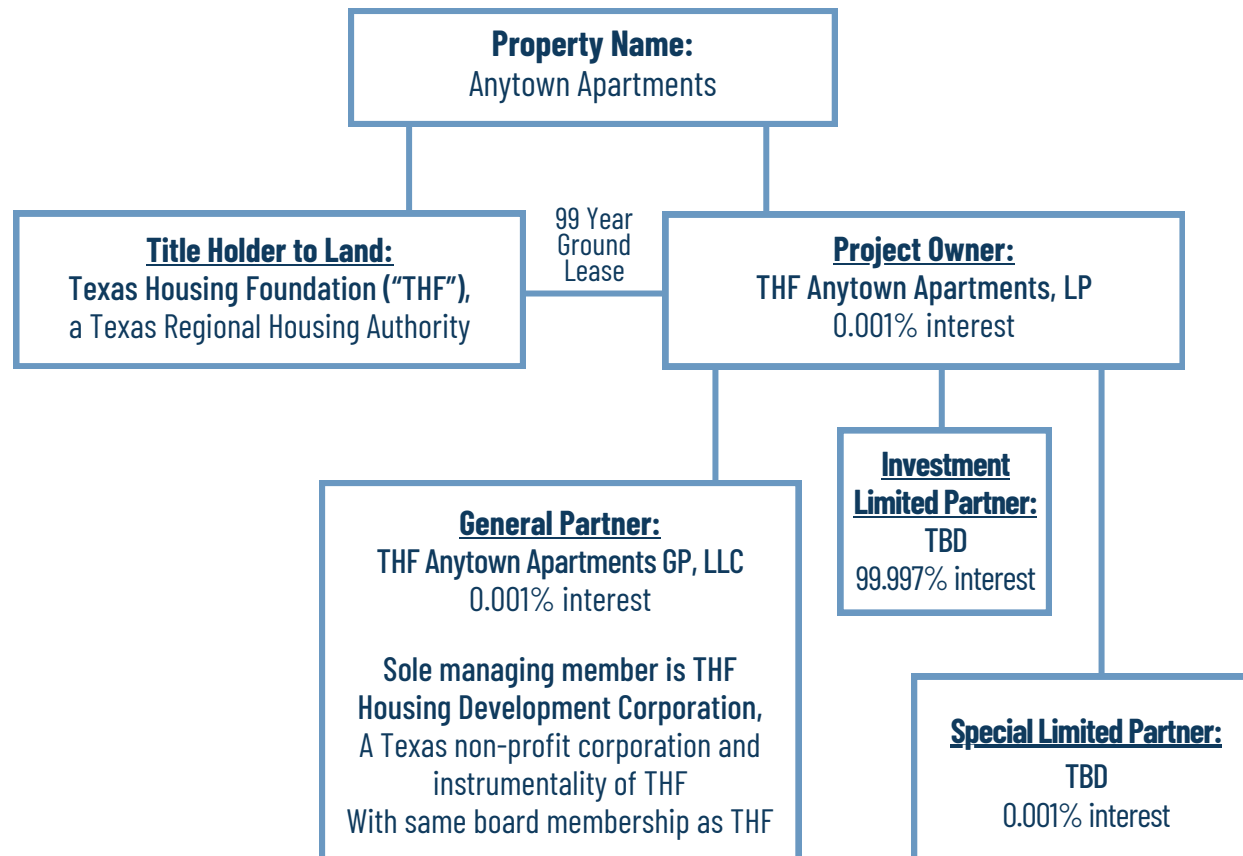


TEXAS HOUSING FOUNDATION PARTNERSHIP

Texas Housing Foundation program partnership overview

- Texas Housing Foundation, as an exempt Texas government body, holds title to the land and enters into a long-term (term varies) ground lease with the borrower entity.
- A THF affiliate is typically the manager (GP or managing member) of the borrower entity also in order to meet the legal test for tax exemption purposes.
- There is typically a Right of First Refusal and Purchase Option in favor of THF in order to meet the legal test for tax exempt status.

Ownership Entity Organizational Structure Chart (Example)



TEXAS HOUSING FOUNDATION INCOME & RENT LIMIT

HOUSEHOLD ADJUSTED: 2024					
People in Household:	1	2	3	4	5
80% AMI Income Limit:	\$70,560	\$80,640	\$90,720	\$100,800	\$108,880

HUD Rent Calculation Methodology (Adjusted for HH)		80% AMI (50% of Units)
Bedrooms	Methodology	30% Income Limit
1 Bedroom	Average of 1 and 2 Person HH	\$1,890
2 Bedroom	3 Person HH	\$2,268
3 Bedroom	Average of 4 and 5 Person HH	\$2,621

*WILLIAMSON COUNTY NOVOGRADAC CALCULATOR 1.5 PERSON/BEDROOM (2024)

SUNDANCE ANALYTICS

CITY REVENUES - BAR W EAST

\$ Millions	Through 2023	Cumulative Total 10 Years	Cumulative Total 20 Years	Cumulative Total 30 Years
I. City of Leander Revenues (TH & Comm.)				
Property Tax	\$ -	\$ 2.6	\$ 8.3	\$ 15.5
Sales Tax (1%)	\$ -	\$ 2.0	\$ 4.7	\$ 7.7
Hotel Occupancy Tax	\$ -	\$ 2.2	\$ 6.2	\$ 10.6
Total City of Leander Revenues	\$ -	\$ 6.8	\$ 19.2	\$ 33.8
II. City of Leander - MF Property Tax Abatement	\$ -	\$ 2.5	\$ 7.2	\$ 13.1
III. City Revenue Collection Multiple	N/A	2.7x	2.7x	2.6x

SUNDANCE ANALYTICS

CITY REVENUES - BAR W EAST & WEST

\$ Millions	Through 2023 ^[a]	Cumulative Total 10 Years	Cumulative Total 20 Years	Cumulative Total 30 Years
I. City of Leander Revenues (Excludes Bar W East MF)				
Property Tax	\$ -	\$ 3.9	\$ 31.6	\$ 78.5
Sales Tax (1%)	\$ -	\$ 2.9	\$ 16.3	\$ 36.7
Hotel Occupancy Tax	\$ -	\$ 2.2	\$ 6.2	\$ 10.6
Total City of Leander Revenues	\$ -	\$ 8.9	\$ 54.1	\$ 125.7
II. City of Leander - MF Property Tax Abatement	\$ -	\$ 2.5	\$ 7.2	\$ 13.1
III. City Revenue Collection Multiple	N/A	3.6x	7.6x	9.6x

[a] City collected \$138 in 2023

TEXAS HOUSING FOUNDATION / EMBREY CO-OP AGREEMENT

COOPERATION AGREEMENT
BETWEEN
THE CITY OF LEANDER, TEXAS
AND THE
TEXAS HOUSING FOUNDATION

I. RECITALS

WHEREAS, on the _____ day of _____, 2024, under provisions of the Tex. Local Government Code, Section 392.017(d), the City Council of the City of Leander, Texas and the Texas Housing Foundation, a Texas regional housing authority (“Foundation”) must declare that there is a need for the Foundation, to exercise its powers within the territorial boundaries of the City of Leander (“City”) because there exists in the City a shortage of safe and sanitary housing available to lower income persons and senior citizens at rentals they can afford; and,

WHEREAS, in order for the Foundation to exercise its powers within the territorial boundaries of a municipality, Tex. Local Govt. Code, Section 392.017(d) requires the governing body of a municipality to adopt a resolution and execute a cooperation agreement under Section 392.059(a), authorizing such exercise of powers in the City; and,

WHEREAS, the City Council of Leander is the governing body of the City; and,

WHEREAS, the Foundation’s Board of Commissioners and the City Council of the City of Leander, Texas must adopt a resolution authorizing the Foundation to exercise its powers in the City and authorizing a cooperation agreement under Section 392.059(a).

NOW, THEREFORE, the parties hereto, the City and the Foundation, AGREE as follows:

II. TERMS OF AGREEMENT

1. Recitals. All of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this agreement.
2. Declaration of Need. The parties hereto declare that there is a need for the Foundation to exercise its powers within the territorial boundaries of the City of Leander, Texas because there exists in the City a shortage of safe and sanitary housing available to lower income persons and senior citizens at rentals they can afford.
3. Cooperation Agreement. The City and the Foundation agree to cooperate, consistent with this cooperation agreement, to allow the Foundation to provide safe and sanitary housing in the City for lower income persons and senior citizens at rentals they can afford.
4. Housing Development Authorization. The Foundation is authorized to exercise its powers under the Texas Housing Authorities Law, Tex. Local Govt. Code, Chapter 392, to assist in the planning, developing, and financing of the _____ Apartments

TEXAS HOUSING FOUNDATION / EMBREY CO-OP AGREEMENT

5. ("Development") and to operate and otherwise manage the Development as a multi-family rental housing development for low-income families in the City.

6. Annual Reports. The Foundation shall submit within 120 days after the end of its fiscal year a report to the Mayor of the City describing the housing and services operation undertaken for the benefit of low-income families of the City, including the residents of the Development, and describing other community outreach activities of the Foundation in the City.

7. Preservation of Authority. No applicable provision or intention in this cooperation agreement limits the authority or power of the City to exercise its powers under any law. No provision or intention in this cooperation agreement limits the authority or power of the Foundation to exercise its powers under the Texas Housing Authorities Law, Tex. Local Govt. Code, Chapter 392, to acquire, finance, plan, undertake, construct, renovate, or operate the Development under this cooperation agreement.

8. Implementation. The City Manager of the City or other authorized representative of the City and the President of the Foundation are authorized to take any reasonable and necessary action to effectuate and implement the direction and intention of this cooperation agreement, subject to the authorizing resolutions approved by the City Council and the Foundation Board, respectively.

9. Amendment / Termination. This cooperation agreement may be amended or terminated for any reason by resolution of the governing body of either party. The party desiring to amend the cooperation agreement must give at least 30 days written notice to the other party prior to considering for approval a resolution or action to amend or terminate the agreement, except that any housing project already begun, undertaken, bound, or obligated by a party may continue to operate under authority of this cooperation agreement.

Agreed upon and effective this ____ day of _____, 2024.

CITY OF LEANDER, TEXAS

By: _____
Christine DeLisle, Mayor

Texas Housing Foundation ("Foundation")

By: _____

Attest:

By: _____

TEXAS HOUSING FOUNDATION / EMBREY CO-OP AGREEMENT

A RESOLUTION OF THE CITY OF LEANDER, TEXAS

Resolution No. _____

WHEREAS, the Texas Housing Foundation, a Texas regional housing authority (the “THF”), has significant experience in providing, developing, acquiring, financing, rehabilitating and managing housing projects that are affordable to lower income residents and are assets to the community; and

WHEREAS, the THF wishes to exercise its powers within the City limits of the City of Leander, Texas; and

WHEREAS, in order for a regional housing authority to operate within the City of Leander, Texas, the Texas Local Government Code, Section 392.017(d) requires the governing body of the municipality to adopt a resolution declaring a need for a regional housing authority to exercise its powers within the municipality, and to authorize a cooperation agreement under Texas Local Government Code Section 392.059(b).

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

Section 1. THAT the City Council, pursuant to Texas Local Government Code Section 392.017(d)(1), hereby declares that there is a need for the THF, as a Texas regional housing authority, to exercise its powers within the City limits of the City of Leander, Texas to provide decent, safe, and sanitary housing that is affordable to lower income residents.

Section 2. THAT no municipal housing authority exists within the City limits of the City of Leander, Texas. Furthermore, the City Council, pursuant to Texas Local Government Code Section 392.017(d)(2), hereby authorizes a cooperation agreement under Texas Local Government Code Section 392.059(b) by and between the City of Leander, Texas and the Texas Housing Foundation, in order for the THF to acquire, finance, renovate, operate and manage the affordable housing development known as the _____ Apartments located within the City limits of Leander, Texas. Furthermore, a copy of any cooperation agreement among the Texas Housing Foundation and the City of Leander, Texas shall be included with and made a part of this resolution upon said Agreement’s execution.

Passed by the City Council on _____.

Christine DeLisle, Mayor

ATTEST:

Dara Crabtree, City Secretary

APPROVED AS TO CONTENT:

Todd Parton, City Manager

APPROVED AS TO FORM:

Paige Saenz, City Attorney

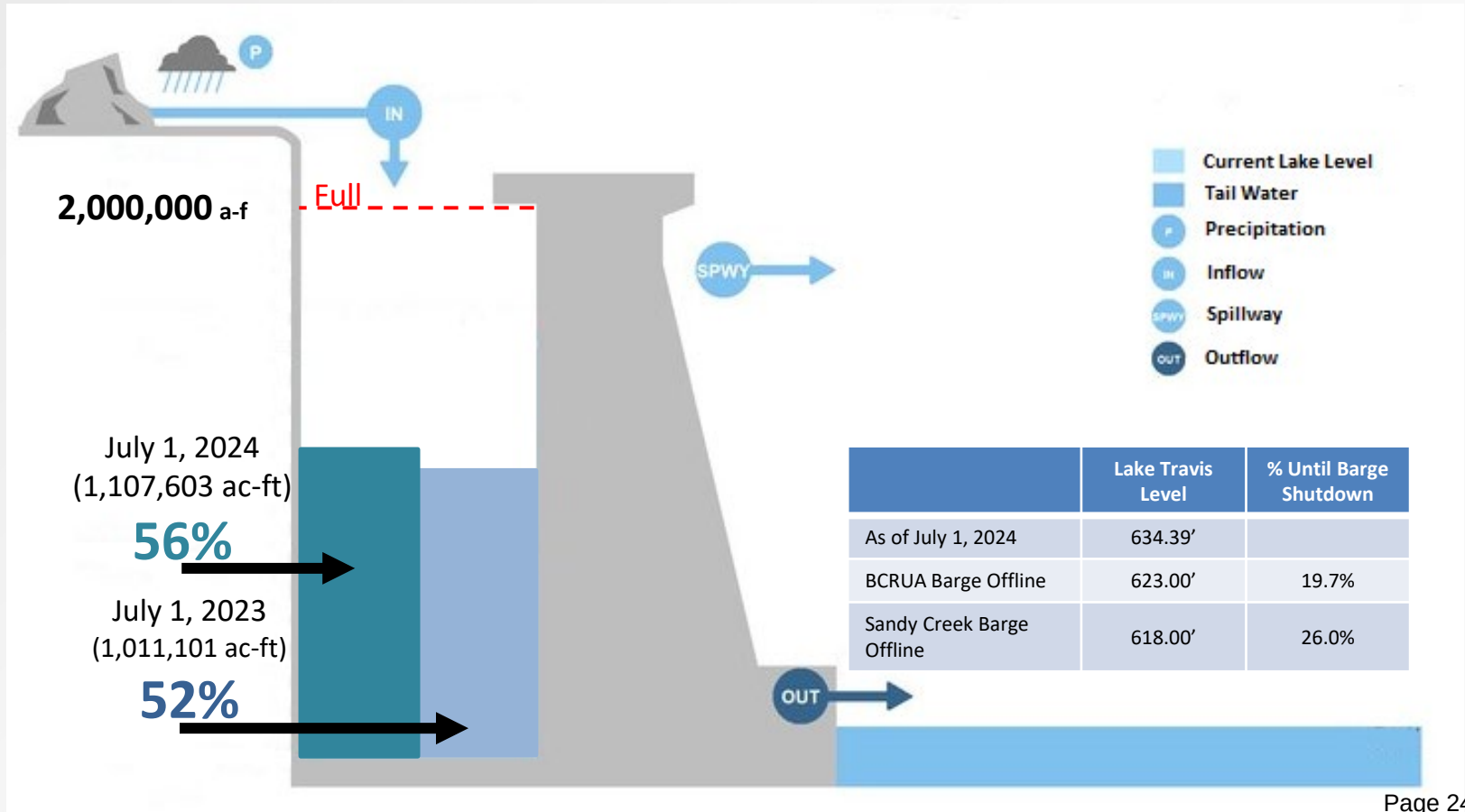


Water Update

July 18, 2024

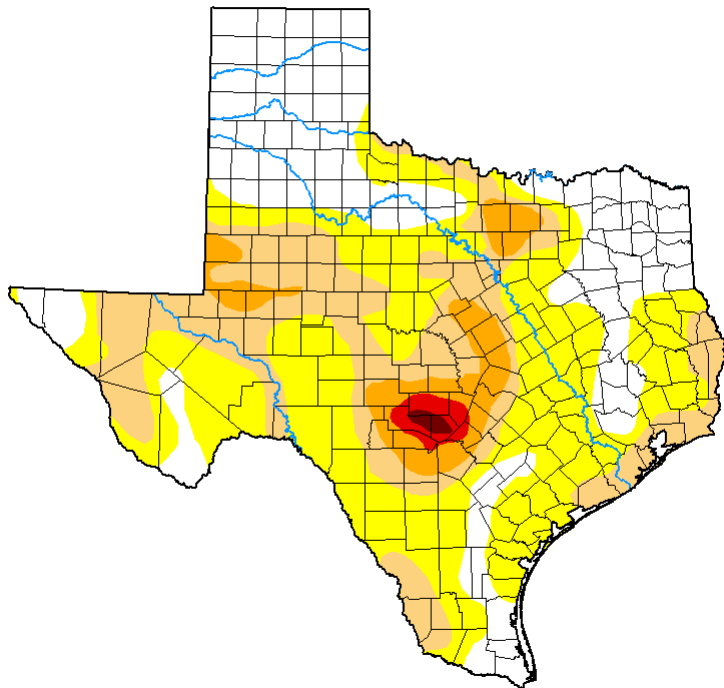
Gina Ellison, PE – Executive Director of Public Works

LCRA Combined Lake Storage

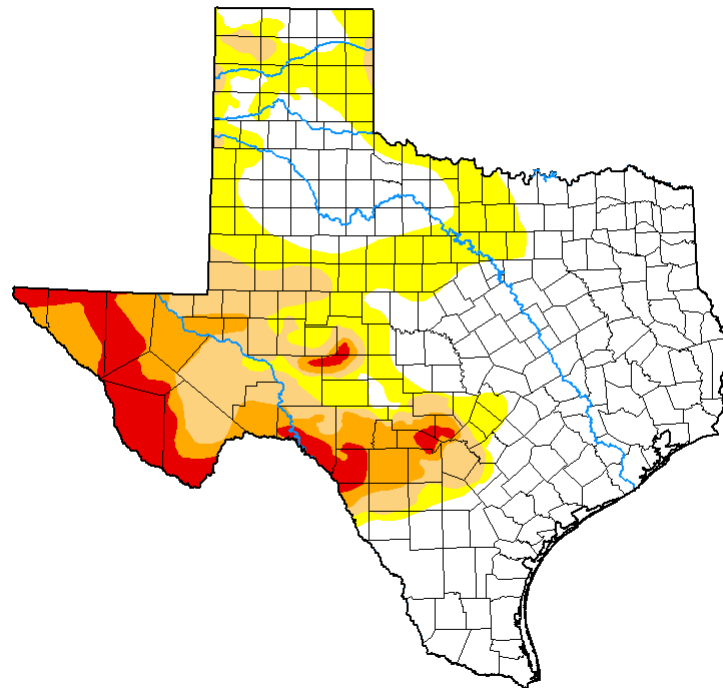


Drought Monitor

July 11, 2023

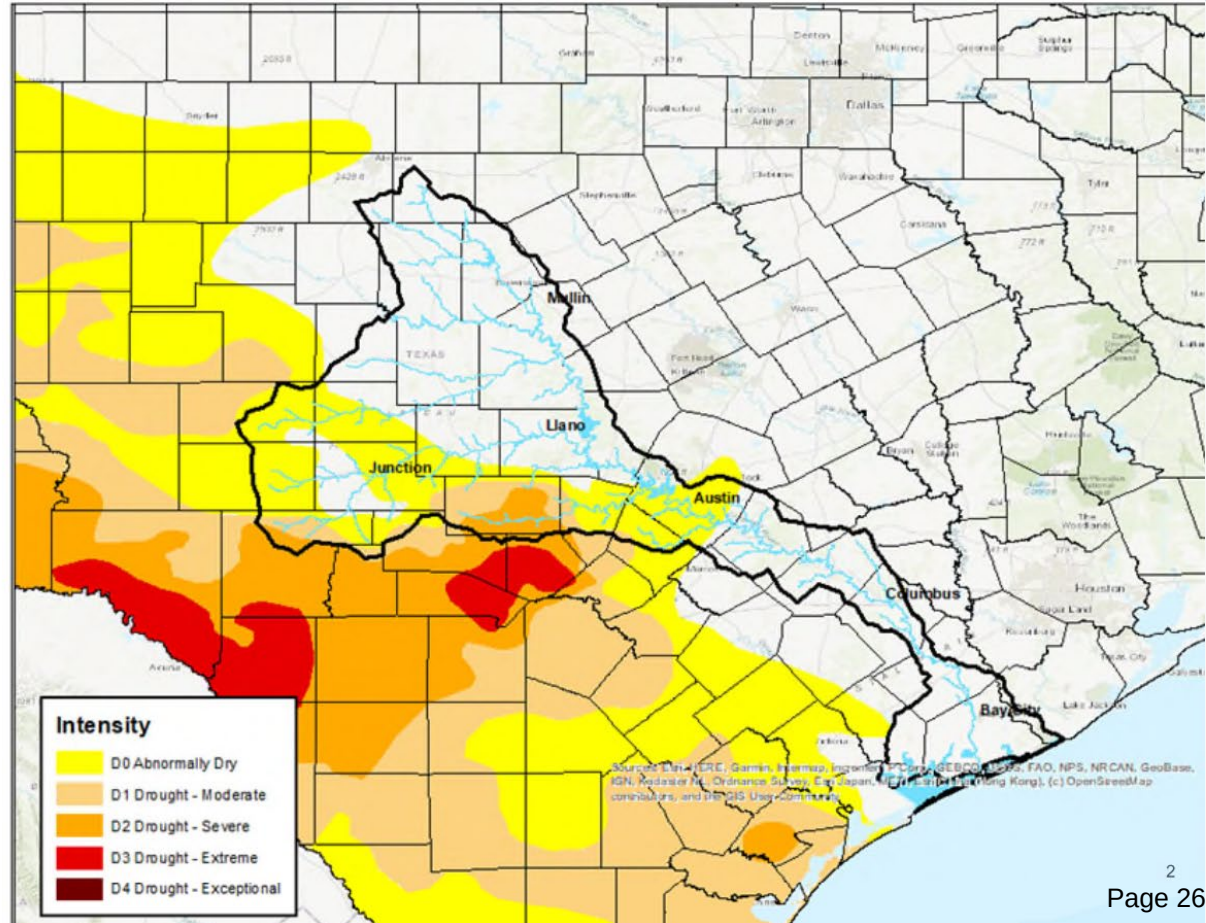


July 9, 2024

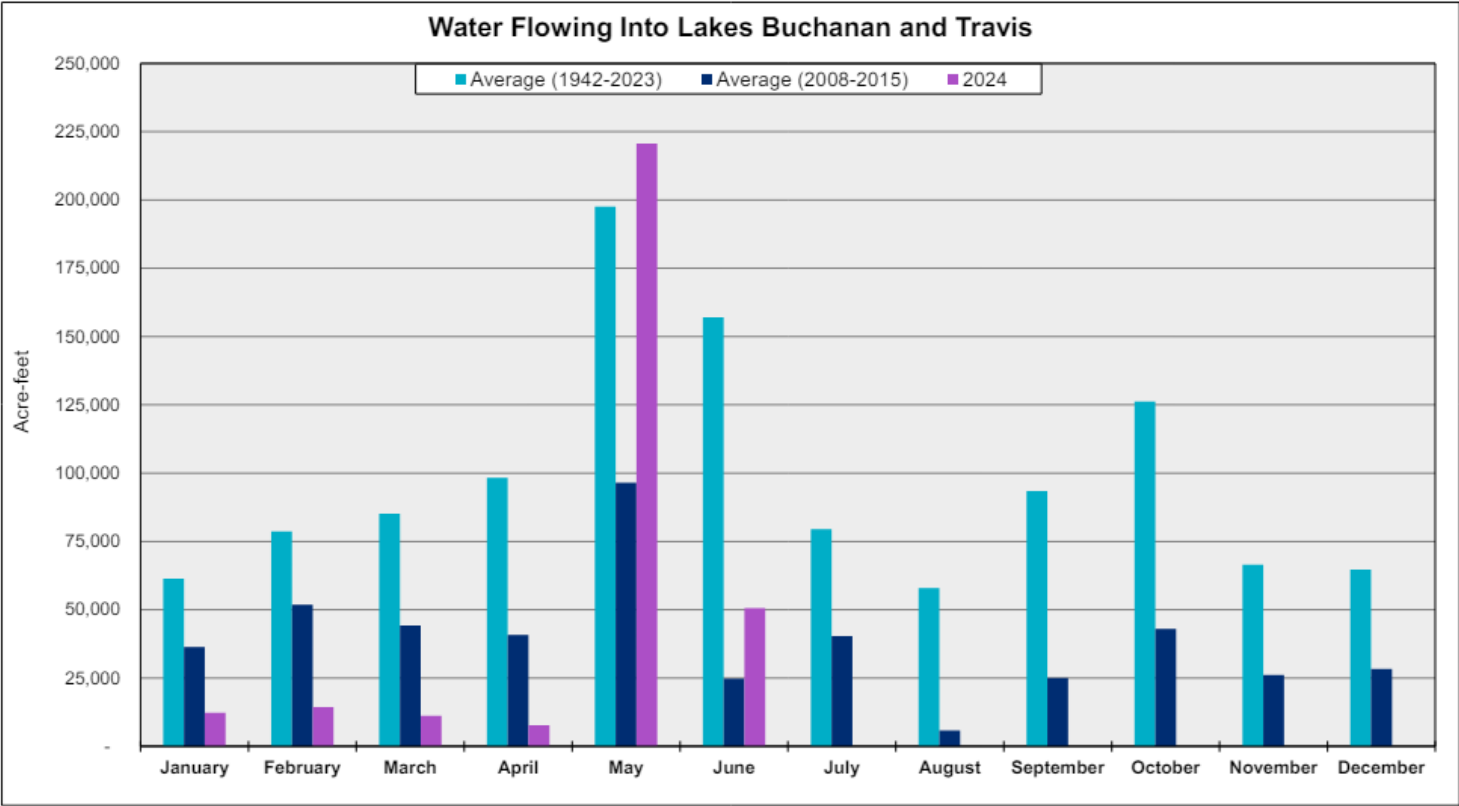


Lower Colorado River Basin

As of June 11, 2024



Inflows into the Lakes

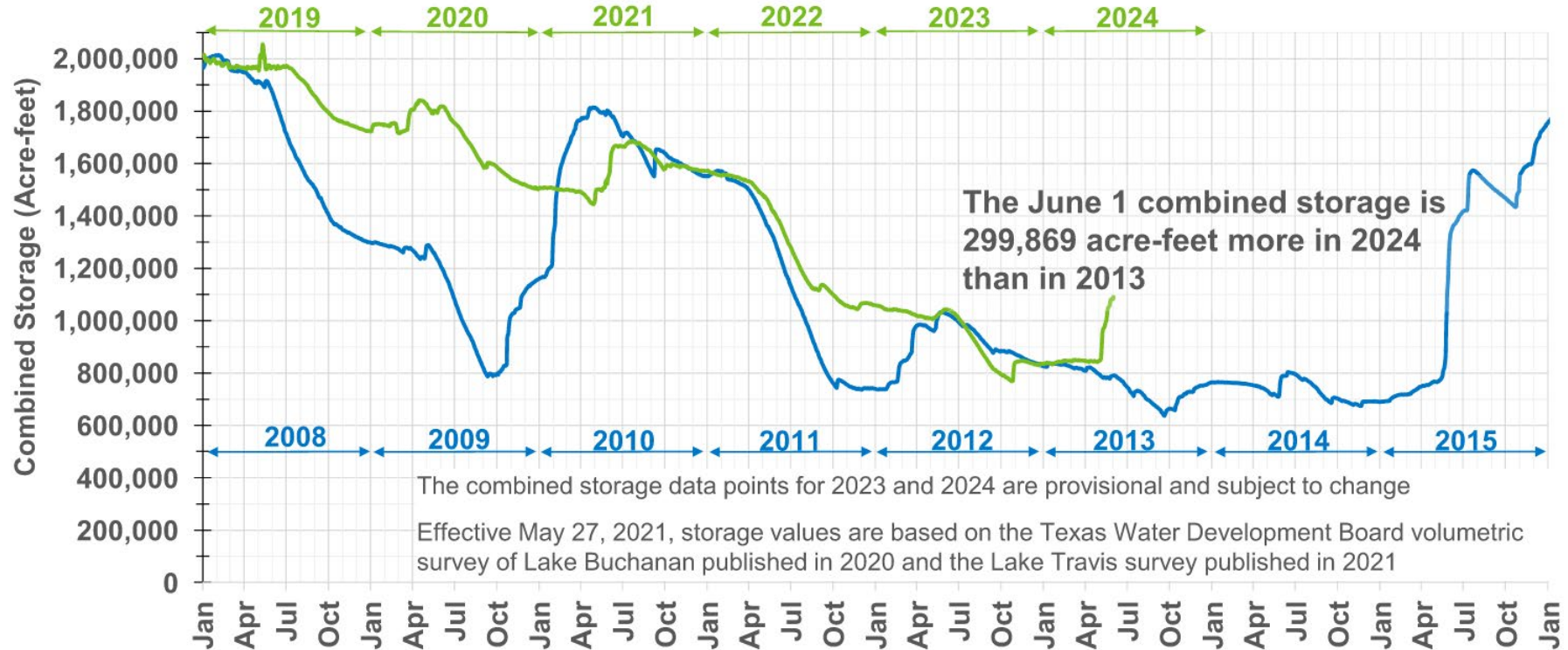


Inflows: the estimated amount of water flowing into lakes Buchanan and Travis from rivers and streams.
Data for 2023 and 2024 is preliminary and subject to change.

Period:	June
Since 1942, June Average (acre-feet):	157,035
2008-2015, June Average (acre-feet):	24,718
June 2024 (acre-feet):	50,652

Combined Storage of Lakes Buchanan and Travis

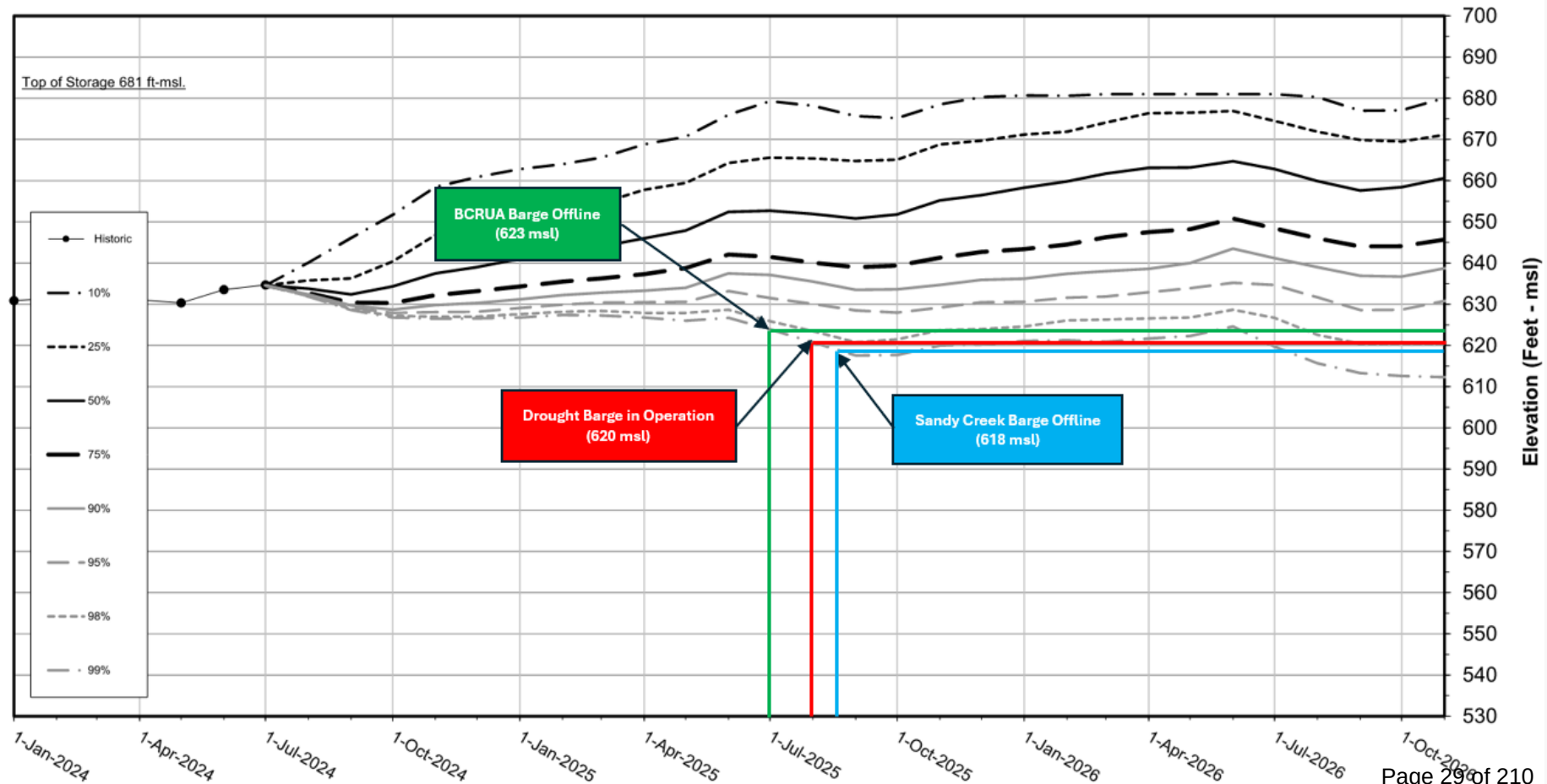
Comparison of 2019-2024 and 2008-2015



Lake Travis Long Range Elevation Forecast

Projections of Constant Future Likelihood for Lake Elevation Exceedence

Projected Demands and 2020 WMP



Emergency Barge Status

August

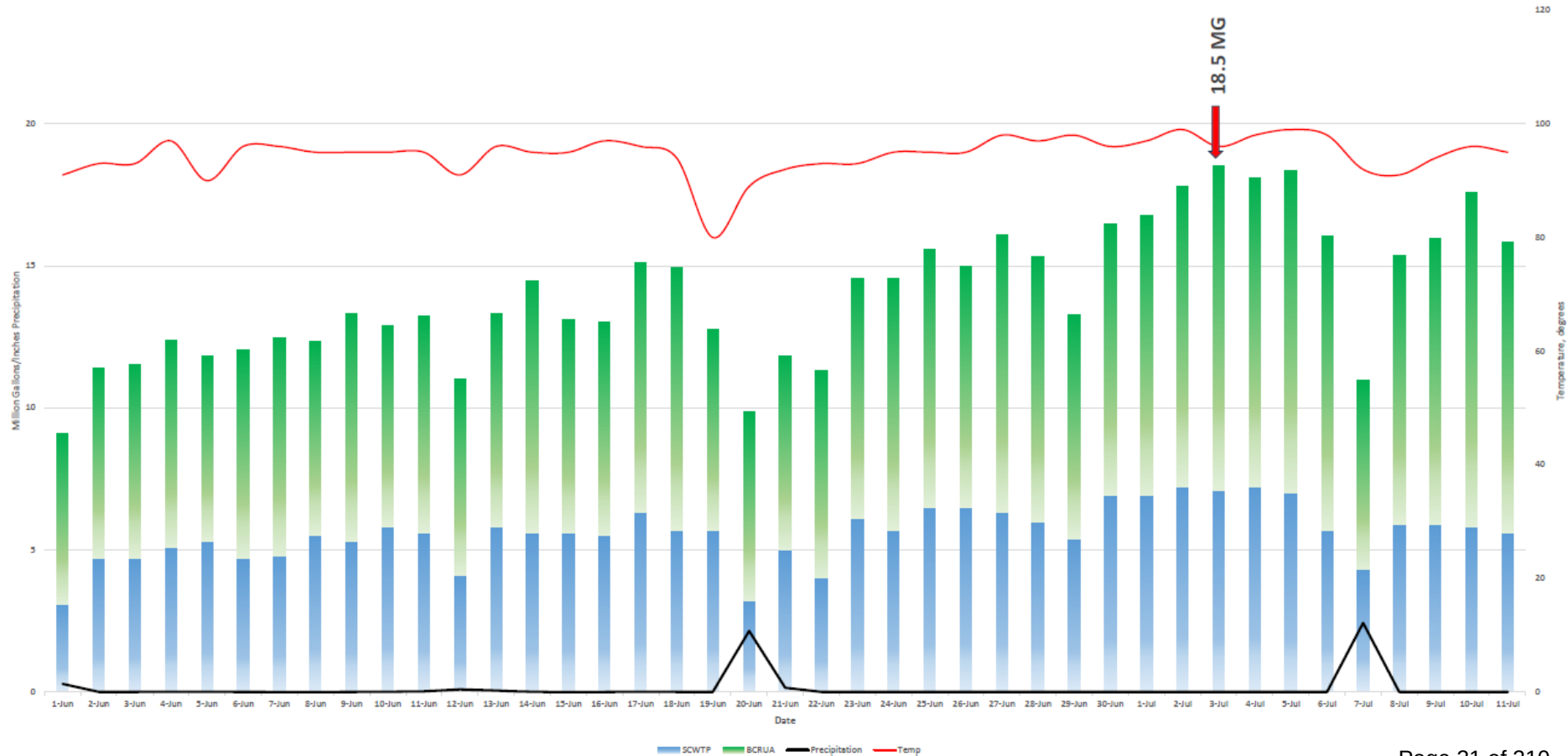
- Load testing each pump
- Validate remote/auto controls
- Identify and fix any faults while at contractor's marina

September

- Pause work & storage
- Readied for potential need next summer



Water Usage, Temperature, & Precipitation (June-July 11, 2024)

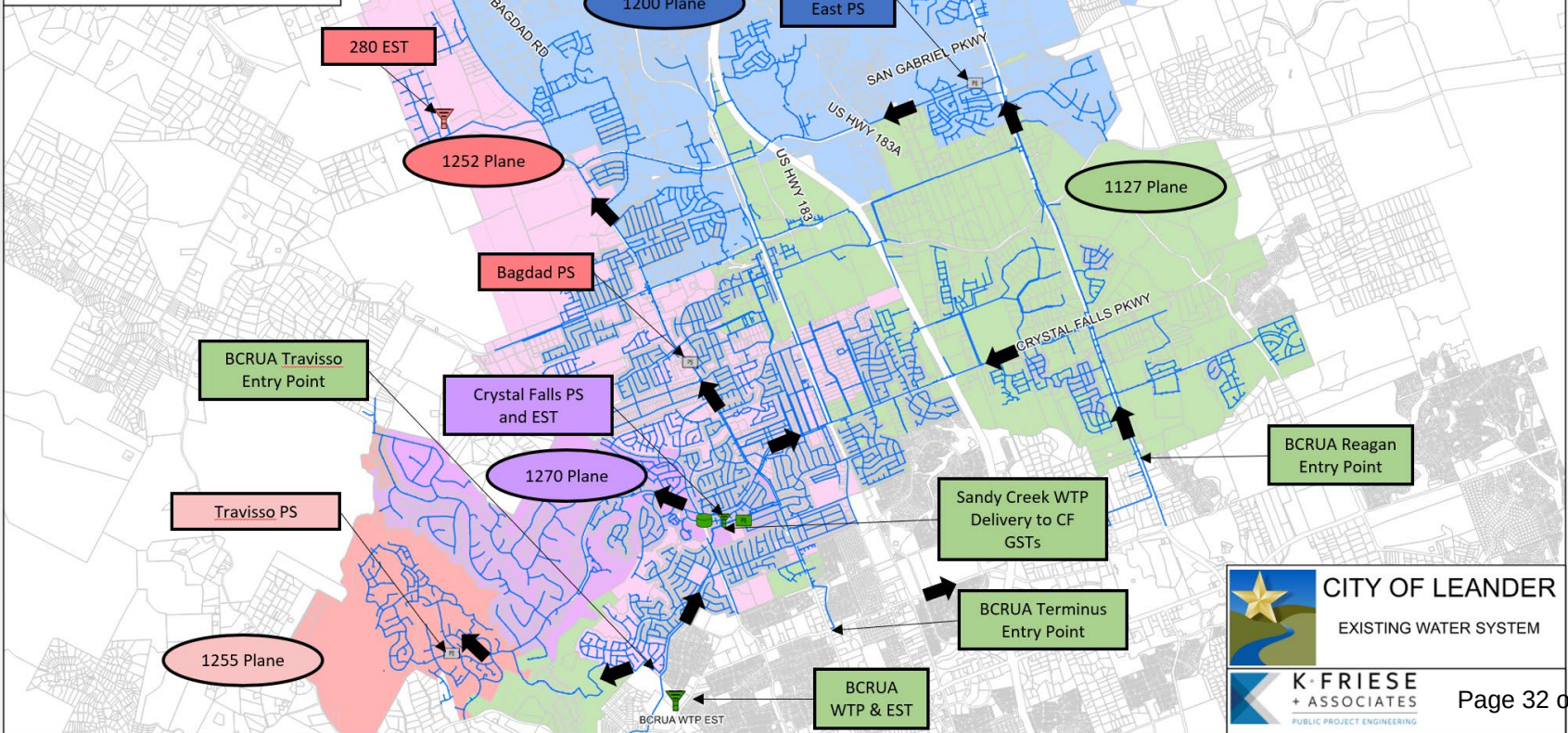
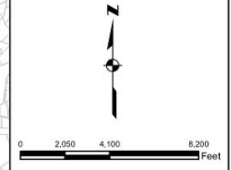


Legend

- Crystal Falls Storage/ Booster Pump Station
- EST CR 280
- Kauffman Loop EST
- Pump Stations
- Existing Waterlines
- Parcels

Pressure Planes

- 1127
- 1200
- 1252
- 1255
- 1272



CITY OF LEANDER
EXISTING WATER SYSTEM

K. FRIESE + ASSOCIATES
PUBLIC PROJECT ENGINEERING

Phase 3

Contingent on Peak Demand



Phase 3 Escalation Prep

- Training for Public Works

Phase 3 Triggers

- Crystal Falls ground storage drops to **10 feet** for 3 consecutive days; or
- Demand exceeds **20 MGD** for 3 consecutive days; or
- System exceeds **peak hour** demand at BCRUA take points

Phase 3 Conditions/Actions

- Hand-held outdoor watering only
- Irrigation meters locked
- Night patrols by Code Enforcement and Public Works

Phase 2 Downgrade

- System conditions return to acceptable status for **5 consecutive days**
- If triggered, we could remain in Phase 3 through September



FIGURE I-26. San Gabriel River at Missouri-Kansas-Texas Railroad bridge at Georgetown, Texas; near crest of flood April 24, 1957. Photograph by United Press.

WILLIAMSON COUNTY LAND OF GOOD WATER?

AUSTIN – 1915 FLOOD



PICA 14517, Austin History Center, Austin Public Library

TAYLOR – 1921 FLOOD



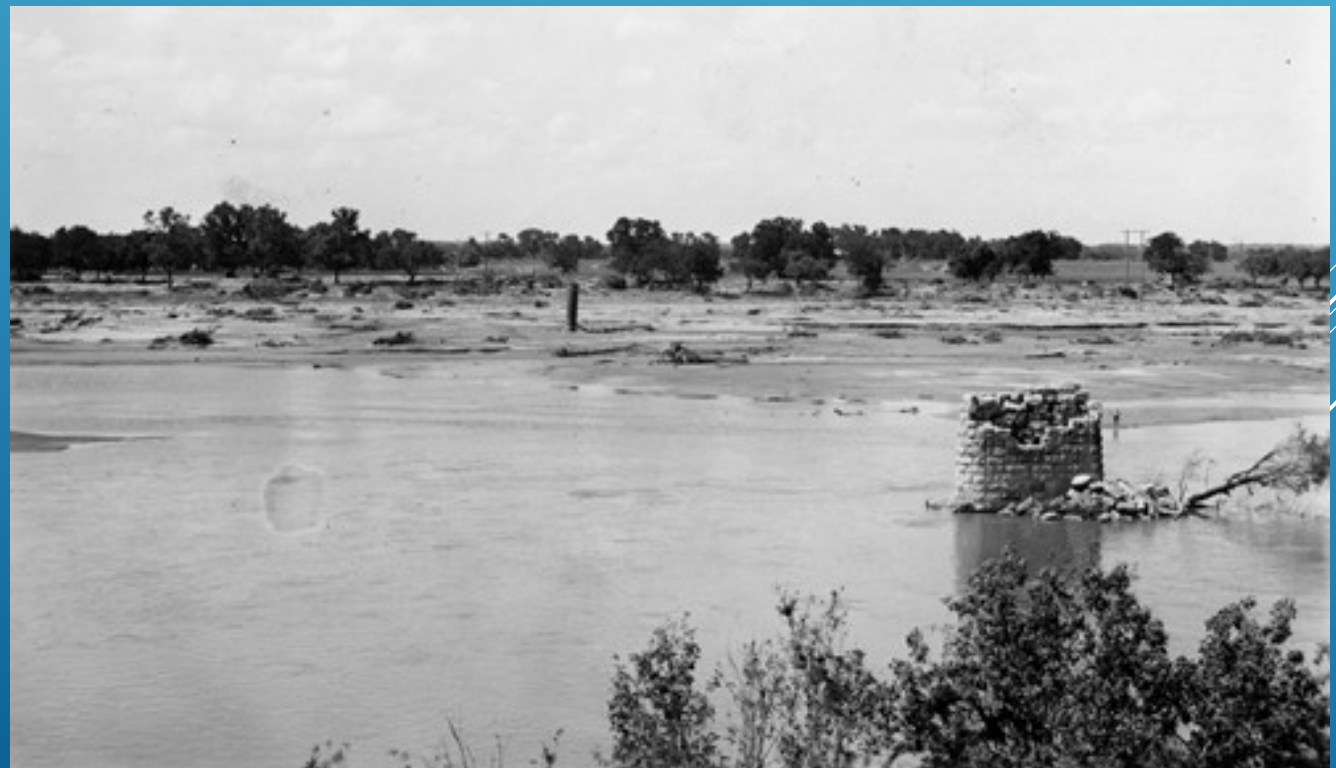


AUSTIN DAM FLOOD 1935





COLORADO RIVER





AUSTIN 1935

GRAINGER 1921





EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Approval of the minutes for meeting held on July 9, 2024.

BACKGROUND:

Attached are the minutes for the meeting held on July 9, 2024.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

PRESENTER:

Dara Crabtree, City Secretary

Fiscal Impact

Attachments:

1. Draft Minutes 07.09.2024



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Tuesday, July 9, 2024
Regular Meeting at 7:00 PM



**Mayor – Christine DeLisle
Place 1 – Kathryn Pantalion-Parker
Place 2 – Michael Herrera
Place 3 – David McDonald**

**Place 4 – Na'Cole Thompson
Place 5 – Chris Czernek
Place 6 – Becki Ross
City Manager – Todd Parton**

REGULAR MEETING – CONVENE AT 7:00 PM

1. Open Meeting, Invocation and Pledges of Allegiance.

Opened meeting at 7:01 p.m.; Councilmember Czernek provided the invocation; and Mayor DeLisle led the Pledges of Allegiance.

2. Roll Call.

Roll call reflected all present.

3. Oath of Office Councilmember Place 6
[Immediately following the oath of office there will be a brief reception]

4. 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.

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

Dottie Wakins, CapMetro - commented on CapMetro and congratulated Councilmember Ross on re-election.

5. Recognitions/Proclamations/Visitors.

- WaterSense Smart Irrigation Month (July)

CONSENT AGENDA: ACTION

Motion: Approve consent agenda items 6 through 15.

By: Councilmember McDonald

Seconded: Councilmember Pantalion-Parker

Vote: 7 - 0

6. Approval of the minutes for meetings held on June 20, 2024 and June 25, 2024.
7. Approval of Task Order No. MATLT-REL-CIPS23-019-04 with UES Professional Solutions 45, LLC for material testing services for Fire Station No.2 (CIP M.16) addition and renovation in the amount of \$62,273.00; and authorize the City Manager to execute any and all necessary documents.
8. Approval of Task Order No. MATLT-AAI-CIPS23-019-05 with Arias & Associates, Inc. for Material Testing Services for Wildsprings Phase 1 in the amount of \$76,472.50; and authorize the City Manager to execute any and all necessary documents.
9. Approval of Change Order No. 5 with Joe Bland Construction, LP; as part of the close out process for the Falcon Oaks Water and Wastewater Collection System Improvements (CIP W.6/WW.20) decreasing the amount by \$84,769.00, for a new contract total of \$4,551,717.10, with no extension of term duration; and authorize the City Manager to execute any and all necessary documents.
10. Acceptance of public improvements for RM 2243 at Horizon Park Boulevard traffic signal including the following public improvement categories: streets, signals, erosion and sedimentation controls, and drainage.
11. Acceptance of public improvements for Rosenbusch Ranch Phase 3 including the following public improvement categories: streets, drainage, wastewater, water, and landscape improvements.
12. Approval of purchase of two (2) 2024 Ford trucks from Sewell Ford of Odessa in the total amount of \$119,655.00 utilizing Solicitation S24-003/ L00321 with Sewell Family of Companies for the purchase of fleet vehicles; and authorize the City Manager to execute any and all necessary documents.
13. Approval of the extension of the application expiration for Subdivision Case PICP-22-0017 Lenox Hill Townhomes; more particularly described by Williamson Central Appraisal District Parcel R653589, generally located on the west side of Ronald W. Reagan Boulevard, approximately 750 feet south of Niles Drive, Leander, Williamson County, Texas.
14. Approval of the Leander Memory Care License Agreement, Case LA-24-0031, to allow for the installation and maintenance of an irrigation system within portions of Sonny Drive right-of-way, Leander, Williamson County, Texas.
15. Approval an Ordinance amending Article 13.09 Water Conservation and Drought Contingency Plan to enact amendments requested by the Texas Commission on Environmental Quality (TCEQ) to address measures that wholesale water customers are required to take during conservation Phase 2 of the Water Conservation and Drought Contingency Plan; providing savings, effective dates and open meetings clauses, and providing for related matters.

PUBLIC HEARING: ACTION

16. Conduct a Public Hearing regarding Zoning Case Z-24-0116 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) on three (3) parcels of land approximately 13.5 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R032163, R032164, and R032168; and generally located southwest of the intersection of Hero Way West and Lakeline Boulevard, approximately 560 feet west of Lakeline Boulevard, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-24-0116 as described above.

Opened Public Hearing 7:15 p.m.; closed Public Hearing 7:15 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Zoning Case Z-24-0116.

By: Councilmember Czernek

Seconded: Councilmember Pantalion-Parker

Vote: 7 - 0

17. Conduct a Public Hearing regarding the Bagdad Retail Center Annexation Case A-24-0014 for the voluntary annexation of 4.227 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R023980; and generally located northwest of the intersection of North Bagdad Road and CR 281, Leander, Williamson County, Texas.

- Discuss and consider action regarding Annexation Case A-24-0014 as described above.

Opened Public Hearing 7:16 p.m.; closed Public Hearing 7:16 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Annexation Case A-24-0014.

By: Councilmember Czernek

Seconded: Councilmember Pantalion-Parker

Vote: 7 - 0

18. Conduct a Public Hearing regarding the San Gabriel Annexation Case A-24-0013 for the voluntary annexation of 1.109 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R633380; and generally located south of CR 274, approximately 550 feet to the east of San Gabriel Parkway and approximately 860 feet to the west of Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.

- Discuss and consider action regarding Annexation Case A-24-0013 as described above.

Opened Public Hearing 7:17 p.m.; closed Public Hearing 7:17 p.m. No one spoke in favor or opposition of the request.

Motion: Approve San Gabriel Annexation Case A-24-0013.

By: Councilmember Pantalion-Parker

Seconded: Councilmember McDonald

Vote: 7 - 0

19. Conduct a Public Hearing regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets,

update definitions, update permitted uses, and to provide for related matters; Williamson and Travis Counties, Texas.

- Discuss and consider action regarding Ordinance Case OR-24-0015 as described above.

Opened Public Hearing at 7:21 p.m.; closed Public Hearing at 7:21 p.m. No one spoke in favor or opposition of the request.

Motion: Approve Ordinance Case OR-24-0015, following a discussion.

By: Councilmember Thompson

Seconded: Councilmember Czernek

Vote: 7 - 0

REGULAR AGENDA

20. Discuss and consider the selection of Mayor Pro Tem for 2024-2025.

Motion: Approve Councilmember Thompson as Mayor Pro Tem for 2024-2025.

By: Mayor DeLisle

Seconded: Councilmember Ross

Vote: 7 - 0

21. 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

22. Council Member Closing Statements.

Kathryn Pantalion-Parker - thanked everyone involved with Liberty Fest.

Michael Herrera - thanked departments involved with Liberty Fest.

David McDonald - thanked staff involved with Liberty Fest; commented happy to live and participate in City.

Christine DeLisle - commented issued a proclamation recognizing Education Connection 15th anniversary; reminded everyone to shop locally; great to see everyone at Liberty Fest; and congratulated Councilmember Ross on re-election and Councilmember Thompson on selection of Mayor Pro Tem.

23. Adjournment

Adjourned at 7:35 p.m.

APPROVED

MAYOR

ATTEST:

CITY SECRETARY



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Approval of the Second Reading of an Ordinance regarding Zoning Case Z-24-0116 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) on three (3) parcels of land approximately 13.5 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R032163, R032164, and R032168; and generally located southwest of the intersection of Hero Way West and Lakeline Boulevard, approximately 560 feet west of Lakeline Boulevard, Leander, Williamson County, Texas.

BACKGROUND:

This request is the final step in the zoning process. Staff recommends approval of this request. During the meeting of June 13, 2024, the Planning & Zoning Commission recommended approval.

HISTORY/TIMELINE:

11/06/2002 & 12/20/2006 – Annexed into City Limits
06/13/2024 – Planning & Zoning, 1st Public Hearing
07/09/2024 – City Council, 2nd Public Hearing

APPLICANT/AGENT:

SEC Planning, LLC. (Peter Verdicchio and Gary Jueneman) on behalf of Hero Way Corner, LLC. (Kiran Kumar Nakirikanti) and Aurora Fortune Investments, LLC. (Srinivasa Buddha)

RECOMMENDATION:

The City Council unanimously approved the [request/application type] during the July 9, 2024 meeting.

PRESENTER:

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

Fiscal Impact

Attachments:

1. Z-24-0116 Att 1 Planning Analysis - Aurora Tract
2. Z-24-0116 Att 2 Current Zoning - Aurora Tract
3. Z-24-0116 Att 3 FLU Map - Aurora Tract
4. Z-24-0116 Att 4 Public Notification - Aurora Tract
5. Z-24-0116 Att 5 Proposed Zoning - Aurora Tract

6. Z-24-0116 Att 6 Aerial Map - Aurora Tract
7. Z-24-0116 Att 7 Lettter of Intent - Aurora Tract
8. Z-24-0116 Att 8 Neighborhood Outreach - Aurora Tract
9. Z-24-0116 Att 9 Ordinance
10. Z-24-0116 Att 10 6.13.2024 P & Z Minutes



PLANNING ANALYSIS

ZONING CASE Z-24-0116
AURORA TRACT

GENERAL INFORMATION

Owner/Agent: SEC Planning, LLC. (Peter Verdicchio and Gary Jueneman) on behalf of Hero Way Corner, LLC. (Kiran Kumar Nakirikanti) and Aurora Fortune Investments, LLC. (Srinivasa Buddha).

Current Zoning: Interim SFR-1-B (Single-Family Rural)
Interim SFS-2-B (Single-Family Suburban)

Proposed Zoning: GC-3-A (General Commercial)

Size and Location: The property is located approximately 560 feet southwest of Hero Way West and Lakeline Boulevard, including approximately 13.5 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 the property as commercial.

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	Interim SFR-1-B, SFS-2-B	Undeveloped
EAST	Interim SFS-2-B	Undeveloped
SOUTH	Interim SFR-1-B, ETJ	Single-Family Residential, Undeveloped
WEST	Interim SFR-1-B, ETJ	Church, Single-Family Residential (Apple Springs Subdivision)

SURROUNDING AREA:

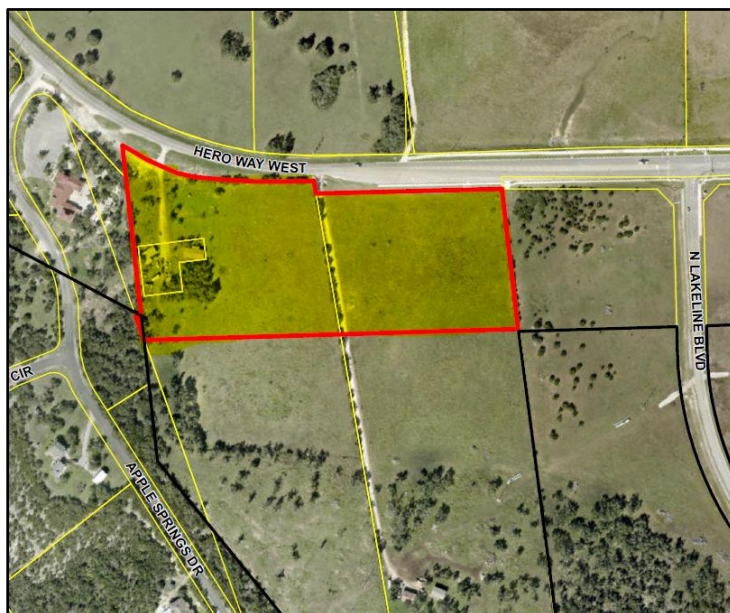
This property is located east of the Apple Springs Subdivision and southwest of the Hero Way and Lakeline Blvd. intersection. The properties directly to the northeast and southeast are currently undeveloped.

PHYSICAL AND NATURAL FEATURES:

This property currently has a single-family house on site.

PROPERTY HISTORY:

The parcel zoned as Interim SFS-2-B was annexed into the City of Leander on 11/02/2002 and the remaining Interim SFR-1-B parcels were annexed on 12/20/2006.

**PREVIOUS ZONING CASES:**

No previous zoning cases submitted for this property.

MAJOR CORRIDORS:

This property has access onto Hero Way West.

TRANSPORTATION PLAN REQUIREMENTS:

This proposal does not include the construction of new roads.

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

STREET	CLASSIFICATION	LAND USE CONTEXT	DESIGN ELEMENTS
Hero Way W.	Arterial	Commercial	126' ROW 6-Lane 10' sidewalk

SUBDIVISIONS:

No subdivision cases were previously submitted for this property:

EXISTING UTILITIES:

This property has access to water across Hero Way West (Figure 1), but will need to extend wastewater to the property (Figure 2).

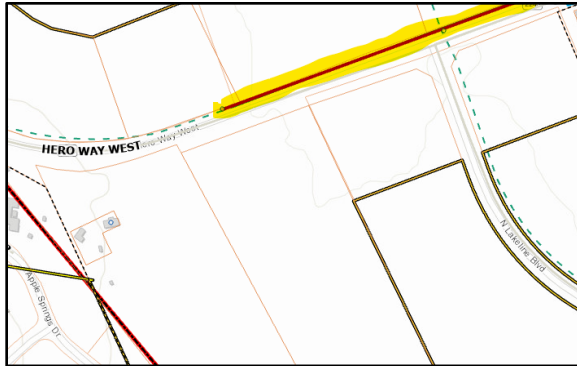


Figure 1 Water System



Figure 2 Wastewater System

CURRENT LAND USES:

This property is currently being used as a single-family residence.

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

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

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

SITE COMPONENT**TYPE 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.
- Strategy 2.2: Facilitate quality commercial development through targeted marketing and a commitment by the City to help businesses grow and expand.

Applicable Future Land Use categories

ACTIVITY CENTER

- Activity Center areas are the major strategic commercial centers within the community. They are intended to provide opportunity for diverse retail, employment and mixed-use destinations at critical intersections to create dense, value-intense development. These centers are regional in nature and serve a population beyond Leander, and are found on major highways and arterials. Managing access and traffic in these high-volume areas will require planning and coordination.

In a changing retail environment, Activity Centers are designed to become community destinations with activities, amenities, shopping, restaurants and places to gather, live and work. These mixed-use centers complement neighborhood centers and the urban development around Leander Station. Individually, these centers are expected to have a differing balance of land use, design, and atmosphere based on their location and context. High-density apartments and lofts are appropriate if designed and connected to the larger mixed-use center.

The Activity Center land use is intended to be implemented using a strategically planned framework, typically a PUD. When multiple landowners exist without a unified development scheme, proposed projects should plan for future integration to balance the activity center area as much as possible.

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:

NOTIFICATION

- 05/23/2024 - Public Notice on Hill Country News
- 05/29/2024 - Mail Notification to Property Owners within 200'
- 05/29/2024 - Public Hearing Signage Posted on Property
- 06/13/2024 - Planning and Zoning Commission Public Hearing

07/09/2024 - City Council Public Hearing & First Reading of the Ordinance
07/18/2024 - City Council Second & Final Reading of the Ordinance

PUBLIC NOTIFICATION:

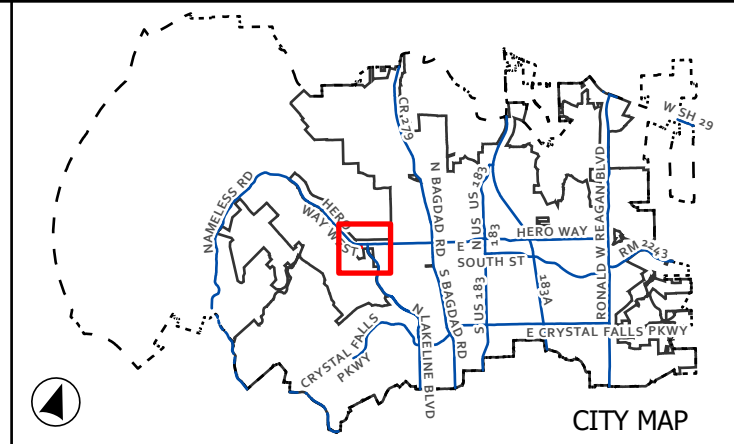
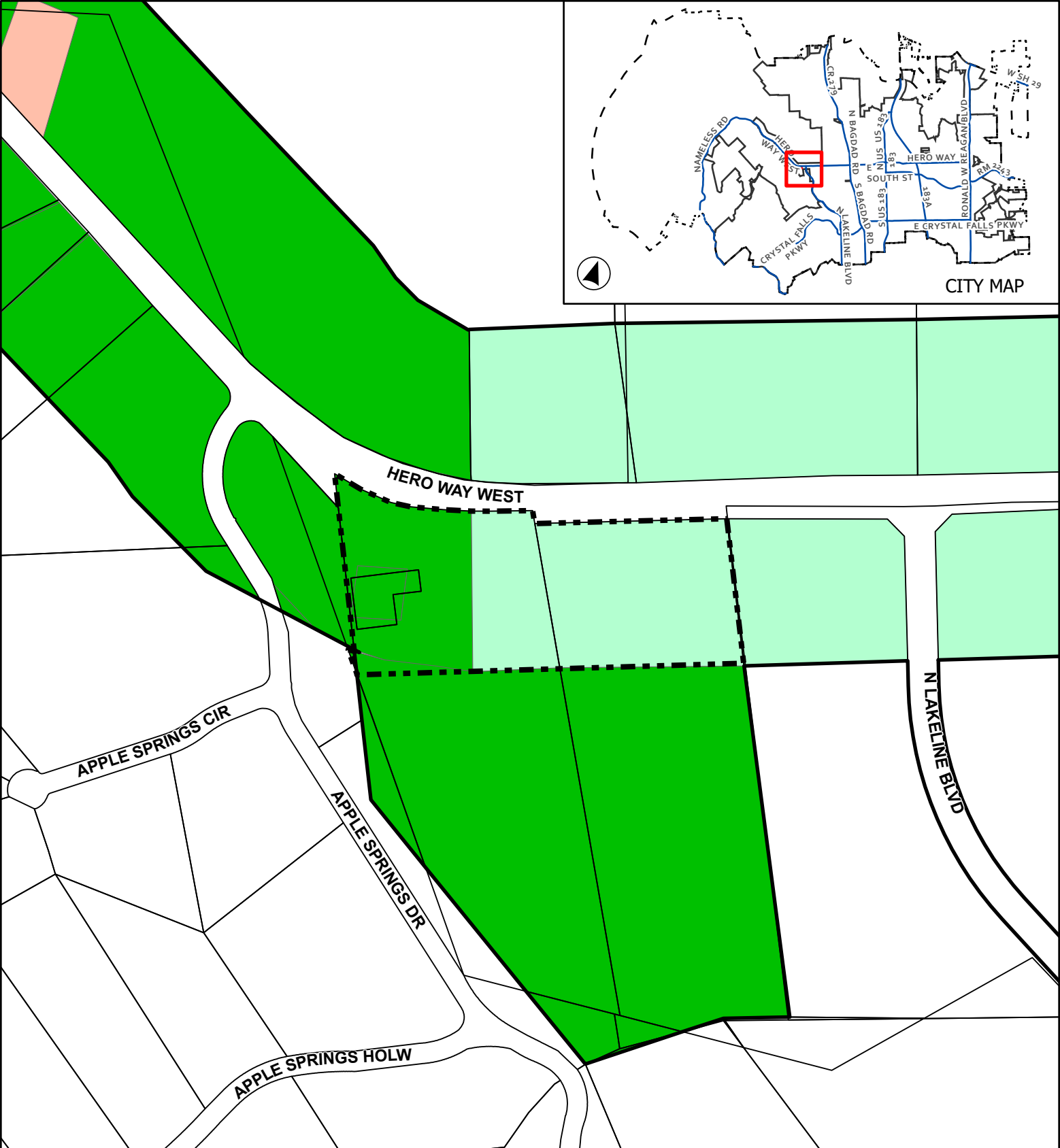
In addition to the notice mailed on behalf of the City to all property owners within 200', the agent reached out to all property owners of property zoned as single-family or any properties used as single-family uses within 500' as per Article X, Section 3 (d) of the Composite Zoning Ordinance. Any Homeowner's Association located within 500' were also contacted.

Neighborhood Outreach letters were sent out the week of 03/25/2024. On 05/22/2024 staff reached out to the applicant for an update and no additional feedback had been received at this time. No issues or concerns were provided in the summary and no changes were made following the outreach.

Please see the full report from the applicant attached.

APPROVAL CRITERIA:

The subject property is located just west of the intersection of two major arterial roadways Lakeline Boulevard and Hero Way West. The property falls within an Activity Center which is compatible with the proposed General Commercial use component. The properties directly north, south and east are currently undeveloped, while the properties to the west include a church and the existing Apple Springs subdivision. Staff supports this request.



CASE: Z-24-0116 ATTACHMENT 2 AURORA TRACT

Current Zoning

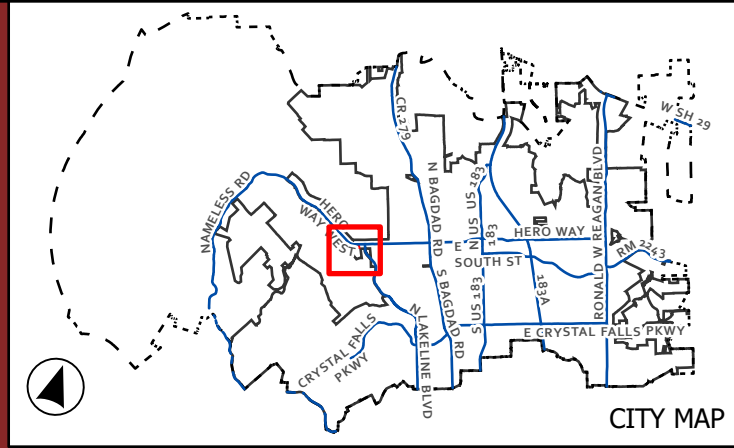
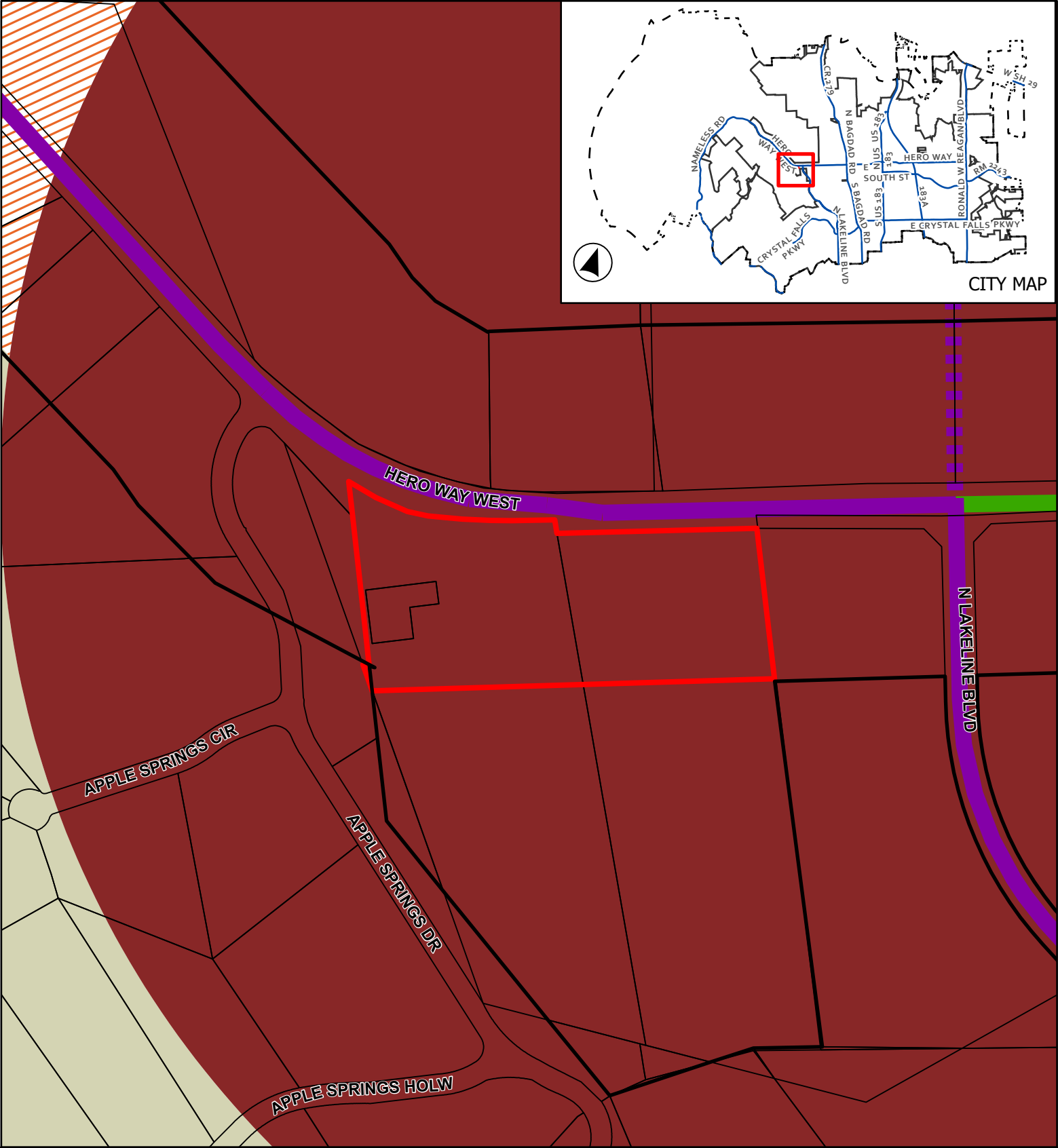
This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the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

- Leander City Limits
- Extra-Territorial Jurisdiction
- Subject Boundary
- SFR - Single-Family Rural
- SFS - Single-Family Suburban
- LO - Local Office

0 137.5275

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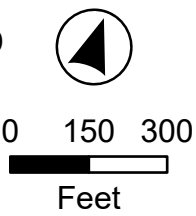
Feet



CASE: Z-24-0116 ATTACHMENT 3 AURORA TRACT

Future Land Use Map

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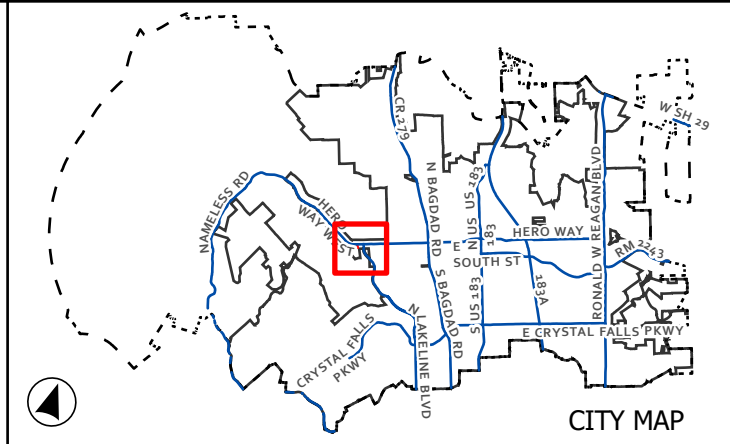
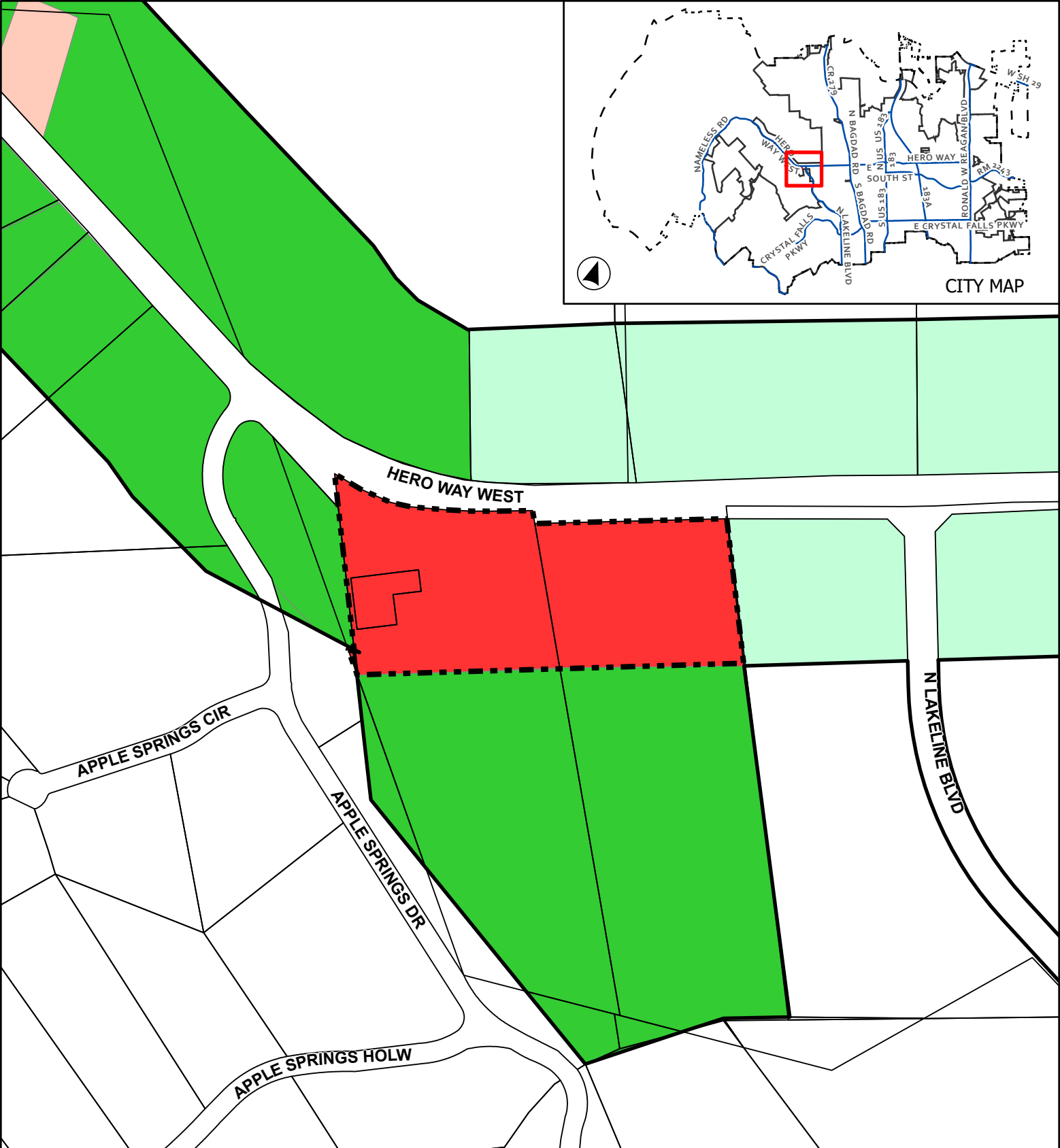
- Leander City Limits
- ETJ Boundary
- Subject Boundary

Future Land Use

- Rural
- Multi-Use Corridor
- Activity Center

Thoroughfare Plan

- Arterial 6 Lane, Existing
- Arterial 4 Lane, Existing
- Arterial 4 Lane, Proposed



CASE: Z-24-0116 ATTACHMENT 5 AURORA TRACT

Proposed Zoning

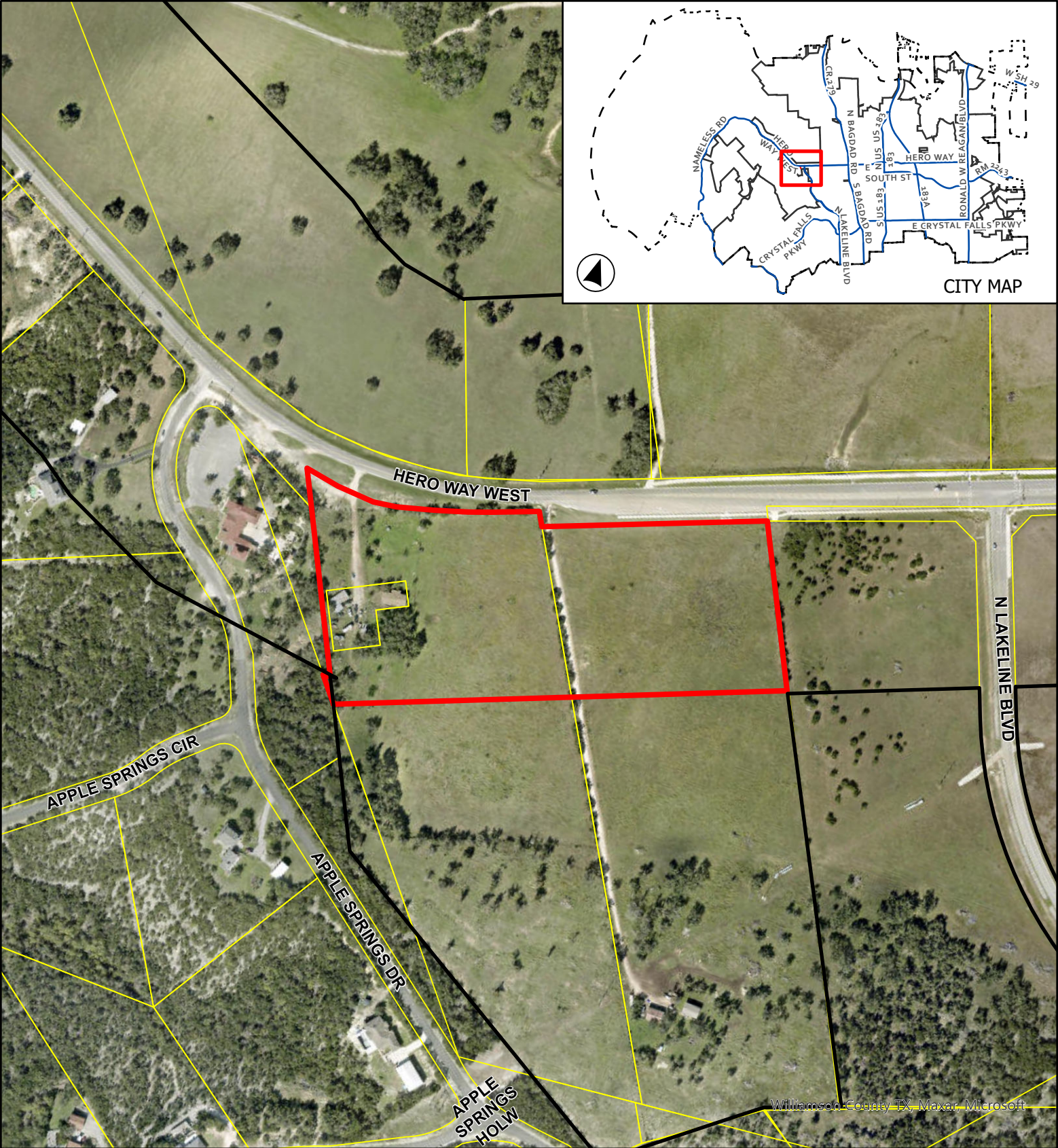
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- Leander City Limits
- Extra-Territorial Jurisdiction
- Subject Boundary
- SFR - Single-Family Rural

- SFS - Single-Family Suburban
- LO - Local Office
- GC - General Commercial

0 137.5275

Page 55 of 210
Feet



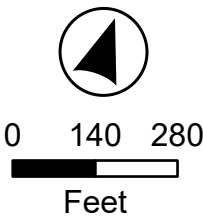
CASE: Z-24-0116

ATTACHMENT 6

AURORA TRACT

Aerial Map

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- Leander City Limits
- Subject Boundary



March 26, 2024

City of Leander Planning Department
104 North Brushy Street
PO Box 319
Leander, Texas 78646-0319

Re: 13675 & 13701 Hero Way W. Tracts Re-zoning Application Letter of Intent

Please find attached an application for a Re-zoning submittal for the Aurora/Hero Way Corner Tracts Project, generally located at the intersection of W Hero Way and Lakeline Blvd. The land use indicated on the City Future Land Use Map is Activity Center.

The property is currently open grassland with mild to moderate topographic slope generally towards the south.

The existing zoning categories for the Tracts are Single Family Suburban and Single Family Rural. A zoning change is being proposed for the portion of the property facing Hero Way west to allow for commercial development consistent with others in the area facing a major thoroughfare through the city. The proposed commercial designations are in alignment with the desired uses within the Activity Center designation as defined in the City Comprehensive Plan.

The Applicant is proposing to change the City base zoning districts to GC-3-A.

Thank you for considering this new Leander development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Verdicchio'.

Peter Verdicchio, PLA
Principal

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 sent to the following property owners within 500' the week of 3/25/2024,
see attached for letter.

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.

Property owners, see attached sheet with names and addresses.

3. What concerns were raised during these communications?

No responses to date.

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

None to date.

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

Signature: Gary Juveneman Date April 27, 2024



March 25, 2024

Re: 13675 & 13701 Hero Way W. Tracts Zoning Change Introduction

Hello Neighbors!

As part of an application to the City of Leander, please find attached information pertaining to a Zoning Change submittal for the Property located at 13675 & 13701 Hero Way West. Aurora Fortune Investments LLC/ Hero Way Corner LLC appreciates your review and consideration in supporting their effort to convert the Hero Way facing portion of the properties to General Commercial District and develop high-quality retail consistent with other development in the surrounding area.

The portion of the Property is approximately 13.5 acres located along Hero Way West, west of N. Lakeline Blvd.

The Property is currently located within the City Limits and is designated as “SFR (Single Family Rural) and SFS (Single Family Suburban)”. The Future Land Use Plan identifies the Property as “Activity Center” which are intended to provide opportunity for diverse retail, employment and mixed-use destinations at critical intersections to create dense, value-intense development. The Applicant intends to develop a commercial/retail project on the Property and seeks to rezone the Hero Way facing portion of the Property to GC, General Commercial. The rezoning request is for straight zoning, offering the Applicant the zoning standards to develop a high-quality commercial development. Rezoning to GC zoning will offer commercial development consistent with the commercial developments along Hero Way.

Additionally, the preliminary property design includes a future collector roadway and accounts for future roadway designs consistent with the City’s Future Land Use Plan (FLUP). From a land perspective, this area is an area of Leander in transition. Development growth in this area has been primarily residential, with much land still under residential development, making the need for future commercial offerings needed.

We welcome any questions or feedback you may have. Please contact me to convey any questions or thoughts you may have regarding the rezoning. My associates or I can be reached at 512.246.7003 or via email at info@secplanning.com.

Thank you for considering this proposed Leander development.

Sincerely,

Peter Verdicchio, PLA, ASLA
Principal

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING THREE (3) PARCELS OF LAND FROM INTERIM SFS-2-B (SINGLE-FAMILY SUBURBAN) AND INTERIM SFR-1-B (SINGLE-FAMILY RURAL) TO GC-3-A (GENERAL 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 13.5 acres ±; being more particularly described in Exhibit "A"; located south of Hero Way West, approximately 560 feet west of Lakeline Boulevard; identified by Williamson Central Appraisal District tax identification numbers R032163, R032164, and R032168; more particularly described in Instrument Numbers 2019094565, and 2020104979; 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 Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General 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 9th day of July, 2024.

FINALLY PASSED AND APPROVED on this the 18th day of July, 2024.

ATTEST:

THE CITY OF LEANDER, TEXAS:

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, June 13, 2024
Regular Meeting at 6:00 PM



Place 1 – Donnie Mahan
Place 2 – John Cosgrove
Place 3 – Ron May
Place 4 – Deirdre Moss

Place 5 – James Oliver, Vice Chair
Place 6 – Laura Lantrip, Chair
Place 7 – Scott Calame
Staff Liaison – Robin Griffin

REGULAR MEETING

1. Call to Order.
Meeting was called to order at 6:00 p.m.
2. Roll Call.
All present except Chair Laura Lantrip.
3. Director's report to the Planning & Zoning Commission on action taken by City Council on the June 6, 2024 meeting.
4. Review of meeting protocol.
5. 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.

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

No one wished to speak.

CONSENT AGENDA: ACTION

Motion to approve Consent Agenda items 6 through 8.

By: Board Member May

Seconded: Board Member Moss

Vote: 6 - 0 None

6. Approval of the minutes for meeting held on May 23, 2024.
7. Approval of the Subdivision Application Forms pursuant to Article IX, Section 9 (a) (1) c. of the Composite Zoning Ordinance; Leander, Williamson & Travis Counties, Texas.
8. Approval of the extension of the completion date for Subdivision Case 20-PICP-0032 Leander Platinum Public Improvement Construction Plans; more particularly described by Williamson Central Appraisal

District Parcel R372083, commonly known as 17680 Ronald Reagan Boulevard, Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

9. Conduct a Public Hearing and consider action regarding Zoning Case Z-24-0116 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) on three (3) parcels of land approximately 13.5 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R032163, R032164, and R032168; and generally located south of Hero Way West, approximately 560 feet west of Lakeline Boulevard, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-24-0116 as described above.

No one spoke in favor or opposition of the request.

Motion to approve Zoning Case Z-24-0116.

By: Board Member Mahan

Seconded: Board Member May

Vote: 6 - 0 None

10. Conduct a Public Hearing and consider action regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets, update definitions, update permitted uses, and to provide for related matters; Williamson & Travis Counties, Texas. Applicant: City of Leander.

- Discuss and consider action regarding Ordinance Case OR-24-0015 as described above.

No one spoke in favor or opposition of the request.

Motion: to postpone the Ordinance Case OR-24-0015 to the next Planning & Zoning meeting on June 27, 2024, by Vice Chair James Oliver with no second to the motion.

Adjourned at 6:27 p.m.

The meeting reopened at 6:30 p.m. All were present except Chair Lantrip. This item was restated for the record.

Motion to postpone the Ordinance Case OR-24-0015 to the next Planning and Zoning meeting on June 27, 2024.

By: Board Member Cosgrove

Seconded: Board Member Moss

Vote: 6 - 0 None

REGULAR AGENDA

11. Adjournment
Meeting adjourned at 6:31 p.m.

APPROVED

CHAIR

ATTEST:

STAFF LIAISON



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Approval of the Second Reading of an Ordinance regarding the San Gabriel Annexation Case A-24-0013 for the voluntary annexation of 1.109 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R633380; and generally located south of CR 274, approximately 550 feet to the east of San Gabriel Parkway and approximately 860 feet to the west of Ronald W. Reagan Boulevard, Leander, Williamson County, Texas.

BACKGROUND:

A resolution was adopted on June 6, 2024 and commenced the voluntary annexation of 1.109 acres ± as described above. The resolution set the public hearing for July 9, 2024 and the readings of the ordinance for July 9, 2024 and July 18, 2024. This property is owned by the city and the San Gabriel Elevated Storage Tank is under construction. Staff recommends approval.

HISTORY/TIMELINE:

06/06/2024 – Resolution Adopted

07/09/2024 – City Council, 1st Public Hearing

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

The City Council unanimously approved the annexation during the July 9, 2024 meeting.

PRESENTER:

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

Fiscal Impact

Attachments:

1. A-24-0013 Att 1 San Gabriel - Resolution
2. A-24-0013 Att 2 San Gabriel - Location Map
3. A-24-0013 Att 4 San Gabriel - Ordinance
4. A-24-0013 Att 3 San Gabriel - Annexation Schedule

RESOLUTION NO. 24-011-00

A RESOLUTION OF THE CITY OF LEANDER, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF 1.109 ACRES, MORE OR LESS, OF LAND LOCATED IN WILLIAMSON COUNTY, TEXAS; SETTING AN ANNEXATION SCHEDULE; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the owner of certain property located within Williamson County, Texas, have petitioned the City of Leander, Texas, (hereinafter, the "City"), a home-rule City, for annexation of said property, more particularly described in Exhibit A attached hereto and incorporated by reference herein (the, "Subject Property"), into the City limits; and

WHEREAS, the Subject Property is contiguous and adjacent to the corporate limits of the City and the owner(s) have made application for annexation; and

WHEREAS, after review and consideration of such requests and petition for annexation from the owners of the Subject Property, the City Council finds that the Subject Property may be annexed pursuant to §43.0671 of the *Local Government Code*; and

WHEREAS, the petitioner has agreed and consented to the annexation of the Subject Property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted.

NOW, THEREFORE, BE IT RESOLVED 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. Proceedings. The petition for annexation, attached hereto as Exhibit A, of the Subject Property described hereinbelow and further described in Exhibit B and the service plan attached hereto as Exhibit C, are hereby accepted (all exhibits described herein are incorporated by reference herein for all purposes).

Subject Property:

Being a 1.109 acre tract of land situated in the L.B. Johnson survey, Abstract No. 350 in Williamson County, Texas, said 1.109 acre tract of land being a portion of a 100.16 acre tract of land (by deed) deeded to Huie H. Lamb, Jr. as recorded in Volume 2323, Page 739, of the Official Records of Williamson County, Texas (O.R.W.C.T.), said 100.16 acre tract of land being further described in Volume 429, Page 140, of the Deed Records of Williamson County, Texas, (D.R.W.C.T.).

A public hearing has been set for the date of the 9th day of July, 2024. Notice of such hearing shall be posted and the hearing shall be open to the public to accept public comment on the annexation

request. In the event of a conflict between the Subject Property description contained herein, **Exhibit B** shall control.

Section 3. Severability. Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance 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 Resolution are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this the 6 day of June, 2024.

ATTEST:

THE CITY OF LEANDER, TEXAS

Dara Crabtree
Dara Crabtree, City Secretary

C. deJeste
Christine DeLisle, Mayor



Exhibit A
PETITION
(see attached)

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

REQUEST & PETITION TO THE CITY COUNCIL OF THE CITY OF LEANDER
FOR ANNEXATION OF PROPERTY

WHEREAS, the undersigned is the owner of a certain area of land located within Williamson County, Texas, such property being more particularly described hereinafter by true and correct legal description (the, "Subject Property"); and

WHEREAS, the undersigned has sought the annexation of the Subject Property by the City of Leander, Texas, (hereinafter sometimes referred to as "City"), in order to obtain the benefits of City services to the Subject Property by the City; and

WHEREAS, the Subject Property is contiguous and adjacent to the corporate limits of the City; and

WHEREAS, the City, pursuant to §43.003, *Tex. Loc. Gov't. Code* and the request of the property owner, is authorized to annex the Subject Property; and

WHEREAS, pursuant to §43.0672, *Tex. Loc. Gov't. Code*, the City and the undersigned have negotiated and entered into a written agreement for the provision of services to the Subject Property, said agreement being attached hereto as **Exhibit A** and incorporated by reference herein; and

WHEREAS, the undersigned agrees and consents to the annexation of the Subject Property by the City and further agrees to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted.

NOW THEREFORE, the undersigned by this Petition and Request:

SECTION ONE: Requests the City Council of the City to commence annexation proceedings and to annex into the corporate limits of the City of Leander, Texas, of all portions of the Subject Property described as follows:

Being a 1.109 acre tract of land situated in the L.B. Johnson survey, Abstract No. 350 in Williamson County, Texas, said 1.109 acre tract of land being a portion of a 100.16 acre tract of land (by deed) deeded to Huie H. Lamb, Jr. as recorded in Volume 2323, Page 739, of the Official Records of Williamson County, Texas (O.R.W.C.T.), said 100.16 acre tract of land being further described in Volume 429, Page 140, of the Deed Records of Williamson County, Texas, (D.R.W.C.T.).

SECTION TWO: Requests that after annexation the City provide such services as are legally permissible and provided by the City, including sanitation, water and general governmental services as set forth in the written agreement regarding the provision of services attached hereto as

Exhibit A.

SECTION THREE: Acknowledges executing and entering into the agreement, attached hereto as **Exhibit A**, and that such agreement is wholly adequate and acceptable to the undersigned who hereby requests the City Council to proceed with the annexation and to publish notice and hold the requisite public hearing thereon, in accordance with the applicable laws of the State of Texas.

SECTION FOUR: Acknowledges that the undersigned understands and agrees that all City services to the Subject Property will be provided by the City on the same terms and conditions as provided to other similarly situated areas of the City and as provided in the written agreement regarding the provision of services attached hereto as **Exhibit A**.

SECTION FIVE: Agrees that a copy of this Request and Petition may be filed of record in the offices of the City of Leander and in the real property records of Williamson County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the Subject Property.

FILED, this 22 day of may 2024, with the City Secretary of the City of Leander, Williamson County, Texas.

Petitioner(s):

By: 
Name: Todd Parton
Title: City Manager

Address PO Box 319
Leander TX 78646

County Williamson

STATE OF TEXAS

§

COUNTY OF

Williamson

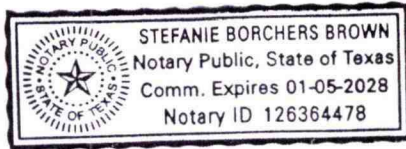
§

§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Todd Barton, owner of the Subject Property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they had authority to bind the entity and that they executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 22 day of May 2024.

(SEAL)




Notary Public - State of Texas

Exhibit B

PROPERTY DESCRIPTION

[SEE ATTACHED]

EXHIBIT "A"

City of Leander
 L. B. Johnson Survey, Abstract No. 350
 Williamson County, Texas

May 31, 2017
 Page 1 of 4

BEING A 1.109 ACRE TRACT OF LAND SITUATED IN THE L. B. JOHNSON SURVEY, ABSTRACT No. 350 IN WILLIAMSON COUNTY, TEXAS, SAID 1.109 ACRE TRACT OF LAND BEING A PORTION OF A 100.16 ACRE TRACT OF LAND (BY DEED) DEEDED TO HUIE H. LAMB, Jr. AS RECORDED IN VOLUME 2323, PAGE 739 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS (O.R.W.C.T.), SAID 100.16 ACRE TRACT OF LAND BEING FURTHER DESCRIBED IN VOLUME 429, PAGE 140 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.T.), SAID 1.109 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 4 inch square concrete monument found for the southeast corner of said 100.16 acre tract of land and for the southwest corner of a 9.53 acre tract of land (by deed) deeded to Parmer 274 Investments, LLC as recorded in Document No. 2012041079 of the Official Public Records of Williamson County, Texas (O.P.R.W.C.T.), said 4 inch square concrete monument also being an angle point in the north line of a 145.26 acre tract of land (by deed) deeded to Palmera Ridge Development, Inc. as recorded in Document No. 2013115345 of the O.P.R.W.C.T.;

THENCE, with the south line of said 100.16 acre tract of land and with the north line of said 145.26 acre tract of land the following two (2) courses:

- 1) South 73 degrees 20 minutes 15 seconds West, a distance of 84.55 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner;
- 2) South 69 degrees 04 minutes 45 seconds West, a distance of 668.11 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner in the proposed south right-of-way line of San Gabriel Parkway (proposed 110 foot right-of-way width), from which a 4 inch square concrete monument found (leaning) in the north line of said 145.26 acre tract of land, for the southwest corner of said 100.16 acre tract of land and for the southeast corner of the remainder of a 220.3 acre tract of land (by deed) deeded to Nancy Cheryl Toungeate, et al., as recorded in Document No. 2015093773 of the O.P.R.W.C.T. bears, South 69 degrees 04 minutes 14 seconds West, a distance of 279.12 feet;

THENCE, crossing through said 100.16 acre tract of land and along the proposed south right-of-way line of San Gabriel Parkway the following three (3) courses:

- 1) North 68 degrees 46 minutes 58 seconds East, a distance of 149.97 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for a point of curvature;
- 2) Along a curve to the left, an arc length of 665.52 feet, having a radius of 1096.00 feet, a central angle of 34 degrees 47 minutes 29 seconds, whose chord bears North 51 degrees 23 minutes 14 seconds East, a distance of 655.34 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for a point of tangency;

EXHIBIT "A"

City of Leander
L. B. Johnson Survey, Abstract No. 350
Williamson County, Texas

May 31, 2017
Page 2 of 4

- 3) North 33 degrees 59 minutes 29 seconds East, a distance of 121.14 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner in the east line of said 100.16 acre tract of land and in the west line of said 9.53 acre tract of land, from which a 1/2 inch iron rod with cap stamped "FOREST RPLS 1847" found for the northwest corner of said 9.53 acre tract of land and for the southwest corner of a 0.038 acre tract of land (by deed) deeded to Williamson County, Texas as recorded in Document No. 2006096128 of the O.P.R.W.C.T. bears, North 02 degrees 45 minutes 56 second East, a distance of 298.71 feet;

THENCE South 02 degrees 45 minutes 56 seconds West, with the east line of said 100.16 acre tract of land and with the west line of said 9.53 acre tract of land, a distance of 301.22 feet to the **POINT OF BEGINNING** and containing 1.109 acres or 48,316 square feet of land, more or less.

Notes:

All distances and areas shown herein are surface values.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone 4203, with horizontal datum of NAD83.

Controlling monuments referenced herein are as found on the date of the on-the-ground survey.

This legal description is accompanied by a plat of even survey date.

I, Thomas Cargill, Registered Professional Land Surveyor No. 5835, licensed in the State of Texas, do hereby certify that this legal description is true and correct and was produced from an actual on-the-ground survey under my direct supervision.


Thomas Cargill, R.P.L.S., P.L.S.
Registered Professional Land Surveyor No. 5835
TBPLS Firm No. 10106900
Gorrondona and Associates, Inc.
4201 W. Parmer Lane, Building A, Suite 150
Austin, Texas 78727
(512) 719-9933



EXHIBIT "A"**NOTES:**

1. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
2. ROW MARKERS ALONG PROPOSED RIGHT-OF-WAY LINE ARE A 5/8" IRON ROD SET WITH BLUE CAP STAMPED "GORRONDONA" UNLESS OTHERWISE NOTED.
3. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, CENTRAL ZONE 4203, ALL DISTANCES AND AREAS SHOWN ARE SURFACE.

LEGEND

- = MONUMENT FOUND (AS NOTED)
- = 5/8" IRON ROD WITH CAP STAMPED "GORRONDONA" SET
- O.P.R.W.C.T. = OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.T. = OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- D.R.W.C.T. = DEED RECORDS WILLIAMSON COUNTY, TEXAS

CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C-1	1096.00'	34°47'29"	N 51°23'13"E	655.34'	665.52'

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 73°20'15"W	84.55'
L-2	S 69°04'45"W	668.11'
L-4	N 33°59'29"E	121.14'

100.16 ACRES (BY DEED)
 HUIE H. LAMB, JR.
 VOLUME 2323, PAGE 739
 O.R.W.C.T.
 DESCRIBED IN
 VOLUME 429 PAGE 140
 D.R.W.C.T.

L. B. JOHNSON SURVEY
 ABSTRACT NO. 350

PROPOSED SAN GABRIEL PARKWAY
 (PROPOSED 110' RIGHT-OF-WAY)

1.109 ACRES
 48,316 SQ. FT.

145.28 ACRES (BY DEED)
 PALMERA RIDGE DEVELOPMENT, INC.
 DOCUMENT No. 2013115345
 O.P.R.W.C.T.

100.16 ACRES (BY DEED)
 HUIE H. LAMB, JR.
 VOLUME 2323, PAGE 739
 O.R.W.C.T.
 DESCRIBED IN
 VOLUME 429 PAGE 140
 D.R.W.C.T.

0.038 ACRE (BY DEED)
 WILLIAMSON COUNTY, TEXAS
 DOCUMENT No. 2006096128
 O.P.R.W.C.T.

9.53 ACRES (BY DEED)
 PARKER 274 INVESTMENTS, LLC
 DOCUMENT No. 2012041079
 O.P.R.W.C.T.

MATCH LINE PAGE 4

SEE
 DETAIL
 "A"

DETAIL "A"
 (NOT TO SCALE)

FOUND 4" SQUARE
 CONCRETE MONUMENT

100 50 0 100
 SCALE IN FEET



City of Leander, Texas

104 N BRUSHY STREET • LEANDER, TEXAS • 78641

SAN GABRIEL PARKWAY

TYPE OF EXHIBIT: RIGHT-OF-WAY

OWNER: HUIE H. LAMB, JR.

SURVEY: L. B. JOHNSON SURVEY, ABSTRACT NO. 350

LOCATION: LEANDER, WILLIAMSON COUNTY, TEXAS

(TYPE) ACQUISITION AREA: 48,316 SQUARE FEET OR 1.109 ACRES

WHOLE PROPERTY ACREAGE: 100.16 ACRES (BY DEED)

JOB No. FNL1521.00

DRAWN BY: JWW

CHECKED BY: TEC

CAD FILE: FNL1521.00-P-01.DWG

DATE: MAY 31, 2017

PAGE 3 OF 4

SCALE: 1" = 100'

GORRONDONA & ASSOCIATES, INC. • 4201 WEST PARKER LANE, BUILDING A, SUITE 150, AUSTIN, TX. 78727

512-719-8933 FAX 512-719-8944



EXHIBIT "A"**NOTES:**

1. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
2. ROW MARKERS ALONG PROPOSED RIGHT-OF-WAY LINE ARE A 5/8" IRON ROD SET WITH BLUE CAP STAMPED "GORRONDONA" UNLESS OTHERWISE NOTED.
3. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, CENTRAL ZONE 4203, ALL DISTANCES AND AREAS SHOWN ARE SURFACE.

LEGEND

- = MONUMENT FOUND (AS NOTED)
- = 5/8" IRON ROD WITH CAP STAMPED "GORRONDONA" SET
- O.P.R.W.C.T. = OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.T. = OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- D.R.W.C.T. = DEED RECORDS WILLIAMSON COUNTY, TEXAS

LINE TABLE		
LINE	BEARING	DISTANCE
L-2	S 69°04'45"W	668.11'
L-3	N 68°46'58"E	149.97'

SUBJECT TRACT &
LOCATION OF ACQUISITION

L. B. JOHNSON SURVEY,
ABSTRACT NO. 350

100.16 ACRES (BY DEED)
HUIE H. LAMB, JR.
VOLUME 2323, PAGE 739
O.R.W.C.T.
DESCRIBED IN
VOLUME 429 PAGE 140
D.R.W.C.T.

REMAINDER OF 220.3 ACRE TRACT (BY DEED)
NANCY CHERYL TOUNGATE (AS TO AN UNDIVIDED 12.5% INTEREST)
MARK ERNEST TOUNGATE (AS TO AN UNDIVIDED 18.75% INTEREST)
LAURA NICOLE TOUNGATE (AS TO AN UNDIVIDED 18.75% INTEREST)
AND ERNEST LOYD TOUNGATE (AS TO AN UNDIVIDED 50% INTEREST)
DOCUMENT NUMBER: 2015093773
O.P.R.W.C.T.

PROPOSED SAN GABRIEL PARKWAY
(PROPOSED 110' RIGHT-OF-WAY)

1.109 ACRES
48,316 SQ. FT.

SET 5/8" IRON ROD WITH
CAP STAMPED "GORRONDONA"

S 69°04'14"W 279.12'

FOUND 4" SQUARE
CONCRETE MONUMENT
(LEANING)

145.26 ACRES (BY DEED)
PALMERA RIDGE DEVELOPMENT, INC.
DOCUMENT NO. 2013115345
O.P.R.W.C.T.



100 50 0 100
SCALE IN FEET

MATCH LINE PAGE 3



City of Leander, Texas

104 N BRUSHY STREET • LEANDER, TEXAS • 78641

SAN GABRIEL PARKWAY

TYPE OF EXHIBIT: RIGHT-OF-WAY

OWNER: HUIE H. LAMB, JR.

SURVEY: L. B. JOHNSON SURVEY, ABSTRACT NO. 350

LOCATION: LEANDER, WILLIAMSON COUNTY, TEXAS

(TYPE) ACQUISITION AREA: 48,316 SQUARE FEET OR 1.109 ACRES

WHOLE PROPERTY ACREAGE: 100.16 ACRES (BY DEED)

JOB No. FNL1521.00

DRAWN BY: JWW

CHECKED BY: TEC

CAD FILE: FNL1521.00-P-01.DWG

DATE: MAY 31, 2017

PAGE 4 OF 4

SCALE: 1" = 100'

GORRONDONA & ASSOCIATES, INC. • 4201 WEST PARKER LANE, BUILDING A, SUITE 150, AUSTIN, TX. 78727 • 512-719-9933 FAX 512-719-9944



Longhorn Title Co., Inc.

Exhibit C

SERVICE AGREEMENT

[SEE ATTACHED]

**AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES
FOR PROPERTY TO BE ANNEXED INTO THE CITY OF LEANDER**

This Agreement is entered into by and between the City of Leander, Texas, a municipal corporation ("City"), and the City of Leander, Texas ("Landowner"). The City and the Landowner may be referred to herein singularly as "Party" or collectively as the "Parties."

RECITALS

WHEREAS, upon the request of the Landowner, the City intends to institute annexation proceedings for an area of land described more in **Exhibit A** and attached hereto and incorporated by reference herein, less and except any property previously annexed by the City (the, "Subject Property"); and

WHEREAS, Section 43.0672, Loc. Gov't. Code, requires the Parties to enter into a written agreement identifying a list of public services to be provided to the Subject Property and a schedule for the provision of those services that are not otherwise provided on the effective date of the annexation; and

WHEREAS, this Agreement is being entered into by and between the Parties to comply with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Section 43.0672, prior to the City's consideration of an ordinance annexing the Subject Property, it being understood, acknowledged and agreed by the Parties that annexation of the Subject Property is a condition precedent to this Agreement becoming effective; and

WHEREAS, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the Subject Property (hereinafter, the "Effective Date"); and

WHEREAS, the Subject Property is not included in the municipal annexation plan and is exempt from the requirements thereof; and

WHEREAS, the infrastructure provided for herein and that are existing are sufficient to service the Subject Property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapter 43, Loc. Gov't. Code*, to annex the Subject Property into the City; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

The following services and schedule represent the provision of services agreed to between the Landowner of the Subject Property and the City establishing a program under which the City will provide municipal services to the Subject Property, as required by section 43.0672 of the Texas Local Government Code. The services detailed herein will be provided at a level consistent with service levels provided to other similarly situated areas within the City.

The following services will be provided for the Subject Property on the Effective Date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Agreement, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City. Upon annexation, police protection will be provided to the Subject Property at a level consistent with the service to other areas of the City with similar population density and characteristics. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by the present personnel and equipment of the City fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present personnel and equipment.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City. The City provides residential solid waste collection services within the City limits for a fee under a contract between the City and private refuse collection operator. The residential solid waste collection services include garbage collection, recycling, bulky item collection and yard waste collection. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the Subject Property requesting the service after the Effective Date of annexation, provided that a privately owned solid waste management service provider is unavailable. If the Subject Property is already receiving service, the City may not prohibit solid waste collection by the privately owned solid waste management service provider, nor may the City offer solid waste collection services for a period of two (2) years following the Effective Date of the annexation unless a privately owned solid waste management service provider is or becomes unavailable, as established by Texas Local Government Code section 43.0661. If a landowner uses the services of a privately owned solid waste management service provider or services are available from a privately owned solid waste management service provider during the two (2) years following annexation, the City will not provide solid waste collection services to that landowner.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of City-owned parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities. Municipal Court and General Administration services will also be available to property owners and residents in the Subject Property on the same basis those facilities are available to current City property owners and residents.

G. Maintenance of other City facilities, buildings, and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "SFR-1-B" with the intent to rezone the Subject Property upon request of the landowner or staff. The

Planning & Zoning Commission and the City Council will consider rezoning the Subject Property at future times in response to requests submitted by the Landowners or authorized city staff. The City will impose and enforce its adopted ordinances, including but not limited to, zoning, subdivision development, site development and building code regulations within the Subject Property upon the Effective Date of the annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the Subject Property will be reviewed for compliance with City standards.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the Subject Property, the plans and schedule for the development of the Subject Property, the following municipal services will be provided on a schedule and at increasing levels of service as provided herein:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the Subject Property, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the Subject Property, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the Subject Property, or portions thereof as applicable, is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the Subject Property's owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the Subject Property as required in City ordinances. Upon acceptance of the water lines within the Subject Property and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the Subject Property's owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subjects property, or applicable portions thereof, by the utility holding a wastewater CCN for the Subject Property, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the Subject Property, or portions thereof as applicable, is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the Subject Property's owner shall construct the internal wastewater lines and pay the costs of line

extension and construction of facilities necessary to provide wastewater service to the Subject Property as required in City ordinances. Upon acceptance of the wastewater lines within the Subject Property and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the Subject Property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the Subject Property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

1. Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

2. Routine maintenance as presently performed by the City.

D. The City will maintain existing public streets within the Subject Property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the Subject Property, as follows:

(i) As provided in C(i)(1) and C(i)(2) above;

(ii) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(iii) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(iv) Installation and maintenance of street lighting in accordance with established policies of the City;

E. The outer boundaries of the Subject Property abut existing roadways. The Landowner agrees that no improvements are required on such roadways to service the Subject Property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the Subject Property or redevelopment, the Landowner will be responsible for the development costs the same as a developer in a similarly situated area

under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the Subject Property the same as similarly situated properties. When deemed necessary, capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as applicable and amended, which are incorporated herein by reference.

(4) **Term.** If not previously expired, this agreement expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the Subject Property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Agreement is attached.

(6) **Binding Effect/Authority.** This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.

(7) **Choice of Law.** This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Williamson County, Texas.

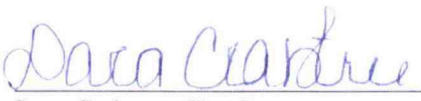
(8) **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

(9) **Legal Construction.** If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the Parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

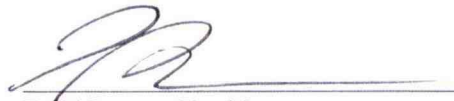
(10) **Entire Agreement.** This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

EXECUTED and AGREED to by the Parties this the 6 day of June, 2024

ATTEST:


Dara Crabtree, City Secretary

THE CITY OF LEANDER, TEXAS


Todd Parton, City Manager

LANDOWNER(S):

By: _____

Name: _____

Title: _____

Address _____

County _____

STATE OF TEXAS

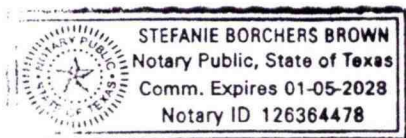
COUNTY OF

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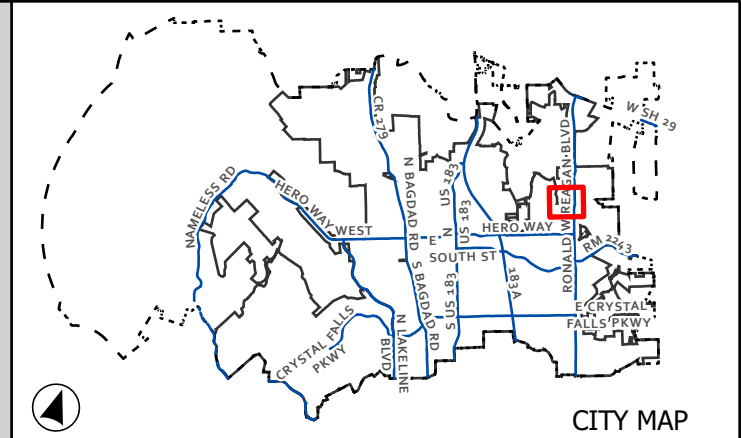
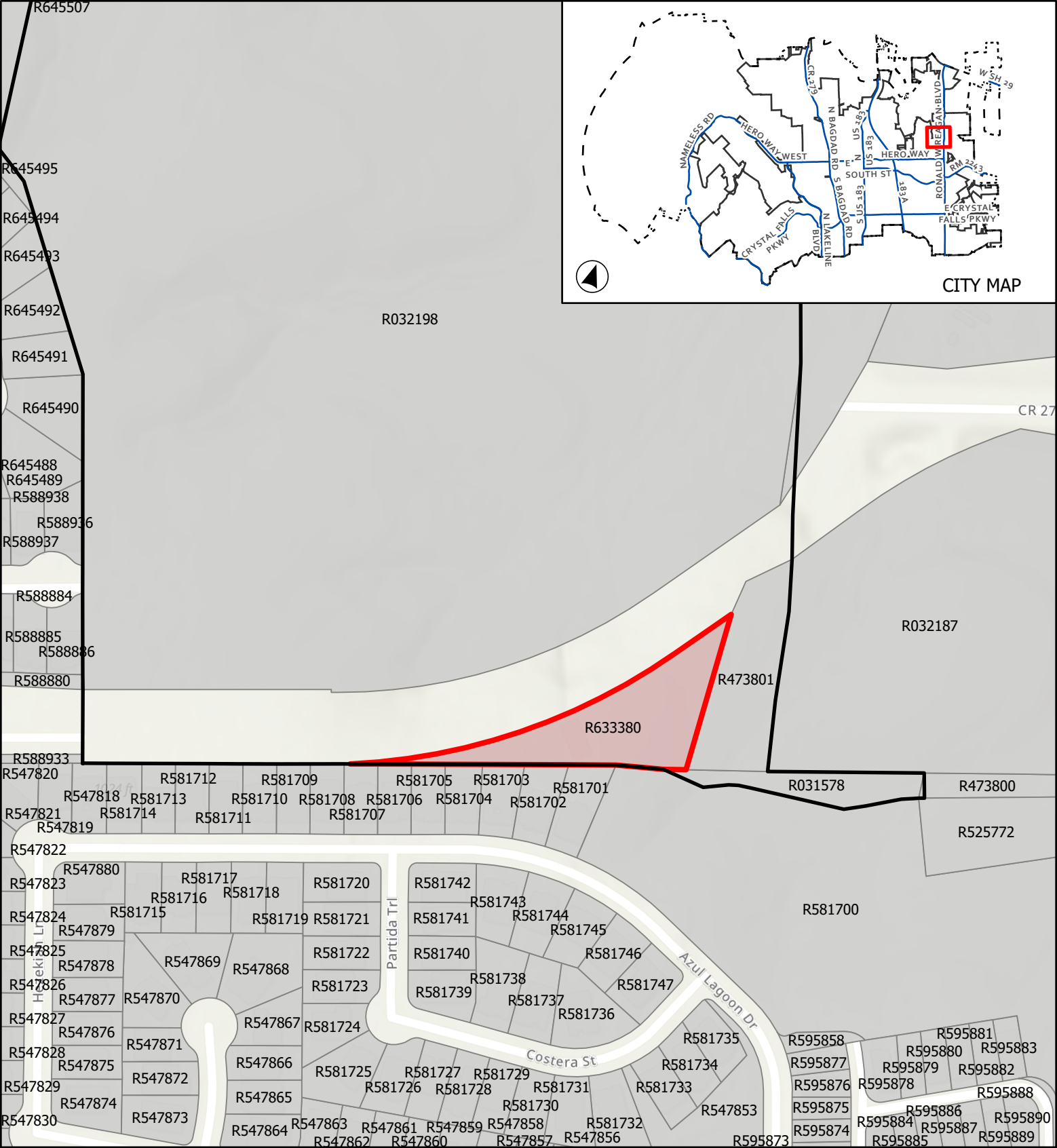
BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Todd Parton, on behalf of City of Leander, owner of the Subject Property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they had authority to bind the entity and that they executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 22 day of May 2024.

(SEAL)



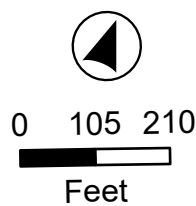
Notary Public - State of Texas



CITY INITIATED ANNEXATION

Location Map

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



- City Limits
- ETJ Boundary
- Subject Boundary

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS ANNEXING 1.109 ACRES OF LAND, MORE OR LESS, LOCATED IN WILLIAMSON COUNTY, TEXAS, INTO THE CORPORATE LIMITS OF THE CITY OF LEANDER, TEXAS, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING AN AGREEMENT FOR THE PROVISION OF SERVICES FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the City of Leander, Texas, is a home-rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

WHEREAS, the owners of the property, as hereinafter described, made written request for the City to annex such property in compliance with the *Tex. Loc. Gov't. Code*;

WHEREAS, the property is adjacent and contiguous to the present city limits;

WHEREAS, the City Council heard and has decided to grant the owners' request that the City annex said property;

WHEREAS, a public hearing was conducted prior to consideration of this Ordinance in accordance with §43.0673 of the *Tex. Loc. Gov't. Code*;

WHEREAS, notice of the public hearing was published not more than twenty (20) nor less than ten (10) days prior to the public hearing;

WHEREAS, the City intends to provide services to the property to be annexed according to the agreement for the provision of services attached hereto as **Exhibit A**.

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

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. All portions of the following described properties (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, are hereby annexed into the corporate limits of the City of Leander:

Being a 1.109 acre tract of land situated in the L.B. Johnson survey, Abstract No. 350 in Williamson County, Texas, said 1.109 acre tract of land being a portion of a 100.16 acre tract of land (by deed) deeded to Huie H. Lamb, Jr. as recorded in Volume 2323, Page 739, of the Official Records of Williamson County, Texas (O.R.W.C.T.), said 100.16 acre tract of land being further described in Volume 429, Page 140, of the Deed Records of Williamson County, Texas, (D.R.W.C.T.) being more particularly described in **Exhibit B** attached hereto and incorporated herein for all purposes.

SECTION 3. That the provision of services agreement submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as **Exhibit A**.

SECTION 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and

privileges of the City as set forth in the provisions of services agreement attached hereto as **Exhibit A**, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Leander.

SECTION 6. That the Annexed Property shall be temporarily zoned District “SFR-1-B” as provided in the City Zoning Ordinance, as amended, until permanent zoning is established, therefore.

SECTION 7. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. That 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 9. 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, Tex. Gov’t. Code*.

PASSED AND APPROVED on First Reading this 9th day of July 2024.

FINALLY PASSED AND APPROVED on this 18th day of July 2024.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

Exhibit A

SERVICE AGREEMENT

[SEE ATTACHED]

Exhibit B

PROPERTY DESCRIPTION

[SEE ATTACHED]

THURSDAY, JULY 18, 2024 Or at a special called meeting after the First Reading; Or within 90 days of First Reading. Tuesday July 9, 2024 Council packet deadline	SECOND & FINAL READING OF ORDINANCE REGULAR MEETING	Second reading of annexation Ordinance – City Charter, Section 4.06(c)
Within 30 days of Second Reading	CITY SENDS COPY OF MAP showing boundary changes to County Voter Registrar in a format that is compatible with mapping format used by registrar	Elec. Code §42.0615
Within 60 days of Second Reading	CITY PROVIDES CERTIFIED COPY OF ORDINANCE AND MAPS TO: 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's Office 6. City Department Heads 7. State Comptroller 8. Franchise Holders ESD - if annexed area located in district and city intends to remove the area from the district and be the sole provider of emergency services; See Health and Safety Code, Section 775.022	Williamson County ESD No. 5 : Notice must be sent to the secretary of the ESD board by certified mail, return receipt requested, as applicable <i>Leander is located in Williamson and Travis Counties. Confirm which ESD needs notice of disannexation.</i>

***Dates in BOLD are MANDATORY dates to follow. Please advise of schedule deviation.**



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Acceptance of public improvements for the Williams Tract including the following public improvement categories: streets, drainage, water, wastewater and streetlights.

BACKGROUND:

The public infrastructure improvements required for the Williams Tract have been installed, inspected, and are satisfactorily completed. All documentation required for acceptance of this project has been received, including record drawings, statement of substantial completion prepared by a professional engineer licensed by 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 July 18, 2024, which will provide warranty and maintenance coverage for public infrastructure improvements through July 18, 2026. 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, quality construction, or maintenance are corrected prior to expiration of the bond.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

Staff recommend the City Council's formal acceptance of the Williams Tract public infrastructure improvements.

PRESENTER:

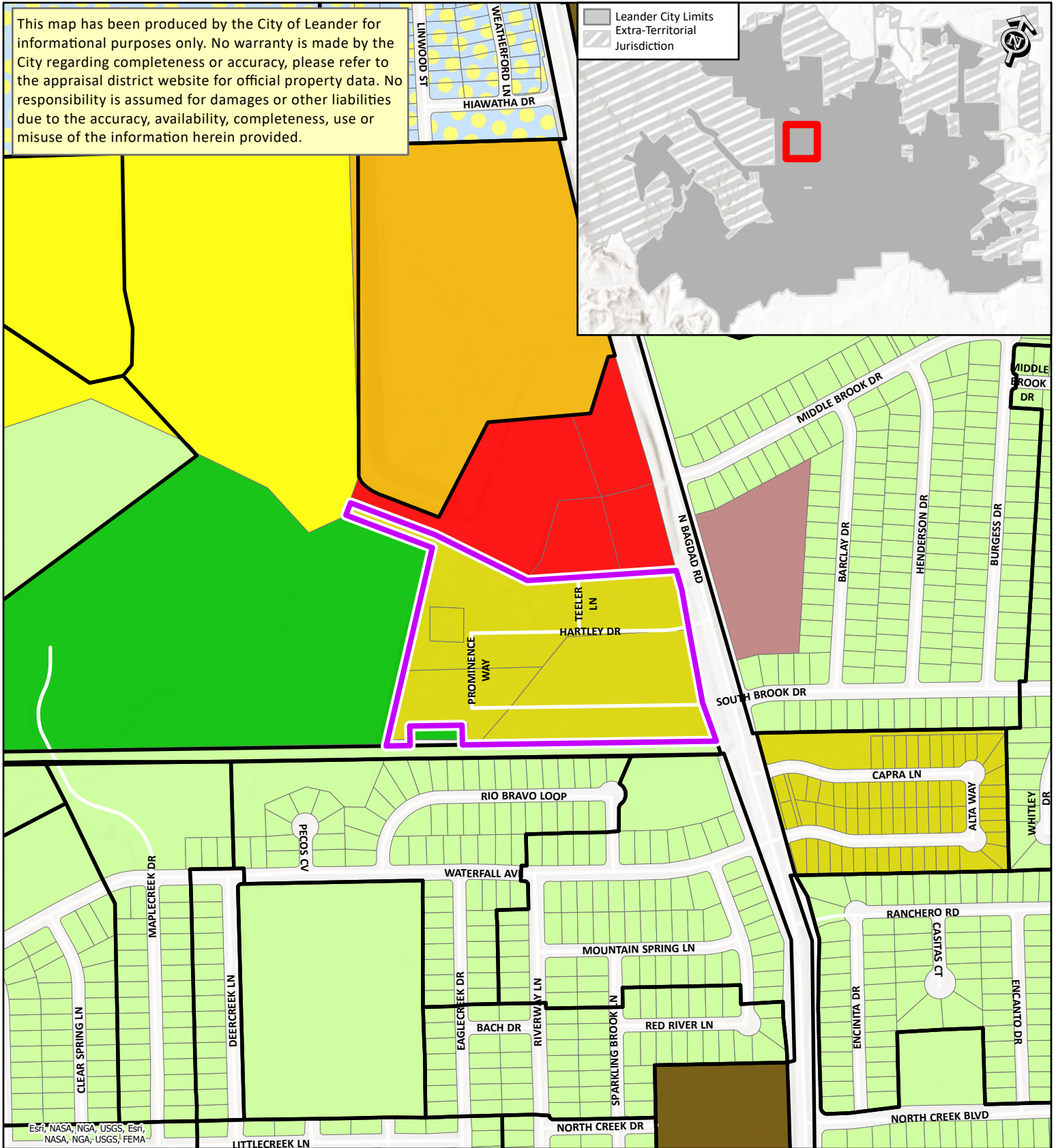
Fiscal Impact

Attachments:

1. Acceptance Documents Williams Tract

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

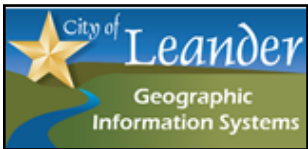
Williams Tract - PICP-22-0034



City Limits



Accepted Subdivision

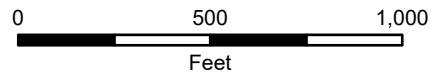


RESIDENTIAL

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

RETAIL / COMMERCIAL

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



03/13/2024

Prominence Bagdad, LP
Bryan Rome
9737 Great Hills Trail, Suite 170
Austin, TX 78759

TDLR Project Number: TABS2024004451

PROJECT:

Williams Tract
6120 County Road 279
Leander, Texas 78641

INSPECTION COMPLETED – NO VIOLATIONS

Dear Bryan Rome:

We are pleased to inform you that the referenced facility has been inspected and found to be in substantial compliance with provisions of the Texas Government Code, Chapter 469.

The inspection 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 up on receipt of a completed Notice of Substantial Compliance Request Form.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L/ 101-336), or any other state, local, or federal requirements. For information on the ADA, please contact the United States Department of Justice, Civil Rights Division at (202) 514-0301.

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

Sincerely,

A handwritten signature in blue ink that reads "Olaf Brunjes".

Olaf Brunjes
RAS #1228

cc: Greg Fortman – HR Green; Suzanne Blackburn – Waterloo Development

Site Accessibility Evaluation

Texas Accessibility Standards



Williams Tract
6120 County Rd 279
Leander, TX 78641
TAS Inspection, TABS #: TABS2024004451
Inspection Date: 03/11/2024
Inspectors: Olaf Brunjes, 1228

Prepared By



(512) 410 - 7059
alturalp.com

Report Date: 03/13/2024

REPORT COMMENTS

1. The scope of this report is limited to an inspection for compliance with the 2012 Texas Accessibility Standards (TAS). This report excludes a review for compliance with other accessibility requirements such as the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the 2010 Standards for Accessible Design.
2. The scope of the report excludes an inspection for compliance with building code requirements such as the International Building Code (IBC).
3. The report does not cover any elements or spaces which are not subject to the TAS. The report does not cover any elements or spaces that are outside of the scope of work of this project or outside of the property line as indicated by the construction documents.
4. Contact Olaf Brunjes at olaf@alturalp.com with any questions or comments.

-END OF REPORT



DEVELOPMENT TX

► 5508 Highway 290 West | Suite 150
Austin, Texas 78735
Main 512.872.6696 + Fax 713.965.0044
TBPELS Firm F-16384 / F-10194101
► HRGREEN.COM

June 19, 2024

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

RE: Williams Tract (22-PICP-034)
Engineer's Concurrence Letter

I, Greg Fortman, P.E., registered professional engineer, and/or members of our staff made a visual inspection of the above referenced project and periodically visited the site to observe the construction activities. Based on our observation, I represent, to the best of my knowledge, that the improvements within the Urbana Hero Way Construction Plans have been completed in general conformance with the approved construction plans.

Based on our construction observation and site visits, I have observed that the grading, water, wastewater, drainage, pond pump and control panel, and paving infrastructure was constructed per the approved plans with insignificant deviations by the general contractor. I, therefore, verify the adequate completion of this project.

Note that this Concurrence Letter excludes landscaping improvements. A Landscape Escrow Agreement, which covers the cost of these improvements, has been filed with the City of Leander.

If you should have any questions or comments, please contact me at 512-872-6696 or at greg.fortman@hrgreen.com.

Sincerely,

By: 
Greg Fortman, PE



06/19/2024

Bond Number: 2352520

COUNTY OF WILLIAMSON §

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 24th day of April, 2024.

Liberty Civil Construction, LLC
Principal

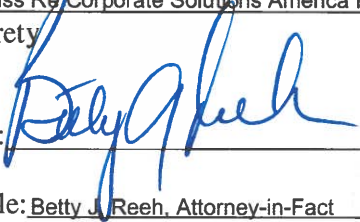
By: 

Title: Michael Ehrhardt, President

Address: 2937 Hero Way

Leander, TX 78641

Swiss Re Corporate Solutions America Insurance Corporation
Surety

By: 

Title: Betty J. Reeh, Attorney-in-Fact

Address: 1200 Main St., Suite 800

Kansas City, MO 64105

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

Acrisure Texas Risk Advisors & Insurance Services, LLC

32335 US Highway 281 S, Suite 1201 Bulverde, TX 78163

(Seal)

SWISS RE CORPORATE SOLUTIONS

SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION ("SRCSAIC")
SWISS RE CORPORATE SOLUTIONS PREMIER INSURANCE CORPORATION ("SRCSPIC")
WESTPORT INSURANCE CORPORATION ("WIC")

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT SRCSAIC, a corporation duly organized and existing under laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, and SRCSPIC, a corporation organized and existing under the laws of the State of Missouri and having its principal office in the City of Kansas City, Missouri, and WIC, organized under the laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, each does hereby make, constitute and appoint:

BETTY J. REEH, CLARK D. FRESHER, BRYAN K. MOORE, ANDREW ADDISON, ELIZABETH ORTIZ,
ANA OWENS, PATRICK COYLE, PATRICIA ANN LYTTLE, AND MICHAEL D. HENDRICKSON

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both SRCSAIC and SRCSPIC at meetings duly called and held on the 18th of November 2021 and WIC by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Managing Director, any Senior Vice President, any Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is, authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Corporation bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Corporation; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Corporation may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing 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."



By 
Erik Janssens, Senior Vice President of SRCSAIC & Senior Vice President
of SRCSPIC & Senior Vice President of WIC

By 
Gerald Jagrowski, Vice President of SRCSAIC & Vice President of SRCSPIC
& Vice President of WIC



IN WITNESS WHEREOF, SRCSAIC, SRCSPIC, and WIC have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers

this 10 day of NOVEMBER, 20 22

State of Illinois
County of Cook



Swiss Re Corporate Solutions America Insurance Corporation
Swiss Re Corporate Solutions Premier Insurance Corporation
Westport Insurance Corporation

On this 10 day of NOVEMBER, 20 22, before me, a Notary Public personally appeared Erik Janssens, Senior Vice President of SRCSAIC and Senior Vice President of SRCSPIC and Senior Vice President of WIC and Gerald Jagrowski, Vice President of SRCSAIC and Vice President of SRCSPIC and Vice President of WIC, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.




Christina Manisco, Notary

I, Jeffrey Goldberg, the duly elected Senior Vice President and Assistant Secretary of SRCSAIC and SRCSPIC and WIC, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said SRCSAIC and SRCSPIC and WIC which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 24th day of April, 20 24.


Jeffrey Goldberg, Senior Vice President &
Assistant Secretary of SRCSAIC and
SRCSPIC and WIC

IMPORTANT NOTICE

In order to obtain information or make a complaint:

You may contact **Jeffrey Goldberg, Vice President - Claims**, at **1-800-338-0753**.

You may call **Swiss Re Corporate Solutions America Insurance Corporation or Swiss Re Corporate Solutions Premier Insurance Corporation's** toll-free number for information or to make a complaint at:

1-800-338-0753

You may also write to **Swiss Re Corporate Solutions America Insurance Corporation or Swiss Re Corporate Solutions Premier Insurance Corporation** at the following address:

**1200 Main Street, Suite 800
Kansas City, MO 64105**

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**:

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

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should first contact the **Swiss Re Corporate Solutions America Insurance Corporation or Swiss Re Corporate Solutions Premier Insurance Corporation**. 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.

AVISO IMPORTANTE

Para obtener informacion o para someter un queja:

Puede comunicarse con **Jeffrey Goldberg, Vice President - Claims**, al **1-800-338-0753**.

Usted puede llamar al numero de telefono gratis de **Swiss Re Corporate Solutions America Insurance Corporation o Swiss Re Corporate Solutions Premier Insurance Corporation's** para informacion o para someter una queja al:

1-800-338-0753

Usted tambien puede escribir a **Swiss Re Corporate Solutions America Insurance Corporation o Swiss Re Corporate Solutions Premier Insurance Corporation** al:

**1200 Main Street, Suite 800
Kansas City, MO 64105**

Puede escribir al **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>
E-mail: 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 **Swiss Re Corporate Solutions America Insurance Corporation o Swiss Re Corporate Solutions Premier Insurance Corporation** primero. Si no se resuelve la disputa, puede entonces comunicarse con el Departamento de Seguros de Texas.

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.



DEVELOPMENT TX

► 4201 W. Parmer Lane | Suite C-100
Austin, Texas 78727
Main 512.872.6696 + **Fax** 713.965.0044
TBPELS Firm F-16384 / F-10194101
► **HRGREEN.COM**

April 8, 2024

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

**RE: Williams Tract Public Improvement Construction Plans (22-PICP-034)
Final Costs and Quantities and Inspection Fee**

Dear Mr. Dhakal,

The following is the information applicable for items that will be owned and maintained by the City of Leander for this project which were constructed by Liberty Civil Construction, LLC.

Final Plat Legal Name as Recorded: Williams Tract

Name on Approved Construction Documents: Williams Tract

Name on Bank Bond for Fiscal Posting: Williams Tract Public Improvement Construction Plans (22-PICP-034)

COST SUMMARY

	Amount
Streets (Streets and Concrete)	\$ 467,381.89
Drainage	\$ 673,225.46
Water	\$ 445,254.17
Wastewater	\$ 258,654.14
Streetlights	\$ 175,481.25
Landscape Improvements*	\$ 0.00
Total:	\$ 2,019,996.91

Total Cost of Improvements = \$ 2,019,996.91
Maintenance Bond (10%): = \$ 201,999.69

* Landscape Improvements have been escrowed with the City of Leander.

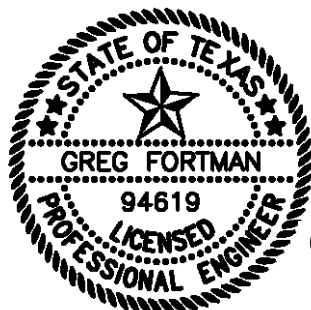
INSPECTION FEES

Total Cost of Improvements = \$ 2,019,996.91
Inspection Fees Owed to City (3.5%) = \$ 70,699.89
Inspection Fees Paid at Submittal = \$ 70,881.64
Remaining Inspection Fees to be Refunded: \$ 181.75

If you should have any questions or comments, please contact me at 512-872-6696 or at greg.fortman@hrgreen.com.

Sincerely,

Greg Fortman, P.E.
HR Green
TBPE Firm #16384



HR Green

04/08/2024

C, Suite 150, Austin, TX 787217 ▪ (512) 872-6696

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

STATE OF TEXAS
COUNTY OF WILLIAMSON

Date: April 24, 2024

Developer: Prominence Holdings, LLC.

Contractor/Material
Provider ("Affiant"): Liberty Civil Construction, LLC.

Project: **Williams Tract Public Improvements Construction Plans (22-PICP-034)**

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.

Initialed: 

PAGE 1 of 2

SUBSCRIBED AND SWORN TO BY Affiant on this 24th day of April, 2024.

AFFIANT:

Signature: _____

Typed Name: Michael Ehrhardt

Title: President

STATE OF TEXAS ,

COUNTY OF WILLIAMSON ,

BEFORE ME the undersigned authority on this day personally appeared, Michael Ehrhardt, 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 April, 2024.

[S E A L]



Notary in and for the State of Texas

Name: Stacy Small

My commission expires: 03/04/2028

Initialed: _____

PAGE 2 of 2



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Approval of the purchase of seven (7) police department vehicle camera systems and amending the usage agreement with Axon Enterprise, Inc. utilizing BuyBoard Contract 648-21 in the amount of \$13,558.44 per year for five (5) years for a total amount of \$67,792.20; and authorize the City Manager to execute any and all necessary documents.

BACKGROUND:

On June 20, 2024, City Council approved a request by the Police Department to move forward with the replacement of eight (8) vehicles in advance of the start of FY25. These vehicles are scheduled to be replaced in the upcoming fiscal year and allowing the department to place orders now with the dealer will hopefully shorten the delivery time. Seven (7) of the vehicles are used in the patrol division and will need cameras installed as part of their upfitting. Axon is the City's vendor for various Police Department-related equipment, including body cameras worn by officers and in-vehicle cameras. Approval of this agenda item would allow staff to place the order for seven (7) new camera systems to coincide with the delivery of the new patrol vehicles. The annual cost is \$13,558.44 for a five (5)- year total of \$67,792.20.

HISTORY/TIMELINE:

APPLICANT/AGENT:

RECOMMENDATION:

Recommend Approval

PRESENTER:

Greg Minton, Chief of Police

Fiscal Impact

\$13,558.44 per year (total \$67,792.20)

Attachments:

1. Axon Cameras Quote



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-582359-45453.697JW

Issued: 06/10/2024

Quote Expiration: 09/30/2024

Estimated Contract Start Date: 02/01/2025

Account Number: 111124

Payment Terms: N30

Delivery Method: UPS Ground

SHIP TO	BILL TO
Leander Police Dept. - TX ATTN: Jackson Mitchell 705 Leander Dr Leander, TX 78641-2024 USA	Leander Police Dept. - TX 705 Leander Dr Leander TX 78641-2024 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Jerrod Wilson Phone: 903-830-5660 Email: jewilson@axon.com Fax:	Glenn Cunningham Phone: (512) 568-7893 Email: gcunningham@leandertx.gov Fax:

Quote Summary

Program Length	60 Months
TOTAL COST	\$67,792.20
ESTIMATED TOTAL W/ TAX	\$67,792.20

Discount Summary

Average Savings Per Year	(\$1,121.40)
TOTAL SAVINGS	(\$5,607.00)

Payment Summary

Date	Subtotal	Tax	Total
Jan 2025	\$13,558.44	\$0.00	\$13,558.44
Jan 2026	\$13,558.44	\$0.00	\$13,558.44
Jan 2027	\$13,558.44	\$0.00	\$13,558.44
Jan 2028	\$13,558.44	\$0.00	\$13,558.44
Jan 2029	\$13,558.44	\$0.00	\$13,558.44
Total	\$67,792.20	\$0.00	\$67,792.20

Quote Unbundled Price:	\$62,185.20
Quote List Price:	\$67,792.20
Quote Subtotal:	\$67,792.20

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
Fleet3B	Fleet 3 Basic	7	60	\$148.06	\$161.41	\$161.41	\$67,792.20	\$0.00	\$67,792.20
Total							\$67,792.20	\$0.00	\$67,792.20

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
Fleet 3 Basic	100989	AXON FLEET - CRADLEPOINT R920-C7A+5YR NETCLOUD	7	1	01/01/2025
Fleet 3 Basic	70112	AXON SIGNAL - SIGNAL UNIT	7	1	01/01/2025
Fleet 3 Basic	71200	AXON FLEET - AIRGAIN ANT - 5-IN-1 2LTE 2WIFI 1GNSS BL	7	1	01/01/2025
Fleet 3 Basic	72036	AXON FLEET 3 - STANDARD 2 CAMERA KIT	7	1	01/01/2025

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Basic	80400	AXON EVIDENCE - FLEET VEHICLE LICENSE	7	02/01/2025	01/31/2030
Fleet 3 Basic	80410	AXON EVIDENCE - STORAGE - FLEET 1 CAMERA UNLIMITED	14	02/01/2025	01/31/2030

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Basic	80379	AXON SIGNAL - EXT WARRANTY - SIGNAL UNIT	7	01/01/2026	01/31/2030
Fleet 3 Basic	80495	AXON FLEET 3 - EXT WARRANTY - 2 CAMERA KIT	7	01/01/2026	01/31/2030

Shipping Locations

Location Number	Street	City	State	Zip	Country
1	ATTN: Jackson Mitchell 705 Leander Dr	Leander	TX	78641-2024	USA

Payment Details

Jan 2025						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	Fleet3B	Fleet 3 Basic	7	\$13,558.44	\$0.00	\$13,558.44
Total				\$13,558.44	\$0.00	\$13,558.44

Feb 2025						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	Fleet3B	Fleet 3 Basic	7	\$0.00	\$0.00	\$0.00
Total				\$0.00	\$0.00	\$0.00

Jan 2026						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	Fleet3B	Fleet 3 Basic	7	\$13,558.44	\$0.00	\$13,558.44
Total				\$13,558.44	\$0.00	\$13,558.44

Jan 2027						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	Fleet3B	Fleet 3 Basic	7	\$13,558.44	\$0.00	\$13,558.44
Total				\$13,558.44	\$0.00	\$13,558.44

Jan 2028						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	Fleet3B	Fleet 3 Basic	7	\$13,558.44	\$0.00	\$13,558.44
Total				\$13,558.44	\$0.00	\$13,558.44

Jan 2029						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	Fleet3B	Fleet 3 Basic	7	\$13,558.44	\$0.00	\$13,558.44
Total				\$13,558.44	\$0.00	\$13,558.44

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract BuyBoard Contract 648-21 is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at <https://www.axon.com/sales-terms-and-conditions>), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature

Date Signed

6/10/2024





EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Conduct a Public Hearing regarding Subdivision Variance Case VA-24-0018 regarding a variance request from Article III, Section 42 (b)(1) of the Subdivision Ordinance that requires all transportation improvements including streets, trails, driveways, sidewalks, bikeways, traffic control, and parking areas within the City's jurisdiction shall be designed in accordance with the City of Leander Composite Zoning Ordinance, Transportation Master Plan, Comprehensive Plan and the City of Austin's Transportation Criteria Manual and Article III, Section 42 (e) of the Subdivision Ordinance that requires sidewalks be installed by the developer on both sides of all streets within and immediately adjacent to a proposed development associated with 4.83 acres $\pm$ in size; more particularly described as Silencer Shop Site Development Plans; generally located to the northwest of FM 1431 and Vista Rock Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Variance Case VA-24-0018 as described above.

BACKGROUND:

During review of the Silencer Shop Site Development plans, the applicant expressed challenges about the future extension of improvements along FM 1431. The challenges are related to the limestone rock ledges, steep contours, existing buried telecom lines and numerous trees in this area. The applicant is requesting a variance to the Subdivision Ordinance regarding the requirement that sidewalks be installed by the developer on both sides of all streets within and immediately adjacent to a proposed development.

Removal of this requirement would create a situation where there would be no sidewalks on this section of FM 1431 when the neighboring properties along this roadway develop in the future. A similar variance was approved for the Travisso Subdivision as part of the Planned Unit Development (PUD). This variance removed the requirement to construct a sidewalk along FM 1431 due to safety concerns.

Below, please find the applicable ordinance requirements.

SUBDIVISION ORDINANCE, Article III, Section 42 (b)(1)

(b) Policy.

(1) All transportation improvements including streets, trails, driveways, sidewalks, bikeways, traffic control, and parking areas within the City's jurisdiction shall be designed in accordance with the City of Leander Composite Zoning Ordinance, Transportation Master Plan, Comprehensive Plan and the City of Austin's Transportation Criteria Manual.

SUBDIVISION ORDINANCE, Article III, Section 42 (e)

(e) Sidewalks. Sidewalks shall be installed by the developer on both sides of all streets within and immediately adjacent to a proposed development, and shall be designed and constructed in accordance with City Standard Details and Specifications and the Composite Zoning Ordinance.

HISTORY/TIMELINE:

06/27/2024 – Planning & Zoning, 1st Public Hearing

APPLICANT/AGENT:

Sunland Group Engineering (Joel Bock) on behalf of MC Magic, LLC. (Kirk Smith)

RECOMMENDATION:

Staff has reviewed the Site Development Plans and supports the requested variance due to safety concerns. During the meeting of June 27, 2024, the Planning & Zoning Commission recommended approval. The Council needs to consider the following findings when making this determination:

- (1) The public convenience and welfare will be substantially served;
- (2) The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;
- (3) The applicant has not created the hardship from which relief is sought;
- (4) The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;
- (5) The hardship from which relief is sought is not solely of an economic nature;
- (6) The variance is not contrary to the public interest;
- (7) Due to special conditions, the literal enforcement of the ordinance would result in an unnecessary hardship; and
- (8) In granting the variance the spirit of the ordinance is observed and substantial justice is done.

PRESENTER:

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

Fiscal Impact

Attachments:

1. VA-24-0018 Att 1 Letter of Intent - Silencer Shop
2. VA-24-0018 Att 2 Location Map - Silencer Shop
3. VA-24-0018 Att 3 6-27-2024 P & Z Minutes



October 27, 2023

Ms. Ann Margaret Weis, P.E.
City of Leander
201 North Brushy Street
Leander, Texas 78641

RE: Formal Request for Waiver of the Requirement of 10' Wide Trail along FM 1431
Owner: Hill Country Class III Silencer Shop
Project Address: 17414 FM 1431 Leander, TX 78641

Dear Ms. Weis:

For the above referenced project, Sunland Group has prepared this associated exhibit showing the challenges at 4 locations along FM 1431 to accommodate a 10' wide trail, as required by the Transportation Master Plan Figure 5-1. As this side of Leander is the gateway to the Hill Country, the challenges are related to the limestone rock ledges, steep contours, existing buried telecom lines and numerous trees in this area.

Additionally, there are no existing trails to connect to either westward from Travisso, who's entrance is built, and eastward towards the Quick Trip (that has the trail) and it's nearly a mile in each direction.

The exhibit shows 4 locations that are along FM 1431 and ordered from West to East, and the summary of the challenges at each are as follows:

-Cross Section 1: As the most westerly location, this analysis point has the steepest contours and the thickest trees. There is no trail connection to the western neighbor, so planning for ADA-compliant design in the future to accommodate the route is to have this trail will need to be as low as possible at the starting point on the Silencer Shop property line. This would entail a 10' cut to start at Elevation 954 in order to build a trail with a 4" concrete sidewalk on top of a 2" sand pad per City of Austin Detail 432S-1. With an existing cross slope parallel to this 10' wide sidewalk, and assuming another 1.5' each side of the trail for bullrock armoring for uphill and sidewalk-parallel stormwater drainage protection, a 3:1 slope upward to recover to existing would not work. Therefore a wall of approximately 4' in width and 8' in height (MSE wall with grids and gravel) would be necessary to accommodate this trail here. The overall section width would be 1.5' bullrock + 10' trail + 1.5' bullrock + 4' wall width so 17' overall. Additionally near this location is one of the largest Live Oak trees on the property, at 22" in diameter (Tree #3594), and numerous Ashe Junipers that are clumped together.



-Cross Section 2: As the next location headed east, this analysis point and section of trail now runs along the Security Fence protecting the facility. It has the same parallel contours problem and a clump of Live Oak trees on the property line in the way of the trail (Tree #3592 and #3593 are 8" and 12" and the rest of the clump are numerous smaller oaks). As it stays along the FM 1431, the ADA-compliant design will be rising at 5% from Cross Section 1, and the wall would be continuous from Cross Section 1 in order to have the fence be set above it.

-Cross Section 3: As the next location where the existing driveway is located, this analysis point and section of trail now runs through a clump of Live Oak trees on the property line in the way of the trail that is the largest clump along 1431 (Trees #3586 through #3595) which is 10 trees. As the Security Fence changes direction to avoid the trees and control the driveway, the trees are being saved. The ADA-compliant design for cross slope across the driveway will cause a 2% cross section where the existing drive is at 10% and a 10' wide bump at the crosswalk. This driveway was proposed to be utilized with only a change to make it wider as part of the site plan, and not rebuilding it for the trail.

-Cross Section 4: As the next location where the upland part of the site is, slope and ADA-compliance are not an issue, but the main obstacle is that numerous trees will be eliminated to keep the trail running parallel with 1431. As with the western side at Cross Section 1, there is no existing trail constructed on the eastern side, with which to connect to, for nearly a mile.

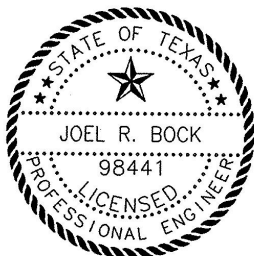
As engineer for this project, and in coordination with the Silencer Shop ownership team, I would request of the City of Leander that this project be granted a waiver from the requirements for a 10' Trail along 1431, and I believe an on-site visit will more clearly demonstrate the points above and I would be very happy to meet with you at the site whenever it is most convenient for you, or when Robin and the staff perform a site visit.

If you need additional information or would like to discuss the project further, please don't hesitate to contact our office at (512) 590-7963.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Bock", written over a horizontal line.

Joel Bock, P.E.
Project Manager



Cross Section 3

10' Trail inside Silencer Shop Property and outside Security Fence

Existing Driveway is at 10% slope so 10' Trail would force a reconstruction of the driveway to change to 2% cross slope and adjust steeper than 10% between the Trail and the Building.

Cut: 5' max within existing firelane of the driveway (and meet ADA reqs). Balance pavement connections uphill/downhill to 1431

Slope: 5% running West to East for ADA Compliance, 2% cross slope max

Trees: No Tree issues here since it's driveway

Silencer Shop Headquarters Building

10' Wide Trail along 1431

No trail exists at Travisso to the west.
No trail exists to the east for over a mile to the gas station.

Cross Section 4

10' Trail inside Silencer Shop Property and outside Security Fence

Cut: Less than 2' as it's matching grade

Slope: 5% running West to East for ADA Compliance, 2% cross slope max

Trees: Various Oaks to remove to keep trail on private property

Cross Section 1

10' Trail inside Silencer Shop Property.

Cut: 10' to make flat land (and meet ADA reqs) with walls on the high side (north side).

Slope: 5% running West to East for ADA Compliance, 2% cross slope max

Trees and Rocky Terrain: Large Quantity of various Oaks to remove to keep trail on private property. Major challenge for proper equipment to build this is expected.

Cross Section 2

10' Trail inside Silencer Shop Property and as this is a Secure Facility, the route needs to stay outside a Security Fence

Cut: 8' to make flat land (and meet ADA reqs) with walls on the high side (north side).

Slope: 5% running West to East for ADA Compliance, 2% cross slope max

Trees and Rocky Terrain: Large Quantity of various Oaks to remove to keep trail on private property. Major challenge for proper equipment to build this is expected.



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, June 27, 2024
Regular Meeting at 6:00 PM



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

**Place 5 – James Oliver, Vice Chair
Place 6 – Laura Lantrip, Chair
Place 7 – Scott Calame
Staff Liaison – Robin Griffin**

REGULAR MEETING

1. Call to Order.
Meeting was called to order at 6:00 p.m.
2. Roll Call.
All Commissioners were present.
3. Director's report to the Planning & Zoning Commission on action taken by City Council on the June 20, 2024, meeting.
4. Review of meeting protocol.
5. 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.

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

No one wished to speak.

CONSENT AGENDA: ACTION

Motion: To approve the consent agenda items 6 through 8.

By: Board Member May

Seconded: Board Member Moss

Vote: 7-0

6. Approval of the minutes for meeting held on 6/13/2024
7. Approval of the extension of the application expiration for Subdivision Case FP-21-0032 Northline Lots 1–7, Block A Final Plat on one (1) parcel of land approximately 7.465 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R458187, generally located southeast of the intersection of US 183 and San Gabriel Parkway, Leander, Williamson County, Texas.

8. Approval of the extension of the application expiration for Subdivision Case FP-23-0007 Leander Collective Final Plat on eight (8) parcels of land approximately 11.45 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R036221, R036220, R036219, R036218, R036216, R036215, R619681 and R619682; generally located northeast of Horseshoe Drive and South West Drive, Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

9. Conduct a Public Hearing and consider action on Subdivision Variance Case VA-24-0018 regarding a variance request from Article III, Section 42 (b)(1) of the Subdivision Ordinance that requires all transportation improvements including streets, trails, driveways, sidewalks, bikeways, traffic control, and parking areas within the City's jurisdiction shall be designed in accordance with the City of Leander Composite Zoning Ordinance, Transportation Master Plan, Comprehensive Plan and the City of Austin's Transportation Criteria Manual and Article III, Section 42 (e) of the Subdivision Ordinance that requires sidewalks be installed by the developer on both sides of all streets within and immediately adjacent to a proposed development associated with 4.83 acres ± in size; more particularly described as Silencer Shop Site Development Plans; generally located to the northwest of FM 1431 and Vista Rock Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Variance Case VA-24-0018 as described above.

No one spoke in favor or opposition of the request.

Motion: to approve the Variance request.

By: Board Member Cosgrove

Seconded: Board Member Mahan

Vote: 7 - 0 None

REGULAR AGENDA

10. Discuss and consider action regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets, update definitions, update permitted uses, and to provide for related matters; Williamson & Travis Counties, Texas.

- Discuss and consider action regarding Ordinance Case OR-24-0015 as described above.

Motion: To approve the Ordinance request.

By: Board Member Oliver

Seconded: Board Member Moss

Vote: 6 - 1 Board Member Calame

11. Adjournment
Meeting adjourned at 6:18 p.m.

APPROVED

CHAIR

ATTEST:

STAFF LIAISON



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Receive a presentation regarding a Development Proposal Review from Josh Becker regarding a petition for a Comprehensive Plan Amendment for a residential development located north of the intersection of CR 175 and Carthage Street, Leander, Texas, Williamson County.

BACKGROUND:

The City Council adopted a process to allow a developer the opportunity to present their case to the City Council and receive any feedback or opinions that the City Council may offer prior to the developer submitting applications for the proposed development. Any statements, feedback, or opinions given by the City Council shall not constitute approval of any development-related application and shall not be binding on the City Council with respect to any applications that are later considered by the City Council related to the development.

This process is voluntary and is not required for the submittal of applications. At the end of the meeting the City Council will take action on the request. If approved, the approval will expire six (6) months after action. This presentation is not a public hearing; however, citizens are able to sign up to speak at the meeting.

The subject property is currently located within an Employment Center that runs along RM 2243. The proposal is to annex the subject property into the City of Leander, remove it from within the Employment Center and replace it with the Neighborhood Residential Land Use Category.

HISTORY/TIMELINE:

APPLICANT/AGENT:

CR 175 Investments, LLC (Josh Becker)

RECOMMENDATION:

PRESENTER:

Josh Becker, CR 175 Investments, LLC

Fiscal Impact

Attachments:

1. Att 1 Application - Oak Creek Estate
2. Att 2 Aerial Map - Oak Creek Estate

3. Att 3 Pre-Development Meeting Notes - Oak Creek Estate
4. Att 4 Exhibit - Oak Creek Estate
5. Att 5 FLU Map - Oak Creek Estate

DEVELOPMENT PROPOSAL REVIEW APPLICATION & CHECKLIST

Project Name: Oak Creek Estates

Submittal Date: _____

This application and checklist is provided as a service of the City of Leander. Its purpose is to assist the applicant in preparing a proposal that meets City standards so it can be expedited through the review process.

Please either submit a thumb drive / disk or email the Planning Department
the submittal documents for review at planning@leandertx.gov.

INSTRUCTIONS

- A developer who wishes to develop land within the city limits and who may require a comprehensive plan amendment can submit a petition to the City Council for review prior to submitting development applications to the City.
- A Pre-Development meeting is required to be scheduled prior to submission of the Development Proposal Review application. These meetings are scheduled every Monday starting at 2:30 p.m. (if Monday is a holiday it is held on the first working day of the week). Please make an appointment with the Planning Department (512) 528-2751.
- Current applications and City ordinances may be found on the City's website (www.leandertx.gov) or at City Hall. Incomplete applications will be returned for additional information prior to review and placement on the City Council agenda. Once the application has been received as complete, the case will be placed on the next available City Council agenda.
- Presentations to City Council should not exceed 10 minutes without prior approval of the City Council.
- The purpose of the development proposal review process will be to allow a developer the opportunity to present their case to the City Council and receive any feedback or opinions that the City Council may offer prior to the developer submitting development applications for the proposed development. Any statements, feedback, or opinions given by the City Council shall not constitute approval of any development-related application and shall not be binding on the City Council with respect to any applications that are later considered by the City Council related to the proposed development.
- A development proposal review is voluntary and is not a prerequisite for a developer to submit land development-related application to the City. The development proposal review request will not constitute an application for a permit under Chapter 245, Texas Local Government Code, and shall not otherwise constitute a basis for vesting or grandfathering the proposed development.
- At the end of the meeting, the Council will take action on the request. If approved, the approval will expire six months after action. This presentation is not a public hearing, however, citizens are able to sign up to speak at the meeting.

REQUIRED ITEMS FOR SUBMITTAL

- ☒ Email or submit a disk/thumb drive including the following submittal documents in PDF:
 - ☒ Deed for the property
 - ☐ Aerial Map with the property location identified
 - ☐ Future Land Use Map with the property location identified
 - ☐ Development Meeting notes
 - ☐ PowerPoint Presentation for the City Council Meeting (suggested items: maps, aerials, etc)
 - ☐ Any other proposed site plans, layouts, etc for review by the Council

PROJECT INFORMATION

Street Address/Location Description: 621 County Road 175

Subdivision Name: N/A Section: Lot(s): Block:

Legal Description: AWO287 - Hicks, M. Sur., Acres 20.536

Zoning District:
(USE-SITE-ARCHITECTURE)

Future Land Use Category (as identified on the Future Land Use Map: Employment Center

Presenter Name, Company, & Title: Josh Becker, Dannen Real Estate Development, Manager

Brief Summary of Proposal: We are proposing a zoning change to SFE or SFS in order to develop the property
Into single family estate lots. The Property has some very large oak trees and is surrounded by residential
Property. It also has a gentle slope and in order to get the grading to a place where it is flat enough
to accomodate a commercial use, there would need to be quite a bit of cutting resulting in a need to
remove most if not all of the tree cover on the property. Given the sites proximity to Ronald Reagan and a
future School campus with a High School, Middle School and Elementary School, residential would be
a more conducive use.

APPLICANT INFORMATION:

Please Note: The signature also indicates that the applicant or his agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. If there are multiple property owners, please submit multiple copies of this sheet.

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

(Check One):

☒ I, the owner, will represent this application with the City of Leander.

☐ I, the owner, hereby authorize the person named below to act as my agent in processing this application with the City of Leander.

OWNERSHIP INFORMATION:

Property Owner: Josh Becker

Company: CR 175 Investments LLC

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Phone: 512-909-4744

Fax: _____

Address: 621 CR 175

City: Leander

State: TX

Zip: 78641

Email: _____

Mobile: 512-909-4744

By signing this form, the owner of the property authorizes the City Council of Leander to discuss the proposed development. Owner further acknowledges that submission of an application does not in any way obligate the City to approve the application. The owner understands that the development proposal review request will not constitute an application for a permit under Chapter 245, Texas Local Government Code, and shall not otherwise constitute a basis for vesting or grandfathering the proposed development. By indicating an agent on the application, the property owner authorizes the agent to represent the request and all official contact will be between the City of Leander and the agent.

Owner's Signature: _____

Date: 3/22/2024

THE STATE OF TEXAS

§

§

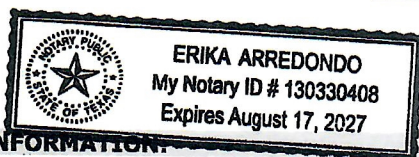
KNOW ALL MEN BY THESE PRESENTS

§

COUNTY OF Williamson

Before me, Josh Becker Erika Arredondo, on this day personally appeared Josh Becker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 22nd day of March, 2024.



Notary Public's Signature Erika Arredondo

My Commission Expires: August 17, 2027

AGENT INFORMATION:

If an agent is representing the owner of the property, please complete the following information:

Agent Name: _____ **Company:** _____

Phone: _____ Fax: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Mobile: _____

I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge.

Signature

Josh Becker
Name (printed)

7/2/2024
Date

CONFLICT OF INTEREST DISCLOSURES

Please submit at the time of submission of application and update disclosures within 7 business days after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

ARTICLE 9.05, CITY CODE OF ORDINANCES – CODE OF ETHICS:

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

▪ Ethics Ordinance – Disclosure Statements

The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain relationships and conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the above link.

Sec. 9.05.007 Persons doing business with the city

(a) Persons seeking discretionary contracts.

(1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.

(2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

(b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

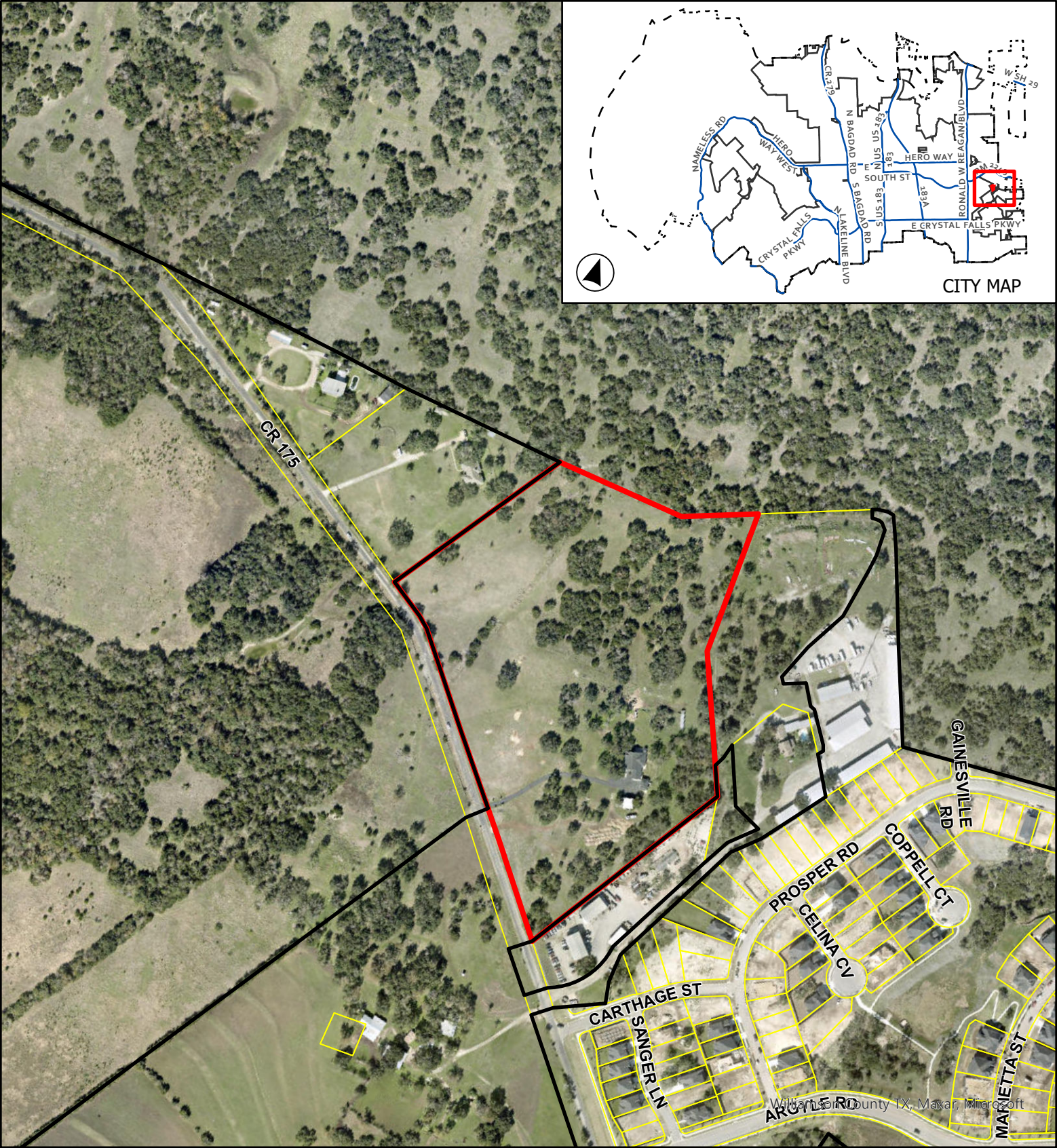
- (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
- (2) Any member of the board or city body;

has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

Sec. 9.05.009(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.

Do Not Write Below – Staff Use Only

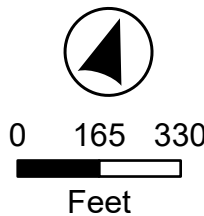
Accepted for Processing by: _____ Date: _____



OAK CREEK ESTATE LOTS

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
- Subject Boundary



City of Leander Development Services
201 N Brushy St
PO Box 319
Leander, Texas 78646-0319
Fax (512) 259-1425
www.leandertx.gov

Meeting Date: 4.15.2024
Meeting Time: 2:00 PM
Project Name: 621 CR 175 (ETJ) – Single family

PRE-DEVELOPMENT MEETING WORKSHEET

The purpose of a Development Meeting is to provide a property owner/developer with the opportunity to participate in a meeting with all departments involved in the development process. These meetings are scheduled to discuss local development regulations and project proposals with city staff. Helpful links can be found on page 12 of this document.

Development Meetings are conducted on Monday afternoons. This worksheet provides commonly asked questions and links to different ordinance requirements. **This meeting does not constitute approval or a permit and the discussions are preliminary. This meeting does not cover all ordinances or requirements.**

NOTE: Any information provided at the Development Meeting is considered PRELIMINARY. The information is not binding and does not vest the project or proposal, and does not represent a complete review of your project. In-depth reviews are provided during the application process.

The City makes no assurances as to the accuracy of any information provided at pre-development meetings or in any other communications to applicants and assumes no liability if an applicant relies upon inaccurate information to its detriment.

These notes expire six months after the Pre-Development Meeting

The following departments attend the meetings:

- Building Permits
- Engineering
- Planning
- Fire
- Parks & Recreation

NOTES PREPARED BY: Merrily Van Leuven

PROJECT & CONTACT INFORMATION

Contact Names: Josh Becker

Ph #: 512-909-4744

Email: [REDACTED]

Project Location: 621 CR 175 (R392186)

Project Description / Type: Annexation and development of Single-Family Estate lots

ZONING

- This property is not located within the city limits. Zoning is not established.
- A zone change is required to establish zoning. Zoning may run concurrently with annexation.
- The zone change application can be found using the following link:
www.leandertx.gov/HubApplications
- The zone change typically takes about 3 months of processing time and requires a public hearing with the Planning and Zoning Commission and another with City Council.
- Before the first public hearing, the applicant is required to perform neighborhood outreach to all properties zoned or used as residential within 500 feet and provide feedback that was provided by the neighbors. More information is provided on the application.
- The submittal schedule can be found using the following link: www.leandertx.gov/Zoning

FUTURE LAND USE

- The future land use category for this property is Employment Center. This category is compatible with LO, LC, GC, HC, PUD zoning districts.
- A Comprehensive Plan Amendment will be required to allow for the SFE or any residential zoning district.
- The application can be found using the following link: www.leandertx.gov/HubApplications
- The Comprehensive Plan Amendment typically takes about 8 weeks of processing time and requires a public hearing with the Planning and Zoning Commission and another with City Council. This may be processed concurrently with the zone change.
- This application must be approved in order for the zone change to be approved.

PLATTING AND SUBDIVIDING

- Platting is required to legally divide properties into multiple lots. Residential properties are required to be platted prior to the submittal of building permits. Non-residential or multi-family properties are required to be platted either concurrently or prior to the submittal of a site development permit.
- This property is currently unplatted.
- The next step in the subdivision process is to submit an application for concept plan. Annexation and zoning is required prior to platting.
- A phase plan is required for all residential subdivisions that include more than thirty (30) lots. Phases may not be under review concurrently or under construction concurrently. Phasing requirements:
 - Phasing time frames shall comply with the term of the concept plan.
 - Phases shall be provided in sequential order and include all subsections.
 - Each phase shall include all the property for each phase and the proposed number of water LUE's.
 - Each phase shall include all required infrastructure and drainage facilities to support the phase.
 - Phases shall not create remnant tracts less than five (5) acres in size.
- The application can be found using the following link: www.leandertx.gov/HubApplications.
- Information regarding Subdivisions can be found using the following link: www.leandertx.gov/Subdivisions

UTILITIES

- Wastewater System Map: <https://gis-leander.hub.arcgis.com/>
- Water System Map: <https://gis-leander.hub.arcgis.com/>
- Please complete an Open Records Request for specific plans, here is the link: <https://www.leandertx.gov/ORR>

WATER RESOLUTION

The City Council has adopted a Water Resolution that establishes zoning priorities based on the Leander Water Plan. The resolution and Water Plan may be found here: <https://www.leandertx.gov/716/Phase-2-water-conservation-in-effect> under "Related Content". Below, please find an excerpt that provides a timeline for water improvements.

- Driveway spacing along arterial, highway, and toll roads shall comply with the TxDOT Access Management Manual. All other driveways shall comply with the City of Austin Transportation Criteria Manual (version August 2020) for any other streets.
- Streets with speed limits higher than 45mph shall require deceleration lane per TxDOT Roadway Access Management Manual.
- Public Streets shall meet roadway sections and pavement design from CAPEC guidelines as per City of Leander latest Transportation Masterplan. <https://www.leandertx.gov/CompPlan> (Appendix E under Supporting Documents)
- Contact the Engineering Department to discuss any required right-of-way dedication and roadway adequacy (See COL Ordinance Chapter 10, Article 10.03 https://library.municode.com/tx/leander/codes/code_of_ordinances?nodeId=CH10SURE_ART10.03ROADST). These requirements are based on the Transportation Master Plan and the current status of the road improvements. The Transportation Master Plan can be found here: <https://www.leandertx.gov/CompPlan> (select Appendix E-1 & E-2 under “Supporting Documents”). In addition to roadway adequacy, a roadway impact fee is required per COL Ordinance Chapter 12, Article 10.08 (https://library.municode.com/tx/leander/codes/code_of_ordinances?nodeId=CH12TRVE_ART12.08ROIMFE)
- Per recent change adopted on January 4, 2024 to Chapter 10, Article 10.03, all submittals for land development will require a Traffic Study Screening Form and a certain level of traffic study. The Traffic Study Screening Form and Traffic Study Level Guide is attached to this worksheet. The previous TIA requirement of 2,000 trip threshold for a TIA, or optional TIA fee-in-lieu has been eliminated.
- During the platting process, the project is required to comply with the perimeter block length requirements of the Subdivision Ordinance. Perimeter block length is the additive length of the roadways that make up a block. Properties zoned for residential purposes shall not exceed a perimeter block length of 3,500 feet (SFR Single-Family Rural use components may be up to 6,000 feet). Blocks along arterial streets or containing commercial or industrial uses shall not exceed 4,000 feet.
- If the property is adjacent to Hero Way (between 183A and Ronald W. Reagan Blvd) or Ronald W. Reagan Blvd, coordination with the County is required. Please contact the County to discuss potential ROW requirements.

Whit Friend, PE
Williamson County Road Bond Program
jfriend@HNTB.com
512-5247-6713

PARKS AND RECREATION

- Parkland is required to be dedicated at a rate of 3.5 acres per 100 dwelling units for residential developments. A fee in lieu of dedicating parkland may be paid for full or a portion of acreage in the amount of \$1,050 per dwelling unit.
- Recreational Improvements Fees are required to be paid in the amount of \$400 per dwelling unit for residential developments.
- Parks Department will review your parkland and determine what improvements may be credited towards requirements.

SITE PLANNING

- The building setbacks are determined by the use component and can be found in the Composite Zoning Ordinance – Article VI, Section 6 (a). If a non-residential property is adjacent to a residential property, additional setbacks are required. If a permitted non-residential use is proposed in a residential district, the setbacks associated with the LO use component apply.
- If all buildings are constructed with 85% masonry on the first story and 50% masonry on all other stories, the setbacks may be reduced. This incentive can be found in the Composite Zoning Ordinance – Article VI, Section 6 (g) (1).
- If all buildings are constructed with 100% masonry, the setbacks may be reduced. This incentive can be found in the Composite Zoning Ordinance – Article VI, Section 6 (g) (1).
- The paving setbacks are determined by the site component and can be found in the Composite Zoning Ordinance – Article VI, Section 6 (a).
- The parking requirements can be found in Article VI, Sections 3, 4, & 5. These requirements are based on the proposed use. There are options available to propose an alternative parking plan.
- Parking spaces that are facing towards an arterial road are required to be screened by a four foot tall landscaped berm or masonry wall.
- Sites located within a center are required to provide a Master Architectural Plan that provides a material pallet showing it is consistent with other sites along that roadway. Please complete an open records request to request Master Architectural Plans that have been approved in the area. ORR Link: <https://www.leandertx.gov/ORR>
- Gas pumps are not permitted to be located closer to the road than the building unless the columns are constructed of 100% masonry.
- Drive-through lanes are not permitted to be located closer to the road than the building when located on an arterial road unless screened from view from the right of way.
- Dumpsters are not permitted to be located closer to the road than the primary building. A dumpster enclosure is required and shall be constructed of masonry.
- Parking lot connections are required for all non-residential or multi-family sites contiguous with another non-residential or multi-family site. Reciprocal access is required to provide connectivity between properties and reduce turning movements onto roadways (Composite Zoning Ordinance – Article VI, Section 13).

LANDSCAPING AND TREE MITIGATION

- All setback areas for non-residential and multi-family developments are required to be landscaped at a rate of two two-caliper inch shade trees and four five-gallon shrubs per 600 square feet.
- Residential developments require three one-gallon shrubs, three five-gallon shrubs, and two two-caliper inch trees.
- Turf grass limits have been adopted to promote water conservation for all districts.
- All parking spaces are required to be located within 50 feet of a tree.
- All detention facilities are required to be screen from view from public roads or residential uses.
- Sites located along arterial roads are required to provide a Major Corridor Streetscape Plan that provides a landscape pallet showing it is consistent with other sites along that roadway. Please complete an open records request to request Master Streetscape Plans that have been approved in the area. ORR Link: <https://www.leandertx.gov/ORR>
- Tree mitigation for significant trees on this site is as follows:
 - Up to 50% of surveyed inches of trees between eight and 18 caliper inches may be removed without mitigation. Any trees removed over the 50% will require a replacement ratio of 1:1.
 - Any trees removed between 18 and 26 caliper inches require approval by the Planning and Zoning Commission or approval of an alternative Tree Mitigation Plan by the Director and require a replacement ratio of 2:1.
 - Heritage trees measuring over 26 caliper inches require approval by the Planning and Zoning Commission and City Council, a fee of \$300 per caliper inch removed, and a replacement ratio of 3:1.

BUILDING AND SIGN PERMITS

- Building and sign permit applications may be submitted on the Development Hub.
- The 2015 International Building Code is currently adopted including local amendments and can be found using the following link: <https://www.leandertx.gov/339/Building-Codes>.
- Signs are permitted depending on the roadway it is located on.
- The sign ordinance can be found using the following link: <https://www.leandertx.gov/Signs>

FIRE REQUIREMENTS

- The 2015 International Fire Code is currently adopted.
- All buildings over 6,000 square feet are required to be sprinkled. Intense uses and higher occupancy loads on uses such as restaurants may require sprinklers on less square footage.

- A secondary access is required if over 30 units are located within one access point. Access points must be separated by at least half of the total diagonal length of the site.

SUBMITTAL PROCESS



Application submittals are accepted through the Development Hub (www.leandertx.gov/hubgo). Once the items are submitted, they will be reviewed for completeness. A response will be sent to you in regards to any additional items that are needed or that the acceptance of the application is confirmed.

Applications may be submitted at any time, the filing date is the next available date listed on the submittal schedule. Please contact the Planning Department at planning@leandertx.gov if you have any questions.

The applications must be approved in the following order:

1. Future Land Use and/or Zoning
 2. Concept Plan
 3. Preliminary Plat
 4. Public Improvements Construction Plans
 5. Final Plat
 6. Site Development Plans
 7. Building Permit
- Steps 4 through 7 may be reviewed concurrently for non-residential or multi-family projects but must be approved in order. These steps may be concurrent as long as there are existing streets and utilities serving the property.
 - Single-family projects do not require Site Development Plans. Building permit applications may not be submitted for review until the Engineering Departments confirms that the roads and utilities are installed. The building permit may not be issued until after the subdivision improvements are accepted by the City.
 - Approval times vary by project. The review schedule can be found using the following link: <https://leandertx.gov/DS>

STAFF CONTACTS / MEETING ATTENDANCE

PLANNING DEPARTMENT

☒ Robin Griffin, Executive Director of Development Services	512-528-2763	rgriffin@leandertx.gov
☐ Karina Castillo, Planning Manager	512-528-2950	kcastillo@leandertx.gov
☐ Michael Chenausky, Senior Planner	512-528-2729	mchenausky@leandertx.gov
☒ Cory Dale, Planner	512-528-2712	cdale@leandertx.gov
☐ Justin Hunt, Planner	512-528-2751	jhunt@leandertx.gov
☒ Michaela Lenn, Assistant Planner	512-528-2966	mlenn@leandertx.gov
☒ Jason Pho, Assistant Planner	512-528-2707	jpho@leandertx.gov
☒ Merrily Van Leuven, Assistant Planner	512-528-2954	mvanleuven@leandertx.gov

ENGINEERING DEPARTMENT

☒ Emily Truman, City Engineer	512-528-2797	etruman@leandertx.gov
☐ Sarvesh Dhakal, Assistant City Engineer	512-528-2775	sdhakal@leandertx.gov
☒ Paul Brochi, Senior Engineer	512-528-2969	pbrochi@leandertx.gov
☒ Michael Duval, Senior Engineer	512-528-2751	mduval@leandertx.gov
☐ Ann Weis, Senior Engineer	512-528-2725	aweis@leandertx.gov
☒ Tessa Heines, Senior Engineer	512-528-2933	theines@leandertx.gov
☐ Ashish Pant, Senior Engineer	512-528-2760	apant@leandertx.gov
☐ Zach Whitlock, EIT	512-528-2764	zwhitlock@leandertx.gov

PUBLIC WORKS DEPARTMENT

☐ Gina Ellison, Public Works Director	512-259-2640	gellison@leandertx.gov
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FIRE DEPARTMENT

☐ Chief Joshua Davis, Fire Marshal	512-528-2847	jdavis@leandertx.gov
☐ Capt. Eddie Bailey, Fire Inspector/Investigator	512-528-2846	ebailey@leandertx.gov

PERMITS DEPARTMENT

☐ Chris Wheat, Building Official	512-528-2868	cwheat@leandertx.gov
☒ German Saiz, Senior Plan Reviewer	512-528-2985	gsaiz@leandertx.gov

PARKS & RECREATION DEPARTMENT

☐ Mark Tummons, Parks & Recreation Director	512-528-2993	mtummons@leandertx.gov
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ECONOMIC DEVELOPMENT DEPARTMENT

☐ Randall Malik, Economic Development Director	512-528-2855	rmalik@leandertx.gov
☐ Nichole Vance, Assistant Director of Economic Development	512-528-2852	nvance@leandertx.gov

CONTACTS & WEBSITES

CITY OF LEANDER

(512-528-2700)

City of Leander		www.leandertx.gov
Code of Ordinances	https://library.municode.com/tx/leander/codes/code_of_ordinances	
Development Applications		www.leandertx.org/planning
Documents & Forms		www.leandertx.org/documents
Transportation & Drainage Criteria Manuals	https://library.municode.com/tx/austin/codes/	

TRAVIS COUNTY

(512-834-9317)

Travis County		www.co.travis.tx.us
Travis County Appraisal		www.traviscad.org

WILLIAMSON COUNTY

(512-943-1100)

Williamson County		www.wilco.org
Williamson County Appraisal	www.wcad.org/appraisal/publicaccess/	

UTILITIES

Gas:	ATMOS Energy	(512) 310-3805
Water:	City of Leander	(512) 528-2700
Electricity:	Pedernales Electric	(512) 331-8883
Television Cable:	Sudden Link Communications	(512) 930-3085
Solid Waste Services:	AI Clawson Disposal, Inc	(512) 259-1709

PUBLIC TRANSPORTATION

Commuter Train Park & Ride:	Capital Metro	(512) 639-6200
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OTHER IMPORTANT CONTACTS

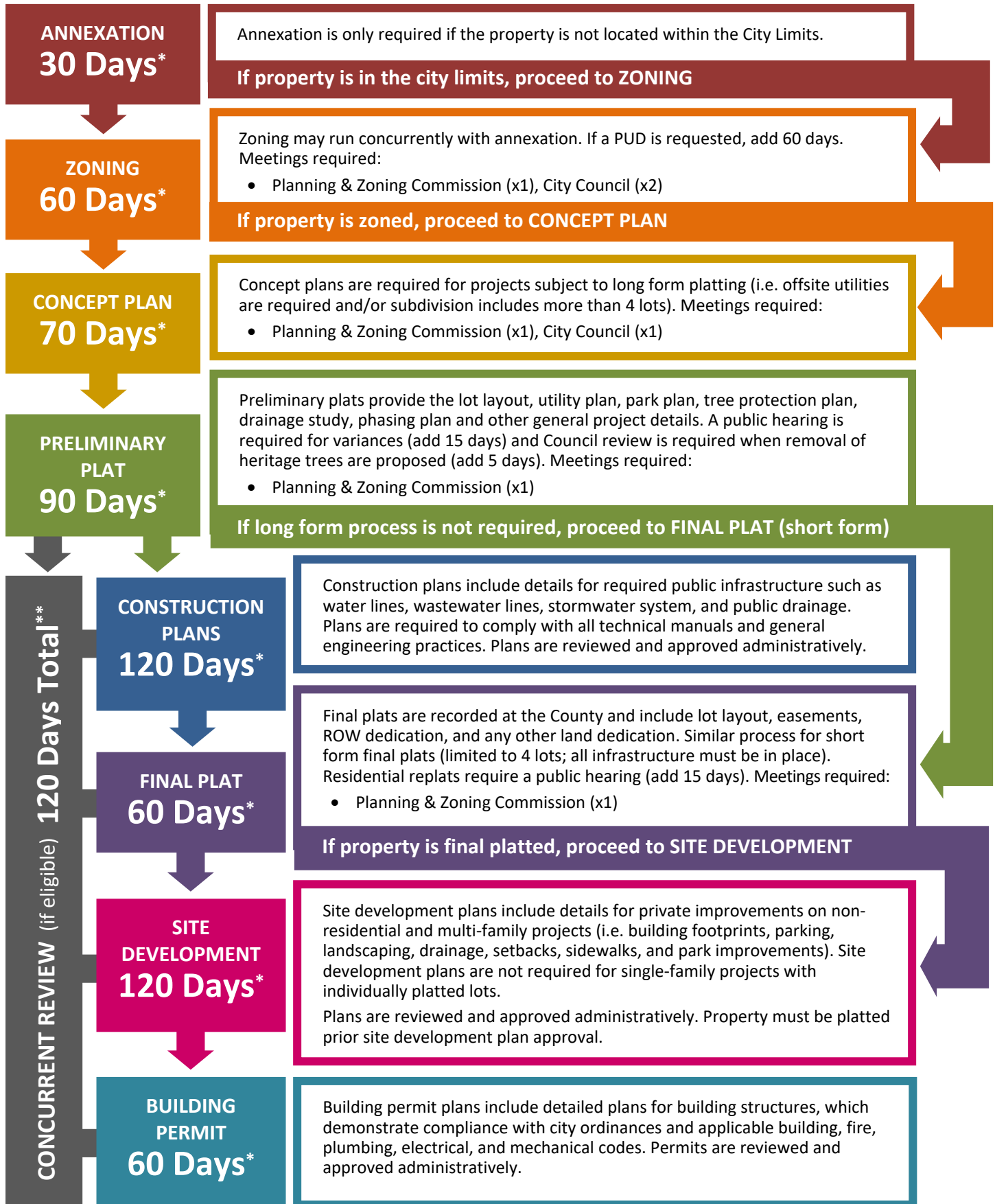
Federal Emergency Management Agency (FEMA):	http://www.fema.gov/	(940) 898-5399
Leander Independent School District(LISD):	http://www.leanderisd.org/	(512) 434-5000
Leander Public Library:	http://www.youseemore.com/leander/	(512) 259-5259
Leander Post Office:		(512) 259-1965
Lower Colorado River Authority (LCRA):	http://www.lcra.org/	(512) 473-3200
Crystal Falls Golf Course:	http://www.crystalfallsgolf.com/	(512) 259-5855
Leander Chamber of Commerce:	http://www.leandercc.org/visitor.htm	(512) 259-1907
Newspapers: Community Impact	http://impactnews.com/leander-cedar-park	(512) 989-6808
Hill Country News	http://www.hillcountrynews.com/	(512) 259-4449
Texas Commission on Environmental Quality (TCEQ):	http://www.tceq.state.tx.us/	(512) 239-1000
Texas Parks & Wildlife Department (TPWD):	http://www.tpwd.state.tx.us/	(512) 389-4800
Texas Department of Licensing & Regulation (TDLR):	http://www.license.state.tx.us/	(512) 463-6599
Texas Department of State Health Services:	http://www.dshs.state.tx.us/	(512) 458-7111
Upper Brushy Creek WCID	http://www.upperbrushycreekwcid.org/	(512) 617-3129
U.S. Army Corps of Engineers	http://www.usace.army.mil/	(202) 761-0011
U.S. Fish & Wildlife Service	http://www.fws.gov/	1-800-344-WILD

HELPFUL LINKS

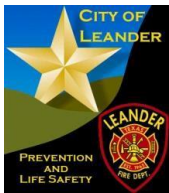
- Development Services: <https://www.leandertx.gov/ds>
- Development Hub: <https://www.leandertx.gov/hubgo>
- Comprehensive Plan: <https://www.leandertx.gov/CompPlan>
- Zoning: www.leandertx.gov/Zoning
- Subdivisions: www.leandertx.gov/Subdivisions
- Maps & Guides: <https://www.leandertx.gov/maps-guides>
- Applications & Checklists: www.leandertx.gov/HubApplications
- Current Developments: <https://www.leandertx.gov/354/Development-Dashboard>
- Development Guide: <https://www.leandertx.gov/maps-guides>
- Transportation Plan: <https://www.leandertx.gov/CompPlan> (Appendix E under Supporting Documents)
- Impact Fees: <https://www.leandertx.gov/permits>
- Planning: <https://www.leandertx.gov/planning>
- Engineering: <https://www.leandertx.gov/engineering>
- Permits: <https://www.leandertx.gov/permits>
- Fire: <https://www.leandertx.gov/fire>
- Parks: <https://www.leandertx.gov/parksrec>

City of Leander Development Process

* Days shown below are estimates of total process time, including city and applicant reviews.
City response times follow a set schedule. Applicant response times may vary.



**Concurrent review is permitted in situations where the public improvement plans are not required for the final plat to be recorded. Single-family, two-family, cottage housing, townhouses, and cottage regime are not eligible for concurrent review of the building permit with the subdivision process.



Fire Code Requirements During Construction

- A Temporary Address must be in place and visible from the primary access roadway at all times or until a permanent address is in place.
- *Approved* fire department access roadway or an *approved* temporary road shall be in place before building construction or demolition. (Ref. IFC 3310.1)
- All Fire Hydrants for the site must meet City of Leander Detail #101-4.
- Fire Hydrants shall be inspected by the Fire Marshal's Office prior to being installed.
- Fire Hydrants must be in operating condition with adequate water flow as soon as combustible materials arrive on site (Ref. IFC 3312.1)
- Approved, inspected, portable fire extinguisher shall be in place in accordance with fire code with not less than one at each stairway, in every storage, construction shed and where special hazards exist, including, storage and use of combustible and flammable liquids. (Ref. IFC 3315.1)
- A readily accessible means to contact 911 shall be made available at the construction site.
- Smoking shall be prohibited except in *approved* areas. Smoking is prohibited in areas where conditions are such as to make smoking a hazard and in spaces where combustible or flammable liquids are stored or handled. Signs shall be conspicuously posted.
- Combustible debris, rubbish and waste material shall not be accumulated within buildings.
- Temporary electrical wiring for power and light installations shall be in compliance with NFPA 70.

Email: LFDprevention@leandertx.gov

Inspection Line: 512-528-2748

The Leander Fire Marshal's Office has the authority to conduct random construction safety inspections as provided by the adopted Codes and Ordinances.

Respectfully,

Joshua Davis

Assistant Chief / Fire Marshal

P.O. Box 319 Leander, Texas 78646

Fax 512-528-0726 www.LeanderTX.gov

ver102017

TRAFFIC STUDY LEVEL GUIDE

NOTES:

1. This document is a companion to the Traffic Study Screening Evaluation Form and is a general overview of the traffic study level requirements for all projects.
2. A Traffic Study Screening Evaluation Form must be submitted with every proposed land development application.
3. City staff will review the screening form and determine the level of traffic study required based on the complexity of the proposed development and the threshold of projected added traffic from the proposed development, utilizing the latest edition of the ITE Trip Generation Manual.
4. All submitted technical letters, technical memoranda, analysis, and traffic impact analysis reports must be signed and sealed by a licensed professional engineer registered in the state of Texas or other qualified individual responsible for the supervision and preparation of the traffic study.
5. All traffic studies, except Level 0, will require a scoping meeting with City of Leander staff prior to preparation of the study.
6. Submittals of Traffic Studies for Levels 0, 1 and 2 will be submitted through the Development HUB as part of each land development application review. The initial land development application submittal will only require the Traffic Study Screening Evaluation Form. Subsequent review submittals will require the Traffic Study to be submitted as a review document. No separate traffic study application or review fee is required for Traffic Study Levels 0, 1, or 2.
7. Submittals of Traffic Studies for Levels 3 and Level 4 will require a separate Traffic Impact Analysis (TIA) Submittal Packet and corresponding review fee, submitted through the Development HUB (www.leandertx.gov/hubgo). The TIA Submittal Packet is available on the City Website.
8. All Traffic Studies shall expire after 5 years from the initial submittal date, and will be reevaluated, as determined by City Staff, for any updates required to the traffic study and recommended mitigating improvements.

LEVEL 0 {0 TO 49 PEAK HOUR TRIPS, OR 0 TO 249 NEW DAILY TRIPS}

This study level requires a project letter that includes a general project description and serves as documentation of the projected daily trips expected with the proposed land use development. The letter should also include any observations or recommendations needed with the proposed land development to address the safety and efficiency of the adjacent roadways, intersections, existing and proposed access points.

LEVEL 1 {50 TO 99 PEAK HOUR TRIPS, OR 250 TO 499 NEW DAILY TRIPS}

This study level requires a brief engineering study to evaluate the existing conditions, operational efficiency, and safety of the adjacent roadways, intersections, and access points for the proposed land development, including access spacing, turn lanes, sight distance, and existing condition conflicts. Study may include the following elements as necessary: existing traffic, trip distribution, capacity analysis, and traffic assignment at the proposed access points. The submittal should be in the form of a technical letter or memorandum with supporting exhibits.

LEVEL 2 {100 TO 299 PEAK HOUR TRIPS, OR 500 TO 4,999 NEW DAILY TRIPS}

This study level requires an engineering study to evaluate the existing conditions, operational efficiency, and safety of the adjacent roadways, intersections, existing and proposed access for the proposed land development. The analysis should include access spacing, turn lanes, sight distance, existing condition conflicts, safety, capacity analysis, and operational impacts of the proposed land development on the existing roadway, adjacent driveways, access points, and nearby intersections. The study should also include the following elements as necessary: existing traffic counts, trip distribution and traffic assignment at the proposed access points, and queueing and circulation analysis. The submittal should be in the form of a technical memorandum and other supporting documentation including exhibits, diagrams, tables, and analyses.

LEVEL 3 {300 TO 699 PEAK HOUR TRIPS, OR 5,000 TO 10,000 NEW DAILY TRIPS}

This study level requires a Traffic Impact Analysis (TIA). The TIA shall be performed according to the requirements of the City of Austin's Transportation Criteria Manual, dated 2020, and as determined during the TIA scoping meeting with City of Leander staff prior to beginning the study. The submittal should be in the form of a full engineering report including executive summary, written analyses, exhibits, graphics, figures, tables, existing traffic counts, background traffic, traffic growth projections, trip distribution, safety and operational impacts, capacity analysis, recommended mitigations, conclusions, appendices materials as necessary including traffic count data, traffic modeling printouts, and Synchro files.

LEVEL 4 {≥ 700 PEAK HOUR TRIPS, OR ≥ 10,000 NEW DAILY TRIPS, OR ≥ 100 ACRES}

This study level requires a Traffic Impact Analysis (TIA) following the same requirements as a Level 3 Traffic Study above, but for a large, proposed master planned land development with multiple phases over several years. The Level 4 TIA submittal should follow the content requirements of a Level 3 traffic study, but with the additional expectation the study and recommended mitigations will need to be reevaluated and tracked at each phase, including a recommended timeframe for installation of the improvements, and refined and amended as the project evolves for the individual developments.



CITY OF LEANDER

TRAFFIC STUDY SCREENING EVALUATION FORM

This form shall be submitted with every development permit application to help determine the level of study required. City staff will notify the applicant to schedule a traffic study scoping meeting, if required. Note: The grey areas on this form are to be prepared by City of Leander Staff.

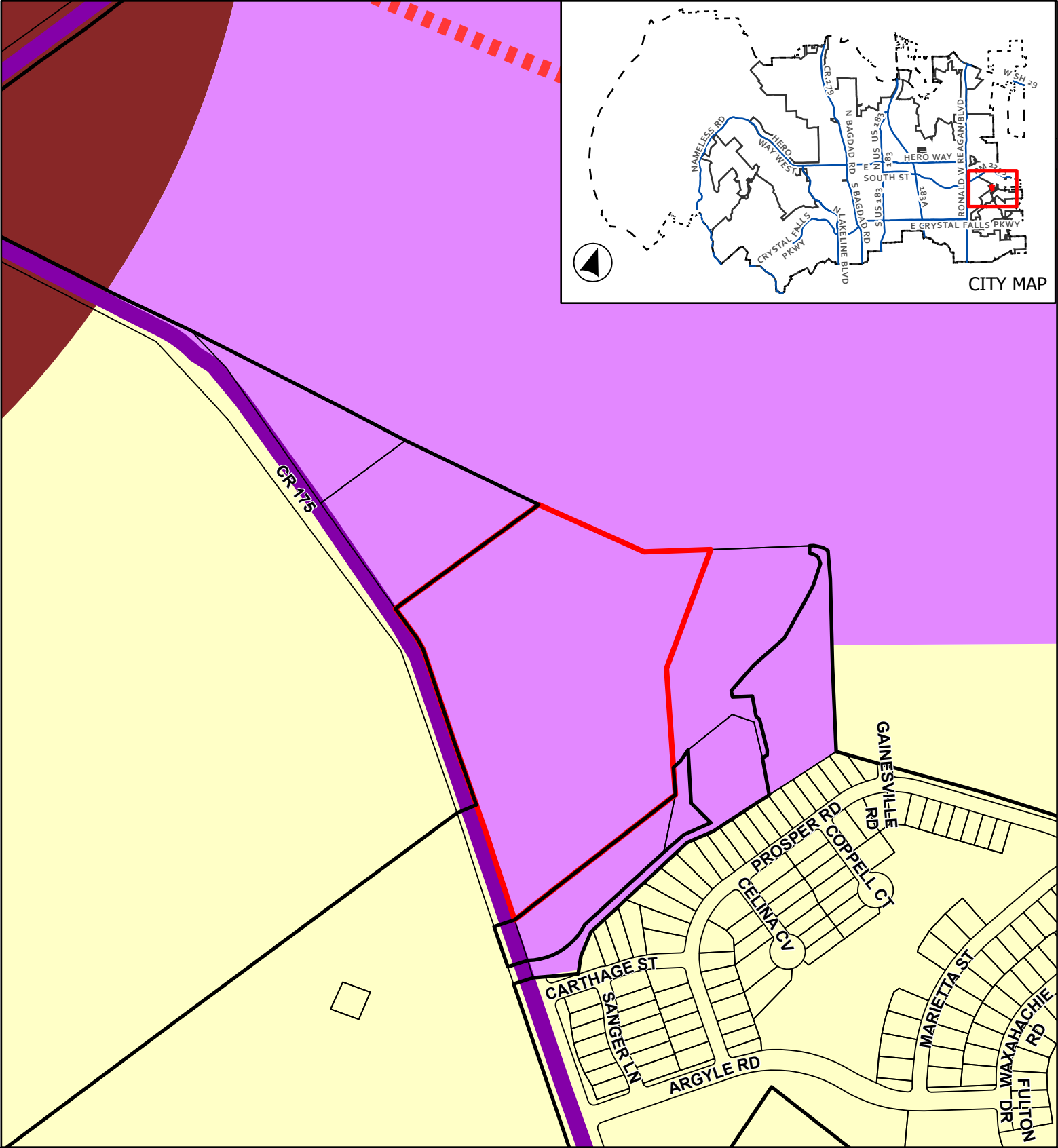
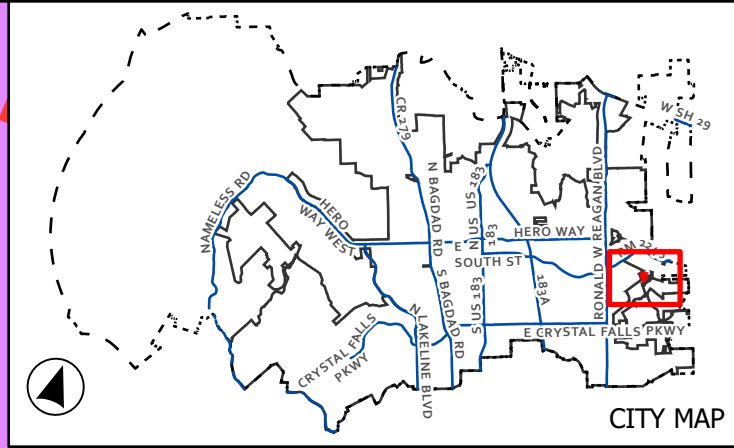
Proposed Development		Date Submitted:								
Name:		Project Number(s):								
Location:										
Applicant/Agent/Project Developer		Traffic Study Preparer								
Name:		Name:								
Phone:		Phone:								
Email:		Email:								
Has another traffic study been prepared at this location within the past (2) years?		☐ YES	If YES →	Date:						
		☐ NO		Project Number(s):						
Note: If needed, use additional sheet & attach	Land Use (ITE code)	Project Size (SF, units, etc.)	Zoning	Peak Hour Trips (adj. street)		Daily Trips				
				AM (in/out)	PM (in/out)					
Existing										
Total										
Proposed										
Total										
Total New Trips (increase/decrease from exist.) →										
Level 0 Traffic Study		Level 1 Traffic Study		Level 2 Traffic Study		Level 3 Traffic Study		Level 4 Traffic Study		
0 to 59 new pkhr trips OR 0 to 249 new daily trips		50-99 new pkhr trips OR 250 – 499 new daily trips		100 – 299 new pkhr trips OR 500 – 4,999 new daily trips		300 – 699 new pkhr trips OR 5,000 – 10,000 new daily trips		≥ 700 new pkhr trips OR ≥ 10,000 new daily trips OR ≥ 100 acres		
Evaluated By:	Recommendation (Circle One)	Level 0	Level 1	Level 2	Level 3	Level 4	Comments:			
	Printed Name:									
	Signature:									
	Date:									

January 2024_v 1.1

OAK CREEK ESTATES

Leander, Texas





OAK CREEK ESTATE LOTS

Future Land Use Map



0 180 360
Feet

- Leander City Limits
- ETJ Boundary
- Subject Boundary
- Neighborhood Residential

- Activity Center
- Employment Center

Thoroughfare Plan

- Arterial 4 Lane, Existing
- Access Controlled, Proposed

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.



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Receive a presentation from Kimley Horn to discuss the 183 Corridor Study project list and cost estimates for the submission associated with the Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan.

BACKGROUND:

Every five years, Metropolitan Planning Organizations are required by federal law to adopt a long-range transportation plan, commonly known as the Regional Transportation Plan, or RTP. The CAMPO 2045 Transportation Plan was adopted May 4, 2020. This Plan is a multimodal approach to addressing congestion and transportation needs over the next 25 years, and uses comprehensive planning to ensure the regional nature of the plan is locally driven. The Plan includes roads, transit, active transportation options such as walking and biking, and also examines new technologies, travel strategies, and choices that maximize the use of current transportation infrastructure.

In cooperation with the state transportation department, transit operators, and local governments, CAMPO develops and maintains the Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP). The TIP is the four-year program that consists of federal, state and locally funded transportation projects from the TRP that will be implemented within the next four years.

Staff has been working with Kimley Horn & Associates and their team on drafting a list of priority projects to submit for the CAMPO 2045 Transportation Plan. The deadline for applications is August 14, 2024.

HISTORY/TIMELINE:

APPLICANT/AGENT:

City of Leander, Kimley Horn & Associates

RECOMMENDATION:

PRESENTER:

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

Fiscal Impact

Attachments:

1. 20240718 - Council Workshop - Project List

City of
Leander



US 183 Corridor Study

Council Workshop
July 18, 2024

Agenda

- Project Background
- Project Highlights/Findings
- Engagement Summary
- Questions for Council
- Next Steps

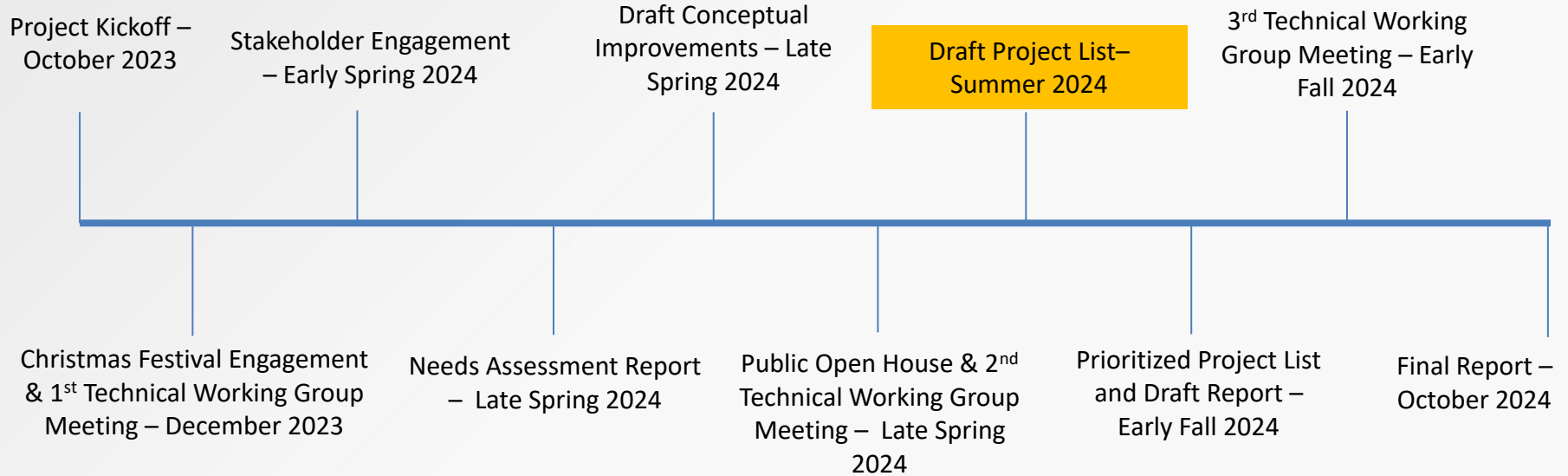
Project Description

A corridor study along the US 183 corridor from US 183A to Osage Dr. The corridor study will generally consist of a public engagement strategy, land use analysis, market demand analysis, economic development opportunities, traffic analyses, alternatives analyses, development of a preferred alternative for land use and transportation facilities, conceptual improvement plans (including 5 focus areas), and a prioritized list of short-, mid-, and long-term projects the City can implement along the corridor.

Project Vision

Establish a unified vision for both multimodal mobility and a preferred land use concept to guide and assist development and redevelopment along the US 183 corridor. The resulting preferred concepts and recommendations should aid land use policy decisions to meet market and citizen demand for economic development and position the City for funding and completing short, medium, and long-term infrastructure projects along the corridor to support future development.

Project Timeline



Needs Assessment Highlights

- Corridor is lacking infrastructure support for **alternative modes of transportation**
- Many key **safety improvements** need to be made to **minimize challenging traffic operations**
- Several **intersections** along the corridor, along with the interaction with the railroad, have **created bottlenecks**
- Land use policies can be used to **support placemaking opportunities** and **revitalize the corridor** in certain areas
- Many residents would support a corridor that is more **welcoming of community space and events**
- Many opportunities were identified to **improve safety, create a sense of place, support multimodal accessibility, and encourage future development**

Traffic Operations Highlights

- Intersection LOS vs Segment LOS
 - Updated TDM results
 - Segment LOS without median is at capacity
 - Segment LOS with median is OK north of Metro Dr
 - Segment LOS with 6 lanes is OK north of Metro Dr
 - Intersection LOS shows the congestion is mostly caused by intersection bottlenecks
 - **Intersection improvements will be the main driver of capacity improvements**

Engagement Outreach

- Technical Working Group Meetings
 - City staff, CAMPO, CTRMA, TxDOT, WilCo, Cedar Park, and CapMetro
 - Have held two meetings
 - Meeting 1: Existing Conditions / Coordination
 - Meeting 2: Draft Concepts
 - Upcoming Meeting 3: Draft Project List

Engagement Outreach

- Stakeholder Meetings
 - Virtual meetings with developers
 - Conducted block walk to discuss the project with corridor residents and business owners

Engagement Outreach

- Public Outreach
 - Pop-up booth at Christmas Festival
 - Public open house to discuss draft concepts
 - Two surveys
 - Survey 1: Existing Conditions / Goals
 - Survey 2: Feedback on Draft Concepts

Engagement Takeaways

- General support for safety, mobility, and intersection capacity improvements
- General consensus that 183 has great potential as an asset for Leander
- Placemaking and land use recommendations involved more areas of disagreement
- Regional agencies (TWG) support proposed improvements and offer partnership

Questions for Council

- What is your overall vision for the corridor?
- Are there any proposed projects that don't seem feasible?
- Are there any projects that are not in the renderings/on the draft list that should be added?

Proposed Transportation Improvement Types

- Access Management
- Roadway Improvements
- Pedestrian / Mobility Improvements
- Intersection Capacity Improvements

Access Management Projects

- Raised Median
- Driveway Access Management

Roadway Improvement Types

- Curb and Gutter Installation

Pedestrian / Mobility Improvement Types

- Enhanced Crosswalks (new construction and update existing)
- Enhanced Railroad Crossings
- New Sidewalks and Gap Filling
- Extension of Shared Use Path

Intersection Capacity Improvement Types

- Addition of new or additional dedicated turn lanes at intersections
- Intersection Signalization

DRAFT Project List – Corridor Wide

Project Description	Roadway	To	From	Type
Installation of raised median with curb and gutter (1.7 miles)	US 183	183A	Hero Way	Access Management, Roadway Improvements
Installation of raised median with curb and gutter (1.8 miles)	US 183	Hero Way	Crystal Falls Pkwy	Access Management, Roadway Improvements
Installation of raised median with curb and gutter (1.0 mile)	US 183	Crystal Falls Pkwy	Osage Dr	Access Management, Roadway Improvements
Installation of curb and gutter (1.7 miles)	US 183	183A	Hero Way	Roadway Improvements
Installation of curb and gutter (1.8 miles)	US 183	Hero Way	Crystal Falls Pkwy	Roadway Improvements
Installation of curb and gutter (1 mile)	US 183	Crystal Falls Pkwy	Osage Dr	Roadway Improvements

DRAFT Project List – Industrial Pointe 183

Project Description	Roadway	To	From	Type
Installation of enhanced pedestrian crossing with RRFB at US 183 & Naks Crossing PUD (includes 4 crosswalks, ped refuge island, and RRFB)	US 183	NA	NA	Pedestrian Improvements
2 crosswalks at US 183 & Heritage Grove Rd (with RRFB)	US 183	NA	NA	Pedestrian Improvements
2 crosswalks at US 183 & Heritage Grove Rd (no RRFB)	US 183	NA	NA	Pedestrian Improvements
2 crosswalks at US 183 & Heritage Grove Rd (HAWK system)	US 183	NA	NA	Pedestrian Improvements
Enhanced railroad crossings (2) with gates, near Heritage Grove Rd	US 183	NA	NA	Pedestrian Improvements
New Sidewalk on the west side of 183 from 183A to Tulum Ter (0.6 miles)	US 183	183A	Tulum Ter	Pedestrian Improvements
Extension of Shared Use Path on east side of US 183 to Tulum Ter (0.3 miles)	US 183	End of SUP at Pointe 183	Tulum Ter	Pedestrian Improvements
Addition of eastbound left turn lane at Heritage Grove Rd	NA	NA	NA	Intersection Capacity Improvements
Addition eastbound left turn lane at Tulum Ter	NA	NA	NA	Intersection Capacity Improvements
Heritage Grove & US 183 Signalization	NA	NA	NA	Signalization

DRAFT Project List – Northline San Gabriel

Project Description	Roadway	To	From	Type
New Sidewalk from Tulum Ter to San Gabriel Pkwy (0.2 miles)	US 183	Tulum Ter	San Gabriel Pkwy	Pedestrian Improvements
Extension of Shared Use Path on east side of US 183 to San Gabriel Pkwy (0.2 miles)	US 183	End of SUP at Pointe 183	Tulum Ter	Pedestrian Improvements
New Sidewalk connection to fill gap on north side of San Gabriel from Broade Street to railroad (0.2 miles)	San Gabriel Pkwy (north side)	Broade St	Railroad	Pedestrian Improvements
New Sidewalk connection to fill gap on south side of San Gabriel from Broade Street to Northline development site (0.4 miles)	San Gabriel Pkwy (south side)	Broade St	Northline Development	Pedestrian Improvements
1) Extend the eastbound left turn lane (340' deceleration + 100' taper) at US 183 & San Gabriel, 2) Add Eastbound through lane at US 183 & San Gabriel	NA	NA	NA	Intersection Capacity Improvements
Add 4 enhanced crossings at US 183 & San Gabriel	NA	NA	NA	Pedestrian Improvements
Enhanced railroad crossings (2) with gates at San Gabriel railroad crossing	NA	NA	NA	Pedestrian Improvements
Add 8 crossings at the planned traffic signals on San Gabriel at St. Davids driveways	NA	NA	NA	Pedestrian Improvements
Construct Shared Use Path on east side of railroad line from San Gabriel Pkwy to Metro Dr (Leander Station Connection)	US 183	San Gabriel Pkwy	Metro Dr	Pedestrian Improvements
Widen sidewalk at Leander Station to Shared Use Path width of 10' (0.35 miles)	US 183	Metro Dr	Hero Way	Pedestrian Improvements
New Sidewalk on west side of US 183 from San Gabriel Pkwy to Metro Dr (0.4 miles)	US 183	San Gabriel Pkwy	Metro Dr	Pedestrian Improvements
Add 4 enhanced crossings at US 183 & Metro Dr	NA	NA	NA	Pedestrian Improvements

DRAFT Project List – Old Town

Project Description	Roadway	To	From	Type
Add 4 enhanced crossings at US 183 & Hero Way	NA	NA	NA	Pedestrian Improvements
Add 4 enhanced crossings at US 183 & South St	NA	NA	NA	Pedestrian Improvements
Add enhanced crosswalk across Broade St at US 183	NA	NA	NA	Pedestrian Improvements
Enhanced railroad crossings (2) with gates at Hero Way railroad crossing	NA	NA	NA	Pedestrian Improvements
Enhanced railroad crossings (2) with gates at South St railroad crossing	NA	NA	NA	Pedestrian Improvements
New Sidewalk on west side of US 183 from Hero Way to Sonny Dr (1 mile)	US 183	Hero Way	Sonny Dr	Pedestrian Improvements
Construct Shared Use Path from Hero Way to Sonny Dr (1 mile)	US 183	Hero Way	Sonny Dr	Pedestrian Improvements
New Sidewalk on Hero Way north side from US 183 to Main St (0.3 miles)	Hero Way	US 183	Main St	Pedestrian Improvements
New Sidewalk on Hero Way south side from US 183 to Main St (0.3 miles)	Hero Way	US 183	Main St	Pedestrian Improvements
Fill in sidewalk gaps between Broade St, US 183, NW Dr, and South St (0.6 miles)	NA	NA	NA	Pedestrian Improvements

DRAFT Project List – Old Town

Project Description	Roadway	To	From	Type
1) Add additional southbound left turn lane - US 183 & Hero Way; 2) Add additional northbound left turn lane - US 183 & Hero Way; 3) Add Westbound right turn lane (340' deceleration + 100' taper) - US 183 & Hero Way; 4) Add Westbound left turn lane (340' deceleration + 100' taper) - US 183 & Hero Way	NA	NA	NA	Intersection Capacity Improvements
Convert the intersection to a "hooded" left turn movement - US 183 & Broade St	NA	NA	NA	Intersection Capacity Improvements
1) Add eastbound left turn lane (200' deceleration + 100' taper) - US 183 & South St; 2) Add eastbound right turn lane (150' deceleration + 100' taper) - US 183 & South St; 3) Add westbound left turn lane (200' deceleration + 100' taper) - US 183 & South St	NA	NA	NA	Intersection Capacity Improvements
Add eastbound left turn lane (100' deceleration + 50' taper) - US 183 & Atkin St	NA	NA	NA	Intersection Capacity Improvements

DRAFT Project List – Gateway

Project Description	Roadway	To	From	Type
Construct Shared Use Path from Sonny Dr to Crystal Falls Pkwy (0.8 miles)	US 183	Sonny Dr	Crystal Falls Pkwy	Pedestrian Improvements
New Sidewalk on west side of US 183 from Sonny Dr to 1,000' north of Sheila Dr (0.2 miles)	US 183	Sonny Dr	1,000' north of Sheila Dr	Pedestrian Improvements
Add 4 enhanced crossings at US 183 & Sonny Dr	NA	NA	NA	Pedestrian Improvements
Add 4 enhanced crossings at US 183 & Crystal Falls Pkwy	NA	NA	NA	Pedestrian Improvements
Enhanced railroad crossings (2) with gates at private railroad crossing at Crystal Falls Pkwy	NA	NA	NA	Pedestrian Improvements
Enhanced railroad crossings (2) with gates at private railroad crossing 800' north of Sheila Dr	NA	NA	NA	Pedestrian Improvements
Add 2 enhanced crossings at US 183 & County Glen St with Pedestrian Push Buttons	NA	NA	NA	Pedestrian Improvements

DRAFT Project List – Gateway

Project Description	Roadway	To	From	Type
1) Convert the existing westbound right turn lane to westbound through + right turn lane by removing the existing taper - US 183 & Sonny Drive; 2) Convert existing westbound through + left turn lane to westbound left turn lane (200' deceleration + 50 taper) - US 183 & Sonny Drive; 3) Add double eastbound left turn lane (200' deceleration + 50' taper) - US 183 & Sonny Drive	NA	NA	NA	Intersection Capacity Improvements
1) Add additional southbound left turn lane - US 183 & Crystal Falls Parkway; 2) Add additional northbound left turn lane - US 183 & Crystal Falls Parkway; 3) Add dual westbound left turn lane - US 183 & Crystal Falls Parkway; 4) Convert existing westbound through + left turn lane to westbound through - US 183 & Crystal Falls Parkway	NA	NA	NA	Intersection Capacity Improvements
US 183 & Sheila - Signalization and crosswalk enhancements	NA	NA	NA	Safety Improvements

DRAFT Project List – Knight

Project Description	Roadway	To	From	Type
Fill in sidewalk gaps along the west side of US 183 from Crystal Falls Pkwy to Osage Dr (0.45 miles)	US 183	Crystal Falls Pkwy	County Glen St	Pedestrian Improvements
Construct Shared Use Path from Crystal Falls Pkwy to Osage Dr (1 mile)	US 183	Crystal Falls Pkwy	County Glen St	Pedestrian Improvements
Add eastbound right turn lane (200' deceleration + 50' taper) - US 183 & County Glen Street	NA	NA	NA	Intersection Capacity Improvements

Next Steps

- Revise any projects per council feedback
- Submit revised project list to CAMPO for RTP submission (mid-August)
- Prioritize projects and create implementation strategies
- Conduct final TWG meeting
- Draft Final Report and Recommendations



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Discuss and consider action on the Second Reading of an Ordinance regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets, update definitions, update permitted uses, and to provide for related matters; Williamson and Travis Counties, Texas.

BACKGROUND:

This request is the final step in the ordinance process. Staff recommends approval of the ordinance amendments. During the meeting of June 27, 2024, the Planning & Zoning Commission held a public hearing and delayed action following discussions. The Commission asked Staff to clarify standards for lighting, provide a definition of "locally produced," and adjust the requirements for the vendor types. Staff has provided an updated redline for review to include the following:

1. Lighting associated with an Entertainment District has been updated to clarify visibility from residential properties and public right-of-way.
2. Provided a definition of Locally Produced.
3. Reduced percentage of food vendors for Farmers' Market.

The Sign Ordinance adopted in September 2023 allows for a Master Sign Plan intended to provide a consistent and architecturally compatible plan for multiple signs within a development. A Farmer's Market is eligible for a Promotion Event Package which includes temporary signage with the addition of Swooper Flags, Human Signs, and Bandit Signs. If Staff notices that these standards are prohibitive to the proposed uses, Staff reviews the Sign Ordinance on an annual basis and makes amendments as needed.

The Planning & Zoning Commission recommended approval during the June 27, 2024 meeting.

HISTORY/TIMELINE:

06/13/2024 – Planning & Zoning, 1st Public Hearing
06/27/2024 – Planning & Zoning, approved
07/09/2024 – City Council, 2nd Public Hearing

APPLICANT/AGENT:

City of Leander

RECOMMENDATION:

The City Council unanimously approved the ordinance during the July 9, 2024 meeting with the update that a minimum number of vendor booths associated with a farmer's market be added.

PRESENTER:

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

Fiscal Impact

Attachments:

1. OR-24-0015 Att 1 Planning Analysis
2. OR-24-0015 Att 2 Entertainment District Ordinance Redline
3. OR-24-0015 Att 3 6-13-2024 P & Z Minutes
4. OR-24-0015 Att 4 6-26-2024 P&Z Minutes



PLANNING ANALYSIS

ORDINANCE CASE OR-24-0015 COMPOSITE ZONING ORDINANCE ENTERTAINMENT OVERLAY & FARMERS' MARKETS

GENERAL INFORMATION

Owner/Agent:	City of Leander
Ordinance:	Composite Zoning Ordinance
Proposed Change:	Add options for an Entertainment Overlay and Farmers' Markets
Staff Contact:	Robin M. Griffin, AICP Executive Director of Development Services

BACKGROUND

Over time, the City Staff has received requests for more opportunities to support and provide flexibility for entertainment activities within the city. Staff has developed an Entertainment Overlay to promote areas for entertainment throughout the city. This overlay allows the Planning & Zoning Commission and City Council the ability to approve requests for an Entertainment Overlay through an evaluation of the proposed activity and the surrounding developments.

The ordinance update implements the following Comprehensive Plan Action Items:

- Action 1.2.4 of the Comprehensive Plan includes preparing amendments to the development codes for regulatory parameters to generate public-oriented spaces.
- Action 3.1.3 calls for prioritizing the recruitment of destination-oriented concepts including entertainment.
- Strategy 7.3 encourages regional attractions including entertainment developments with Action 7.3.4 focusing on event spaces for entertainment.

ENTERTAINMENT OVERLAY INFORMATION

This amendment to the Composite Zoning Ordinance allows for property owners to request an Entertainment Overlay to support alternative standards for noise, lighting, and use regulations. The intent is to promote a vibrant and active place, thereby providing residents and employees opportunities to socialize and be entertained within the City. Each Entertainment Overlay shall include a minimum of ten (10) acres in size to establish an area intended for entertainment purposes. This area may include multiple properties or a single large property. Establishing an Entertainment Overlay will be permitted only in accordance with the City's Comprehensive Plan and this ordinance.

Entertainment Overlays shall be established through a public hearing process similar to a zoning case since the district supports amendments to the code with regards to land uses. These areas shall include entertainment uses that promote active public uses that may include amusement activities, theaters, plaza, outdoor seating areas, outdoor cafes, destination locations and may include the following additional uses:

- Banquet Hall or Events Center;
- Bar or Private Club;
- Brewpub;
- Entertainment venues including theaters, amusement parks, arenas, stadiums, commercial sports venues;
- Farmer's Market Temporary Use
- Hotels, Full Service
- Hotels, Boutique;

- Microbrewery, Microdistillery, or Microwinery;
- Mobile Food Establishment Temporary Use and Park in compliance with Article, IV, Section 10 of the Composite Zoning Ordinance;
- Night Club;
- Outdoor Music
- Restaurants with outdoor patios;
- Theatre, Indoor; and/or

The following criteria shall apply to Entertainment Overlays:

- **ALCOHOLIC BEVERAGE SALES AND SERVICE:** Alcoholic beverages may be sold and/or served for on or off-premise consumption on property located within an Entertainment Overlay in compliance with the TABC regulations.
- **HOURS OF OPERATION:** There shall be no hours of operation except as follows:
 - Bars, private clubs, or night clubs shall not be open for business to the public between 2:00 a.m. and 8:00 a.m. any day of the week.
 - Outdoor business shall not be allowed between the hours of 10:00 p.m. and 7:00 a.m. when located within five hundred (500') feet of a structure zoned and/or used for residential purposes.
- **LIGHTING:** Alternative lighting such as string lighting within centers and outdoor gathering spaces are permitted. All alternative lighting shall meet the intent of the Composite Zoning Ordinance.
- **PARKING:** A parking reduction may be considered for multi-occupant centers of up to ten (10%) percent of the ordinance requirement where shared parking is proposed.

This amendment also includes provisions to allow for Farmers' Markets. This use may either be allowed by right in an Entertainment Overlay or through the special use permit process.

ENTERTAINMENT OVERLAY PROCESS

Before the establishment of an Entertainment Overlay, the request shall be reviewed by the Planning & Zoning Commission for study and report concerning the effect of the proposed use on the Comprehensive Plan and on the character and development of the neighborhood and final approval by the City Council. Notice shall be given and public hearings held in the same manner as for all other zoning and rezoning applications.

Each Entertainment Overlay shall be individually identified and may include conditions to accommodate unique features of the area such as surrounding developments, including modifications to the provisions of this Section.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING SECTIONS OF ARTICLE 14.02, THE COMPOSITE ZONING ORDINANCE TO AMEND THE COMPOSITE ZONING ORDINANCE TO ADOPT REGULATIONS FOR AN ENTERTAINMENT OVERLAY AND FARMERS' MARKETS, UPDATE DEFINITIONS, AND PROVIDE FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City sees a need to adopt an Entertainment Overlay to allow for alternative uses, lighting standards, modified parking requirements, and hours of operation, as well as support other outdoor entertainment.

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

WHEREAS, after publishing notice of the public hearing at least fifteen (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 Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended to add the following definitions:

Agricultural Product means a product intended for direct human consumption or animal consumption such as vegetables, fruits, dairy products, eggs, grains, meats, poultry, fish, honey, wool, plants, or other similar products.

Artisan means sculptors, painters, sketch artists, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, designers of ornamental and precious jewelry, screen printers, air brushers, and other similar uses.

Banquet Hall or Events Center means a facility or hall which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings,

anniversaries, corporate events, and other similar celebrations. Such use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premise consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.

Entertainment Overlay means an area designated by the Planning & Zoning Commission and City Council that allows for alternative standards regarding noise, lighting, and use regulations. This overlay is a regulatory tool that creates a special zoning district, placed over an existing base zoning district, which identifies special provisions in addition to those in the underlying base zone.

Farmers' Market means the offering for sale of fresh agricultural products and Locally Produced goods directly to the customer at an open air market event at which at least forty (40%) of the vendors are farmers or other food producers. The Farmer's Market may include vendors who are not farmers or food producers to include hand made products and artisan goods.

Farmers' Market Permanent Use means a Farmers' Market held at a permanent location designed for a Farmers' Market and authorized by a special use permit.

Farmers' Market Temporary Use means a Farmers' Market held at a temporary outdoor location within an Entertainment Overlay.

Hotel, Boutique means a small hotel with less than fifty (50) guest rooms that is not accessed from a Toll Road or Arterial. A boutique hotel is not part of a large hotel chain and typically has a unique location and may be associated with specialty amenities such as a spa or live entertainment.

Hotel, Extended Stay means a hotel offering individual guest rooms or suites for rent intended to be used for stays which may exceed thirty (30) days. An extended stay hotel may include meeting rooms, recreational facilities for renters, and suites may have full kitchen facilities to accommodate extended stays.

Hotel, Full Service means a hotel that includes a minimum of one hundred (100) guest rooms, a full service restaurant, meeting rooms, and guest services that are customary to hotel services amenities such as dry cleaning service, fitness centers, laundry facilities, and/or spa services.

Hotel, Limited Service means a hotel that does not provide additional guest services beyond the customary hotel services and amenities.

Locally Produced means agricultural products or goods produced within the State of Texas for the purpose of this ordinance.

Multi-Occupant Center means a development that includes three or more retail, entertainment, business, industrial, wholesale, or professional uses that share common facilities including parking, driveways, utilities, detention, and landscaping.

Outdoor Music means a sound that is amplified and not fully enclosed by permanent, solid walls and a roof, or allowed to project out of an exterior doorway that is routinely opened.

Plaza means an outdoor shared space located within a Multi-Occupant Center that promotes public gatherings.

Theater, Indoor means an enclosed structure used for motion pictures, cultural or performing arts, and may include food and alcoholic beverage sales.

SECTION 3. Amendment of Article I, Section 6. Article I, Section 6 of the Composite Zoning Ordinance is hereby amended to replace the definition of hotel with the following:

Hotel means a building in which lodging or boarding and lodging are provided and offered to the public for compensation for a period of less than thirty (30) days and in which ingress and egress to and from all rooms is made through and inside a lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradiction to a boarding house, a lodging house, or an apartment.

SECTION 4. Amendment of Article III, Section 16(b). Article III, Section 16(b) of the Composite Zoning Ordinance is hereby amended to add Banquet Hall or Events Center, Boutique Hotel, Extended Stay Hotel, Full Service Hotel, Limited Service Hotel, and Indoor Theater to the list of permitted uses. Uses shall appear in alphabetical order and existing sections will be renumbered accordingly.

SECTION 5. Amendment of Article III, Section 20. Article III, Section of the Composite Zoning Ordinance is hereby amended to add Banquet Hall or Events Center, Boutique Hotel, Extended Stay Hotel, Full Service Hotel, Limited Service Hotel, and Indoor Theater to the list of permitted uses in the GC, HC, and HI Use Components.

SECTION 6. Amendment of Article IV, Section 2(a). Article IV, Section 2(a) of the Composite Zoning Ordinance is hereby amended to add the following:
(17) Farmers' Market

SECTION 7. Amendment of Article IV. Article IV of the Composite Zoning Ordinance is hereby amended to add a new Section 11 and a new Section 12, and to renumber the existing Section 11 to Section 13:

SECTION 11: Entertainment Overlay

(a) Intent. The intent of the Entertainment Overlay is to allow for the development of property as a destination and entertainment venue that will be used to promote a vibrant and active place, thereby providing residents and employees opportunities to socialize and be entertained within the City. Each Entertainment Overlay ~~shall~~ may either include multiple properties or one large property creating a functional site that supports adequate space to handle parking, circulation and pedestrian activities that is a minimum of ten (10) acres in size to establish an area intended for entertainment purposes. Establishing an

Entertainment Overlay will be permitted only in accordance with the City's Comprehensive Plan and this ordinance.

- (b) Application. Unless modified by the ordinance establishing the Entertainment Overlay for particular properties, the provisions of this section shall be in addition to all other provisions of the underlying zoning district. This district may relax certain standards for development.
- (c) Criteria. In order for a property to be designated with the Entertainment Overlay, the property shall include entertainment uses that promote vibrant and active public uses that include amusement activities, theaters, plazas, outdoor seating areas, outdoor cafes, destination locations, and uses listed in Section (d) below.
 - (1) The property shall include entertainment uses in addition to the uses permitted by right in the base zoning district.
 - (2) The ordinance adopting the Entertainment Overlay will take effect when entertainment uses are established on the property through the issuance of a certificate of occupancy.
 - (3) If the entertainment uses cease operation, the Entertainment Overlay shall expire after six (6) months.
 - (4) If the entertainment uses substantially change, an amendment is required to be submitted for review and action by the Planning & Zoning Commission and City Council. The Director of Planning may approve minor amendments to the uses.
 - (5) An Entertainment Overlay shall either include:
 - i. Multiple properties, or
 - ~~ii. One (1) unified development under common ownership with~~ contain a minimum of ten (10) acres unless otherwise approved by the establishment of the overlay.
- (d) Entertainment Overlay Permitted Uses
 - (1) All uses permitted by the base zoning district of the property;
 - (2) Banquet Hall or Events Center;
 - (3) Bar or Private Club;
 - (4) Brewpub;
 - (5) Entertainment venues including theaters, amusement parks, arenas, stadiums, commercial sports venues;
 - (6) Farmer's Market Temporary Use
 - (7) Hotels, Full Service
 - (8) Hotels, Boutique;
 - (9) Microbrewery, Microdistillery, or Microwinery;
 - (10) Mobile Food Establishment Temporary Use and Park in compliance with Article, IV, Section 10 of the Composite Zoning Ordinance;
 - (11) Night Club;
 - (12) Outdoor Music
 - (13) Restaurants with outdoor patios;
 - (14) Theatre, Indoor; and/or
 - (15) Any similar uses as permitted by the Director of Planning.

- (e) Alcoholic Beverage Sales and Service
 - (1) Alcoholic beverages may be sold and/or served for on or off-premise consumption on property located within the Entertainment Overlay that is developed and used for the uses listed in (d) above subject to the terms of the permit or license issued to the owner or operator of the property by the Texas Alcoholic Beverage Code, as amended.
- (f) Hours of Operation
 - (1) There shall be no hours of operation except as follows:
 - a. Property located in the Entertainment Overlay District and developed and used as a Bar, Private Club, or Night Club shall not be open for business to the public between 2:00 a.m. and 8:00 a.m. any day of the week.
 - b. Outdoor Music shall not be allowed between the hours of 10:00 p.m. and 7:00 a.m. when located within five hundred (500') feet of a structure zoned and/or used for residential purposes.
- (g) Lighting. Alternative lighting is permitted in an Entertainment Overlay. Lighting such as string lights within centers and outdoor gathering spaces are permitted. Any alternative lighting shall meet the intent of the Composite Zoning Ordinance and shall be oriented so that light intensity or brightness is directed away from public right-of-way or adjacent residential properties zoned or used for residential.
- (h) Parking.
 - (1) A parking reduction may be considered for Multi-Occupant Centers of up to ten (10%) percent of the ordinance requirements when shared parking facilities are proposed.
 - (2) Outdoor seating areas shall not be counted towards the parking requirements.
- (i) Process.
 - (1) An Entertainment Overlay shall be processed as part of a zoning application to establish the overlay. The request shall be referred to the Planning & Zoning Commission for study and report concerning the effect of the proposed use on the Comprehensive Plan and on the character and development of the neighborhood and final approval by the City Council. Notice shall be given and public hearings held in the same manner as for all other zoning and rezoning applications.
 - (2) Each Entertainment Overlay shall be individually identified and may include conditions to accommodate unique features of the area such as surrounding developments, including modifications to the provisions of this Section.

SECTION 12: Farmers' Market

- (a) Intent. The intent of this section is to provide regulations for the development of a Farmers' Market as a permanent use and a temporary use. Farmers' Markets are permitted by right on property with an Entertainment Overlay unless otherwise prohibited. Otherwise, a Special Use Permit is required to establish a Farmers' Market.
- (b) General requirements.
 - (1) A special use permit is required for a Farmers' Market located outside of an Entertainment District.

- (2) A Farmers' Market shall not be operated more than twenty four (24) hours per week and more than twelve (12) hours in any twenty four (24) hour period.
- (3) At least forty (40%) percent of the vendors shall be food item vendors whose products are Locally Produced.
- (4) At least forty (40%) percent of the cumulative square footage area of all vending booths at the farmers' market must consist of locally produced agricultural products.
- (5) All vendors shall comply with the state licensing requirements.
- (6) The food manufacturing, food distribution, or food wholesale license must be prominently displayed at the vendor's booth throughout the duration of each farmer's market session.
- (7) Any processed foods must be commercially pre-packaged.
- (8) All vendors shall comply with applicable health and safety laws and state regulations. Each vendor at a farmer's market shall meet all requirements of any other applicable law regulating the vendor's operation at the farmers' market, including but not limited to displaying of an appropriate license or permit and meeting required performance standards. The permittee shall be responsible for ensuring that each vendor complies with this subsection. If the permittee is also a vendor at the farmers' market, the permittee shall also meet all requirements of any other applicable law regulating such vendor's operation at the farmers' market.
- (9) Each farmers' market must provide 1.25 parking spaces per vending booth.
- (10) A minimum of five (5) vendor booths or stalls shall be provided with each Farmer's Market.

SECTION 13: Exceptions

- (a) Where a legal lot or other legal tract less than the required width, depth or area established in this ordinance, and in existence on the effective date of this ordinance, these lot size requirements shall not prohibit the erection of one primary structure for occupancy for a use permitted within the district in which the lot or tract is located.
- (b) Where a preliminary plat or concept plan, filed or approved prior to the effective date of this ordinance and compliant with the minimum requirements in effect when filed or approved, shows lots less than the required width, depth or area established in this ordinance and does not expire prior to submission of a final plat, the final plat may be approved with the lot sizes as approved on the preliminary plat or concept plan.
- (c) Special consideration for the width and depth of cul-de-sac lots will be given as long as they meet the minimum area requirement of their respective district.

SECTION 8. Amendment of Article VI, Section 3(a). Article VI, Section 3 a) of the Composite Zoning Ordinance is hereby amended to add the following parking requirements:

USE CATEGORY	SPECIFIC USE	SPACE REQUIREMENT
COMMERCIAL USES		

Commercial Office, Retail Sales, & Services	Farmers' Market	1.25:booth or vendor stall
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SECTION 9. Conflicting Ordinances. Exhibit " A", Chapter 14, Leander Code of Ordinances is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 10. Savings Clause. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting subdivision within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 11. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter

SECTION 12. 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 13. 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 9th day of July, 2024.

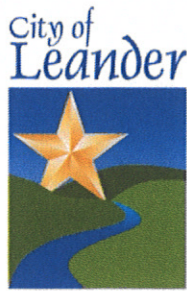
FINALLY PASSED AND APPROVED on this the 18th day of July, 2024.

ATTEST:

THE CITY OF LEANDER, TEXAS:

Dara Crabtree, City Secretary

Christine DeLisle, Mayor



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, June 13, 2024
Regular Meeting at 6:00 PM



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

**Place 5 – James Oliver, Vice Chair
Place 6 – Laura Lantrip, Chair
Place 7 – Scott Calame
Staff Liaison – Robin Griffin**

REGULAR MEETING

1. Call to Order.
Meeting was called to order at 6:00 p.m.
2. Roll Call.
All present except Chair Laura Lantrip.
3. Director's report to the Planning & Zoning Commission on action taken by City Council on the June 6, 2024 meeting.
4. Review of meeting protocol.
5. 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.

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

No one wished to speak.

CONSENT AGENDA: ACTION

Motion to approve Consent Agenda items 6 through 8.

By: Board Member May

Seconded: Board Member Moss

Vote: 6 - 0 None

6. Approval of the minutes for meeting held on May 23, 2024.
7. Approval of the Subdivision Application Forms pursuant to Article IX, Section 9 (a) (1) c. of the Composite Zoning Ordinance; Leander, Williamson & Travis Counties, Texas.
8. Approval of the extension of the completion date for Subdivision Case 20-PICP-0032 Leander Platinum Public Improvement Construction Plans; more particularly described by Williamson Central Appraisal

PUBLIC HEARING: ACTION

9. Conduct a Public Hearing and consider action regarding Zoning Case Z-24-0116 to amend the current zoning of Interim SFS-2-B (Single-Family Suburban) and Interim SFR-1-B (Single-Family Rural) to GC-3-A (General Commercial) on three (3) parcels of land approximately 13.5 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R032163, R032164, and R032168; and generally located south of Hero Way West, approximately 560 feet west of Lakeline Boulevard, Leander, Williamson County, Texas.

- Discuss and consider action regarding Zoning Case Z-24-0116 as described above.

No one spoke in favor or opposition of the request.

Motion to approve Zoning Case Z-24-0116.

By: Board Member Mahan

Seconded: Board Member May

Vote: 6 - 0 None

10. Conduct a Public Hearing and consider action regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets, update definitions, update permitted uses, and to provide for related matters; Williamson & Travis Counties, Texas. Applicant: City of Leander.

- Discuss and consider action regarding Ordinance Case OR-24-0015 as described above.

No one spoke in favor or opposition of the request.

Motion: to postpone the Ordinance Case OR-24-0015 to the next Planning & Zoning meeting on June 27, 2024, by Vice Chair James Oliver with no second to the motion.

Adjourned at 6:27 p.m.

The meeting reopened at 6:30 p.m. All were present except Chair Lantrip. This item was restated for the record.

Motion to postpone the Ordinance Case OR-24-0015 to the next Planning and Zoning meeting on June 27, 2024.

By: Board Member Cosgrove

Seconded: Board Member Moss

Vote: 6 - 0 None

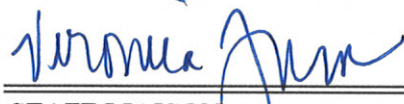
REGULAR AGENDA

11. Adjournment
Meeting adjourned at 6:31 p.m.

APPROVED


CHAIR

ATTEST:


STAFF LIAISON



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

Pat Bryson Municipal Hall
201 North Brushy Street - Leander, Texas
Thursday, June 27, 2024
Regular Meeting at 6:00 PM



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

**Place 5 – James Oliver, Vice Chair
Place 6 – Laura Lantrip, Chair
Place 7 – Scott Calame
Staff Liaison – Robin Griffin**

REGULAR MEETING

1. Call to Order.
Meeting was called to order at 6:00 p.m.
2. Roll Call.
All Commissioners were present.
3. Director's report to the Planning & Zoning Commission on action taken by City Council on the June 20, 2024, meeting.
4. Review of meeting protocol.
5. 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.

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

No one wished to speak.

CONSENT AGENDA: ACTION

Motion: To approve the consent agenda items 6 through 8.

By: Board Member May

Seconded: Board Member Moss

Vote: 7-0

6. Approval of the minutes for meeting held on 6/13/2024
7. Approval of the extension of the application expiration for Subdivision Case FP-21-0032 Northline Lots 1–7, Block A Final Plat on one (1) parcel of land approximately 7.465 acres ± in size, more particularly described by Williamson Central Appraisal District Parcel R458187, generally located southeast of the intersection of US 183 and San Gabriel Parkway, Leander, Williamson County, Texas.

8. Approval of the extension of the application expiration for Subdivision Case FP-23-0007 Leander Collective Final Plat on eight (8) parcels of land approximately 11.45 acres ± in size, more particularly described by Williamson Central Appraisal District Parcels R036221, R036220, R036219, R036218, R036216, R036215, R619681 and R619682; generally located northeast of Horseshoe Drive and South West Drive, Leander, Williamson County, Texas.

PUBLIC HEARING: ACTION

9. Conduct a Public Hearing and consider action on Subdivision Variance Case VA-24-0018 regarding a variance request from Article III, Section 42 (b)(1) of the Subdivision Ordinance that requires all transportation improvements including streets, trails, driveways, sidewalks, bikeways, traffic control, and parking areas within the City's jurisdiction shall be designed in accordance with the City of Leander Composite Zoning Ordinance, Transportation Master Plan, Comprehensive Plan and the City of Austin's Transportation Criteria Manual and Article III, Section 42 (e) of the Subdivision Ordinance that requires sidewalks be installed by the developer on both sides of all streets within and immediately adjacent to a proposed development associated with 4.83 acres ± in size; more particularly described as Silencer Shop Site Development Plans; generally located to the northwest of FM 1431 and Vista Rock Drive, Leander, Williamson County, Texas.

- Discuss and consider action regarding Variance Case VA-24-0018 as described above.

No one spoke in favor or opposition of the request.

Motion: to approve the Variance request.

By: Board Member Cosgrove

Seconded: Board Member Mahan

Vote: 7 - 0 None

REGULAR AGENDA

10. Discuss and consider action regarding Ordinance Case OR-24-0015 to amend the Composite Zoning Ordinance to adopt regulations for an Entertainment Overlay, adopt regulations for Farmers' Markets, update definitions, update permitted uses, and to provide for related matters; Williamson & Travis Counties, Texas.

- Discuss and consider action regarding Ordinance Case OR-24-0015 as described above.

Motion: To approve the Ordinance request.

By: Board Member Oliver

Seconded: Board Member Moss

Vote: 6 - 1 Board Member Calame

11. Adjournment
Meeting adjourned at 6:18 p.m.

APPROVED

CHAIR

ATTEST:

STAFF LIAISON



EXECUTIVE SUMMARY
7/18/2024

AGENDA SUBJECT:

Discuss and consider action on an Organization Utilization Agreement by and between the City of Leander and Leander Youth Soccer Association for the use of Robin Bledsoe Park athletic facilities beginning August 1, 2024, and ending July 31, 2029; and authorize the City Manager to execute any and all necessary documents.

BACKGROUND:

Parks & Recreation staff have worked with Leander Youth Soccer Association (Leander FC) to establish a long-term contract for youth soccer programming at Robin Bledsoe Park. Although previous contracts were approved on a seasonal basis, Leander FC's established history with the City prompted both parties to pursue a five (5)-year contract to improve long-term planning efforts. Multiple meetings have been held to discuss obligations as well as negotiate fees, and Leander FC estimates nine hundred fifty (950) participants for each of the Fall 2024 and Spring 2025 seasons.

Notable agreement terms include:

- Leander FC requests forty-four (44) hours of exclusive use of the multipurpose athletic fields per week during the Fall and Spring seasons, including 5 p.m to 10 p.m. Monday-Friday and 9 a.m. to 9 p.m. Saturday-Sunday.
- Proposed light fees per hour match the public rate of \$20.00 for half-field use, and \$30.00 for full-field use. Previously contracted light fees were \$10.00 per hour.
- The overall fee structure provides for an estimated seventy-four percent (74%) recovery of City costs.

Since this is the first proposed multiyear contract with Leander FC in this format, there are no documents containing proposed (redlined) revisions.

HISTORY/TIMELINE:

2003 - Leander FC was established to fulfill a community demand for youth recreation and club soccer. The Bledsoe Park baseball outfield areas were used to host sixty-five (65) players in their first season.

04/2015 - Council designated the Bledsoe Park multipurpose athletic fields as "Gabriel and Jayne Serna Athletic Fields" in recognition of the Leander FC founders.

02/2018 - The City completed the installation of synthetic turf using voter-approved funds from a 2016 bond election.

APPLICANT/AGENT:

RECOMMENDATION:

Staff recommends approval.

PRESENTER:

Greg Olmer, Assistant Director of Parks and Recreation

Fiscal Impact

Attachments:

1. Presentation
2. Proposed Contract

City of Leander
Parks & Recreation

and

Leander Youth Soccer Association
(Leander FC)

Organization Utilization Agreement

July 18, 2024

Greg Olmer

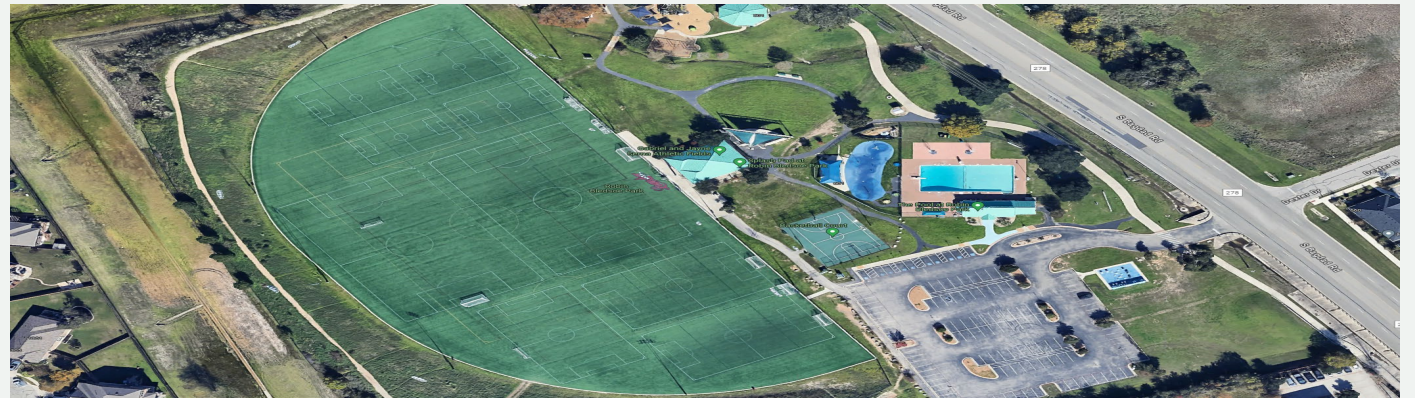
Assistant Director, Parks & Recreation Department



Leander FC

Partnership & History

- Est. 2002, Leander Youth Soccer Association (Leander FC) fulfilled community need for youth Recreation and Club/Select soccer levels. Grass outfields of the two baseball fields were utilized. 65 players in first season.
- “Gabriel and Jayne Serna Fields” were officially named in April 2015 upon the passing of “Coach” and their 12+ years of dedication to the youth of Leander.
- Previous contracts with the City were approved season-to-season, including summer soccer camps.





Gabriel & Jayne Serna Fields Grand Opening

February
2018

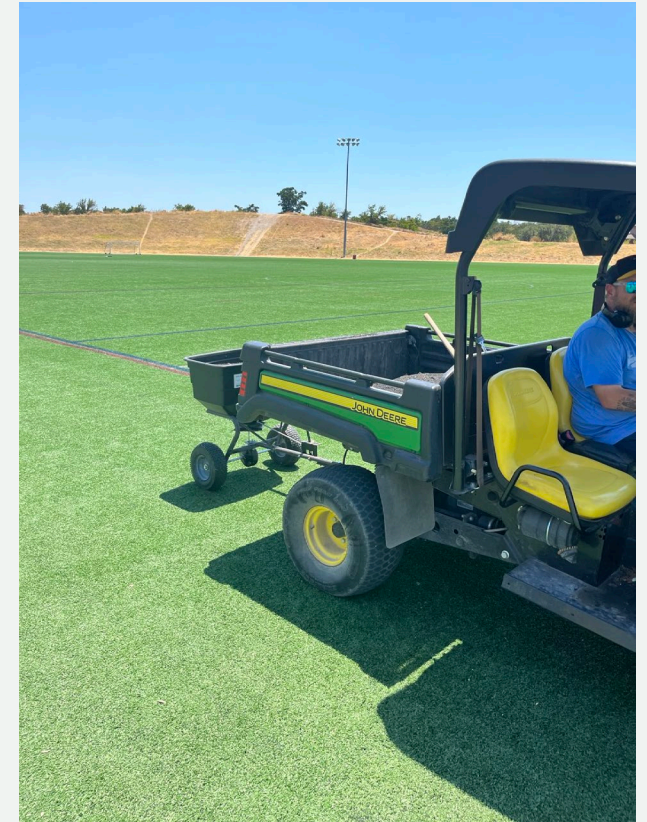
2024 Long-term contract discussions

February 21, March 20, April 17:

Meetings held with Parks and Recreation Department staff and Leander FC representatives.

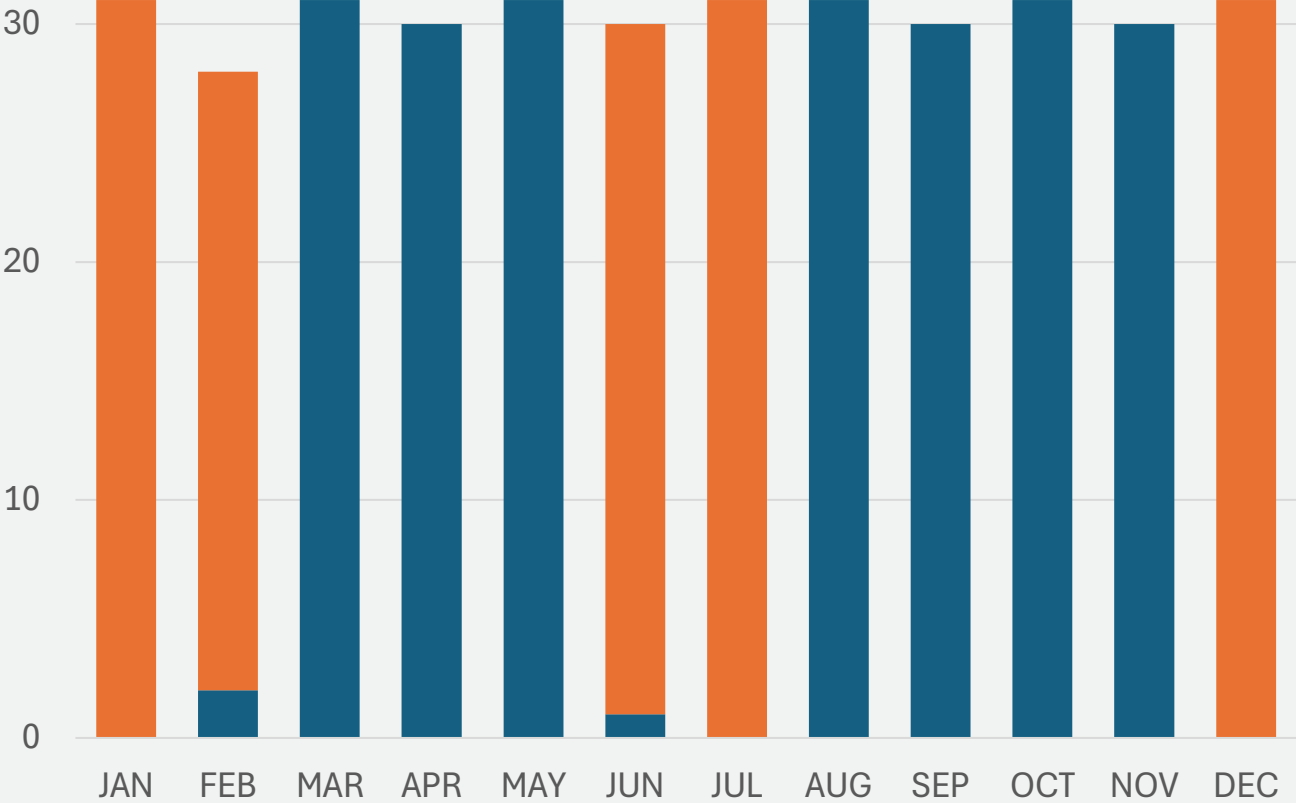
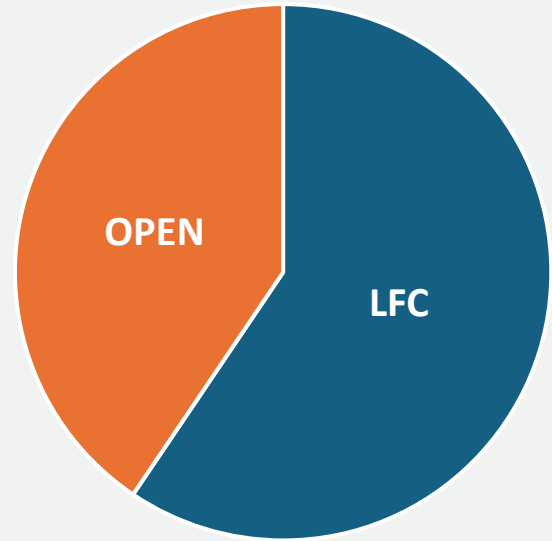
Meeting goals:

- Establish long-term calendar dates of reservations. This assists department in scheduling other leagues/public usage.
- Establish a mutually beneficial contracted rate that allows for cost recovery as well as keeping registration costs low.
- Confirm a plan for soccer goal storage on-site.
- Recognize Leander FC's continued support of City parks and recreation events.



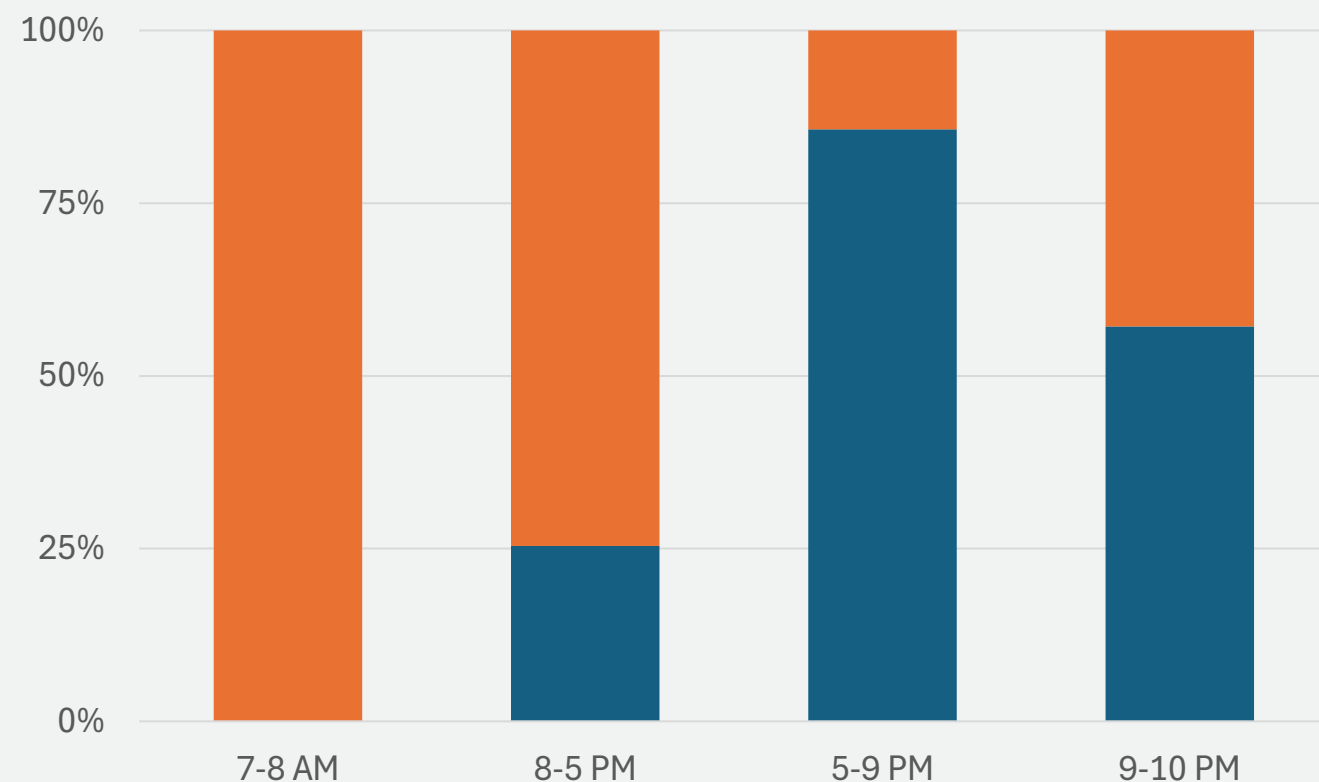
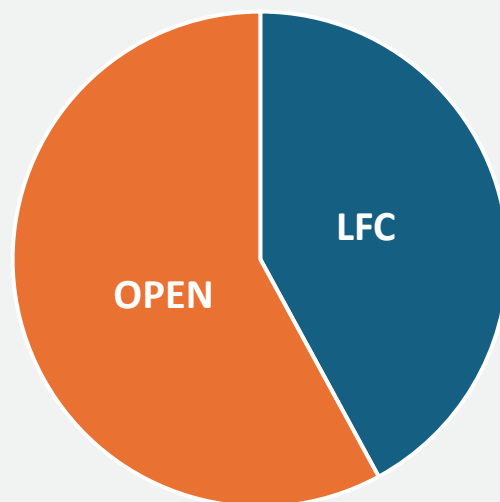
Leander FC field usage

Gabriel & Jayne Serna Fields
Days of the Year



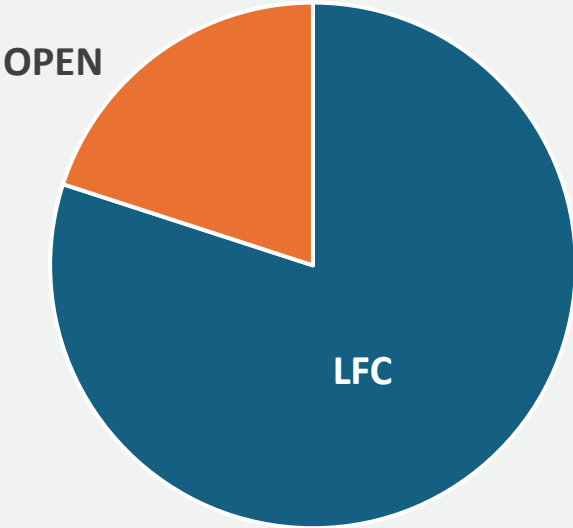
Leander FC field usage

Gabriel & Jayne Serna Fields
Time of Day

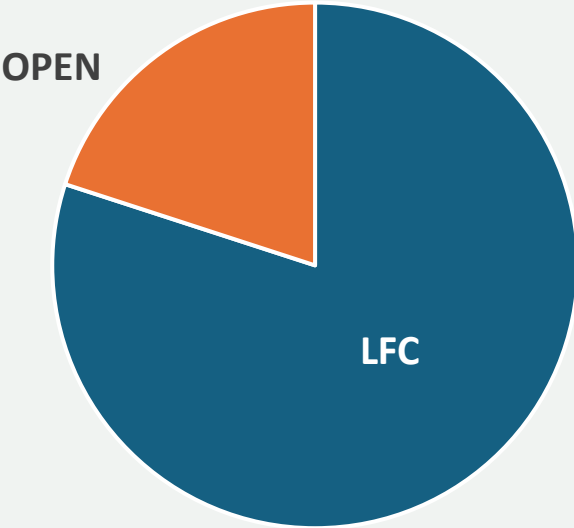


Leander FC field usage

Gabriel & Jayne Serna Fields
Saturdays



Gabriel & Jayne Serna Fields
Sundays



Contract details

August 1, 2024 – July 31, 2029

Notable:

- 5-year term with set schedules for each Fall and Spring season.
- Light fees increased to match public rate.
- Increase of 10% in years 4-5.

Rate (Fall '24-Spring '27)	Per	Item
\$8	Player	League Player Fee
\$500	Week	Season
\$500	Season	Concession Stand Usage
\$500	Each	Striping Fee
\$20	Hour	Half Complex Light Usage
\$30	Hour	Full Complex Light Usage*
\$0	Season	Storage of Soccer Goals
Rate (Fall '27-Spring '29)	Per	Item
\$8	Player	League Player Fee
\$550	Week	Season
\$500	Season	Concession Stand Usage
\$500	Each	Striping Fee
\$20	Hour	Half Complex Light Usage
\$30	Hour	Full Complex Light Usage*
\$0	Season	Storage of Soccer Goals

Options to Consider

- Approved proposed 5-year contract.
- Revisit the proposed contract terms.
- Revert to annual season-to-season contract.

** Photo courtesy of Jayne Serna*





City of Leander Parks and Recreation Department
Gabriel and Jayne Serna Fields
Organization Utilization Agreement

This Organization Utilization Agreement hereinafter referred to as the “Agreement”, for the use of athletic facilities is designed to ensure that athletic facilities owned and/or operated by the City of Leander, hereinafter referred to as “City” and the Parks and Recreation Department, hereinafter referred to as “Department”, are utilized efficiently and safely. Leander Youth Soccer Association, hereinafter referred to as “Organization”, is intended to enhance and enrich the interest of our youth and to promote participation in wholesome recreational activities.

This agreement is made and entered into this _____ day of _____ 2024, by and between the City and the Organization. To establish a mutual understanding and working relationship between various organizations and the City, the following is agreed to by all parties concerned:

Contract Term: August 1, 2024 – July 31, 2029

The Organization will provide the following information prior to the start of the season:

1. Copy of approved current constitution and by-laws for organization.
2. Proposed organization schedule of events. Detailed practice and game schedules must be communicated to the City representative no later than two weeks before the contract term begins.
3. Copy of map of the fields being used each day of the week for the contracted time.
4. Proof of Organization’s current general liability insurance policy stating the City of Leander as additionally insured.
5. Proof of CPR certification for members of Organization who will be on site during activities.
6. Proof of passed background checks for coaches, volunteers, and referees.

General Agreements

1. The Organization understands that the City is the sole owner of the facilities and any contribution of services, amenities, cash, or donation on the part of Organization does not imply ownership on behalf of the Organization.
2. All persons will be offered the opportunity to participate in all the Organization’s programs regardless of gender, race, national origin, religion, or disability in accordance with present state and federal law.
3. Organization must operate as a non-profit corporation, as set forth by the Internal Revenue Service.
4. No construction or alterations may be done on City property/facility without prior authorization of the City.
5. Advertising is permitted at the City facilities only with prior approval of the Department.
6. The Organization will not allow any other organization, association or group to use the City facilities.
7. Third-party subcontracting is not permitted.

Delineation of Field Space

The City will set aside field space at Gabriel and Jayne Serna Fields at Robin Bledsoe Park for each season based on the table below and attached day use field maps. Additional days outside of the season should be included in these tables.

2024-2025:

FALL SEASON DATES: August 19-November 23, 2024

SPRING SEASON DATES: February 15-May 30, 2025

SUMMER CAMP DATES/FIELD AREA NEEDED: June 2-6, 2024; July 29- Aug. 2, 2024

2024-2025	Example	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Time Requested	2 - 6pm	9am-9pm	5-10pm	5-10pm	5-10pm	5-10pm	5-10pm	9am-9pm
Space Needed	Full	Full	South	Full	Full	Full	South	Full

2025-2026:

FALL SEASON DATES: August 18-November 22, 2025

SPRING SEASON DATES: February 16-May 29, 2026

SUMMER CAMP DATES/FIELD AREA NEEDED: June 1-June 5, 2026; July 28-August 1, 2026

2025-2026	Example	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Time Requested	2 - 6pm	9am-9pm	5-10pm	5-10pm	5-10pm	5-10pm	5-10pm	9am-9pm
Space Needed	Full	Full	South	Full	Full	Full	South	Full

2026-2027:

FALL SEASON DATES: August 17-November 21, 2026

SPRING SEASON DATES: February 15-May 27, 2027

SUMMER CAMP DATES/FIELD AREA NEEDED: June 7-June 11; July 27-July 31, 2027

2026-2027	Example	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Time Requested	2 - 6pm	9am-9pm	5-10pm	5-10pm	5-10pm	5-10pm	5-10pm	9am-9pm
Space Needed	Full	Full	South	Full	Full	Full	South	Full

2027-2028:

FALL SEASON DATES: August 16-November 20, 2027

SPRING SEASON DATES: February 14-May 27, 2028

SUMMER CAMP DATES/FIELD AREA NEEDED: June 5-June 9; July 26-30, 2028

2027-2028	Example	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Time Requested	2 - 6pm	9am-9pm	5-10pm	5-10pm	5-10pm	5-10pm	5-10pm	9am-9pm
Space Needed	Full	Full	South	Full	Full	Full	South	Full

2028-2029:**FALL SEASON DATES: August 16-November 20, 2027****SPRING SEASON DATES: February 14-May 27, 2028****SUMMER CAMP DATES/FIELD AREA NEEDED: June 5-June 9, 2028; July 26-July 30, 2028**

2028-2029	Example	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Time Requested	2 - 6pm	9am-9pm	5-10pm	5-10pm	5-10pm	5-10pm	5-10pm	9am-9pm
Space Needed	Full	Full	South	Full	Full	Full	South	Full

Obligation of the City

1. To oversee, manage, and accept all capital improvement projects for athletic facilities.
2. To approve advertising permitted at athletic facilities.
3. The City will provide maintenance and repairs to athletic facilities and more specifically as follows:
 - Will prepare all playing surfaces, buildings, and grounds on the City owned property prior to the beginning of the league season and as deemed necessary by the Department.
 - Maintain playing surfaces to include leveling and drainage work deemed necessary by the Department.
 - Maintain all fences, bleachers, and gates in a safe and secure condition.
 - Maintain structural integrity of concession stand, restrooms, and storage buildings.
 - Maintain all area and field lighting. Repair and replace lights, poles, wires, fuses, transformers, and other equipment related to the lighting of the field. The Department will maintain lighting schedules for facilities with programmable lighting system. The Organization must communicate lighting needs to City representative by the first day of practice each season.
 - Provide, inspect, and maintain fire extinguishers and pest control service at all City facilities.
 - Field striping will be done at the beginning of the Spring and Fall seasons. Organizations will be responsible for paying the initial and any subsequent striping fee.
 - Lightning Detection
 - The City will maintain the lighting detection system at Robin Bledsoe and Benbrook Ranch Parks. The Organization will make every effort to assure all participants and spectators follow prompts to vacate fields during lightning events.
 - Maintain all synthetic turf areas to include, but not limited to raking, dragging, and sweeping.

- Furnish trash receptacles and trash liners. Remove all trash deposited in outdoor containers as deemed necessary by the department.
- Clean and stock restrooms daily.
- Maintain all parking areas.
- Provide utility services for facilities including electrical, water, and sewer where required.
- The City retains the right and privilege to enter and inspect all buildings and premises at any time.
- The Department will establish a line of communication between the Organization President, or designated representative, and a City appointed liaison.
- The Department's obligations under this agreement will be performed as soon as, and to the extent that, budgeted funds and resources are available for performance of its obligations. All maintenance and repair requests will be addressed in priority order by the Department's ability.
- The City reserves the right to determine the safety of the field playing conditions and reserves the right to close all facilities if deemed necessary.

Obligation of the Organization

The Organization shall at all times during the term of this Agreement maintain in effect general public liability insurance policy written by a company acceptable to the City and licensed to do business in Texas, covering the Organization's program(s) at the City's facility against claims for personal injury, death or damage to property to the limit of not less than one-million dollars per occurrence (\$1,000,000.00) and three million dollars (\$3,000,000.00) aggregate. The City shall be named as additional insured on such policy, and it shall cover all perils arising from the activities of the Organization relative to this agreement. The Organization shall not cause any insurance to be canceled nor permit any insurance to lapse. All insurance certificates shall include a clause to the effect that the policy shall not be canceled, reduced, restricted, or otherwise limited until forty-five (45) days after the City has received written notice as evidenced by a return receipt of registered or certified mail.

By the execution of this agreement, the Organization does hereby indemnify and hold harmless the City and its officers, agents and employees from and against any and all suits, actions or claims of any character, type or description, including all expenses of litigation, court cost and attorney's fees, brought or made for or on account of any injuries or damages received or sustained by any person or persons or property, arising out of, or occasioned by, the act or failure to act by the Organization or its agents, volunteers, or employees in the use of the facilities as set forth in this Agreement.

The Organization is deemed responsible for the conduct of its participants, coaches, trainers, and spectators. The Department can require the Organization to hire security if the Department feels it is in the best interest of the City. These decisions will be made on a case-by-case basis. This pertains to unauthorized field usage outside of approved days and times.

1. Utilize athletic facilities efficiently and safely, to enhance and enrich the interest of our youth and to promote participation in wholesome recreational activities.
2. Seek approval from the Department for advertising permitted at athletic facilities.

3. Provide the Department with a proposed schedule of all facility usage. This is to include, but is not limited to: schedules for practices, games, tournaments, and league ceremonies.
4. If the concession stand is being used for sales or storage during contracted time, the Organization will have 7 days after the last day of the contracted date to remove all items and deep clean (sweep, wipe down counters etc.). Additional fees may be assessed if the Organization does not remove items and clean within the 7 days.
5. Provide visual representation on the fields (reserved flags, signs etc.) to communicate to the community that the fields are being used by the Organization.
6. Storage of equipment or items by the organization is allowed in the concession stand only if rented during the contracted period.
7. Report any facility damage, dangerous or unsafe conditions, or unusual or suspicious situations to the Department Athletic Coordinator/Recreation Supervisor as soon as possible but no later than the next business day.
8. Prohibit its coaches and players from kicking or throwing balls into any fences unless it occurs in the natural course of a game. This policy is also to include surrounding structures and buildings. Failure to enforce this policy may result in the Organization incurring costs associated with the repairs of the fencing, structures, or buildings.
9. Be responsible for keeping the facility clean of all trash generated by the players, spectators, and participants. All such items shall be placed in the City provided trash receptacles.
10. The Organization shall have a written "emergency situation" plan in effect, which shall include shelter plan, evacuation and route plan, and all necessary supervisory assignments and duties.
11. Organization officials, coaches or volunteers are restricted from driving vehicles of any description on facility walkways or turf areas without prior permission. The operation of motor vehicles and/or parking vehicles on turf areas is prohibited by City ordinance. It is the organization's responsibility to make sure all officials, coaches, spectators, participants, and volunteers are aware of and comply with this ordinance.
12. The Organization will not allow pets and bicycles onto the synthetic turf area.
13. The Organization must remain in good financial standing with the City of Leander.

Miscellaneous Provisions

Severability

In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

No Waiver of Immunity

Nothing in this Agreement shall be construed to make the City or its respective agents or representatives liable in situations it is otherwise immune from liability.

Authority to Execute

Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body and that this Agreement is binding and enforceable as to each party.

Governing Law and Venue

This Agreement shall be governed by the laws of the State of Texas. Venue for all lawsuits concerning this Agreement will be in Williamson County, Texas.

Interpretation

Although drawn by the City, this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.

Termination

This Agreement may be terminated, without cause, by either party here to by delivering written notice of termination not later than thirty (30) days before the effective date of termination.

Fee Structure

The Organization agrees to pay the City according to the following breakdown.

2024-2025 Rate	Per	Item
\$8	Player	League Player Fee
\$500	Week	Fall 2024 Season-Spring 2025 Season
\$500	Season	Concession Stand Usage
\$500	Each	Striping Fee
\$20	Hour	Half Complex Light Usage
\$30	Hour	Full Complex Light Usage*
\$0	Season	Storage of Soccer Goals

2025-2026 Rate	Per	Item
\$8	Player	League Player Fee
\$500	Week	Fall 2025 Season-Spring 2026 Season
\$500	Season	Concession Stand Usage
\$500	Each	Striping Fee
\$20	Hour	Half Complex Light Usage
\$30	Hour	Full Complex Light Usage*
\$0	Season	Storage of Soccer Goals

2026-2027 Rate	Per	Item
\$8	Player	League Player Fee
\$500	Week	Fall 2026 Season-Spring 2027 Season
\$500	Season	Concession Stand Usage
\$500	Each	Striping Fee
\$20	Hour	Half Complex Light Usage
\$30	Hour	Full Complex Light Usage*
\$0	Season	Storage of Soccer Goals

Aug. 2027-2029 Rate	Per	Item
\$8	Player	League Player Fee
\$550	Week	Fall 2027 Season-Spring 2029 Season
\$500	Season	Concession Stand Usage
\$500	Each	Striping Fee
\$20	Hour	Half Complex Light Usage
\$30	Hour	Full Complex Light Usage*
\$0	Season	Storage of Soccer Goals

Any other field use outside of the contracted season timeframes will be subject to a rate equivalent to half of the resident rate for the specific field size requested.

** Use of the middle fields will automatically result in charging Full Complex Light Usage.*

Concession Stand Use

The City has a concession stand at Robin Bledsoe Park which is also available for storage of sports equipment. If the Organization desires to use the concession stand, the parties hereto agree as follows:

Inventory Management

Organization shall maintain an accurate and up-to-date inventory of all stored sports equipment, to be shared with City periodically or upon request.

Designated Storage Areas

Organization shall allocate distinct storage areas for different categories of sports equipment, ensuring no interference with concession stand operations.

Storage Conditions

Organization shall maintain the storage area as dry, cool, well-ventilated, clean, and dust-free.

Safe Handling

Organization agrees to adhere to safe handling practices to prevent any damage to equipment or facility.

Security Measures

Organization shall be responsible for securing the stored equipment during non-operational hours. Any additional security measures are subject to City's approval.

Payments

Organization will request invoices at the completion of each season and pay within 30 days of completion of season. Lighting use reports will be reviewed by both Organization and City for accuracy of cost.

Maintenance and Inspection

Organization shall regularly inspect the sports equipment for wear and tear, as well as any concession items for hazardous conditions and best by dates.

Contracted Time Periods

Organization agrees to use the concession stand for equipment storage during the specified contract terms. The organization will have 7 days after the contracted date to deep clean the area and remove Organization's property from the concession stand. Additional fees will be incurred for removal, disposal, and cleaning if not completed by the Organization.

Access Restrictions

Access to sports equipment during concession stand operating hours will be restricted to authorized Organization personnel only. The organization should have no more than 2 keys for the concession stand. Any issued keys should be returned 7 days after the contracted date. \$50 per missing key.

Insurance

Organization shall provide proof of an adequate insurance policy covering all stored equipment against loss or damage.

Hygiene Standards

Organization is responsible for ensuring the cleanliness and hygiene of the stored sports equipment. Strict separation between concession items and sports equipment shall be maintained to prevent cross-contamination.

Emergency Protocols

Organization agrees to follow City's emergency protocols during events such as fire or flooding.

Agreement

The City enters this Agreement with the Organization for the sole purpose of playing games, practices and/or tournaments and related activities upon the terms and conditions stated herein, located on that certain tract(s) of land in the City of Leander, Williamson County, Texas. The City of Leander, Texas, Robin Bledsoe Park Gabriel and Jayne Serna Fields located at 601 S. Bagdad Road in said City.

Failure to abide by the above written policies and/or regulations may result in the revocation of this Agreement. This Agreement shall be binding upon and ensure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns as permitted by this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

City of Leander, Texas

By: _____

Todd Parton, City Manager

Date: _____

Attest:

Dara Crabtree, City Secretary

Date: _____

Leander Youth Soccer Association

By: _____

Jayne Serna, President

Date: _____

Attest:

Witness

Date: _____