



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
APRIL 25, 2024 AT 6:00 PM**

Link For Meeting: <https://councilmtg.cedarparktexas.gov/>

Event Password: CedarPark2024

United States Toll Free: 1-844-992-4726

Access Code: 2554 525 6379

Phone Password: 23327728

Jim Penniman-Morin, Mayor
Bobbi Hutchinson, Council Place One
Mel Kirkland, Council Place Two
Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem
Kevin Harris, Council Place Five
Heather Jefts, Council Place Six
Brenda Eivens, City Manager

The public may comment and attend the meeting remotely. For the virtual meeting link and phone number, see near the top of the agenda. For more information on how to participate remotely please refer to the City's website at www.cedarparktexas.gov/councilagenda.

*All electronic and printed materials to be presented at the Council Meeting must be submitted for cybersecurity and legal obscenity screening in accordance with City Policy. **Electronic material must be submitted by 12:00 p.m., day of meeting, and printed material must be submitted prior to the Call To Order.** Any electronic or printed material not submitted in accordance with the Policy, that poses a cybersecurity risk, or is legally obscene, will not be allowed. You may email the entire Council on any issue at Council@cedarparktexas.gov.*

AGENDA

A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.

I. EXECUTIVE SESSION To Commence At 6:00 p.m.

An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

In accordance with Chapter 551, Government Code, the City Council will now convene in a Closed Executive Session pursuant to the following provisions of the Texas Open Meetings Act, Chapter 551, of the Texas Government Code:

- B.1 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:
 - a. Legal Issues Concerning The Regulation Of Water Service Outside The City's Extra-Territorial Jurisdiction ("ETJ").
 - b. Legal Issues Concerning The Water Supply Agreement With Robert D. Wunsch, Trustee.
- B.2 Section § 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property.
 - a. Lease Of Public Rights-Of-Way For Communication Services.
 - b. Acquisition Of Property For The Ranchettes 2 And 3 Drainage Project.

The Council Reconvenes into Open Meeting.

**II. OPEN MEETING
To Commence At 7:00 p.m.**

- C.1 Invocation. (Boyce)
- C.2 Pledges Of Allegiance (U.S. and Texas).
- C.3 Public Communications. (Regarding items not listed on this Agenda. Three Minutes each. No deliberations with the Council. The Council may respond only with factual statements, recitation of existing policy, and requests for an item to be placed on a future Agenda.)
- C.4 City Manager Report: Employee Recognition For Service With The City Of Cedar Park
 - a. Eric Rauschuber, Dir. Of Public Works And Utilities, Twenty-Five Years of Service.
- C.5 City Manager Report: Introduction Of Arthur Jackson, Chief Economic Development Officer.
- C.6 City Manager Report: Introduction Of Randy Skinner, Asst. Director - Transportation.

Consent Agenda

Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of Agenda Items D, E, and F.

- D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of March 7, 2024.

An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

- [D.2](#) Approval Of Minutes From The Special Called Joint Meeting Of March 21, 2024, With The City Council And Planning & Zoning Commission.
- [E.1](#) (2024-1-Z) Second Reading And Approval Of An Ordinance To Rezone Approximately 6.24 Acres From General Business (GB) And Open Space Greenbelt (OG) To Planned Development-Mixed Use (PD-MU) And To Amend The 43-Acre Bell District Planned Development-Mixed Use (PD-MU) District Generally Located Southwest Of The Intersection Of Park St And S Bell Blvd. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The Request.***
- [E.1](#) A Resolution Authorizing A Second Amendment To The Master Development Agreement For The Bell Boulevard Redevelopment Project.
- [E.2](#) A Resolution Authorizing A Fire Protection Agreement Between The City Of Cedar Park And Williamson - Travis Counties Municipal Utility District No. 1.
- [E.3](#) A Resolution Authorizing Application To And Acceptance Of Funds From The United States Department Of Energy's Energy Efficiency And Conservation Block Grant Program.
- [E.4](#) A Resolution Authorizing A Professional Services Agreement Amendment For Professional Engineering Services With MWM DesignGroup, Inc. For The Brushy Creek North Fork Trail Project In An Amount Not To Exceed \$97,498.
- [E.5](#) A Resolution Authorizing An Agreement With Cyclomedia Technology, Inc. For Automated Evaluation Of Pedestrian Curb Ramps And Sidewalks In An Amount Not To Exceed \$106,400.
- [E.6](#) A Resolution Authorizing The Seventh Amendment To The Master Contract For The Financing, Construction, And Operation Of The Brushy Creek Regional Utility Authority ("BCRUA") Regional Water Treatment And Distribution Project To Allow For The Construction Of The Phase 2A Expansion Project, Whereby The City of Cedar Park Is Not A Participant In The Expansion And Incurs No Cost.
- [E.7](#) A Resolution Authorizing A Professional Engineering Services Agreement With The Goodman Corporation For An Evaluation Of A Potential Cedar Park Transportation Criteria Manual In An Amount Not To Exceed \$95,000.

Public Hearings

- [G.1](#) First Reading And Public Hearing Of An Ordinance Amending Chapter 18 Utilities, Article 18.07 Water And Wastewater Impact Fees, Section 18.07.006 Calculation Of Living Unit Equivalents (LUE's).

Regular Agenda (Non-Consent)

- [H.1](#) Consideration Of A Resolution Authorizing A Performance Based Economic Development Agreement Between The Cedar Park Economic Development (Type A) Corporation And EcoMicron, Inc.

An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

H.2 (2024-3-SUP) Second Reading And Consideration For Approval Of An Ordinance For A Special Use Permit (SUP) To Allow A Car Wash Use On Approximately 1.16 Acres Located At 915 South Bell Boulevard. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The Request.***

H.3 (2024-1-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 0.76 Acres Generally Located At 918 W Whitestone Blvd.

H.4 (2024-2-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG) For Approximately 3.2 Acres Generally Located At 102 CR 180.

H.5 Consider Action, If Any, On Items Discussed In Executive Session.

H.6 Mayor And Council Closing Comments.

H.7 Adjournment.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. All agenda items are subject to final action by the City Council. Separate agenda items may be combined and discussed together at the discretion of the Chair.

Any final action, decision, or vote on a matter deliberated in Closed Executive Session shall be made in an open meeting pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

Certain information may be presented to and by the City Council, under the headings of "Citizen Communications", and "Council Comments" however, by law, the Council shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session Items on this agenda.

CERTIFICATION

I certify that the above notice of the Regular Scheduled City Council Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on:

Date Posted: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park City Hall Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or FAX (512) 401-5003 for further information.

LeAnn M. Quinn, TRMC
City Secretary

Notice Removed: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

CITY OF CEDAR PARK 2024-2026 Strategic Goals



Livability & Sense of Place

Preserve a community that encourages connectedness, has a unique sense of place and commits to a high quality of life for all.

- **Strong Community Connections:** Foster sense of community and engage residents on matters that impact them most.
- **Bell District:** Advance the City's most significant redevelopment project through successful implementation of the development plan.
- **Recreation and Cultural Opportunities:** Strengthen portfolio of recreation and learning programs, events and facilities, ensuring services align with community expectations.
- **Capital Projects:** Dedicate resources to design and construct the capital projects necessary to advance Cedar Park and meet future needs.
- **Redevelopment Initiatives:** Create redevelopment strategies that align with community's long-term vision and add value to surrounding area.
- **Placemaking:** Focus on aesthetics and public art within public spaces to create a positive aesthetic experience, instilling pride and creating unique identity.
- **Comprehensive Plan:** Adhere to City's Comprehensive Plan, and ensure it is updated regularly to reflect community's attitudes and needs.



Safe Community

Prioritize, enhance and support efforts related to community safety so our residents, businesses and visitors feel safe in their neighborhood and City.

- **Public Safety:** Prioritize and support public safety programs so our community feels safe.
- **Neighborhoods:** Invest in programs that improve neighborhood safety.
- **City Utilities:** Safeguard resiliency and security of water and wastewater utility system for reliability.
- **Communications & Reporting:** Use effective methods of providing safety-related information to residents and businesses.



Economic Vitality

Utilizing Strategic Plan as a guide, cultivate a vibrant business community and increase business investments in the community with successful commercial centers, additional employers, active destinations and support of existing businesses.

- **Business Recruitment Strategic Initiatives:** Attract targeted industries to diversify and grow tax base and increase primary job opportunities.
- **Projects that Make Cedar Park a Destination:** Attract regional destination development and entertainment centers.
- **Business Retention & Expansion:** Actively support existing business community.
- **Small Business & Entrepreneurship:** Encourage business growth and development stemming from entrepreneurial endeavors.
- **Workforce Development:** Work with education partners to grow training options that align with identified target industries.
- **Tourism:** Expand and support tourism program to increase visitors and local commerce.



Service & Fiscal Excellence

Deliver high-value public services in a fiscally prudent and sound manner to meet the needs and expectations of our community and enhance the quality of life.

- **Government Operations:** Ensure government operations, practices and procedures result in high quality and resident-focused services throughout our city.
- **Financial Strength:** Maintain and enhance strong financial management to capitalize on City's fiscal strength and provide value for tax dollars.
- **Workforce:** Invest in the recruitment and retention of a talented and professional workforce for the delivery of excellent services.
- **Technology:** Ensure sound technology systems and resources to support and enhance reliable 24/7 Operations.



Mobility & Connectivity

Safely and efficiently move people throughout the City and improve connectivity by adding alternate routes of travel to businesses, neighborhoods, jobs, parks, entertainment, and services.

- **Comprehensive Mobility Master Plan (MMP):** Commence implementation of the recently approved Master Plan aimed at improving multimodal connectivity within the community.
- **Roadways:** Construct additional roadways or expand existing roadways to increase capacity and reduce traffic congestion.
- **Bike, Pedestrian & Trail:** Expand the City's network of shared use paths and trails to provide more opportunities for trips on foot or bike.
- **Traffic Operations:** Invest in the use of technology and other innovative solutions to increase the safety and efficiency of the existing roadway system.



Infrastructure & Environment

Preserve and enhance the tools and resources necessary to support critical infrastructure and sustainability initiatives.

- **Infrastructure:** Continue to prioritize investments that support the quality and reliability of critical infrastructure.
- **Sustaining Infrastructure & Assets:** Invest in the maintenance of infrastructure and assets to support growth and sustain the existing community.
- **Environmental Stewardship:** Demonstrate responsible stewardship of community and natural resources.



An unscheduled Closed Executive Session may be called to discuss any item on this posted agenda provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

File Attachments for Item:

D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of March 7, 2024.

MINUTES

CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
MARCH 07, 2024 AT 6:00 PM

Link For Meeting: <https://councilmtg.cedarparktexas.gov/>

Event Password: CedarPark2023

United States Toll Free: 1-844-992-4726

Access Code: 2554 557 4355

Phone Password: 23327728

Jim Penniman-Morin, Mayor
 Bobbi Hutchinson, Council Place One
 Mel Kirkland, Council Place Two
 Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem
 Kevin Harris, Council Place Five
 Heather Jefts, Council Place Six
 Brenda Eivens, City Manager

A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.

Mayor Penniman-Morin called the meeting to order at 6:00 P.M.

All Council present.

I. EXECUTIVE SESSION
To Commence At 6:00 p.m.

In accordance with Chapter 551, Government Code, the City Council will now convene in a Closed Executive Session pursuant to the following provisions of the Texas Open Meetings Act, Chapter 551, of the Texas Government Code:

Council convened into Executive Session at 6:00 p.m.

B.1 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:

a. Legal Issues Concerning Maintenance And Operation Of Private Improvements Within Public Rights-Of-Way In Town Center.

B.2 Section § 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property.

a. Lease Of Public Rights-Of-Way For Communication Services.

b. Vacated Public Rights-Of-Way At The Northwest Corner Of 183A And New Hope Drive.

B.3 Section 551.076. Deliberations Regarding Security Devices Or Security Audits.

a. City Facilities.

The Council Reconvenes into Open Meeting.

II. OPEN MEETING
To Commence At 7:00 p.m.

Council reconvened from Executive Session into Open Meeting at 7:02 p.m.

C.1 Invocation. (Hutchinson)

C.2 Pledges Of Allegiance (U.S. and Texas).

C.3 Presentation: A Proclamation Recognizing March 8, 2024 As International Women's Day.

Mayor Pro Tem Duffy read a Proclamation recognizing March 8, 2024 as International Women's Day.

C.4 Presentation: A Proclamation Recognizing The Texas Fury All-Girls Flag Football Team As The 2024 17U NFL National Flag Champions.

Mayor Penniman-Morin read and presented a Proclamation to the Texas Fury All-Girls Flag Football Team in recognition as the 2024 17U NFL National Flag Champions.

C.5 Public Communications. (Regarding items not listed on this Agenda. Three Minutes each. No deliberations with the Council. The Council may respond only with factual statements, recitation of existing policy, and requests for an item to be placed on a future Agenda.)

None.

Consent Agenda

Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of Agenda Items D and F.

Motion to approve all items on the Consent Agenda consisting of Agenda Items D and F.

Movant: Councilmember Boyce

Second: Councilmember Hutchinson

Vote: 7-0

D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of January 11, 2024.

Approved under the Consent Agenda.

D.2 Approval Of Minutes From The Special Called City Council Workshop Of January 20, 2024.

Approved under the Consent Agenda.

D.3 Receipt Of Minutes From Community Development (Type B) Corporation Meeting Of November 14, 2023.

Received under the Consent Agenda.

E.1 Second Reading And Approval Of Ordinances: No Items For Consideration On The Consent Agenda.

F.1 A Resolution Authorizing Issuance Of A Parks Special Use Permit To The Gujarati Samaj Of Greater Austin For A Festival Of Colors Celebration At Lakeline Park On March 31, 2024.

Approved under the Consent Agenda.

Resolution Number R83.24.03.07.F1

F.2 A Resolution Authorizing Issuance Of A Parks Special Use Permit To The Williamson County Symphony Orchestra For A Concert Performance At Lakeline Park On May 17, 2024.

Approved under the Consent Agenda.

Resolution Number R84.24.03.07.F2

F.3 A Resolution Authorizing An Agreement With The Texas Department Of Public Safety For The Failure To Appear Program.

Approved under the Consent Agenda.

Resolution Number R85.24.03.07.F3

F.4 A Resolution Authorizing An Amendment To The Professional Services Agreement With SAFEbuilt Texas, LLC For Building Inspection Services In A Total Amount Not To Exceed \$90,000.

Approved under the Consent Agenda.

Resolution Number R86.24.03.07.F4

F.5 A Resolution Authorizing An Agreement For Construction Of The Creekwood Cove Cul-De-Sac Repair Project With Brothers RDC Paving, LLC dba RDC Paving, LLC In An Amount Not To Exceed \$115,046.01.

Approved under the Consent Agenda.

Resolution Number R87.24.03.07.F5

- F.6 A Resolution Authorizing An Agreement With Progressive Office Systems, Inc. For The Purchase Of Multi-Function Printer Leases In An Amount Not To Exceed \$44,941.44 Annually For Three Years, In A Total Amount Not To Exceed \$134,824.32.

Approved under the Consent Agenda.

Resolution Number R88.24.03.07.F6

- F.7 A Resolution Authorizing A New Economic Development Performance Agreement With Hyliion Inc., Which Supersedes The Existing Economic Development Performance Agreement With Hyliion, Inc.

Approved under the Consent Agenda.

Resolution Number R89.24.03.07.F7

- F.8 A Resolution Ratifying An Amendment To An Agreement With GTS Technology Services, LLC For Database Administration And Staffing Services In An Amount Not To Exceed \$40,480.

Approved under the Consent Agenda.

Resolution Number R90.24.03.07.F8

- F.9 A Resolution Ratifying An Agreement With Solid Border, LLC For Cybersecurity Software In An Amount Not To Exceed \$27,750 Annually For Three Years, In A Total Amount Not To Exceed \$83,250.

Approved under the Consent Agenda.

Resolution Number R91.24.03.07.F9

- F.10 A Resolution Authorizing An Agreement With SHI Government Solutions, Inc. For The Purchase Of AdaptiveWork Project Management Software As A Service In An Amount Not To Exceed \$19,000 Annually For Three Years, In A Total Amount Not To Exceed \$57,000.

Approved under the Consent Agenda.

Resolution Number R92.24.03.07.F10

- F.11 A Resolution Authorizing A One Year Agreement With Insight Public Sector Inc. For VMWare Support Subscription Renewals In An Amount Not To Exceed \$94,458.88.

Approved under the Consent Agenda.

Resolution Number R93.24.03.07.F11

- F.12 A Resolution Authorizing An Agreement With Unifirst Holdings, Inc. For The Rental And Laundering Of City Uniforms In An Amount Not To Exceed \$52,800 Annually For Five Years, In A Total Amount Not To Exceed \$264,000.

Approved under the Consent Agenda.

Resolution Number R94.24.03.07.F12

Public Hearings

- G.1 (2023-7-SUP) First Reading And Public Hearing Of An Ordinance For A Special Use Permit (SUP) To Allow An Outdoor Commercial Amusement, Major Use On Approximately 8.00 Acres Generally Located North Of East New Hope Drive And East Of CR 180. *The Planning and Zoning Commission Voted 5-2 To Recommend Approval Of The Request.*

Andreina Dávila-Quintero, Dvlp. Srvc. Asst. Director, stated this item is for a Special Use Permit to allow for an outdoor commercial amusement, major use for property located at E. New Hope Drive and east of CR 180. The proposed development is a facility with year-round soaking pools, mineral springs, and fresh-water pools with spa features.

The Applicant addressed the Council regarding the request and features of the proposed development.

General discussion followed regarding ingress, egress, main entrance, noise from adjacent properties, water usage, and conservation initiatives.

Mayor Penniman-Morin opened the Public Hearing.

Public Comment:

Darron Jurajda, Cedar Park, registered a comment pertaining to water usage.

Mayor closed the Public Hearing.

- G.2 (2024-2-SUP) First Reading And Public Hearing Of An Ordinance For A Special Use Permit (SUP) To Allow An Outdoor Commercial Amusement, Minor Use On Approximately 2.85 Acres Located At 817 C-Bar Ranch Trail. *The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request.*

Andreina Dávila-Quintero, Dvlp. Srvc. Asst. Director, stated this item is for a Special Use Permit to allow for an outdoor commercial amusement, minor use for property located at 817 C-Bar Ranch Trail. The proposed development is for a miniature golf establishment with amenities.

The Applicant addressed the Council regarding the request and features of the proposed development.

General discussion followed regarding features of the proposed development.

Mayor Penniman-Morin opened the Public Hearing.

Public Comment:

Darron Jurajda, Cedar Park, registered a comment pertaining to increased width of sidewalks to 8ft.

Mayor closed the Public Hearing.

- G.3 (2023-7-FLU) (Related To 2023-14-Z) First Reading And Public Hearing Of An Ordinance For A Future Land Use Plan Amendment From Public/Semi-Public (PUB) To Medium Density Residential (MDR) For Approximately 1.75 Acres And Regional Office/Retail Commercial (REG) For Approximately 3.24 Acres Generally Located North Of The Intersection Of West New Hope Drive And Carriage Hills Trail. *The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request.*

Agenda Item G.3 and G.4 called together.

Andreina Dávila-Quintero, Dvlp. Srvc. Asst. Director, reviewed the requests to amend the Future Land Use Plan and rezone. The proposed amendment and rezoning is to allow the proposed development of townhomes and a community center associated with the Sri Shirdi Sai Baba Temple of Austin.

The Applicant's representative addressed the Council regarding the request and features of the proposed development.

General discussion followed regarding permitted or allowed uses, widening of New Hope Road, traffic impact analysis, sidewalks, traffic and parking concerns, and the community center.

Mayor Penniman-Morin opened the Public Hearings

No Public Comment.

Mayor closed the Public Hearings.

- G.4 (2023-14-Z) (Related To 2023-7-FLU) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 4.99 Acres Generally Located North Of The Intersection Of West New Hope Drive And Carriage Hills Trail From Suburban Residential (SR) To Planned Development-Urban Residential (PD-UR) For Approximately 1.75 Acres And Planned Development-General Business (PD-GB) For Approximately 3.24 Acres. *The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request.*

Agenda Item G.3 and G.4 called together.

Refer to Agenda Item G.3 for Public Hearings and discussion.

- G.5 First Reading And Public Hearing Of An Ordinance Suspending A Gas Reliability Infrastructure Program Interim Rate Adjustment Proposed By Atmos Energy Corporation's Mid-Texas Division.

Agenda Items G.5 and G.6 called together.

Kevin Klosterboer, Finance Director, addressed the filing of a rate increase under the Gas Reliability Infrastructure Program (“GRIP”) by Atmos and Texas Gas Service. The City’s ability to review and effectuate a change in this requested rate increase is very limited, but these items if approved will authorize a 45-day suspension to provide time for the coalition to review the application and file any necessary comments with the Railroad Commission.

Mayor Penniman-Morin opened the Public Hearings.

No Public Comment.

Mayor closed the Public Hearings.

- G.6 First Reading And Public Hearing Of An Ordinance Suspending A Gas Reliability Infrastructure Program Interim Rate Adjustment Proposed By Texas Gas Service Company.

Agenda Items G.5 and G.6 called together.

Refer to Agenda Item G.5 for Public Hearings and discussion.

Regular Agenda (Non-Consent)

- H.1 Consider Action, If Any, On Items Discussed In Executive Session.

No action taken on any items discussed in Executive Session.

- H.2 Mayor And Council Closing Comments.

Council commented on the destination projects on the agenda, Amplify event for non-profits, Fire Dept awards banquet, and community events.

- H.3 Adjournment.

Mayor Penniman-Morin adjourned the meeting at 8:41 p.m.

PASSED AND APPROVED THIS 25th DAY OF APRIL, 2024.

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

File Attachments for Item:

D.2 Approval Of Minutes From The Special Called Joint Meeting Of March 21, 2024, With The City Council And Planning & Zoning Commission.

MINUTES

**THE CITY OF CEDAR PARK CITY COUNCIL AND
THE PLANNING AND ZONING COMMISSION
SPECIAL CALLED JOINT MEETING
MARCH 21, 2024 AT 6:30 P.M.
CEDAR PARK CITY HALL – BUILDING THREE, MULTI-PURPOSE ROOM
450 CYPRESS CREEK ROAD, CEDAR PARK TX 78613**

CITY COUNCIL

Jim Penniman-Morin, Mayor
Bobbi Hutchinson, Council Place One
Mel Kirkland, Council Place Two
Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem
Kevin Harris, Council Place Five
Heather Jefts, Council Place Six
Brenda Eivens, City Manager

PLANNING AND ZONING COMMISSION

Randy Strader, Chair
T.J. Donnell, Place One
Bob Ingraham, Place Two
Brenda Reiss, Place Three

Audrey Wernecke, Place Four
Cynthia Sneed, Place Five
Kimberly Bradford-Brown, Place Six

AGENDA

- A. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.

Mayor Penniman-Morin called the meeting to order at 6:31 p.m.

All Council and Planning and Zoning Commissioners present.

- B. Welcome/Introductions.

- C. Discussion Only:

1. Review Of Council 2024-2026 Strategic Goals And Vision.

Brenda Eivens, City Manager, addressed the vision of the City and reviewed the Council Strategic Goals. The categories include:

- 1. **Livability and Sense of Place**
- 2. **Safe Community**
- 3. **Economic Vitality**
- 4. **Service and Fiscal Excellence**
- 5. **Mobility and Connectivity**

6. Infrastructure and Environment

2. Comprehensive Plan Vision And Goals:
 - i. Updates On Comprehensive Plan, Future Land Use Plan, And Planning Areas.

Agenda Items C.2, C.3, and C.4. called together.

Amy Link, Dir. Dvlp Services, reviewed the roles of City Council, Planning and Zoning, and City Staff pertaining to planning/development services. The activity timeline for Comprehensive Plan amendments were discussed.

Discussion followed regarding mixed use developments, redevelopment, planning areas, proposed smaller lot sizes, setbacks, and market.

3. Update On Code Of Ordinances Chapters 11-14, Regarding Zoning, Subdivisions, Signs, And Site Development.

Review Of The Planning & Zoning Commission Roles And Expectations.

- D. Closing Comments.
- E. Adjournment.
Mayor Penniman-Morin adjourned the meeting at 8:43 p.m.

PASSED AND APPROVED THIS 25th DAY OF APRIL, 2024.

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

File Attachments for Item:

E.1 (2024-1-Z) Second Reading And Approval Of An Ordinance To Rezone Approximately 6.24 Acres From General Business (GB) And Open Space Greenbelt (OG) To Planned Development-Mixed Use (PD-MU) And To Amend The 43-Acre Bell District Planned Development-Mixed Use (PD-MU) District Generally Located Southwest Of The Intersection Of Park St And S Bell Blvd. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The Request.***



CITY COUNCIL AGENDA

April 25, 2024

Item/Subject: (2024-1-Z) Second Reading And Approval Of An Ordinance To Rezone Approximately 6.24 Acres From General Business (GB) And Open Space Greenbelt (OG) To Planned Development-Mixed Use (PD-MU) And To Amend The 43-Acre Bell District Planned Development-Mixed Use (PD-MU) District Generally Located Southwest Of The Intersection Of Park St And S Bell Blvd. *The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The Request.*

Final Report

Staff	Andreina Dávila-Quintero, 512-401-5057, andreina.davila@cedarparktexas.gov
Owner	City of Cedar Park and RL Bell 1A LLC
Applicant	RedLeaf Bell LLC, c/o Rob Shands
Existing Future Land Use Plan	Bell Corridor Planning Area (PA-Bell)
Current Zoning	Planned Development-Mixed Use (PD-MU), General Business (GB), and Open Space Greenbelt (OG)
Proposed Zoning Plan	Planned Development-Mixed-Use (PD-MU)
Major Corridor	S Bell Blvd
Summary of Applicant’s Request	Request to rezone approximately 6.24 Acres from General Business (GB) And Open Space Greenbelt (OG) to Planned Development-Mixed Use (PD-MU) and amend the Bell District Planned Development-Mixed Use (PD-MU) District.
Staff’s Recommendation	Approval of the Planned Development-Mixed-Use (PD-MU) and amendment to the Bell District PD, as presented.

Staff Recommendation:

Staff recommends approval of the request to rezone and amend the Bell District Planned Development (PD), as presented.

Reason for Staff Recommendation:

The proposed zoning change and amendment to the Bell District Planned Development (PD) complies with the Comprehensive Plan, to include the Future Land Use Plan (FLUP), and furthers the goals of the Bell Boulevard Redevelopment Master Plan.

Planning & Zoning Commission Recommendation to the City Council:

On March 19, 2024, the Planning and Zoning Commission recommended approval (6-0) of the request.

In favor: T.J. Donnell, Bob Ingraham, Brenda Reiss, Cynthia Sneed, Kimberly Bradford-Brown, and Randy Strader

Opposed: None

Stated Reasons for P&Z Recommendation:

The Commission supported staff's recommendation.

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on March 19, 2024.

There were three (3) registered speakers in opposition of the request; two speakers chose not to speak. Concerns from the speakers included opposition to rezoning the 1.03-acre portion into the Bell District PD and reduction of designated open space, drainage and floodplain. Other concerns expressed included timing of submittal of the rezoning application in relation to the Applicant's neighborhood meeting, misleading information, and increase of brownstones in the district. There was also one (1) registered speaker during Public Communication expressing environmental concerns on the old shell gas station within the District.

City Council Public Hearing:

The City Council held a public hearing on April 11, 2024. There was one (1) registered comment card in favor of the request; however, it included concerns on the proposed changes to the permitted uses. There was also one (1) speaker who expressed concerns on flooding and the reduction of the open space area along the west boundary.

Applicant's Neighborhood Communication Summary and Public Input:

The Applicant hosted a neighborhood meeting on February 27, 2024, which was attended by approximately 35 property owners and residents. Attached is a summary of the main comments, concerns and questions expressed during the meeting, which include items such as traffic, floodplain and stormwater management, and growth. The Applicant hosted a follow-up meeting on March 18, 2024, to address some of the concerns raised during the February meeting.

To date, staff has received one (1) written comment in favor of the request, one (1) written comment in opposition of the request, one (1) email expressing concerns and inquiring about drainage and floodplain improvements being completed within the Bell Boulevard District, and one (1) email in favor of the request, but with concerns on the proposed changes to the permitted uses within the District.

COMMENTARY

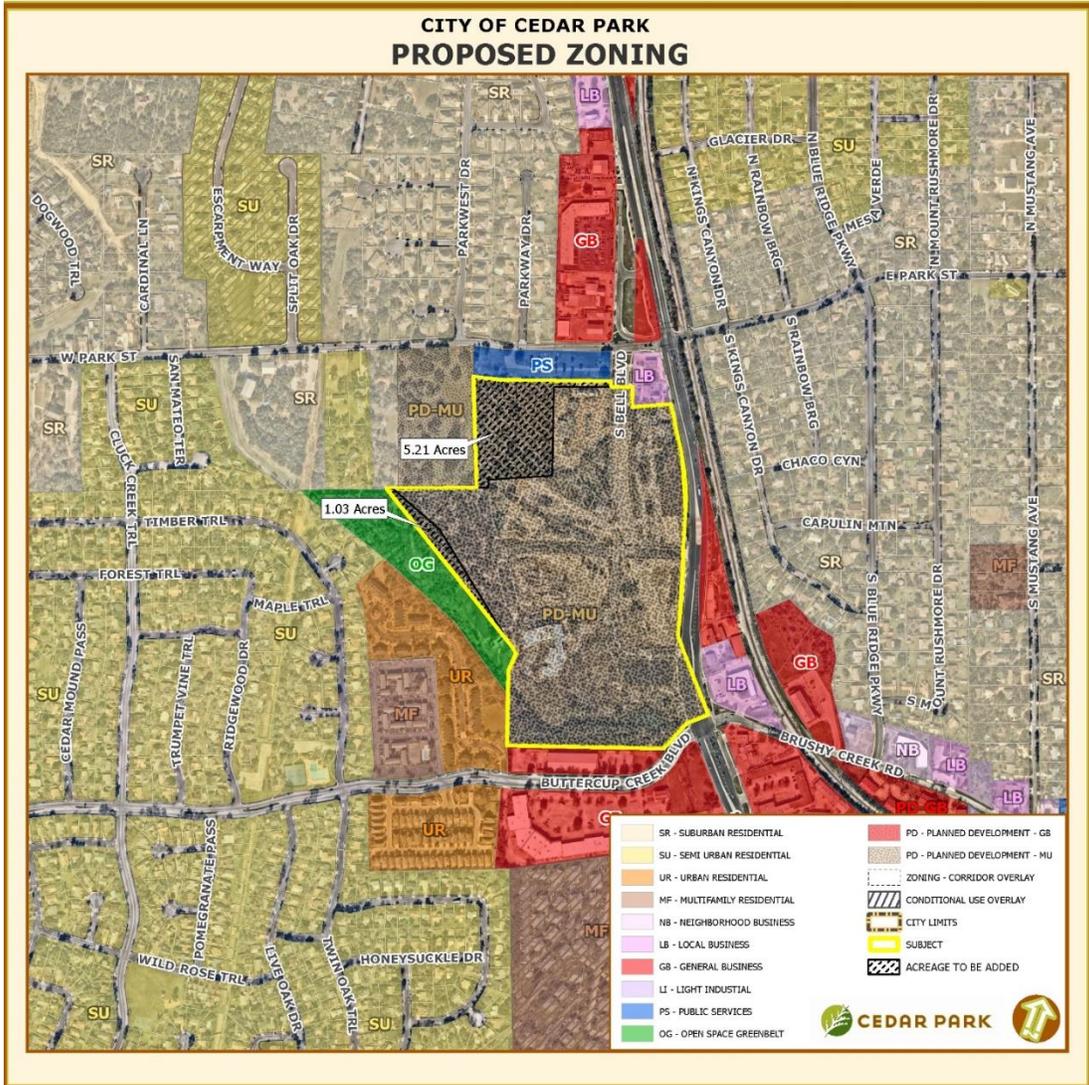
During the 2014 Comprehensive Planning process “Imagine Cedar Park”, the community consistently expressed a desire to see the Bell Blvd area revitalized, and a desire for a unique destination in Cedar Park that could serve as a special gathering place. In 2014, the City began this effort in earnest through the Bell Boulevard Redevelopment Master Plan, funded by the Type B Community Development Corporation. The public engagement level during this project (between 2015 and 2020) was the highest for any City project in Cedar Park history. The City Council adopted the Master Plan in August 2015 and proceeded with the project through the strategic acquisition of property in the defined project area, funded by the Type B Community Development Board.

In 2020, the City entered into a public-private partnership with RedLeaf Partners, LLC, to develop the Bell Boulevard District in line with the vision and goals of the Bell Boulevard Redevelopment Master Plan. RedLeaf and City staff developed a project plan that includes land uses, block and street locations, greenspace areas, parking, and other foundational elements of the land plan. At full build-out, the District is anticipated to include multiple blocks of high-density residential, some with ground-floor retail, restaurants, professional office, individually owned urban brownstones, a minimum of 14.7 acres of greenspace, community-focused civic spaces including the City’s new library, and a central gathering place. The development will be supported by structured parking with additional on-street parking.

This project plan is memorialized in the 2020 Master Development Agreement (MDA) with RedLeaf, as well as the Bell Boulevard Design Book, last amended in 2022. The Design Book establishes a robust set of requisite design criteria that will guide future development to provide high standards that meet the vision of the Redevelopment Master Plan. The development standards and design guidelines have been developed to promote a cohesive and high-quality development that achieves the community’s vision for this strategic part of Cedar Park. In addition, the design standards promote connectivity, activity, and livability within the District. The existing Planned Development (PD) zoning district establishes the zoning standards for the subject property and requires all development to be in compliance with the adopted Bell Boulevard Design Book.

Existing Site and Surrounding Land Uses:

The subject property is within the Bell Corridor Planning Area and the Bell Boulevard Redevelopment Master Plan, envisioned to be redeveloped as a livable urban center with a mix of commercial, civic, recreational, and residential uses to create a sense of place. The Bell Boulevard District consists of approximately 50 acres; however, only 43 acres are zoned Planned Development-Mixed-Use (PD-MU). A variety of residential and nonresidential uses bound the property on the north, including the existing Cedar Park Cemetery. Existing railroad right-of-way abuts the realigned Bell Blvd right-of-way and beyond the railroad exists the Park Place and Cedar Park Ranchettes single family neighborhoods.



Purpose of Requested Zoning District:

The Planned Development (PD) district is principally intended for development areas where it may be considered warranted due to the scale of development, the mixture of land uses, site constraints, unique design considerations, and needed site flexibility. A PD District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in the City’s current Zoning Code. While greater flexibility is given to allow special conditions or restrictions, which would not otherwise allow the development to occur, procedures are established herein to ensure appropriate application for a PD and still offer increased flexibility.

The purpose of the Mixed-Use (MU) base zoning is to provide a mixture of high density residential, commercial, and public or institutional uses and civic spaces in a compact, urban form. The MU district may include multifamily units as upper-floor dwellings in a vertically mixed-use building, or horizontally, as a complex within the urban context. This district is principally intended for use on infill parcels and for the redevelopment and revitalization of corridors, although it may also be conditionally approved for use in other appropriate areas of the City.

Future Land Use Plan:

The Future Land Use Plan (FLUP) identifies the subject property and surrounding area as Bell Corridor Planning Area (PA-Bell). This property is also located within the Bell Boulevard Redevelopment Master Plan adopted by the City in August 2015. The requested rezoning and amendment to the Bell District Planned Development – Mixed Use (PD-MU) is compatible with the uses and type of development envisioned in this Planning Area and Bell Master Plan.

Comprehensive Plan:

The proposed Bell District Planned Development (PD) district is in compliance with these goals of the Comprehensive Plan:

Future Land Use

- Establish Cedar Park as a regional destination for family-oriented activities.
- Plan for central gathering areas in the community that are interesting, vibrant, and encourage social interaction.
- Encourage redevelopment in appropriate locations throughout the City.
- Ensure an appropriate mix of land use types within the City.
- Focus on business attraction and retention to be a destination for major employers and innovative entrepreneurs.

Transportation:

- Address current/projected heavy traffic volumes moving through and within the City
- Improve pedestrian connectivity and safety, especially near Bell Boulevard

Public Facilities:

- Meet the community's demand for amenities, such as libraries, recreational facilities, and cultural facilities

Livability

- Address the physical appearance of the built environment to ensure that a positive image of Cedar Park is exhibited to residents and visitors
- Maintain a civic-minded community with a strong social fabric that promotes social, economic, and spiritual interaction and quality of life at a communitywide level.
- Improve the walkability and connectedness of Cedar Park for pedestrians and bicyclists.
- Foster a sense of belonging to the community as a whole, bringing together and representing all neighborhoods and groups to reach city-wide visions.

In addition, the proposed Bell District PD request is in compliance with these goals of the Bell Boulevard Redevelopment Master Plan:

- Create an economically vibrant corridor and energize the greater Cedar Park region.
- Generate return on investment for the City of Cedar Park and private businesses.
- Work with natural and historical assets to define a more pleasant human experience.
- Maintain mobility and accommodate traffic levels.

- Gain support from affected stakeholders including landowners, developers, and business owners
- Solidify what the identity of Cedar Park is through the master planning process.

Site Information:

Zoning Case History:

Zoning of the subject property has occurred over many decades, many of which were part of the original Zoning Ordinance in 1975 and received designations equivalent to the current zoning designations. The most recent rezoning case was the creation of the Bell District Planned Development District, which was established in 2020:

YEAR	CASE NUMBER	REQUEST	P&Z RECOMMENDATION	COUNCIL ACTION
2020	Z-20-003 Ord Z26-20-05-28-E4	Rezone 43 acres from Local Business (LB), General Business (GB), General Business-Conditional Overlay (GB-CO), and Open Space Greenbelt (OG) to Planned Development Mixed-Use (PD-MU) to create the Bell District PD.	Approval (7-0)	Approved (7-0)

Major Corridor:

The subject property is located along the Bell Blvd Major Corridor.

Transportation:

Bell Blvd, which forms the eastern boundary and main access to the District, is a major arterial roadway. Within the District’s boundary there is a grid network of two-lane roadways and pedestrian ways. All streets will provide on-street parking and wider sidewalks to accommodate pedestrian traffic.

Subdivision:

The subject property consists of several platted and unplatted tracts of land located in the S. Damon Survey No. 11, Abstract No. 170, and the Richard Duty Survey J, Abstract 183. Platted property includes Lot 1, Block A, and Lot 1, Block B, Bell District Section 1, Phase 1, and Lot 2, A Resubdivision of a Portion of Lot 15, Cedar Park Ranchettes. As the remaining tracts are proposed for development, new plats will be filed creating new lots consistent with the Bell District Master Plan and Design Book.

Planned Development Standards:

The Planned Development (PD) district establishes the permitted land uses and basic lot and building standards (lot size, building height and setback standards) consistent with the Mixed-Use (MU) zoning district, which is the base district of this PD. Building design and placement, unit size, parking, open space, streetscape design and screening standards are outlined in the Bell Boulevard Design Book.

As part of this request, the Bell District PD is proposed to be amended to allow stand-alone grocery, subject to approval of a Special Use Permit (SUP). In addition, additional use conditions for all hotel uses are proposed to be removed; however, the hotel use will remain permitted subject to approval of a SUP. No other changes to the existing PD standards are proposed.

The complete development standards and regulations of the proposed PD is included as Exhibit C.

Staff Commentary:

This rezoning request includes the addition of approximately 6.24 acres of property located within the boundaries of the Bell Boulevard Redevelopment Master Plan, which include a 5.2-acre vacant lot between the current north boundary of the Bell District and the Cedar Park Cemetery, and 1.03 acres of open space. While currently zoned Open Space Greenbelt (OG), it is important to note that the 1.03-acre portion proposed to be rezoned into the Bell District PD is not part of the boundaries of the designated parkland. The 12.39-acre parkland will be maintained along Cluck Creek, as will the total combined 14.7 acres of greenbelt, parkland and open space throughout the District. As such, the rezoning of this portion will not have any adverse impact on the parkland and open space requirements outlined in the MDA and Design Book. In addition, the incorporation of both tracts into the Bell District PD will allow these tracts to be developed consistent with the Bell District and standards of the Bell Boulevard Design Book. In addition, it will further the goals of the Bell Boulevard Redevelopment Master Plan and facilitate the redevelopment of this corridor.

The current PD prohibits stand-alone grocery stores, and only permits full-service hotel uses subject to compliance with additional use standards and approval of a Special Use Permit (SUP). These use restrictions may significantly restrict tenants looking to provide a unique experience, such as boutique hotels. The proposed revision to permit a stand-alone grocery with approval of a SUP would allow the City Council, Planning and Zoning Commission and City staff to review them on a case-by-case basis based on location, design, and compatibility with the surrounding area. In addition, the removal of the additional hotel use conditions would permit other, smaller hotels within the District that may be considered through the SUP process. The SUP process allows consideration of additional conditions on the specific use to ensure the vision and goals of the Bell Boulevard Redevelopment Master Plan are met.

Public Information Plan:

- March 6, 2024:* Public notice of the Planning and Zoning Commission and City Council public hearings published in the Austin American Statesman
- March 8, 2024:* 163 letter notices for the Planning and Zoning Commission and City Council public hearings were sent to property owners and neighborhood associations within 300 feet of the subject property.
- March 19, 2024:* Planning and Zoning Commission public hearing
- April 11, 2024:* City Council 1st reading and public hearing
- April 25, 2024:* City Council 2nd reading

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

- Ordinance with Exhibits
- Planned Development Exhibit C redlines
- Applicant's Neighborhood Communication Summary
- Public Comments

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO REZONE APPROXIMATELY 6.24 ACRES FROM GENERAL BUSINESS (GB) AND OPEN SPACE GREENBELT (OG) TO PLANNED DEVELOPMENT-MIXED USE (PD-MU) AND TO AMEND THE APPROXIMATE 43-ACRE BELL DISTRICT PLANNED DEVELOPMENT-MIXED USE (PD-MU) DISTRICT GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF PARK ST AND S BELL BLVD (2024-1-Z); AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on March 24, 1975, the Cedar Park City Council adopted Ordinance No. 75-2: Comprehensive Zoning Ordinance, which created a variety of zoning districts, and a zoning district map, as amended; and

WHEREAS, all zoning districts located within the City are regulated pursuant to Chapter 11 of the Cedar Park Code of Ordinances; and

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City to regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

WHEREAS, the Cedar Park City Charter Section 2.04 authorizes the Council to zone the City and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority vested in the cities by State statutes; and

WHEREAS, the Cedar Park City Charter Section 7.02 authorizes the Council to zone the City after recommendation of the Planning and Zoning Commission, and requires the Council to enact necessary implementing legislation as authorized by law and after all public hearings required by law; and

WHEREAS, City staff, after communication with the affected property owners, determined the most appropriate zoning designations based on the City’s Comprehensive Plan, existing use of land and structures within the affected area, and uses surrounding the affected area; and

WHEREAS, the City published notice and conducted the requisite public hearings in accordance with Texas Local Government Code Chapter 211; and

WHEREAS, on March 19, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval of the proposed zoning of Planned Development-Mixed Use (PD-MU) to amend the Bell District Planned Development (PD); and

WHEREAS, the City Council finds the proposed zoning to be in accordance with the City’s Comprehensive Plan, existing use of land and structures within the affected area, and uses surrounding the affected area, and are for the purpose of promoting the public health, safety, morals, and general welfare of the City.

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

SECTION 1. City of Cedar Park Ordinance No. 75-2: Comprehensive Zoning Ordinance is hereby amended to rezone approximately 6.24 Acres From General Business (GB) And Open Space Greenbelt (OG) To Planned Development-Mixed Use (PD-MU) And To Amend The 43-Acre Bell District Planned Development-Mixed Use (PD-MU) District Generally Located Southwest Of The Intersection Of Park St And S Bell Blvd, otherwise set forth in the legal description labeled Exhibit “A”, the property location map labeled Exhibit “B”, and the Planned Development General Provisions and Development Regulations labeled Exhibit “C”.

SECTION 2. That the Director of Development Services is hereby authorized and directed to officially designate the tract of land zoned herein as such on the official zoning district map of the City of Cedar Park and by proper endorsement indicating the authority for said notation.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 11th day of April, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 25th day of April, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

EXHIBIT A

A METES AND BOUNDS
DESCRIPTION OF
49.485 ACRE ZONING EXHIBIT

BEING a 48.485 acre (2,155,578 square feet) tract of land situated in the Samuel Damon Survey No. 11, Abstract No. 170, the Mahala P Anderson Survey, Abstract 27, and the Richard Duty Survey J, Abstract 183, City of Cedar Park, Williamson County, Texas; and containing portions of the following tracts of land, all described in instruments to the City of Cedar Park, Texas (unless otherwise noted), and recorded in the Official Public Records of Williamson County, Texas:

- 1. The remaining portion of that certain Lot 1 in Document No. 2018056078;
2. The remaining portion of that certain 6.931 acre tract in Doc. No. 2022034528;
3. That certain 0.7610 acre tract in Document No. 2017116989;
4. That certain Lot 1 in Doc. No. 2018047329;
5. Those certain Lots of Commercial Parkway Subdivision (Cab.C, Sl.13, Plat Records) described in Doc. Nos. 2020015461, 2017117101, 2019108986, and in Volume 691, Page 531, Volume 531 and Page 533, and all of Commercial Parkway of said Plat;
6. The remaining portion of that certain Lot 1 in Doc. No. 2017104116;
7. The remaining portion of that certain Lot 2 and Lot 3 in Doc. No. 2019016787;
8. The remaining portion of that certain 701 square foot tract in Doc. No. 2019108986;
9. All of Lot 1, Block B, and all of Aster Street, Pecan Wood Drive, and Parkwest Drive of Bell District Section 1, Phase 1, plat of which is recorded in Document No. 2022085705;
10. All of Lot 1, Block A of said Bell District Section 1, Phase 1, as described in instrument to -RL Bell 1A LLC, in Doc. No. 2022099302;
11. A portion of that certain 12.39 acre tract described in instrument Williamson County Municipal District Utility District No.3, in Volume 2010, Page 190;
12. That certain Lot 2, as described in instrument to Cedar Park Community Development (Type B) Sales Tax Corp. in Doc. No. 2023037664;
13. A portion of U.S. Highway No. 183;

and being more particularly described as follows:

BEGINNING at a point on the westerly line of U.S. Highway 183 (Old Highway 183) marking the east corner of that certain 0.5267 acre tract described in instrument to 706 W. 34th, LLC, recorded in Doc. No. 2021115299, and the north corner of said Lot 1 from item 1 above;

THENCE, along the westerly line of said U.S. Highway 183 the following eleven (11) calls and distances:

- 1. in a southeasterly direction along a non-tangent curve to the left, having a radius of 6535.43 feet, a chord South 33°14'57" East, 111.86 feet, a central angle of 00°58'51", and an arc length of 111.87 feet to a point at the beginning of a curve;
2. in a southeasterly direction along a reverse non-tangent curve to the right, having a radius of 2346.20 feet, a chord South 31°45'36" East, 244.62 feet, a central angle of 05°58'35", and an arc length of 244.73 feet to a point at the beginning of a curve;
3. in a southeasterly direction along a compound tangent curve to the right, having a radius of 1151.20 feet, a chord of South 25°53'59" East, 115.36 feet, a central angle of 05°44'38", and an arc length of 115.41 feet to a point for corner;
4. South 23°01'40" East, 78.36 feet to a point at the beginning of a curve;
5. in a southerly direction along a tangent curve to the right, having a radius of 131.20 feet, a chord of South 18°29'54" East, 20.72 feet, a central angle of 09°03'31", and an arc length of 20.74 feet to a point for corner;
6. South 13°58'09" East, 50.00 feet to a point at the beginning of a curve;
7. in a southerly direction along a non-tangent curve to the left, having a radius of 168.80 feet, a chord South 17°51'48" East, 22.92 feet, a central angle of 07°47'12", and an arc length of 22.94 feet to a point at the beginning of a curve;
8. in a southerly direction along a reverse tangent curve to the right, having a radius of 2329.20 feet, a chord South 21°04'39" East, 55.29 feet, a central angle of 01°21'37", and an arc length of 55.29 feet to a point for corner;
9. South 16°32'59" East, 387.98 feet to a point at the beginning of a curve;
10. in a southerly direction along a non-tangent curve to the left, having a radius of 1096.11 feet, a chord South 16°55'54" East, 16.04 feet, a central angle of 00°50'19", and an arc length of 16.04 feet to a point at the beginning of a curve;
11. in a southerly direction along a non-tangent curve to the left, having a radius of 1376.00 feet, a chord South 14°16'31" East, 158.54 feet, a central angle of 06°36'19", and an arc length of 158.63 feet to a point for corner;

THENCE, crossing over said U.S. Highway 183 the following two (2) courses and distances:

- 1. South 50°50'47" East, 399.68 feet to a for corner;
2. South 37°00'00" West, 172.80 feet to a point marking the northwest corner of Lot 1, Block A of Butter Creek Commercial Section Two-A, plat of which is recorded in Cab. F, Sl. 39, Plat Records of Williamson County;

THENCE, South 23°17'09" West, 185.21 feet departing said U.S. Highway 183 to a point marking an interior corner along the northwesterly boundary of said Lot 1, Block A;

THENCE, South 70°44'33" West, 822.94 feet continuing along the said northwesterly boundary to a point marking the northwest corner of said Lot 1, Block A, on the easterly boundary of Lot 1, Block A of Buttercup Creek Apartments Section Two-A Amended, plat of which is recorded in Cab. V, Sl. 254, Plat Records of Williamson County;

THENCE, North 19°13'58" West, 263.56 feet along said Lot 1, Block A, Amended, to a point marking the south corner of the aforesaid 12.39 acre tract, and a northeast corner of said Lot 1, Block A, Amended Plat;

THENCE, departing said Lot 1, Block A, and over and across said 12.39 acre tract the following three (3) courses and distances:

- 1. North 19°14'58" West, 129.97 feet to a point for corner;
2. North 02°37'33" East, 105.61 feet to a point for corner;
1. North 60°48'11" West, 1136.51 feet to a point for corner on that certain 2.57 acre tract, described in "Transfer on Death Deed", recorded in Document No. 2016111951, Official Public Records Williamson County;

THENCE, North 68°47'26" East, 512.01 feet along the northerly boundary of said 12.39 acre tract to a point marking the southeast corner of that certain 6.869 acre tract described in instrument to Sabot-West Park LLC, recorded in Doc. No. 2019071384, Official Public Records of Williamson County;

THENCE, North 20°50'25" West, 246.36 feet along the easterly boundary of said 6.869 acre tract to a point for corner;

THENCE, North 20°52'25" West, 342.08 feet continuing along the easterly boundary of said 6.869 acre tract to a point marking point marking the southwest corner of that certain 2.64 acre tract described in instrument to Texas Children's Home, recorded in Doc. No. 2016114820, Official Public Records of Williamson County;

THENCE, North 75°37'56" East, 162.93 feet along the southerly boundary of said 2.64 acre tract to a point for corner;

THENCE, North 70°23'03" East, 678.36 feet continuing along the said southerly boundary, and crossing over the aforementioned 6.931 acre tract, to a point marking the northwest corner of the aforementioned 0.5237 acre tract;

THENCE, South 18°50'48" East, 133.12 feet to a point marking the southwest corner of said 0.5267 acre tract;

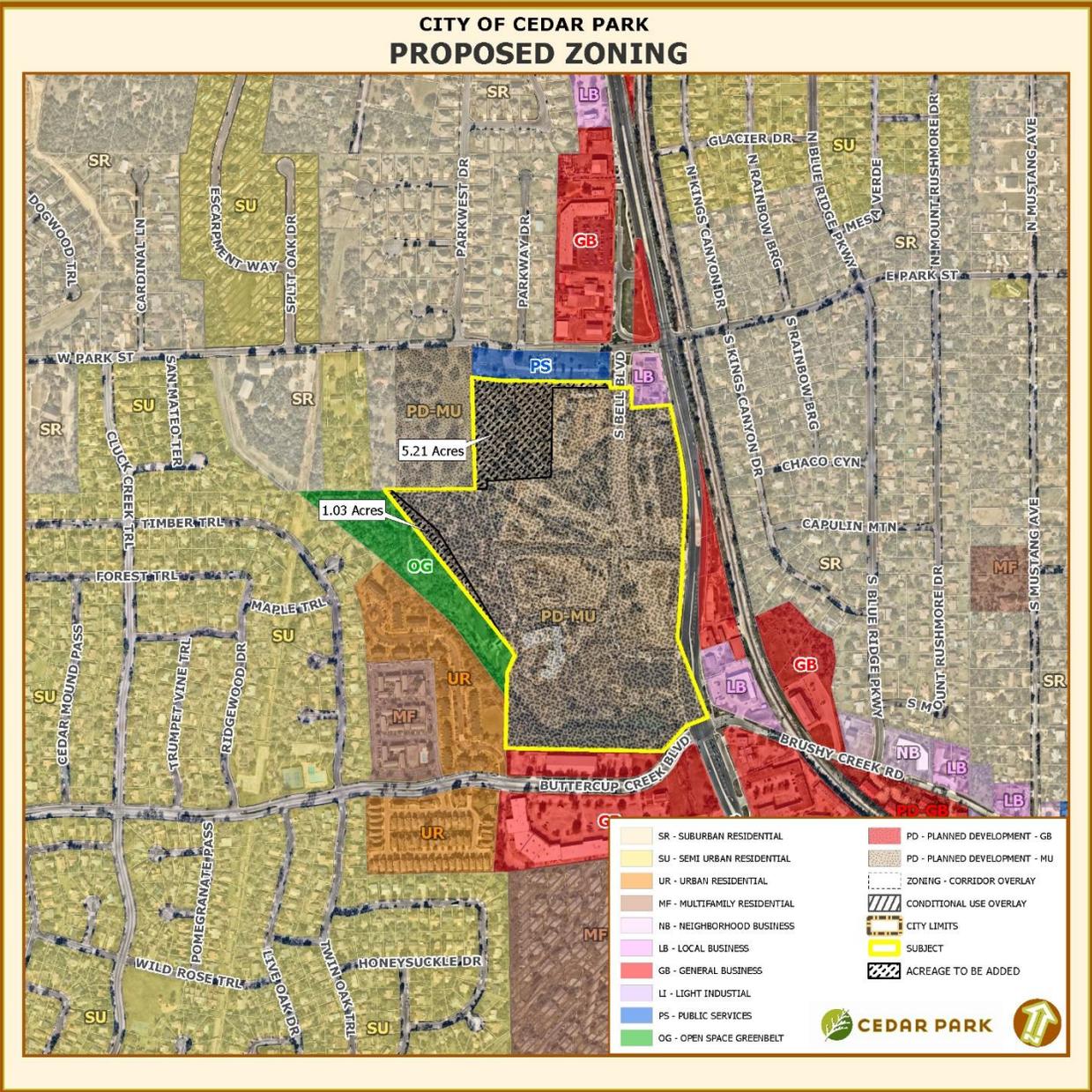
THENCE, North 65°31'35" East, 200.54 feet along the southerly boundary of said 0.5267 acre tract to the POINT OF BEGINNING, and containing 49.485 acres of land in Williamson County, Texas. This document was prepared under 22 Texas Administrative Code § 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was generated on 3/14/2024 at 4:39 PM, based on geometry in the drawing file K:\SNA_Survey\069273400-BELL BLVD - CEDAR PARK\DWG\Bell Blvd Survey BOUNDARY BASE.DWG, in the office of Kimley-Horn and Associates in San Antonio, Texas.

49.485 ACRE ZONING EXHIBIT
SAMUEL DAMON SURVEY NO. 11
ABSTRACT NO. 170, THE MAHALA P
ANDERSON SURVEY, ABSTRACT 27
AND THE RICHARD DUTY SURVEY J
ABSTRACT 183
CITY OF CEDAR PARK, WILLIAMSON
COUNTY, TEXAS

Kimley»Horn logo and contact information including address (10101 Reunion Place, Suite 400, San Antonio, Texas 78216), phone number (210) 541-9166, website www.kimley-horn.com, and a table with columns: Scale (N/A), Drawn by (JAB), Checked by (JGM), Date (4/19/2024), Project No. (069273400), Sheet No. (1 OF 2).

EXHIBIT B

CITY OF CEDAR PARK
PROPOSED ZONING



	SR - SUBURBAN RESIDENTIAL		PD - PLANNED DEVELOPMENT - GB
	SU - SEMI URBAN RESIDENTIAL		PD - PLANNED DEVELOPMENT - MU
	UR - URBAN RESIDENTIAL		ZONING - CORRIDOR OVERLAY
	MF - MULTIFAMILY RESIDENTIAL		CONDITIONAL USE OVERLAY
	NB - NEIGHBORHOOD BUSINESS		CITY LIMITS
	LB - LOCAL BUSINESS		SUBJECT
	GB - GENERAL BUSINESS		ACREAGE TO BE ADDED
	LI - LIGHT INDUSTRIAL		
	PS - PUBLIC SERVICES		
	OG - OPEN SPACE GREENBELT		



EXHIBIT C: Planned Development-Mixed Use Regulations

Section 1 – General Description and Requirements

A. Statement of Intent and Purpose

The intent and purpose of the PD District is to create a vibrant pedestrian-oriented environment by providing for a compatible mix of residential, office, and commercial uses as described in the Bell Boulevard Redevelopment Master Plan, the Bell Boulevard Master Development Agreement between the City of Cedar Park, and RedLeaf Bell, LLC, executed on February 27, 2020 (“MDA”), and the Bell Boulevard Design Book, as defined in the MDA, as approved by the City of Cedar Park City Council.

B. Base Zoning District

The Mixed Use (MU) District shall serve as the base zoning district for the PD District.

C. Planned Development-Mixed Use District

Except as expressly provided below, all development within the Planned Development (PD) District shall comply with (1) the terms and provisions set forth herein; (2) the Bell Boulevard Design Book; and (3) to the extent that such regulations do not conflict with the terms and provisions set forth herein and the Bell Boulevard Design Book, all applicable regulations in the City of Cedar Park Code of Ordinances (“CPCO”).

D. Concept Plan

The illustrative and regulating plans as described in the Bell Boulevard Master Development Agreement and Bell Boulevard Design Book, as amended, shall serve as the Concept Plan for the PD District.

Section 2 – Land Use

A. Land Uses

The table below describes which land uses are allowed as a Permitted use (P), Conditional use (C), or Special use (S), as defined in the CPCO; provided, the conditions and standards applicable to the permitted Conditional uses of Grocery use shall be as set forth in this Exhibit C, Section 2(A)(1). Except as otherwise provided in this Exhibit C, all Conditional and Special Use permits shall be issued in accordance with the standards and procedures in CPCO Chapter 11, Article 11.02, Division 4 Conditional and Special Uses, as amended.

RESIDENTIAL LAND USES	
Apartment	P
Community Garden	C
Home Occupation	C
Urban Brownstone	P

NON-RESIDENTIAL LAND USES	
Alcoholic Beverage Establishment	P
Alcoholic Beverage Sales, Off- Site Consumption	C
Amenity Center	P
Animal Grooming	C
Art Studio, Gallery	P
Bank, Credit Union, and Financial Institution	C
Civic Club	P
College, University or Vocational School	S
Craft Brewing/Distillery/Winery Production with On- Premise Consumption	P
Day Care Center, Incidental	C
Drug Store	S
Government Office	P
Grocery ¹	C
Gym	P
Hotel	S
Indoor Arena or Theater	P
Indoor Commercial Amusement	P
Medical Office	P
Mobile Food Establishment Court	S
Museum	S
Office, General	P
Outdoor Commercial Amusement, Minor	S
Outdoor Recreation (Athletic Fields/Facilities)	C
Outdoor Recreation (Park, Playground)	P
Personal Services	P
Place of Public Assembly	P
Restaurant, Dine-In Only	P
Retail Sales	C
Utility Services, General	P
Vending Kiosk	C
Wireless Telecommunications Facilities, Building Mounted	C

TEMPORARY LAND-USES	
On-Site Real Estate Office	C
Portable Storage Unit	C
Temporary Construction Building	C
Temporary Construction Dumpster	C
Temporary Construction Yard	C

1. Grocery is permitted subject to the following conditions:
 - a. The grocery is part of a mixed-use building. A grocery use within a stand-alone building may be permitted with approval of a Special Use Permit (S);
 - b. The gross floor area of the use is no larger than 24,000 square feet; and
 - c. Gasoline pumps and services are not included as an accessory use.

Section 3 – Development and Design Standards

A. Base PD-MU Standards

Planned Development Standards		
LOT AREAS ¹	Minimum Lot Area	5,000 sq. ft.
	Minimum Lot Width	50 feet
	Minimum Lot Depth	50 feet
BUILDING SETBACK AND HEIGHT	Front Setback	0 feet
	Interior Side Setback	0 feet
	Street Side Setback	0 feet
	Rear Setback to Property Line	0 feet
	Rear Setback to Street ROW	0 feet
	ES, SR, or SU District Boundary	30 feet
	Maximum District Building Height	100 feet*
	* Additional building height may be permitted by Special Use Permit	
OUTDOOR USES	Maximum Display Area	10%
	Maximum Storage Area	0%

B. Mixed Use Development and Design Standards

The Bell Boulevard Design Book, as amended, and including the administrative submittal requirements and procedures, shall apply to the PD District and serve as the development and design standards for the PD District. To the extent that such standards in the Bell Boulevard Design Book do not conflict with the terms and provisions set forth in Section 11.03.155 (Mixed Use Development) of the CPCO, all applicable regulations in the CPCO shall apply.

C. Phasing

The phasing requirements as described in the Bell Boulevard Master Development Agreement shall apply to the PD District.

APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

1. How and when were the surrounding neighborhood and property owners notified, how was information shared, and who was directly involved in the communication process?

RedLeaf mailed letters to 209 property owners on February 16, 2024 that notified recipients of an informational neighborhood meeting to discuss this upcoming zoning application and receive comments and feedback from community members. In the letter, RedLeaf included a link to a web page that answered Frequently Asked Questions related to this zoning case. RedLeaf also provided an email address that recipients can reach out to with any questions, comments or concerns. RedLeaf staff drafted and distributed the letters. A copy of the letter is included in this document for reference, on pages 3 and 4.

2. Who was notified (i.e. property owners, HOA, etc)?

RedLeaf obtained a contact list from the City of Cedar Park Development Services that included the contact information of residents within a 500 ft radius ("buffer zone") of the Bell District, as well as additional property owners of the Buttercup Villas Condominiums and the Buttercup Townhomes. RedLeaf mailed a letter to all property owners listed in this document which totaled 209 recipients. Recipient lists are included in this document for reference in pages 5-8.

3. What concerns were raised during these communications?

There were a number of concerns raised during the neighborhood meeting outside the scopes of both this zoning case and of RedLeaf projects. In this response, RedLeaf will exclusively summarize concerns that relate to this zoning case. First, meeting attendees expressed their frustration with the style of communication through mailing letters. They felt it did not reach enough people, and did not reach them early enough prior to the meeting date and time. Next, attendees were concerned about the re-allocation of the OG zone to another area of The Bell District in order to expand the brownstone site. Attendees felt the visuals indicated a reduction of green space rather than a redistribution. Attendees expressed overall indifference to the proposed zoning for 107 S Bell Blvd. - many assumed it was already a part of The Bell District. Sign-in sheet and comment cards on pages 9-13.

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

In order to clarify and answer questions raised at the neighborhood meeting on February 27th, RedLeaf will be hosting a follow-up virtual neighborhood meeting on the evening of March 18th, 2024. RedLeaf will be distributing a notice to all that signed in at the 2/27 meeting as well as original communication recipients and additional residents near Bell to ensure more efficient communication. This new notice will contain updated FAQ information, an updated explanation from the RedLeaf Bell Team, and specific details on the virtual community meeting scheduled for March 18th, 2024. RedLeaf is producing new exhibits that better communicate the case. This same updated information will also be available at www.belldistrict.com/zoning which will be linked on the website homepage. RedLeaf has expressed that the info@belldistrict.com email address remains open for all interested parties as well.

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

Signature: 

Date 3-5-2024

Bell District Zoning Information Meeting

Tuesday, February 27th, 2024

5:00 – 7:00 PM

200 S Bell Boulevard

Cedar Park, TX 78613

RE: BELL DISTRICT ZONING – NEIGHBORHOOD MEETING

Dear Neighbor,

As you may know, RedLeaf has been working with the City of Cedar Park over the past four years to plan and develop The Bell District. As master developer, RedLeaf is proud of the progress made and excited to continue developing The Bell District.

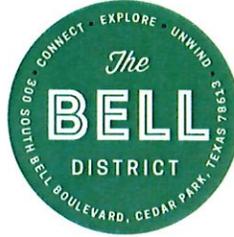
On Tuesday, February 27th, 2024, we will hold a neighborhood meeting to share information about important next steps in the development process. RedLeaf would like to re-zone some portions of the land within The Bell District to optimize the layout of the district and maximize the benefits of the user experience. By doing so, it will bring an additional parcel into the project and will slightly increase the amount of for-sale homes, furthering the community's vision for the Bell District.

The meeting will be held from 5:00 – 7:00 PM at 200 S. Bell Boulevard. See parking instructions on the back of this letter. Essential RedLeaf principals will be present to share information on the zoning case and answer community member questions.

If you are not able to attend but have questions regarding the re-zoning or the project in general, please email us at info@belldistrict.com. You can also learn more about the case and the project by visiting www.belldistrict.com/zoning.

Thank you,

The RedLeaf Team



Dear Neighbor,

As you may have heard, the Cedar Park Planning and Zoning Commission will consider modifying zoning in the Bell District on March 19th. Specifically, the rezoning would place nearly 5.2-acres of City-owned vacant land within the boundaries of the district that RedLeaf is responsible for developing under our master developer agreement with the City. The proposed zoning will also reconfigure one acre of open space in the project without reducing the minimum amount of greenspace that we are required to deliver.

RedLeaf held a neighborhood meeting Feb. 27 to discuss the proposed changes. We understand that many of you did not receive notice of the meeting, the venue was too small and the pre-meeting communication and exhibits were confusing. We apologize for these shortcomings and are committed to improving our community outreach and engagement.

We recently added more information and exhibits to the Bell District website to help explain the proposed changes. This information can be found at www.belldistrict.com/zoning/.

In an effort to ensure that we're able to reach as many interested neighbors and community members as possible, RedLeaf will host an additional virtual meeting from 6:30 to 8 p.m. on Monday, March 18th to talk about the proposed zoning changes and answer questions. You can access the meeting on March 18th, by visiting www.belldistrict.com/zoning/ and clicking the like at the top of the page.

It is our hope that the virtual format will make it more convenient for people to attend on a weeknight, and we ask that you please help us get the word and link out to anyone in the community who may be interested.

We look forward to speaking with you on March 18th.

If you are not able to attend but have questions regarding the rezoning or the project in general, please email us at info@belldistrict.com.

Thank you,

The RedLeaf Team

From: [Ellen Coonrod](#)
To: [Andreina Davila-Quintero](#)
Subject: [External] Zoning File #2024-1-Z
Date: Thursday, March 14, 2024 8:15:23 PM

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To whom it may concern:

We are in favor of the zoning changes in the letter mailed to us about 2024-1-Z.

Greg and Ellen Coonrod
404 Buttercup Creek Blvd, #49
Cedar Park, TX 78613

From: [E.S](#)
To: [Andreina Davila-Quintero](#)
Subject: [External] Destination Bell flood affecting 206 Banyan Cove (The Scassa property)
Date: Thursday, March 14, 2024 1:26:10 PM

CAUTION: External Sender!

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Hello Andreina,

Thanks again for your phone call last week. As discussed, I am emailing to inquire for more information regarding the changing of the flood lines with regards to our property and the Destination Bell project.

Flooding:

When we purchased our property in 2006, the 100yr flood line went through part of our yard, and appeared to be more of a natural path. Prior to (or possibly in the process of) planning the Destination Bell project, this flood line was moved to what appears to be our shared property line with the future project. Can you provide information on what date that change was made and what the justification was for that change?

During the flood studies for the destination bell project, were more recent flood events considered? I mention this because we have seen the entire creek bed fill from the back of our property to the hill on the other side of the creek. There is a defunct time warner cable box at the back edge of our property (shared with the neighbor at 204 Banyan Cove). This cable box is a very long distance from the established creek bed and has been under water multiple times in the duration we have lived in our home (since 10/2006). The spring of 2007 was likely the wettest year I recall. We were concerned enough, with the flooding rising up the retaining wall at the back edge of our property, that we went out to check the creek regularly, even through the night, to ensure our home was not in danger.

The retaining wall did keep the flooding contained at that time. However, at the time, the vast majority of what is now being paved and developed for the destination bell district was wild and able to absorb quite a lot of the run-off. If we have another wet year like 2007, I do not feel confident that the drainage mitigation, having only been undertaken downstream and not throughout the creek bed, will be sufficient to protect the pre-existing residential properties from flooding. What assurances can the City of Cedar Park offer to the private citizens who are affected?

As each phase is completed, is there any plan to re-assess the flooding impact and allow for adjustment to the plan?

With the current proposal to add section 9 to the project, I am further concerned about losing more open ground absorption from upstream. I would feel much more comfortable with this plan if section 6 was re-designed to keep a lot of open grass rather than the proposed brownstone, which will leave very little open ground for rain absorption. Would the city be open to negotiating with RedLeaf to adjust the plans for section 6 to alleviate these concerns? Perhaps preserve the half of 6 closer to the creek as more open space (community garden, open space food truck court, etc)? RedLeaf repeatedly told us they wanted to be good neighbors. Brownstone row homes are not considered to be "nice" development and are not a welcome idea among the buttercup community.

Does the City have plans to complete any further grading or clearing within the walker/jogger path/park to ameliorate the potential for flooding of the creek?

Property Line with the walker/jogger park:

We have seen surveyors out marking property lines with stakes/flags behind our fence. one such stake is placed incorrectly. Further, when reviewing the online images for Destination Bell, the lines drawn for the border between my property and the park area do not look correct. According to the platt we received upon purchasing our home in 2006, our property line that is shared with the Buttercup Townhomes development is 227ft. However, we have only

187ft of fence line. At approximately 195ft, there is a retaining wall and water drainage pipe. The surveyor placed a flag only a few feet beyond the drainage pipe, meaning the city may have the impression this is the end of our property. It is not.

1. When can we expect the City of Cedar Park to communicate with us regarding their plans for the greenbelt area behind our property?
2. What kind of barrier (if any) is planned for the property line?
3. What would be a good time to meet at your office to review the platt(s) you're working from?
4. Because our property line is beyond the retaining wall, what intentions does the City of Cedar Park have regarding the portion of our property that currently is within the flood plane?

Thank you again for listening to my concerns. I look forward to hearing from you.

All the best,

Erica Scassa
512-695-5169

Andreina Davila-Quintero

To: Andreina Davila-Quintero
Subject: RE: [External] Re: Please save the Buttercup Creek Nature Area, and don't let Bell District annex it

From: Leila Plummer <[REDACTED]>
Sent: Wednesday, March 20, 2024 7:54 AM
To: Cedar Park Council <council@cedarparktexas.gov>
Subject: [External] Re: Please save the Buttercup Creek Nature Area, and don't let Bell District annex it

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Dear City Council,

First I want to say again how much I love Cedar Park, and so happy I am to be living here. To me it is the best place to live in Texas, and I am proud to make it my home. And I thank you for safe-guarding it and making it so nice. Also, from my perspective, the reachout a the city councilman helped me feel much better about how the annexing of this nature area how it could affect me personally or how total the change to the area would be. However, as I continue to learn more about the situation, I still would like to ask you to stop the approval of the proposals the Bell District is currently putting forth about annexing this area, and either stop this proposal, or else put a pause in the process to allow the City to directly speak with residents of the community and make a plan with them. Also I was shocked at how the Bell District seemed to be misrepresenting the neighborhood residents' perspective and even lying about what the Bell District had said to us the night before, and at the meeting last night at the City Council they were misrepresenting the neighbors. Here are some of the things I *did* hear over the last 2 evenings:

- A woman who had lived there for 24 years (she and her husband bought their home in Buttercup Creek because it was next to the nature area) said it was the most horrific thing that had happened in her life in 24 years. They literally had taken down their backyard fence so that they could be a part of the nature there, and they enjoyed watching the animals. She was caretaking the area, and when trash would wash in from businesses she would pick up the trash in the area. She didn't know about the annexing until recently. She told a very moving story and perspective at the Monday night meeting with Bell District, and NONE of her concerns were repeated by Bell District at last night's meeting at City Council.
- Many neighbors were very concerned about the loss of the area being more-or-less totally natural. They don't see a manicured park or lawn greenspace as being the same. This was said repeatedly Monday night, but at last night's City Council meeting Bell District did not say this, instead they said the residents misunderstood and were worried that Bell District would not have green space or that Bell District was reducing its acreage of parks/lawns green space. I have to say that in general the residents don't care about that and don't misunderstand that. They are closer to nature and see a big difference in losing mostly-wild area and the manicured area that will be contained in Bell District.
- A lot of the residents moved to their homes by the nature area because of the nature area. It was classified as Greenbelt. At the meeting last night one of the panel members said "Well it's like if you move next to a commercially-zoned field, it's going to be developed eventually, you know that", but that is not at all how the residents see it. They moved next to it classified as Greenbelt, they expected this nature area to stay a nature area, and did not expect part of it to be annexed by a development or even for part of it to be turned into a more manicured area.
- Bell District focused most of their presentation last night at City Council on their accomplishments as making an area for restaurants, a library, etc. And very little time was focused on the 1.3 acres of greenbelt which is the concern of the residents. They made it sound like something that would
- Many Residents/Neighbors are not aware or not sufficiently aware of what's happening. I just found out about it a few days ago - it's true I'm just Closing on my home tomorrow, but I've been on the neighborhood's social media for more

h 1.5 years. And, what's worse even if I had been already living there I still wouldn't know about it, because the Bell District only sent letters to neighbors within a 500 ft radius, which is only a few blocks! I talked to a resident last night who lives on a corner in front of an entrance to the nature area, she did not get a letter. I also talked to another resident who lives near my home, he did not get a letter. The notices need to go out to EVERYONE in the Buttercup Creek neighborhood, which is WAY BIGGER than 500 ft away. Also just for reference the area is around a 15 min walk from my home - I frequently walk 3 hours a day so 15 mins walking is actually quite close to me!!

--Residents are concerned about any loss of nature/trees in the nature area for sound issues. They say they already hear way more noise after trees were cleared for Bell District, including they can hear the train now - they didn't used to be able to hear the train from their homes.

--Residents want to know what the tradeoff is - why are they being asked to give up this 1.3 acres that they care so much about. When asked directly, Bell District has no good answer. Their main representative literally told us more than 1x on Monday, that the proposal for them is very minimal and hardly affects them. When this was brought up at last night's meeting at City Council, they lied, and even when the Secretary asked him directly, Did you say the change was inconsequential from Bell District's perspective - he actually had the guts to lie and say No, he never said it, or if he said it he didn't mean it. To residents it sounds like Bell District does not care about the change - actually Bell District is lying about it for some reason - but they care a LOT about those 1.3 acres.

--Residents asked, "Can you please just leave us the 1.3 acres, it means so much to us, and it means so little to you."

--A resident said, they were already crushed when Bell District took land, but now this is the final twist of the knife.

--More than one resident homeowner said they will be forced to move if this happens.

--Residents were concerned that the loss of trees/land to Bell District and more manicured park will make flooding worse. Bell District did not have a plan to mitigate the flooding.

--There was a concern from residents that the City just wants to raise property taxes by having more people in Bell District, and they don't care about existing homeowners.

--For myself and also I can say for many of these residents, I know many on City Council DO care about nature and quality of life of Cedar Park homeowners/residents. I want to reiterate, many of us don't care about making more property taxes or making our property values go up, instead we care about quality of life for residents/homeowners, and protecting and stewarding our natural lands.

--Overall I found Bell District to not be trustworthy, and not to be trustworthy opinion gathers to represent residents' interests or opinions. I want to echo what another resident said which is that any meeting that Bell District has to gather community opinions should also have a neutral representative there from the city. I was shocked that they misrepresented what residents said on Monday, did not put forth residents' main concern, only contacted residents within a meager 500 ft radius (and apparently not even all of those), and actually lied to the face of City Council last night saying that they never said that the annexing of 1.3 acres was inconsequential for them.

--Residents were insufficiently informed about how to get on the calendar last night, or even that there was a meeting, and also did not know when upcoming city council meetings were coming so that they could speak. At least one man last night told me that he did sign up online to speak but when he got to the meeting he was told he was not on the list.

Also at least 2 other people went to the City Council website yesterday to try to get on the list or file a comment but they could not find the right place on the website to do so. I'm sure this happened to many other residents.

Thank you for listening! Again I truly appreciate you all, and I know many of you DO care about nature and homeowners, and hearing what residents actually believe and want.

Thank you again

Leila

Leila Plummer

On Sun, Mar 17, 2024 at 5:02 PM Leila Plummer <[REDACTED]> wrote:

Dear Mayor and City Council, first I want to say again how much I truly love Cedar Park and appreciate how nice you have kept it - I love the parks and how calm things are.

Because I love Cedar Park so much, imagine my shock to find out that part of my neighborhood where I am buying a home this week - actually the Nature Area next to my home! - is planned to be annexed by the Bell District!

I hope you can please save Buttercup Creek Nature Area, and don't let it be annexed by Bell District.

To me, the most important thing we can do is protect our natural areas - for the plants and animals, and for ourselves. Once we have let them be grabbed up and developed, they are gone forever.

E.1

spectfully,

Leila

Leila Plummer

45

From: [Amy Link](#)
To: [Andreina Davila-Quintero](#)
Subject: FW: [External] Feedback on item G1: Bell District rezoning and PD-MU amendments
Date: Thursday, April 11, 2024 8:37:00 AM

FYI

Amy Link, AICP

Director of Development Services
Phone: 512-401-5056

From: Brenda Eivens <Brenda.Eivens@cedarparktexas.gov>
Sent: Wednesday, April 10, 2024 11:00 PM
To: Amy Link <Amy.Link@cedarparktexas.gov>
Subject: Fwd: [External] Feedback on item G1: Bell District rezoning and PD-MU amendments

Fyi

From: Darron (Dippel) Jurajda <[REDACTED]>
Sent: Wednesday, April 10, 2024 5:31 PM
To: Cedar Park Council <council@cedarparktexas.gov>
Cc: Brenda Eivens <Brenda.Eivens@cedarparktexas.gov>; Christopher Copple <Christopher.Copple@cedarparktexas.gov>; Beau Falgout <beau.falgout@cedarparktexas.gov>
Subject: [External] Feedback on item G1: Bell District rezoning and PD-MU amendments

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Hi all,

Just wanted to give some feedback on the item:

Public Hearing And Recommendation Regarding A Request By The City Of Cedar Park And RL Bell 1A, LLC To Rezone Approximately 6.24 Acres From General Business (GB) And Open Space Greenbelt (OG) To Planned Development-Mixed Use (PD-MU) And To Amend The 43-Acre Bell District Planned Development-Mixed Use (PD-MU) District Generally Located Southwest Of The Intersection Of Park Street And South Bell Boulevard

My wife and I are planning on moving to the Bell District once houses are available. I support the rezoning of the two parcels but I have concerns about amending the PD-MU to allow stand alone grocery stores with a special use permit and remove the conditions for a hotel.

I'm sure there is a reason it was left out of the PD-MU originally and while this proposes it to be

amended "to review them on a case-by-case basis based on location, design, and compatibility with the surrounding area" through a special use permit that is pretty loose wording that depends heavily on the make up of P&Z and Council at the time and the project being presented. If there is a specific type of stand alone grocery store that we would allow (like a farmers market) we should define that now otherwise we could end up with a nondescript 1 acre box in a 3 acre parking lot in what is supposed to be the mixed-use walkable jewel of the city. Similarly with the removal of the hotel requirements. We had some very specific conditions that are proposed to be removed which opens the door to something that is currently not planned for.

We all know PD means "Planned Development", kicking conditions to a future P&Z and Council is not "planned"

Just my 2¢,

Darron

EXHIBIT C: Planned Development-Mixed Use Regulations

Section 1 – General Description and Requirements

A. Statement of Intent and Purpose

The intent and purpose of the PD District is to create a vibrant pedestrian-oriented environment by providing for a compatible mix of residential, office, and commercial uses as described in the Bell Boulevard Redevelopment Master Plan, the Bell Boulevard Master Development Agreement between the City of Cedar Park, and RedLeaf Bell, LLC, executed on February 27, 2020 (“MDA”), and the Bell Boulevard Design Book, as defined in the MDA, as approved by the City of Cedar Park City Council.

B. Base Zoning District

The Mixed Use (MU) District shall serve as the base zoning district for the PD District.

C. Planned Development-Mixed Use District

Except as expressly provided below, all development within the Planned Development (PD) District shall comply with (1) the terms and provisions set forth herein; (2) the Bell Boulevard Design Book; and (3) to the extent that such regulations do not conflict with the terms and provisions set forth herein and the Bell Boulevard Design Book, all applicable regulations in the City of Cedar Park Code of Ordinances (“CPCO”).

D. Concept Plan

The illustrative and regulating plans as described in the Bell Boulevard Master Development Agreement and Bell Boulevard Design Book, as amended, shall serve as the Concept Plan for the PD District.

Section 2 – Land Use

A. Land Uses

The table below describes which land uses are allowed as a Permitted use (P), Conditional use (C), or Special use (S), as defined in the CPCO; provided, the conditions and standards applicable to the permitted Conditional uses of Grocery use ~~and Hotel Use~~ shall be as set forth in this Exhibit C, Section 2(A)(1)-(2). Except as otherwise provided in this Exhibit C, all Conditional and Special Use permits shall be issued in accordance with the standards and procedures in CPCO Chapter 11, Article 11.02, Division 4 Conditional and Special Uses, [as amended](#).

RESIDENTIAL LAND USES	
Apartment	P
Community Garden	C
Home Occupation	C
Urban Brownstone	P

NON-RESIDENTIAL LAND USES	
Alcoholic Beverage Establishment	P
Alcoholic Beverage Sales, Off- Site Consumption	C
Amenity Center	P
Animal Grooming	C
Art Studio, Gallery	P
Bank, Credit Union, and Financial Institution	C
Civic Club	P
College, University or Vocational School	S
Craft Brewing/Distillery/Winery Production with On- Premise Consumption	P
Day Care Center, Incidental	C
Drug Store	S
Government Office	P
Grocery ¹	C
Gym	P
Hotel ²	S
Indoor Arena or Theater	P
Indoor Commercial Amusement	P
Medical Office	P
Mobile Food Establishment Court	S
Museum	S
Office, General	P
Outdoor Commercial Amusement, Minor	S
Outdoor Recreation (Athletic Fields/Facilities)	C
Outdoor Recreation (Park, Playground)	P
Personal Services	P
Place of Public Assembly	P
Restaurant, Dine-In Only	P
Retail Sales	C
Utility Services, General	P
Vending Kiosk	C
Wireless Telecommunications Facilities, Building Mounted	C

TEMPORARY LAND-USES	
On-Site Real Estate Office	C
Portable Storage Unit	C
Temporary Construction Building	C
Temporary Construction Dumpster	C
Temporary Construction Yard	C

1. Grocery is permitted subject to the following conditions:
 - a. The grocery is part of a mixed-use building, ~~and not a~~ [A grocery use within a stand-alone building may be permitted with approval of a Special Use Permit \(S\)](#);
 - b. The gross floor area of the use is no larger than 24,000 square feet; and
 - c. Gasoline pumps and services are not included as an accessory use.

~~2. Hotel is permitted subject to the following conditions:~~

- ~~a. External balconies are set back a minimum of 200 feet from any single-family residential district measured along a straight line from the ground below the balcony to the closest single-family residential district boundary line;~~
- ~~b. All rooms are accessed through an internal hallway, lobby, or courtyard;~~
- ~~c. Hotel staff is on-site 24 hours a day;~~
- ~~d. A minimum of 90% of required parking shall be located in a parking structure;~~
- ~~e. The hotel shall be a "full-service" hotel, including but not limited to room service, valet service, dry cleaning service, and other luxury amenities such as a banquet hall, spa, or rooftop pool or bar;~~
- ~~and~~
- ~~f. The hotel shall be a minimum of four (4) stories.~~

Section 3 – Development and Design Standards

A. Base PD-MU Standards

Planned Development Standards		
LOT AREAS ¹	Minimum Lot Area	5,000 sq. ft.
	Minimum Lot Width	50 feet
	Minimum Lot Depth	50 feet
BUILDING SETBACK AND HEIGHT	Front Setback	0 feet
	Interior Side Setback	0 feet
	Street Side Setback	0 feet
	Rear Setback to Property Line	0 feet
	Rear Setback to Street ROW	0 feet
	ES, SR, or SU District Boundary	30 feet
	Maximum District Building Height	100 feet*
* Additional building height may be permitted by Special Use Permit		
OUTDOOR USES	Maximum Display Area	10%
	Maximum Storage Area	0%

B. Mixed Use Development and Design Standards

The Bell Boulevard Design Book, as amended, and including the administrative submittal requirements and procedures, shall apply to the PD District and serve as the development and design standards for the PD District. To the extent that such standards in the Bell Boulevard Design Book do not conflict with the terms and provisions set forth in Section 11.03.155 (Mixed Use Development) of the CPCO, all applicable regulations in the CPCO shall apply.

C. Phasing

The phasing requirements as described in the Bell Boulevard Master Development Agreement shall apply to the PD District.

File Attachments for Item:

F.1 A Resolution Authorizing A Second Amendment To The Master Development Agreement For The Bell Boulevard Redevelopment Project.



CITY COUNCIL AGENDA
March 25, 2024

Item/Subject: A Resolution Authorizing A Second Amendment To The Master Development Agreement For The Bell Boulevard Redevelopment Project.

Commentary

On February 27, 2020, the City Council authorized the execution of a Master Development Agreement (“MDA”) for the Bell Boulevard Redevelopment Project (“the Project”) and on April 23, 2020, City Council authorized a first amendment to the MDA.

Accordingly, staff recommends the approval and execution of a 2nd Amendment to the MDA, which provides for the following:

- Annex the 5.21 acre City-owned lot located at 107 S. Bell (Flag Lot) into the Bell District
- Updated Conceptual Project Plan and commercial use of Project Parcels 8 & 10
- Amended Project Coordination Chart, Takedown Obligations, and other Exhibits
- Updated Project Administration Fee and other Administrative Items
- Defined Substantial Completion and Substantially Complete Construction
- Provides for a License Agreement for the City-owned tract east of Bell Blvd.

All other provisions of the approved MDA would remain the same and in full force and effect. City staff recommends authorizing the City Manager to execute a Second Amendment to the MDA for the Bell Boulevard Redevelopment Project.

Initiating Dept:CMO

Fiscal Impact
Fund:

Budget
Amount:

Finance Director Review

Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal 1. Livability and Sense of Place
 - Objective B. Bell District
 - Strategy iii. Support vertical construction of Phase 1 buildings in considerations of market conditions
 - Strategy iv. Incorporate additional City-owned property into Master Development Agreement and refine land plan for Phase 2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING A SECOND AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT WITH REDLEAF BELL, LLC, FOR THE BELL BOULEVARD REDEVELOPMENT PROJECT; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on February 27, 2020, the City Council voted unanimously to authorize the execution of a Master Development Agreement (“MDA”) between the City and RedLeaf Bell, LLC and voted to approve a First Amendment to the MDA on April 23, 2020; and

WHEREAS, staff recommends the approval and execution of a Second Amendment to the MDA, which annexes the 5.21 acre City-owned property lot located at 107 S. Bell (Flag Lot) into the Bell District; Updates the Conceptual Project Plan and commercial use of Project Parcels 8 & 10; Amends the Project Coordination Chart, Takedown Obligations, and other Exhibits; Updates the Project Administration Fee and other administrative items; and provides for a License Agreement for the City-owned tract east of Bell Blvd; and

WHEREAS, all other provisions of the approved MDA would remain the same and in full force and effect; and

WHEREAS, City staff recommends execution of the proposed Second Amendment to the MDA.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute a Second Amendment to the Master Development Agreement with RedLeaf Bell, LLC for the Bell Boulevard Redevelopment Project, subject to final review by the City Attorney.

SECTION 2. The City Council further hereby authorizes and directs the City Manager or their designee, to compile the substance of this Second Amendment into an Amended & Restated Master Development Agreement for ease of reference and administration, to be executed by the City Manager and effective as of the same date as this Second Amendment, subject to final review by the City Attorney.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.2 A Resolution Authorizing A Fire Protection Agreement Between The City Of Cedar Park And Williamson - Travis Counties Municipal Utility District No. 1.



CITY COUNCIL AGENDA
 April 25, 2024

Item/Subject: A Resolution Authorizing A Fire Protection Agreement Between The City of Cedar Park And Williamson - Travis Counties Municipal Utility District No. 1.

Commentary

The City currently provides fire protection and other emergency services to areas of the Williamson – Travis Counties Municipal Utility District No. 1 (“the District”) pursuant to a Fire Protection Agreement that initially expired on December 31, 2016 and that has been automatically renewed each year since.

This proposed Fire Protection Agreement (“Agreement”) continues to provide fire protection and other emergency services to the District for a five year term and includes an updated service rate to ensure that the City’s cost for providing fire protection services to the District is sufficiently covered.

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal 4. Service and Fiscal Excellence
 - Objective. Government Operations
- Goal 2. Safe Community
 - Objective. Public Safety

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING A FIRE PROTECTION AGREEMENT BETWEEN THE CITY OF CEDAR PARK AND THE WILLIAMSON - TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Williamson - Travis Counties Municipal Utility District No. 1 (“District”) is a legally constituted political subdivision of the State of Texas located within the City’s extraterritorial jurisdiction in Williamson County, Texas; and

WHEREAS, the City operates a full-time professional fire department and has equipment, facilities, and other resources for the provision of fire suppression, rescue, emergency medical, and other emergency services to its citizens ; and

WHEREAS, the City and the District desire that the City provide fire protection and other emergency services to areas within the District; and

WHEREAS, the City and the District have agreed upon the terms of a new agreement that will extend from May 1, 2024 through May 30, 2029.

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

SECTION 1. Council hereby authorizes and directs the City Manager to execute the Fire Protection Agreement between the City of Cedar Park and Williamson - Travis Counties Municipal Utility District No. 1, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.3 A Resolution Authorizing Application To And Acceptance Of Funds From The United States Department Of Energy's Energy Efficiency And Conservation Block Grant Program.



CITY COUNCIL AGENDA
April 25, 2024

Item/Subject: A Resolution Authorizing Application To And Acceptance Of Funds From The United States Department Of Energy’s Energy Efficiency And Conservation Block Grant Program.

Commentary

The City of Cedar Park’s Department of Public Works is requesting authorization to apply for the United States Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) program. Under this program, the City is eligible to receive up to \$132,620 in equipment rebate vouchers for qualifying projects related to energy efficiency and conservation.

If the DOE approves the City’s EECBG application, the City proposes to use the equipment rebate vouchers for the procurement and installation of renewable energy equipment for traffic signals and street lights. This would reduce the City’s energy consumption and would provide increased resilience for these systems in the event of extended power outages that exceed the runtime of traditional battery backup systems.

The EECBG does not have a match requirement for equipment rebate vouchers, but the City would be responsible for any costs in excess of \$132,620.

Initiating Dept: Public Works

Fiscal Impact

Fund: General Fund

Budget

Amount: \$0

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item generally supports and furthers the following goals and/or objectives from the City Council 2024-2026 Strategic Plan:

- Goal 6. Infrastructure & Environment
 - Objective C. Environmental Stewardship.

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal 4. Service & Fiscal Excellence
 - Objective A. Government Operations
 - Strategy ii. Identify and pursue process improvements and opportunities for increased efficiency, effectiveness, and cost savings.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING APPLICATION TO AND, IF AWARDED, ACCEPTANCE OF FUNDS FROM THE UNITED STATES DEPARTMENT OF ENERGY’S ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED \$132,620; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the United States Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG) Program is a non-competitive grant program that provides equipment rebate vouchers for the procurement and installation of equipment related to qualifying projects; and

WHEREAS, the procurement and installation of renewable energy equipment is an eligible EECBG project; and

WHEREAS, the City proposes to apply for the EECBG program and, if the application is accepted, use the funds for the procurement and installation of renewable sources of energy for City-operated traffic signals and/or street lights to reduce energy consumption and ensure continued operation during extended power outages; and

WHEREAS, equipment rebate vouchers awarded under the EECBG program do not require matching funds from the City; and

WHEREAS, the City Council designates the City Manager as the grantee’s authorized official with the power to accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS THAT:

SECTION 1. The Cedar Park City Council hereby authorizes and directs the City Manager or their designee to submit an application for the Energy Efficiency and Conservation Block Grant Program to the United States Department of Energy, in an amount not to exceed \$132,620.

SECTION 2. The Cedar Park City Council designates the City Manager as the grantee’s authorized official. The authorized official is given the power to accept, reject, alter or terminate the grant on behalf of the applicant agency.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO. _____

File Attachments for Item:

F.4 A Resolution Authorizing A Professional Services Agreement Amendment For Professional Engineering Services With MWM DesignGroup, Inc. For The Brushy Creek North Fork Trail Project In An Amount Not To Exceed \$97,498.



CITY COUNCIL AGENDA
April 25, 2024

Item/Subject: A Resolution Authorizing A Professional Services Agreement Amendment For Professional Engineering Services With MWM DesignGroup, Inc. For The Brushy Creek North Fork Trail Project In An Amount Not To Exceed \$97,498.

Commentary

The purpose of this resolution is to authorize the City Manager to execute a professional services agreement (PSA) amendment to the original agreement for professional engineering services with MWM DesignGroup, Inc. (“Engineer”) for the Brushy Creek North Fork Trail (“BCNFT”) Project (“Project”). The Project consists of the design and construction of an approximately three-mile shared-use trail along the North Fork of Brushy Creek stretching from Parmer Lane near Whitestone Blvd to the Brushy Creek Regional Trail. This amendment would be the second PSA amendment to the original PSA. The original PSA included a not to exceed compensation of \$518,415.35 and the first PSA amendment authorized an additional \$128,906.36.

This PSA amendment includes compensation for additional field engineering, survey, trail easement preparation services, and design of a trail extension and connection to the Colonial Parkway shared use path (“SUP”). This connection of the BCNFT to the Colonial Parkway SUP is recommended as Action Number S4 of the City’s Mobility Master Plan’s Shared Use Paths and Trails Action Plan.

The Project is funded through reimbursement from the Capital Area Metropolitan Planning Organization (“CAMPO”), with additional funding provided by the Cedar Park Community Development (Type B) Sales Tax Corporation, 2020 Parks GO Bonds, and the FY 2021 Capital Improvement Projects Budget. Funding for this PSA and future change orders from the Project’s contractor is available within the Project budget.

Staff has reviewed the proposed additional services and determined them to be necessary to the Project and the associated fees to be fair and reasonable. Staff recommends execution of a professional services amendment to the original agreement for professional engineering services with MWM DesignGroup, Inc. in an amount not to exceed \$97,498.

Initiating Dept: Engineering & Capital Projects

Fiscal Impact
Fund: P28

Budget
Amount: \$97,498

Finance Director Review

Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

Associated Information:

Excerpt from the Trails Plan showing the proposed connection of the BCNFT to the Colonial Parkway SUP



2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal 5. *Mobility and Connectivity*
 - Objective C. *Bike, Pedestrian & Trail*
 - Strategy i. *Complete and open the Brushy Creek North Fork Trail*
- Goal 5. *Mobility and Connectivity*
 - Objective A. *Comprehensive Mobility Master Plan (MMP)*
 - Strategy ii. *Prioritize tasks, identify financing and commence implementation of projects outlined in the MMP*

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH MWM DESIGNGROUP, INC. FOR THE BRUSHY CREEK NORTH FORK TRAIL PROJECT IN AN AMOUNT NOT TO EXCEED \$97,498; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Brushy Creek North Fork Trail Project (“Project”) consists of the design and construction of a shared-use trail along the North Fork of Brushy Creek; and

WHEREAS, in November 2019, the City executed an agreement for professional engineering services with MWM DesignGroup, Inc. (“Engineer”) in an amount not to exceed \$518,415.35; and

WHEREAS, in November 2022, the City executed the first amendment to the agreement for professional engineering services with the Engineer in an amount not to exceed \$128,906.36; and

WHEREAS, additional authorization is required to compensate the Engineer for additional field engineering, survey, trail easement preparation services, and design of a trail extension and connection to the Colonial Parkway shared use path (“SUP”); and

WHEREAS, the connection of the BCNFT to the Colonial Parkway SUP is recommended as Action Number S4 of the City’s Mobility Master Plan’s Shared Use Paths and Trails Action Plan.

WHEREAS, the Project is funded through multiple sources including reimbursement from the Capital Area Metropolitan Planning Organization, the Cedar Park Community Development (Type B) Sales Tax Corporation, 2020 Parks GO Bonds, and the FY 2021 Capital Improvement Projects; and

WHEREAS, City staff has determined the additional services to be necessary to the Project and the associated fees to be fair, reasonable and within the Project budget; and

WHEREAS, City staff recommends execution of a professional services amendment to the original agreement for professional engineering services with MWM DesignGroup, Inc. in an amount not to exceed \$97,498.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute an amendment to the professional services agreement for professional engineering services MWM DesignGroup, Inc. for the Brushy Creek North Fork Trail Project in an amount not to exceed \$97,498, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.5 A Resolution Authorizing An Agreement With Cyclomedia Technology, Inc. For Automated Evaluation Of Pedestrian Curb Ramps And Sidewalks In An Amount Not To Exceed \$106,400.



CITY COUNCIL AGENDA

April 25, 2024

Item/Subject: A Resolution Authorizing The Execution Of An Agreement With Cyclomedia Technology, Inc. For Automated Evaluation Of Pedestrian Curb Ramps And Sidewalks In An Amount Not To Exceed \$106,400.

Commentary

The City of Cedar Park is completing an ADA Self-Evaluation and Transition Plan as required by Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The Self-Evaluation includes assessing all City-owned facilities, including all sidewalks and curb ramps within public rights of way (ROW). Cyclomedia Technology, Inc. offers an ADA compliance module to assess sidewalk and curb ramp facilities using already-collected LiDAR point clouds, including such pertinent details as cross slope, running slope, and width, which would otherwise have to be manually measured by City staff in a very time consuming and labor-intensive process.

Cyclomedia Technology recently collected the necessary LiDAR and imagery data for all streets in Cedar Park in 2022 and 2023 through agreements with Williamson Central Appraisal District (WCAD) and Travis Central Appraisal District (TCAD). These data are available to the City, saving the City the cost of data collection. The only cost to the City is processing the data to extract sidewalks and curb ramp measurements.

Because the existing LiDAR and imagery data are only available from Cyclomedia Technology, Inc., this service is unavailable from another vendor. Local Government Code Section 252.022(7) exempts competitive procurement requirements for purchases of items available from only one source. The purchase will not exceed \$106,400.

Initiating Dept: Public Works

Fiscal Impact

Fund: 101-180-5560

Budget

**Amount: FY 24: \$75,000
 FY 25: \$31,400**

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

This agenda item generally supports and furthers the following goals and/or objectives from the City Council 2024-2026 Strategic Plan:

- Goal 6. Infrastructure & Environment
 - Objective B. Sustaining Infrastructure and Assets.

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal 4. Service & Fiscal Excellence
 - Objective A. Government Operations
 - Strategy ii. Identify and pursue process improvements and opportunities for increased efficiency, effectiveness, and cost savings.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CYCLOMEDIA TECHNOLOGY, INC. FOR AUTOMATED EVALUATION OF PEDESTRIAN CURB RAMPS AND SIDEWALKS IN A TOTAL AMOUNT NOT TO EXCEED \$106,400; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act require the City to conduct an ADA Self-Evaluation and Transition Plan, which includes an assessment of all City-owned sidewalks and curb ramps located in public right-of-way; and

WHEREAS, the required sidewalk and curb ramp attributes can be extracted from LiDAR point clouds and high-resolution imagery, saving the City significant resources by eliminating the need to physically measure and analyze each curb ramp and sidewalk to obtain these data; and

WHEREAS, Cyclomedia Technology, Inc. has collected the necessary LiDAR point clouds and high resolution for all City-maintained roads in Cedar Park and has the capability to extract the sidewalk and curb ramp attributes from these data to conduct an automated assessment for ADA compliance; and

WHEREAS, as the owner of these LiDAR point clouds and high-resolution imagery, Cyclomedia Technology, Inc. is the sole source for this service using existing data; and

WHEREAS, Texas Local Government Code Chapter 252 requires that, unless exempted, before entering into a contract that requires an expenditure of more than \$50,000, a municipality must comply with competitive bidding procedures; and

WHEREAS, Texas Local Government Code Section 252.022(7) provides an exception to the requirement to seek bids when the items to be purchased are available from only one source; and

WHEREAS, City staff recommends executing an agreement with Cyclomedia Technology, Inc. for automated evaluation of pedestrian curb ramps and sidewalks in an amount not to exceed \$106,400.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute an agreement with Cyclomedia Technology, Inc. for automated evaluation of

pedestrian curb ramps and sidewalks in an amount not to exceed \$106,400, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO. _____

File Attachments for Item:

F.6 A Resolution Authorizing The Seventh Amendment To The Master Contract For The Financing, Construction, And Operation Of The Brushy Creek Regional Utility Authority (“BCRUA”) Regional Water Treatment And Distribution Project To Allow For The Construction Of The Phase 2A Expansion Project, Whereby The City of Cedar Park Is Not A Participant In The Expansion And Incurs No Cost.



CITY COUNCIL AGENDA

April 25, 2024

Item/Subject: A Resolution Authorizing The Seventh Amendment To The Master Contract For The Financing, Construction, And Operation Of The Brushy Creek Regional Utility Authority (“BCRUA”) Regional Water Treatment And Distribution Project To Allow For The Construction Of The Phase 2A Expansion Project, Whereby The City of Cedar Park Is Not A Participant In The Expansion And Incurs No Cost.

Commentary

The purpose of this resolution is to authorize the Mayor to execute the Seventh Amendment (“Amendment”) to the Master Contract for the Financing, Construction, and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Master Contract”) to provide for the construction of the Phase 2A Water Treatment Plant Expansion Project (“Phase 2A”). The BCRUA is a regional water system jointly owned by Cedar Park, Round Rock, and Leander (“Cities”) to provide treated water to the Cities. The Project consists of an expansion of the BCRUA Water Treatment Plant (“WTP”) to increase total production capability from 42 to 64 million gallons a day (“MGD”).

Only Round Rock and Leander are participating in and funding Phase 2A, as Cedar Park does not need additional treatment capacity from this expansion. With the completion of the BCRUA Phase 1D Expansion Project in the spring of 2025, Cedar Park will have 11.2 MGD of capacity in the BCRUA treatment plant. This capacity, along with Cedar Park’s water plant capacity of 26 MGD, will provide for a cumulative total of 37.2 MGD of treated water. Based on Cedar Park’s Long Range Water Plan and staff’s water demand projections, this water treatment capacity will meet all of the City’s water demands beyond 2040. Cedar Park will continue to participate in future BCRUA water treatment plant expansions.

This Amendment adds two new exhibits to the Master Contract:

- 1) Exhibit D-3 provides for the cost and capacity allocations for Phase 2A for each city. The City of Cedar Park is not a participant in Phase 2A, so the cost and capacity allocation for the City of Cedar Park in Exhibit D-3 is zero dollars.
- 2) Exhibit E-1 details the capacity of the WTP after the Phase 2A expansion, increasing from a treatment capacity of 41.9 million gallons a day (MGD) to 64.2 MGD.

Staff is recommending authorizing the Mayor to execute the Amendment to the Master Contract, whereby the City of Cedar Park is not a party to the Phase 2A WTP expansion, but must provide approval per the Bylaws of the BCRUA for the project to proceed.

Initiating Dept.: Public Works

Fiscal Impact

Fund: N/A

Budget

Budget: \$0

Finance Director Review

Legal Certification

Approved as to form and content:

Yes

No **City Attorney**

Associated Information:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE SEVENTH AMENDMENT TO THE MASTER CONTRACT FOR THE FINANCING, CONSTRUCTION, AND OPERATION OF THE BRUSHY CREEK REGIONAL UTILITY AUTHORITY (“BCRUA”) REGIONAL WATER TREATMENT AND DISTRIBUTION PROJECT TO ALLOW FOR THE CONSTRUCTION OF THE PHASE 2A EXPANSION PROJECT, WHEREBY THE CITY OF CEDAR PARK IS NOT A PARTICIPANT IN THE EXPANSION AND INCURS NO COST; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on the 2nd day of September 2008, the Cities of Cedar Park, Round Rock, and Leander (“Cities”) entered into that one certain Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Master Contract”), that provides terms and conditions for the financing, construction and operation of the first phase of the new regional system consisting generally of upgrades to Cedar Park’s raw water intake, a raw water intake line, new water treatment plant, and water transmission mains (the “BCRUA Project”); and

WHEREAS, on the 22nd day of January, 2009, the Cities entered into that one certain First Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“First Amendment”) to postpone the date on which the BCRUA Project is to be operational from April 1, 2011 to April 1, 2012; and

WHEREAS, on the 20th day of October, 2010 the Cities entered into that one certain Second Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Second Amendment”) to update the estimated costs shown in Exhibit D with actual cost numbers, as well as to revise estimated costs; and

WHEREAS, on the 22nd day of February, 2012 the Cities entered into that one certain Third Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Third Amendment”) to delay substantial completion of the water treatment plant from April 2012 to June 2012; and

WHEREAS, on the 25th day of April, 2018 the Cities entered into that one certain Fourth Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Fourth Amendment”) to expand the definition of “BCRUA Project” to include certain Phase II Regional System Components; and

WHEREAS, on the 22nd day of April, 2021 the Cities entered into that one certain Fifth Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Fifth Amendment”) to expand the definition of “BCRUA Project” to include all Phase II Regional System Components, as referenced in the Preliminary Engineering Report, and to attach a new Exhibit D-1 to set out the estimated costs, the allocation of the costs among the Cities, and to set out the Cities respective reserved capacities in said Phase II components; and

WHEREAS, on the 5th day of November, 2021 the Cities entered into that one certain Sixth Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project (“Sixth Amendment”) to expand the definition of “BCRUA Project” to include new phases to be designated Phase IB, Phase IC, and Phase ID, and to attach a new Exhibit D-2 to set out the estimated costs, the allocation of the costs among the Cities, and to set out the Cities’ respective reserved capacities in said Phase IB, IC, and ID components; and

WHEREAS, the Cities of Round Rock and Leander desire to expand the BCRUA Water Treatment Plant’s treatment capacity, but the City of Cedar Park has adequate capacity and will not participate in the next expansion and will not fund any portion of the expansion; and

WHEREAS, pursuant to the BCRUA Bylaws, all three of the Cities governing bodies must approve an expansion, even if one or more Cities are not participating; and

WHEREAS, the Cities desire to modify the Master Contract with an Amendment Seven to provide for construction of the Phase 2A BCRUA Water Treatment Plant Expansion Project, whereby the Cities of Round Rock and Leander would expand the BCRUA Water Treatment Plant from 41.9 million gallons a day (“MGD”) to 64.2 MGD, and the City of Cedar Park will not participate in the expansion.

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

SECTION 1. The City Council hereby authorizes the Mayor to execute the Seventh Amendment to the Master Contract for the Financing, Construction, and Operation of the BCRUA Regional Water Treatment and Distribution Project, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.7 A Resolution Authorizing A Professional Engineering Services Agreement With The Goodman Corporation For An Evaluation Of A Potential Cedar Park Transportation Criteria Manual In An Amount Not To Exceed \$95,000.



CITY COUNCIL AGENDA
April 25, 2024

Item/Subject: A Resolution Authorizing A Professional Engineering Services Agreement With The Goodman Corporation For An Evaluation Of A Potential Cedar Park Transportation Criteria Manual In An Amount Not To Exceed \$95,000.

Commentary

The purpose of this resolution is to authorize staff to negotiate a professional engineering services agreement to evaluate a potential Cedar Park-specific Transportation Criteria Manual (“TCM”). A TCM is an engineering reference document which defines the rules, requirements, and technical guidelines for transportation infrastructure. This includes but is not limited to: street design criteria, traffic impact analysis standards, pavement design, sidewalk, right of way use and standard design details. The City adopted the City of Austin's (“COA”) TCM in 2001, including periodic amendments. In June of 2022, the COA TCM was significantly amended with updates not applicable to Cedar Park. Additionally, the City was in the process of developing the Cedar Park Mobility Master Plan (MMP) and desired to finish that process before evaluating any updates to the TCM. Prior to the amendments being adopted, the City of Cedar Park revised Chapter 16 of the Cedar Park Code of Ordinances to adopt the August 2020 version of the COA TCM.

During development of the MMP, City staff and the MMP Advisory Committee identified a potential need to create and adopt a TCM specific to the City of Cedar Park. This would allow the City to clearly define appropriate transportation design standards, reduce confusion related to the current practice of using multiple reference sources, and consolidate applicable rules and regulations into one clear guidance document. A two-phase approach to developing a TCM is recommended as Action Numbers R5 and R6 of the City’s Mobility Master Plan Roadway Action Plan. Additionally, the 2024-2026 City Council Strategic Goals for Mobility and Connectivity include a strategy to develop a Cedar Park TCM.

The initial evaluation in FY 2024 will be the first phase of a two-phased process to prepare and assemble a comprehensive TCM document for potential adoption by City Council. Phase 1 (in FY 2024) is anticipated to take 3-4 months and Phase 2 is a longer effort of 12-18 months that is proposed to be started in FY 2025.

Phase 1 includes an evaluation of current transportation related development and construction ordinances, criteria, and standards used by Cedar Park. The selected consultant will also evaluate other TCMs adopted by the City of Round Rock, Georgetown, Leander and other benchmark cities, along with their design and construction standards. By the end of the Phase 1 analysis, the consultant will prepare an outline with recommendations for not only the components of a Cedar Park-specific TCM, but also the process and steps to follow in Phase 2.

In Phase 2, the consultant would then lead, prepare and assemble a comprehensive TCM document for potential adoption by City Council. This process may also include community outreach workshops or town hall meetings to gather public input and presenting status updates and recommendations to City Council.

Funding for Phase 1 was included in the FY 2024 annual budget and funding for Phase 2 will be requested in the FY 2025 annual budget. Prior to beginning Phase 2, staff will return to City Council with a recommendation to execute a separate agreement.

City staff advertised a Request for Qualifications (RFQ) on March 3, 2024. The evaluation factors and ranking criteria identified in the RFQ included: submission requirements (10%), firm qualifications and availability (10%), qualifications and experience of proposed staff (50%), and project approach (30%).

Two Statements of Qualifications (SOQ) from prospective consultants were received on March 25, 2024. A selection committee consisting of representatives of internal departmental staff graded the submitted proposals in accordance with the state statute and the evaluation criteria stated in the RFQ. After implementing the grading matrix, The Goodman Corporation (TGC) was ranked as the most qualified provider of the desired services.

The Goodman Corporation’s project manager led the City’s MMP process and has extensive experience creating and updating similar TCM’s in the area, including the City of Austin and City of Round Rock’s TCMs. Additionally, the Goodman Corporation demonstrated a unique understanding of the challenges associated with this project and a clear plan to execute both phases of the project.

Therefore, City staff recommends negotiation of an agreement with The Goodman Corporation for an amount not to exceed \$95,000. A table summarizing the final rankings is provided at the end of this item. Should the City Manager not be able to negotiate agreeable terms and fees with The Goodman Corporation, pursuant to Texas Government Code 2254, the City Manager will enter into negotiation with the next most qualified design firm until an agreement is executed.

Initiating Dept: Engineering & Capital Projects

Fiscal Impact

Fund: Annual Budget

Budget

Budget: \$125,000

The actual design fee will be negotiated in an amount not to exceed \$95,000.

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

**Cedar Park Transportation Criteria Manual
Statement of Qualifications
Evaluation Criteria Ranking Summary**

Rank	Firm
1	The Goodman Corporation
2	Kimley Horn

2024-2026 Strategic Plan

This agenda item specifically supports and furthers the following goal, objective, and strategy from the City Council 2024-2026 Strategic Plan:

- Goal 5. *Mobility and Connectivity*
 - Objective A. *Comprehensive Mobility Master Plan (MMP)*
 - Strategy iv. *Develop a Cedar Park Transportation Criteria Manual*

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR AN EVALUATION OF A POTENTIAL CEDAR PARK TRANSPORTATION CRITERIA MANUAL WITH THE GOODMAN CORPORATION IN AN AMOUNT NOT TO EXCEED \$95,000; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, a Transportation Criteria Manual (“TCM”) is an engineering reference document which defines the rules, requirements, and technical guidelines for transportation infrastructure; and

WHEREAS, the City adopted the City of Austin's (“COA”) TCM in 2001, including periodic amendments; and

WHEREAS, in June of 2022, the COA TCM was significantly amended with updates not applicable to Cedar Park and prior to the amendments being adopted, the City of Cedar Park revised the Chapter 16 of the Cedar Park Code of Ordinances to adopt the August 2020 version of the COA TCM; and

WHEREAS, the Cedar Park Mobility Master Plan (“MMP”) identified a two-phased approach to developing a comprehensive TCM document specific to the City of Cedar Park for potential adoption by City Council; and

WHEREAS, Phase 1 includes an initial evaluation in FY 2024 that is anticipated to take 3-4 months and Phase 2 is a longer effort of 12-18 months proposed to be started in FY 2025; and

WHEREAS, staff desires to hire a consultant engineer to evaluate and prepare an outline with recommendations for a Cedar Park-specific TCM; and

WHEREAS, the City issued a request for qualifications for professional engineering services in compliance with Texas Government Code Chapter 2254; and

WHEREAS, City staff received two (2) Statements of Qualifications and reviewed all Statements of Qualifications in accordance with the grading criteria listed in the Request for Qualifications; and

WHEREAS, The Goodman Corporation ranked the highest of the qualified firms and has extensive experience with the development of similar projects; and

WHEREAS, City staff desires to negotiate and execute a Professional Engineering Services Agreement with The Goodman Corporation for the Project in an amount not to exceed \$95,000.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to negotiate and execute a professional engineering services agreement with The Goodman Corporation for the evaluation of a potential Transportation Criteria Manual in an amount not to exceed \$95,000, subject to final review by the City Attorney.

SECTION 2. In accordance with Texas Government Code 2254 for Professional and Consulting Services, the City will attempt to negotiate an agreement with The Goodman Corporation at a fair and reasonable price. If a satisfactory agreement cannot be negotiated with The Goodman Corporation for design services, the City shall formally end negotiations with The Goodman Corporation, select the next most highly qualified firm, and attempt to negotiate an agreement with that firm at a fair and reasonable price. The City shall continue this process to select and negotiate with ranked firms until an agreement is reached.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

G.1 First Reading And Public Hearing Of An Ordinance Amending Chapter 18 Utilities, Article 18.07 Water And Wastewater Impact Fees, Section 18.07.006 Calculation Of Living Unit Equivalents (LUE's).



CITY COUNCIL AGENDA

April 25, 2024

Item/Subject: First Reading And Public Hearing Of An Ordinance Amending Chapter 18 Utilities, Article 18.07 Water And Wastewater Impact Fees, Section 18.07.006 Calculation Of Living Unit Equivalents (LUE’s).

Commentary

This ordinance amendment would assign the number of living unit equivalents (“LUEs”) to properties outside of the City’s extraterritorial jurisdiction (“ETJ”) and corporate limits. The City calculates LUEs allotted per property based on land use assumptions to plan for future capacity and ensure all residents and property owners of the City receive adequate services. The City’s land use assumptions do not include land outside of the City’s ETJ. To manage available capacity in the City’s water and wastewater systems and facilitate future planning, City staff recommends clarifying and establishing the number of LUEs for properties outside the City’s ETJ.

Initiating Dept:

Fiscal Impact

Fund:

Budget

Amount:

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal 2. Safe Community
 - Objective 3. City Utilities

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING CEDAR PARK CODE OF ORDINANCES CHAPTER 18 UTILITIES, ARTICLE 18.07 WATER AND WASTEWATER IMPACT FEES, SECTION 18.07.006 CALCULATION OF LUES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City calculates LUEs allotted per property based on land use assumptions to plan for future capacity and ensure all residents of the City receive adequate services; and

WHEREAS, the City’s land use assumptions do not include land outside of the City’s ETJ due to the difficulty of projecting future land use outside of the City’s regulatory authority; and

WHEREAS, the City Council desires to clarify and establish the number of LUEs for properties outside the City’s ETJ; and

WHEREAS, the City is authorized take such action under relevant state law authorizing the City’s ownership, operation, and management of its water and wastewater systems including, but not limited to, Chapter 552, Texas Local Government Code;

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

SECTION 1. Cedar Park Code of Ordinances Chapter 18 Utilities, Article 18.07, Water and Wastewater Impact Fees, Section 18.07.006 Calculation of LUEs is hereby amended as shown on Exhibit A.

SECTION 2. The effective date of this ordinance shall be May 9, 2024.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 25th day of April 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED, AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 9th day of May, 2024 at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

PASSED AND APPROVED this the 9th day of May 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

EXHIBIT A

§ 18.07.006 **Calculation of LUE's.**

(a) The number of LUE's for residential uses shall be determined as follows:

Type of Residential Unit	Number of LUE's
Single Family Detached	1.0 per unit
Duplex	0.9 per unit
Triplex, Four-plex	0.7 per unit
Multi-family	0.5 per unit

(b) For all non-residential uses, the number of LUE's of service shall be determined by the director of public works pursuant to certified engineer's data furnished to the city by the applicant. The number of LUE's shall be calculated to the nearest tenth. The determination of the director of public works shall be subject to review by the City Council, whose decision shall be final and binding.

(c) Notwithstanding Subsections (a) and (b), for properties located in the City's water and/or wastewater certificates of convenience and necessity that are not located within the City's corporate limits or extraterritorial jurisdiction, the number of LUEs shall be limited to one (1) LUE per lot or tract as such lot or tract exists on May 9th, 2024.

File Attachments for Item:

H.1 Consideration Of A Resolution Authorizing A Performance Based Economic Development Agreement Between The Cedar Park Economic Development (Type A) Corporation And EcoMicron, Inc.



CITY COUNCIL AGENDA
April 25, 2024

Item/Subject: Consideration Of A Resolution Authorizing A Performance Based Economic Development Agreement Between The Cedar Park Economic Development (Type A) Corporation And EcoMicron, Inc.

Commentary

The Performance Based Economic Development Agreement for consideration is with EcoMicron, Inc. (“EcoMicron”), a leading company supporting the semiconductor industry by providing semiconductor equipment procurement, refurbishing, and reconfiguration. EcoMicron plans to operate at 1706 E New Hope Drive, (“Cedar Park Facility”). EcoMicron seeks to create a national corporate headquarters facility, which will create primary full-time jobs, and provide other substantial economic benefits within the City of Cedar Park.

Total Incentive:

- Relocation and job creation incentives not to exceed \$750,000.
- The project has a rate of return of 18.6% and a payback period of 6 years.

Performance Measures:

- 1) Shall purchase the Cedar Park Facility no later than 12/31/2024 and occupy throughout the Term of this Agreement. Incentive Payment: \$250,000.
- 2) Shall employ not less than 24 FTEs at the Cedar Park Facility with a combined total annual payroll of not less than \$2,746,656 by no later than 12/31/2026. This shall be continuously maintained throughout the Term of the Agreement. Incentive Payment: \$250,000.
- 3) Shall employ not less than 48 FTEs totaling 48 at the Cedar Park Facility with a combined total annual payroll of not less than \$5,715,264 by no later than 12/31/2028. This shall be continuously maintained throughout the Term of the Agreement. Incentive Payment: \$250,000.

Additional Incentives:

- Employee Relocation Bonus: \$10,000 single lump sum for each residence in Cedar Park or residential lot in Cedar Park purchased by a EcoMicron FTE up to \$500,000.
- Cedar Park Chamber of Commerce Chairman’s Member level: \$5,000.

If approved, the expenditure will facilitate additional job creation and capital investment and generate new sales tax and property tax revenues within the corporate limits of the City of Cedar Park.

Initiating Dept: Economic Development

Fiscal Impact
Fund:

Budget
Amount:

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

- Type A Economic Development Incentive Agreement with Hanyang Eng USA, Inc.

2024 – 2026 Strategic Plan

This agenda item generally supports and furthers the following goals and/objectives from the City Council 2024-2026 Strategic Plan:

- Goal 3. Economic Vitality
 - Objective A. Business Recruitment Strategic Initiatives

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PERFORMANCE BASED ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE ECONOMIC DEVELOPMENT SALES TAX CORPORATION OF CEDAR PARK AND ECOMICRON, INC.; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Economic Development Sales Tax Corporation of Cedar Park (hereinafter defined as “EDC”) is a non-profit corporation organized under the Texas Development Corporation Act of 1979, now codified at Chapters 501 – 505 of the Texas Local Government Code, as amended (hereinafter the “Act”), and supported by sales tax collected within the City of Cedar Park and dedicated to economic development, authorized as a local option under Chapter 504 of the Act, with a primary purpose of promoting economic development within the City of Cedar Park and the State of Texas in order to eliminate unemployment and underemployment, and to promote and encourage employment and the public welfare of, for, and on behalf of the City of Cedar Park; and

WHEREAS, the City of Cedar Park, in cooperation with the EDC Board of Directors desires to participate with EcoMicron, Inc. (“EcoMicron”) in providing for funding of Economic Development Incentives; and

WHEREAS, EcoMicron is a leading company in support of the semiconductor industry by providing semiconductor equipment procurement, refurbishing, and reconfiguration, and plans to operate at 1706 E New Hope Drive, Cedar Park, Texas 78641; and

WHEREAS, EcoMicron seeks to create a national corporate headquarters facility, which will create primary full-time jobs, and provide other substantial economic benefits within the City of Cedar Park; and

WHEREAS, Texas Local Government Code Section 501.101 authorizes projects for land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are for the creation or retention of primary jobs and are found by the Board of Directors of the EDC (“Board”) to be required or suitable for the development, retention, or expansion of certain facilities, including a national corporate headquarters facility; and

WHEREAS, the Board and City Council find that the expenditures by the EDC provided herein to EcoMicron are for land, buildings, equipment, facilities, expenditures, targeted infrastructure, or improvements that are for the creation or retention of primary jobs and are found by the Board to be required or suitable for the development, retention, or expansion of a national corporate headquarters facility; and

WHEREAS, Texas Local Government Code Section 501.103 authorizes projects for infrastructure necessary to promote or develop new or expanded business enterprises, limited to certain infrastructure projects, including streets and roads, rail spurs, water and sewer utilities,

electric utilities, or gas utilities, drainage, site improvements and related improvements; and

WHEREAS, the expenditures by the EDC provided herein to EcoMicron are required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, and are for site improvements and other related improvements; and

WHEREAS, on April 15, 2024, the EDC Board of Directors approved and authorized the expenditure of Corporation funds through a performance based economic development agreement, and recommends the Agreement to the City Council for concurrence so that funds may be expended for the investment for creating new jobs as set forth in the terms and conditions of the Agreement; and

WHEREAS, the City Council finds that such expenditure for economic development will facilitate additional job creation and capital investment and generate new sales tax and property tax revenues within the corporate limits of the City of Cedar Park.

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

SECTION 1. That the Cedar Park City Council hereby authorizes and directs the City Manager to execute an Economic Development Performance Agreement between the Economic Development Sales Tax Corporation of Cedar Park and EcoMicron, Inc., subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 25th day of April, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

H.2 (2024-3-SUP) Second Reading And Consideration For Approval Of An Ordinance For A Special Use Permit (SUP) To Allow A Car Wash Use On Approximately 1.16 Acres Located At 915 South Bell Boulevard. ***The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The Request.***



CITY COUNCIL AGENDA

April 25, 2024

Item/Subject: (2024-3-SUP) Second Reading And Approval Of An Ordinance For A Special Use Permit (SUP) To Allow A Car Wash Use On Approximately 1.16 Acres Located At 915 South Bell Boulevard. *The Planning And Zoning Commission Voted 6-0 To Recommend Approval Of The Request.*

Final Report

Staff	Brynn Haby, 512-401-5052, Brynn.Haby@cedarparktexas.gov
Owner	QT South LLC, c/o Jarod Mendez
Applicant	Monique Reyes, LIQUE Engineers, LLC
Existing Future Land Use Plan	Bell Boulevard Corridor Planning Area
Current Zoning	General Business (GB)
Major Corridor	South Bell Boulevard
Summary of Applicant’s Request	Request a Special Use Permit (SUP) to allow a car wash on 1.16 acres.
Staff’s Recommendation	Approval for an SUP for a car wash use as requested.

Staff Recommendation:

Staff recommends approval of the requested Special Use Permit (SUP) for a car wash use.

Reason for Staff Recommendation:

The proposed SUP conforms to all applicable provisions of the Zoning Ordinance and is compatible with surrounding zoning districts and existing uses.

Planning & Zoning Commission Recommendation to the City Council:

On March 19, 2024, the Planning and Zoning Commission recommended approval (6-0) of the request.

In favor: TJ Donnell, Bob Ingraham, Brenda Reiss, Cynthia Sneed, Kimberly Bradford-Brown, and Randy Strader
Opposed: None
Absent: Audrey Wernecke

Stated Reasons for P&Z Recommendation:

The Commission supported staff’s recommendation.

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on March 19, 2024. There were no registered speakers.

City Council Public Hearing:

The City Council held a public hearing on April 11, 2024. There were no registered speakers.

Applicant’s Neighborhood Communication Summary and Public Input:

There are no single-family residential property owners within 500 feet of the subject property.

To date, one (1) letter in favor of the request and one (1) letter in opposition of the request have been received.

COMMENTARY

Existing Site and Surrounding Land Uses:

The 1.16-acre subject property is located at 915 South Bell Boulevard, southwest of the intersection of Cypress Creek Rd. and S Bell Blvd. The subject property is designated as the Bell Boulevard Corridor Planning Area in the City’s Future Land Use Plan and is envisioned for a mix of uses including retail, office, entertainment, cultural and dense multifamily residential that will ensure that private and public realms are active at all times of day, generate more revenue for businesses, and create a vibrant place that people want to visit. This intersection has transitioned into a major commercial intersection with a mix of commercial uses including retail, gasoline

Comprehensive Plan

The request for a Special Use Permit is in compliance with the following goals of the Comprehensive Plan:

Future Land Use

- Ensure an appropriate mix of land use types within the City.

Site Information:

Zoning Case History:

The subject property was included with the original City limits in 1975, at which time it was designated the Local Business (B-2) district. The table below includes a history of zoning changes on the property.

YEAR	CASE NUMBER	REQUEST	P&Z RECOMMENDATION	COUNCIL ACTION
1986	Z-86-002 Ord. No. 86-012	To rezone approximately 47.13 acres from Local Business (B-2) and Multiple Family Residential (R-2) to Local Business (B-2), which later converted to the current General Business (GB) district.	Approval for Local Business (B-2). Vote 7-0.	Approval for Local Business (B-2).

Major Corridor:

The subject property is located within the South Bell Boulevard major corridor.

Transportation:

The subject property fronts South Bell Boulevard and takes access from a private drive.

Subdivision:

The subject property is considered Lot 1, Block A, of the QuickTrip #4131 Final Plat subdivision.

Land uses:

Permitted uses are all uses permitted in the General Business (GB) zoning district as identified in Table 11.02.064 of the Zoning Ordinance and summarized in the attached exhibit for reference.

Building Setback and Height Requirements:

The setbacks, building height, and other zoning standards of the General Business (GB) zoning district are summarized in the attached exhibit, which has been included for reference.

Staff Commentary:

The subject property is located southwest of the intersection of South Bell Boulevard and Cypress Creek Road, two (2) major roadways that can support the amount of traffic generated by the

proposed use. The property is designated Bell Boulevard Corridor Planning Area in the City's Future Land Use Plan, and this portion of the Planning Area is primarily developed with commercial and retail uses. The attached concept plan depicts the proposed development of the car wash and supporting components.

The Car wash use is defined in the Zoning Ordinance as "A facility where a customer can have a motorcycle, automobile, or light load vehicle washed in exchange for financial consideration."

The car wash use is also subject to the following conditional use requirements:

- a. It is automatic or full-service;
- b. There are no more than three (3) carwashing bays;
- c. All mechanical equipment, excluding vacuum and air units is enclosed within a building;
- d. All facilities are designed and configured such that any outdoor spraying preparation or drying activities are directed away from any abutting residential district;
- e. Bay access is designed to prevent headlights from shining onto any street or abutting a residential district;
- f. If self-service vacuums are provided, a minimum of one (1) parking space per vacuum is required, which will not interfere with site circulation, driveways, or fire lanes;
- g. Access is taken from a collector or higher classification roadway; and
- h. All new full-service vehicle wash facilities, are equipped with, operate, and maintain in operation, a water recycling system that will recycle not less than 50 percent of the water being used by the facility, and for existing automobile wash facilities, such a system is required as a condition of any permit to:
 - i. Expand the floor area of the vehicle wash facility building by more than 50 percent of the area of the vehicle wash facility building as it existed on the effective date of this Chapter;
 - ii. Demolish, destroy or remove and then replace, more than 50 percent of the floor area of the vehicle wash facility building as it existed on the effective date of this Chapter, except for the purpose of replacing or repairing water recycling equipment; or
 - iii. Enlarge the water tap, meter, or service line.

The Zoning Code states the following criteria shall be used when formulating a recommendation for a SUP.

1. The proposed Special Use Permit conforms to adopted plans and all other applicable provisions of this Ordinance;
2. Adequate public facilities and services are available without the reduction of services for any existing uses;
3. All proposed accessory uses demonstrate that they are necessary and desirable;
4. The proposed special use has incorporated features sufficient to protect adjacent uses including but not limited to: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing and site building placement;
5. The proposed special use is compatible with adjacent existing uses and other allowed uses in the zoning districts, for which such compatibility is expressed in terms of appearance,

architectural scale and features, site design, landscaping, as well as the control of adverse impacts; and

- 6. The maximum density is no greater than that permitted in the applicable zoning district.

The proposed use and concept plan adheres to the Zoning Code criteria for a Special Use Permit (SUP) as the subject property is located along a commercial corridor intended to support commercial and retail uses making the proposed use compatible with the surrounding land uses. The proposed development is supported by existing City services and facilities, and additional improvements that meet conditional standards and site development requirements. In addition, based on the concept plan provided, the use complies with the additional use conditions and standards for a carwash use.

Public Information Plan:

- March 6, 2024:* Public notice of the Planning and Zoning Commission and City Council public hearings published in the Austin American Statesman
- March 8, 2024:* Thirty-four (34) letter notices for the Planning and Zoning Commission and City Council public hearings were sent to property owners within 300 feet of the subject tract.
- March 19, 2024:* Planning and Zoning Commission public hearing
- April 11, 2024:* City Council 1st reading and public hearing
- April 25, 2024:* City Council 2nd reading

Initiating Dept: Development Services

Fiscal Impact

Account No.:

n/a

Budget

Budget/Expended: n/a

Review

Finance

Director

Legal Certification

Approved as to form and content:
Attorney

Yes

No **City**

Associated Information:

Ordinance with Exhibits

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO APPROVE A SPECIAL USE PERMIT TO ALLOW A CAR WASH USE ON APPROXIMATELY 1.16 ACRES LOCATED AT 915 SOUTH BELL BOULEVARD (2024-3-SUP); AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on March 24, 1975, the Cedar Park City Council adopted Ordinance No. 75-2: Comprehensive Zoning Ordinance, which created a variety of zoning districts, and a zoning district map, as amended; and

WHEREAS, all zoning districts located within the City are regulated pursuant to Chapter 11 of the Cedar Park Code of Ordinances; and

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City to regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

WHEREAS, the Cedar Park City Charter Section 2.04 authorizes the Council to zone the City and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority vested in the cities by State statutes; and

WHEREAS, the Cedar Park City Charter Section 7.02 authorizes the Council to zone the City after recommendation of the Planning and Zoning Commission, and requires the Council to enact necessary implementing legislation as authorized by law and after all public hearings required by law; and

WHEREAS, pursuant to Cedar Park Code of Ordinances Division 11.02.04 Conditional and Special Uses, a Special Use Permit (SUP) may be granted to certain land uses that are not permitted by right in some or all zoning districts of the City, but are nevertheless recognized as being desirable to the full function and development of the City under appropriate circumstances and in conformity with the goals and objectives of the City’s Comprehensive Plan; and

WHEREAS, City staff, after communication with the affected property owners, determined the most appropriate zoning designations based on the City’s Comprehensive Plan, existing use of land and structures within the affected area, and uses surrounding the affected area: and

WHEREAS, the City published notice and conducted the requisite public hearings in accordance with Texas Local Government Code Chapter 211; and

WHEREAS, on March 19, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval of the proposed Special Use Permit; and

WHEREAS, the City Council finds the proposed zoning to be in accordance with the City’s Comprehensive Plan, existing use of land and structures within the affected area, and uses surrounding the affected area, and are for the purpose of promoting the public health, safety, morals, and general welfare of the City; and

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

SECTION 1. City of Cedar Park Ordinance No. 75-2: Comprehensive Zoning Ordinance is hereby amended to grant a Special Use Permit for a Car Wash Use on approximately 1.16 acres, otherwise set forth in the legal description labeled Exhibit “A”, the property location map labeled Exhibit “B”, and the Conceptual Plan labeled Exhibit “C”.

SECTION 2. That the Director of Development Services is hereby authorized and directed to officially designate the tract of land zoned herein as such on the official zoning district map of the City of Cedar Park and by proper endorsement indicating the authority for said notation, and to update the official zoning map to remove such designation from the map if the special use has been discontinued for a year or longer or if the use is replaced by another use pursuant to Cedar Park Code of Ordinances § 11.06.085(I), as amended.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 11th day of April, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 25th day of April 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

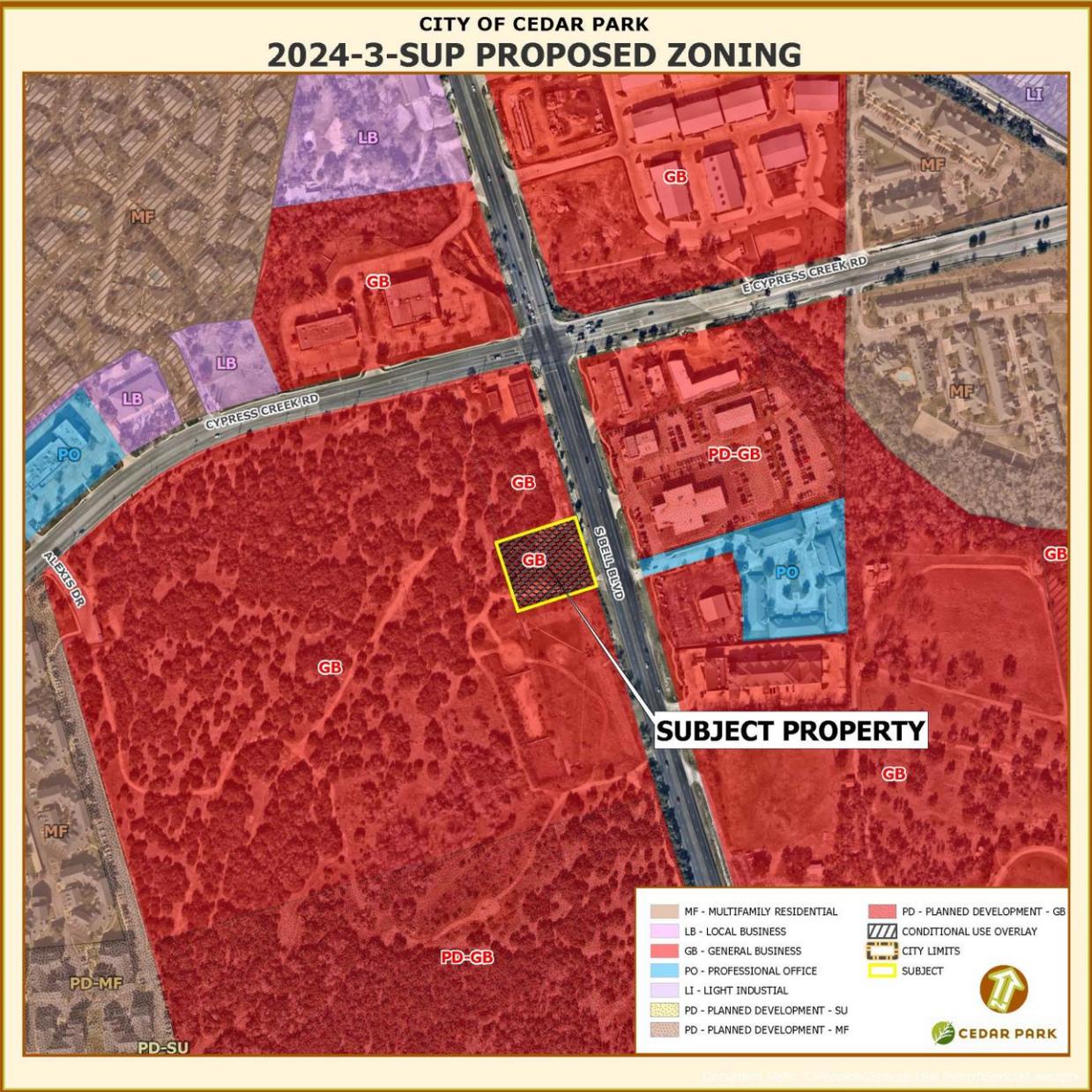
APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

EXHIBIT A

Lot 1, Block A, Final Plat Establishing QUICKTRIP #1431, a subdivision in Williamson County, Texas according to the map or plat thereof recorded in Document Number 2023086675 of the Official Public of Williamson County, Texas.

EXHIBIT B





816 Camaron Street, Suite 110 | San Antonio, Texas 78212
 (210) 549-4207 Phone | (210) 545-9302 Fax
<https://www.lique.us/>

From: LIQUE Engineers, LLC

Date: March 12, 2024

To: City of Cedar Park – Planning Department
 450 Cypress Creek Rd
 Cedar Park, Texas 78613

City Case Number: #
Internal Project Number: 104-01-14

Re: Statement of Intent – Bubble Bath Car Wash – SUP Application

Statement of Intent:

A special use permit is required for this development as described in Section 11.02.09215(15) of the City of Cedar Parks municipal code. The purpose of this statement is to illustrate the cohesiveness of the proposed automated car wash with its surrounding developments and compliance with the City of Cedar Park’s Comprehensive Plan.

The development site is a 1.163-acre lot legally described as Lot 1, Block A of the QuikTrip #4131 plat. The lot is currently zoned as GB (General Business) and is located approximately 430 feet of the intersection of Cypress Creek Rd and S Bell Blvd. The proposed development is an automated car wash composed of one wash bay, capable of servicing 5-7 vehicles at one time. The development will also include two (2) payment terminals and queueing lanes, one (1) bailout lane, and twenty-two (22) total parking spaces, twenty (20) being vacuum stalls.

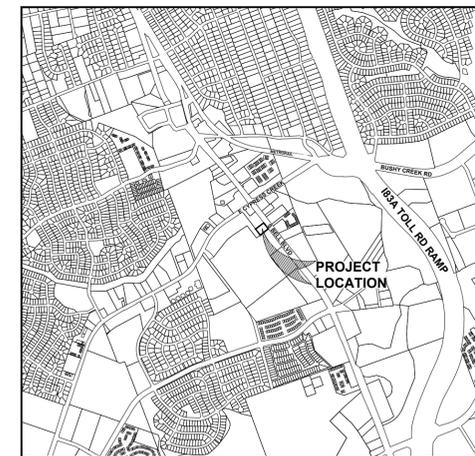
Based on the City of Cedar Park’s comprehensive plan, the intent is to fill the Corridor Planning Area of Bell Boulevard with primarily commercial and retail uses. The neighboring developments surrounding the proposed car wash include two (2) gasoline stations (Circle K and QuikTrip), two (2) car dealerships, a medical care facility, a real estate/home improvement company, and a hotel. The addition of the proposed car wash would be compatible with the surrounding developments and would enhance the site and surrounding area. It is not anticipated that the development will negatively impact the existing infrastructure and would not negatively affect the public health, safety, and welfare of the community.

NOTES:

- PAVEMENT DIMENSIONS AND RADII ARE TO FACE OF CURB, UNLESS OTHERWISE NOTED. SIDEWALK DIMENSIONS ARE FROM BACK OF CURB.
- WARNING SIGNS ARE REQUIRED TO BE PLACED UNDER THE OVERHEAD ELECTRIC LINES TO MAKE ALL PERSONNEL AWARE OF THE ELECTRIC HAZARD.
- REFER TO MEP PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
- REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
- EVERY HANDICAP ACCESSIBLE PARKING SPACE SHALL BE IDENTIFIED BY A SIGN CENTERED 5 FEET ABOVE THE PARKING SURFACE, AT THE HEAD OF THE PARKING SPACE. THE SIGN MUST INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND STATE "RESERVED" OR EQUIVALENT LANGUAGE. SUCH SIGNS SHALL NOT BE OBTAINED BY A VEHICLE PARKED IN THE SPACE.
- CONTRACTOR TO FIELD VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- CAUTION: DO NOT PLACE THE STAGING AREA IN CLOSE PROXIMITY TO OVERHEAD ELECTRIC LINES.
- SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP.
- THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN.
- ACCESSIBLE ROUTES MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50.
- ALL STANDARD PARKING STALLS ARE 9.0' WIDE BY 18.0' DEEP TO FACE OF CURB. ALL VACUUM PARKING STALLS ARE 12.5' WIDE BY 22.0' DEEP TO FACE OF CURB.
- ALL PARKING DIMENSIONS ARE MEASURED FROM CENTERLINE OF PAVEMENT MARKING TO CENTERLINE OF PAVEMENT MARKING OR CENTERLINE OF PAVEMENT MARKING TO FACE OF CURB.
- ALL LIGHTING FIXTURES SHALL BE DESIGNED TO COMPLETELY CONCEAL AND FULLY SHIELDS, WITHIN AN OPAQUE HOUSING, THE LIGHT SOURCE FROM VISIBILITY FROM ANY STREET RIGHT-OF-WAY. THE CONE OF LIGHT SHALL NOT CROSS ANY ADJACENT PROPERTY LINE. ONLY INCANDESCENT, FLUORESCENT, COLOR-CORRECTED HIGH-PRESSURE SODIUM OR METAL HALIDE MAY BE USED. ALL VEHICLES OR PEDESTRIAN ACCESS SHALL BE SUFFICIENTLY LIGHTED TO ENSURE SECURITY OF PROPERTY AND PERSONS.
- ALL ROOF, WALL, AND GROUND MOUNTED MECHANICAL EQUIPMENT MUST BE SCREENED. IF ROOF AND WALL MOUNTED EQUIPMENT OF ANY TYPE INCLUDING DUCT WORK AND LARGE VENTS IS PROPOSED IT SHALL BE SHOWN ON THE SITE PLAN AND SCREENING IDENTIFIED. SCREENING OF MECHANICAL EQUIPMENT SHALL RESULT IN THE MECHANICAL EQUIPMENT BLENDING IN WITH THE PRIMARY BUILDING AND NOT APPEARING SEPARATE FROM THE BUILDING AND SHALL BE SCREENED FROM VIEW OF ANY RIGHTS-OF-WAY OR ADJOINING PROPERTIES.
- THE DUMPSTER ENCLOSURES MUST BE ONE (1) FOOT ABOVE THE HEIGHT OF THE WASTE CONTAINER. USE PROTECTIVE POLES IN CORNERS AND AT IMPACT AREAS. FENCE POSTS OF RUST PROTECTED METAL OR CONCRETE. A MINIMUM 6" SLAB IS REQUIRED AND MUST BE SLOPED TO DRAIN. THE ENCLOSURE MUST HAVE STEEL FRAMED GATES WITH SPRING LOADED HINGES AND FASTENERS TO KEEP CLOSED. SCREENING MUST BE ON ALL FOUR SIDES BY MASONRY WALL OR APPROVED FENCE OR SCREENING WITH OPAQUE GATES.

KEY NOTES

1 TYPICAL PARKING STRIPING	12 DUMPSTER ENCLOSURE (SEE ARCH. PLANS FOR DETAILS)
2 CONCRETE SIDEWALK	13 VACUUM ENCLOSURE (SEE ARCH. PLANS FOR DETAILS)
3 MONOLITHIC CURB	14 PAYMENT TERMINALS
4 HANDICAP PARKING SYMBOL	15 VACUUM CANOPIES
5 HANDICAP SIGN	16 DESIGNATED LANDSCAPE AREA
6 6' RAMP	17 CROSS WALK MARKING
7 2' CURB TRANSITION	18 RIBBON CURB
8 WHEEL STOP	19 FLAGPOLE
9 CROSS HATCH STRIPING	20 VACUUM CONCRETE PAD
10 TRAFFIC ARROWS	21 BUG SCRUB PARKING AREA
11 DO NOT ENTER SIGN	# PARKING COUNT

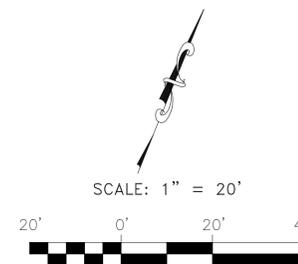
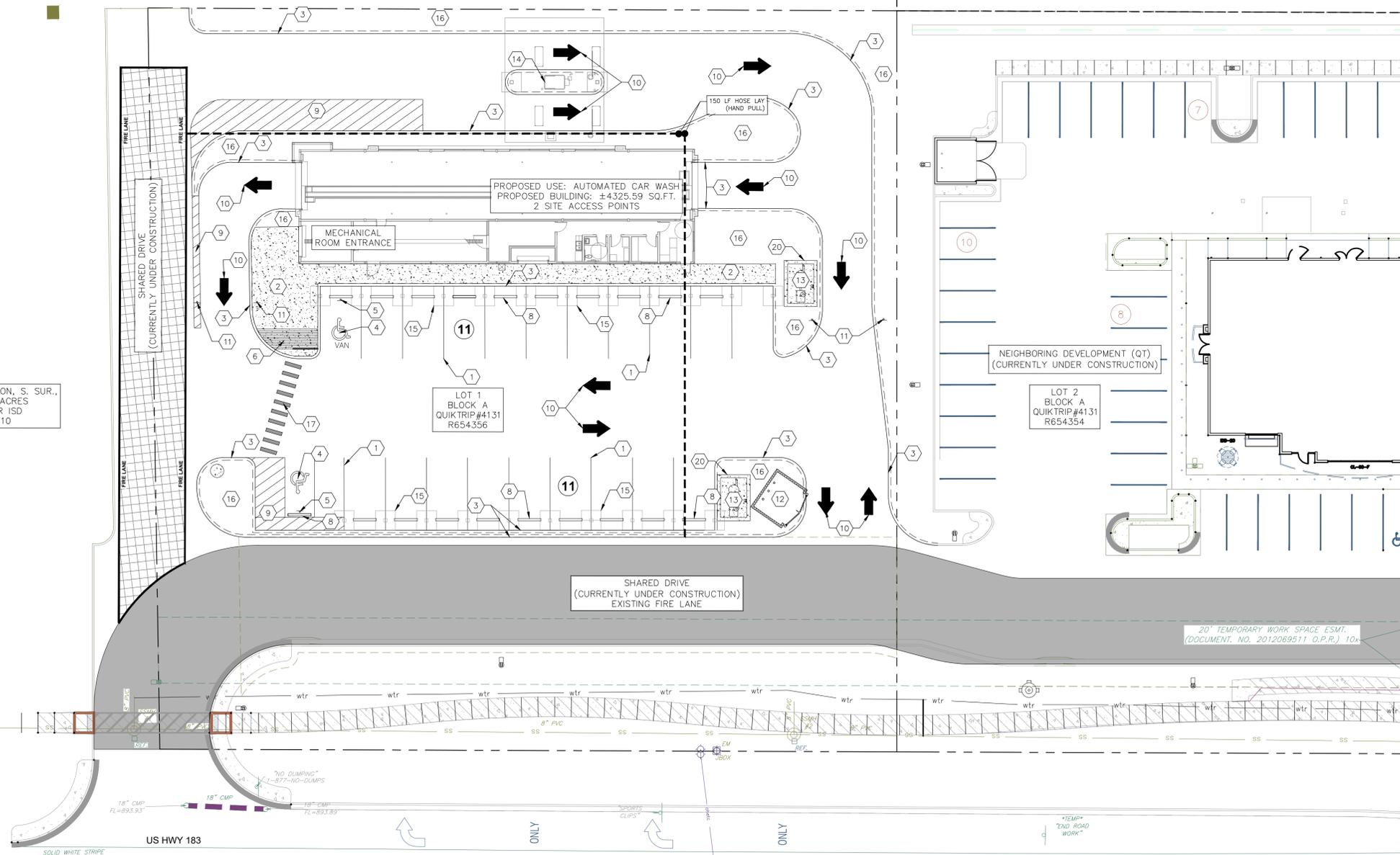


LOCATION MAP NOT TO SCALE

REMAINING PORTION 76.52 ACRES
T.S.-S.D. III, LTD
(VOL. 2706, PG. 147, O.R.)

AW0170 - DAMON, S. SUR.,
8.4462 ACRES
TS-SO III LTD
R031875

AW0170 - DAMON, S. SUR.,
39.2925 ACRES
LEANDER ISD
R513110



LEGEND

PROPERTY LINE	---
ADJACENT PROPERTY LINE	---
LIMITS OF CONSTRUCTION	---
PROPOSED SIDEWALK	---
PROPOSED FIRELANE	---
PROPOSED FIREHOSE LAY	---

COMMENTS

NO.

DATE

BUBBLE BATH CAR WASH
915 S BELL BLVD.
CEDAR PARK, TEXAS 78613
SUP SITE PLAN EXHIBIT

LIQUE

ENGINEERS & SURVEYING
TBPELS # - 20405 & # - 10194727
816 Camaron Ste. 110
San Antonio, TX. 78212
Phone: 210-549-4207

THESE DRAWINGS, OR PARTS THEREOF, MAY NOT BE REPRODUCED IN ANY FORM, BY ANY METHOD, FOR ANY PURPOSE, WITHOUT PRIOR WRITTEN CONSENT FROM LIQUE ENGINEERS & SURVEYING.

THIS DOCUMENT IS RELEASED FOR REVIEW PURPOSES ONLY UNDER THE AUTHORIZATION OF: DAMIAN ESQUIVEL, P.E. #98362
FEBRUARY 2024

JOB: 104-01-14
SCALE: 1" = 20'

SHEET NO. SUP-EXHIBIT



Notice of Public Hearings on a Proposed Zoning Change **See reverse for information on how to access meetings virtually.**

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, ABOUT: 2024-3-SUP

The City of Cedar Park shall hold public hearings on a request by QT South LLC for a Special Use Permit (SUP) to allow a car wash use on approximately 1.16 acres located at 915 South Bell Boulevard.

Agent: LIQUE Engineer, LLC
Phone: (210) 549-4207

The Planning and Zoning Commission may recommend and City Council may approve any zoning district which is equivalent or more restrictive than that which is requested and which is deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

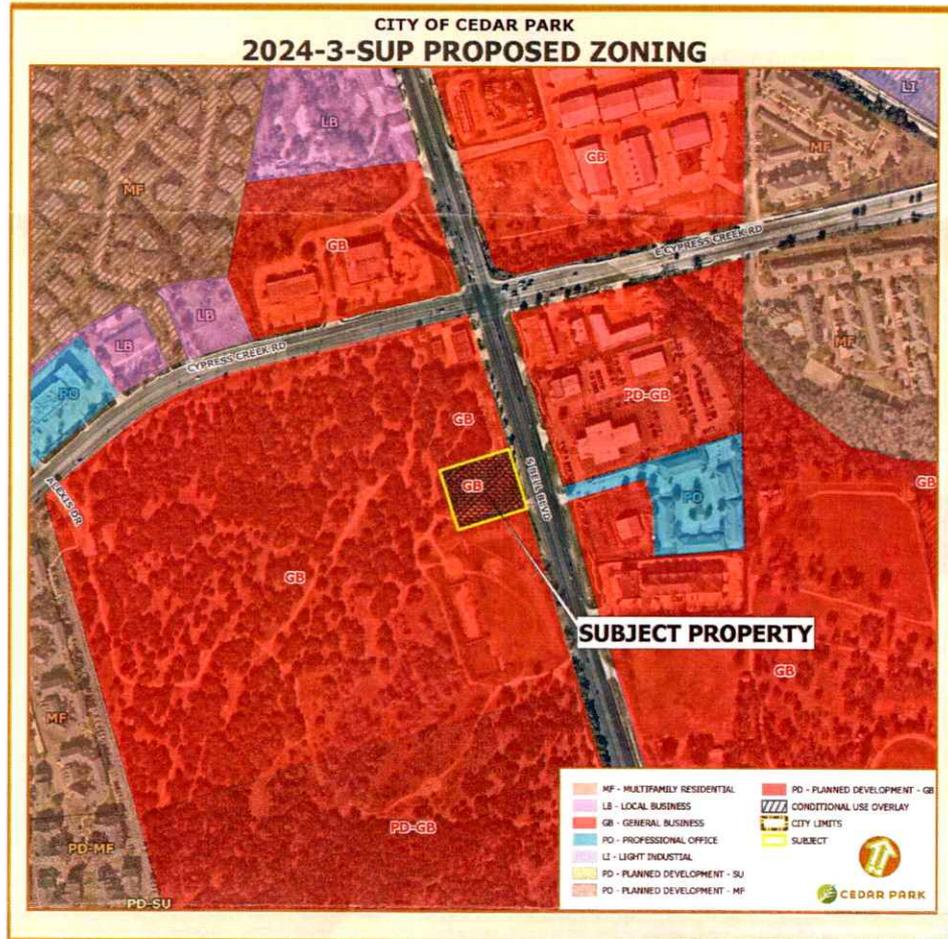
For more information regarding this application, call the Planning Division at (512) 401-5052.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, March 19, 2024 at 6:30 PM.

A public hearing will be held by the City Council on Thursday, April 11, 2024 at 7:00 PM.

Council action and second reading may be considered at the meeting following the public hearing (April 25, 2024).

Cedar Park City Council Chambers
450 Cypress Creek Road, Building 4
Cedar Park, Texas 78613



You may send your written comments to the Planning Division, 450 Cypress Creek Road, Bldg 1, Cedar Park, Texas 78613 or e-mail: brynn.haby@cedarparktexas.gov (attention: Zoning File #: **2024-3-SUP**)

Name: John Tuggle Address: 930 S Bell Blvd Ste 103

<input type="checkbox"/> I am <u>not</u> in favor and this is why:	<input checked="" type="checkbox"/> I am in favor and this is why:
	I like a society of clean vehicles.

From: [Chad Harrold](#)
To: [Brynn Haby](#)
Subject: [External] zoning file#2024-3-SUP
Date: Wednesday, March 20, 2024 3:34:13 PM

CAUTION: External Sender!

This email was sent by someone outside of the City of Cedar Park. Do not click links, open attachments, or reply to this message unless you recognize the sender. If you are unsure of the legitimacy of this email, contact the Information Services on-call.

With regards to the subject file above:

As the owner of a property within 930 S Bell Blvd, I am not in favor of the zoning change for two reasons. First is related to a traffic concern. It is already difficult and often hazardous to leave the property during rush hour. Vehicles routinely use the turn lane left on Cypress creek for several hundred yards at 50+mph. There are many accidents on record and this appears to be directly across from our drive. Second it would appear that a carwash is currently under construction just past Cypress Creek only a few hundred yards away on N. Bell. This appears redundant and a poor use of development space.

Thank you for allowing us to express our opinion as owners,

Chad Harrold
930 S Bell Blvd Ste. 301

General Business (GB) Zoning Standards and Permitted Uses

Minimum lot area	20,000 sf	Building setbacks *	Front *	25'	
Minimum lot width	100'		Interior side	12'	
Minimum lot depth	200'		Street side	25'	
Maximum building height *	100'		Rear to property line	5'	
Outdoor uses	Maximum display area *		10%	Rear to street right-of-way	25'
	Maximum storage area *		10%	ES, SR or SU residential district boundary	30'

* Subject to additional requirements and standards outlined in Table 11.03.091

Permitted By Right	Permitted with Conditions**	Permitted with Special Use Permit**
Animal grooming	Adult day care	Car wash
Animal veterinary service, small animal	Alcoholic beverage establishment	Commercial parking lot
Art studio, gallery	Alcoholic beverage sales, off-site	Day-care center
Bank, credit union, and financial institution	Automobile, minor service	Event center
Civic club	Automobile, rental	Gasoline service station
College, university or vocational school	Craft brewing/ distillery/ winery production with on-premise consumption	Kennel
Commissary		Mobile food establishment court
Data center	Day-care center, incidental	Outdoor arena, stadium or amphitheater
Drug store	Hotel	Outdoor commercial amusement, major
Funeral home or mortuary	Nursery/ greenhouse, retail	Outdoor commercial amusement, minor
Government office	Research, testing lab, or product	Private school (grades K-12)
Grocery	Restaurant, dine-in only	
Gym	Restaurant, drive-in or drive-through	
Indoor arena or theater	Retail sales	
Indoor commercial amusement	Utility services, major	
Laundromat	Vending kiosk	
Medical clinic	Wireless telecommunications facilities, building-mounted	
Medical office		
Museum		
Non-emergency transport service		
Office, general		
Office/ showroom/ warehouse		
Personal services		
Place of religious assembly		
Print shop		
Public school (grades K-12)		
Utility services, general		

** Subject to additional conditions outlined in Sec 11.02.092

File Attachments for Item:

H.3 (2024-1-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 0.76 Acres Generally Located At 918 W Whitestone Blvd.



CITY COUNCIL AGENDA
April 25, 2024

Item/Subject: (2024-1-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 0.76 Acres Generally Located At 918 W. Whitestone Blvd.

Staff	Cindy Schlanger, AICP, 512-401-5082, cindy.schlanger@cedarparktexas.gov
Owner	Craig Collins
Agent	Bailey Morse
City Limits	Yes
Current Zoning	Suburban Residential (SR)
Existing Future Land Use Plan	Local Office/Retail/Commercial (LOC)
Proposed Future Land Use Plan	Regional Office/Retail/Commercial (REG)
Major Corridor	W. Whitestone Blvd.
Summary of Applicant's Request	Accept a Future Land Use Plan (FLUP) Amendment Petition to change the FLUP designation to Regional Office/Retail/Commercial (REG) for approximately 0.76 acres.

This Future Land Use Plan (FLUP) Amendment Petition comprises a 0.76-acre subject property located on the south side of W. Whitestone Blvd between Lone Star Dr and Royal Ln, more specifically at 918 W. Whitestone Blvd. The subject property is part of a larger 1.37-acre parent tract that is divided by two zoning districts. The northern, 0.76-acre subject property, is zoned Suburban Residential (SR). The remaining 0.61-acre southern portion of the parent tract is zoned General Business (GB).

The 2022 Comprehensive Plan designates the subject property Local Office/Retail/Commercial (LOC) as shown on Exhibit A. The Petition represents a request to amend the FLUP to Regional Office/Retail/Commercial (REG) for the northern 0.76-acre subject property. Below is a summary of how the FLUP percentages will change if amended from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG):

FLUP DESIGNATION	CURRENT FLUP ACRES	PERCENT OF TOTAL ACRES	PROPOSED FLUP ACRES	PROPOSED PERCENT OF TOTAL ACRES
Local Office/Retail/Commercial (REG)	1,437.66	6.73%	1,436.90	6.73%
Regional Office/Retail/Commercial (REG)	1,963.72	9.19%	1,964.48	9.20%

This property is located just west of the intersection of Bagdad Rd and W. Whitestone Blvd. The area is envisioned to be developed with local commercial uses along the W. Whitestone Blvd corridor. The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Local Office/Retail/Commercial (LOC)	General Business (GB)	Undeveloped
South	Low Density Residential (LDR)	General Business (GB)	Single-Family Residential
East	Local Office/Retail/Commercial (LOC)	General Business (GB)	Single-Family Residential
West	Local Office/Retail/Commercial (LOC)	General Business- Conditional Overlay (GB-CO)	Single-Family Residential

The Applicant seeks to amend the Future Land Use Plan (FLUP) and later request to rezone the 0.76-acre subject property to General Business (GB) to create a uniform zoning district across the parent tract. The Applicant hopes to increase marketability of the parent tract by increasing its development potential with the full range of commercial uses permitted in the General Business (GB) zoning district. As the Applicant is not proposing any specific use or proposed development, a concept plan is not provided at this time.

If accepted, this Future Land Use Plan Amendment (2024-1-FLU) will allow the Applicant to proceed with the process to amend the Future Land Use designation and rezone the subject property to General Business (GB).

History

The following chart outlines the FLUP History for this property.

YEAR	FLUP DESIGNATION	FLUP DESCRIPTION
1998 Comprehensive Plan	Medium Intensity	Supports Commercial, Downtown district, High density residential.
2006 Comprehensive Plan	Local Office/Retail/Commercial	Supports light retail, service uses, and professional office for residents in the immediate vicinity.
2014 Comprehensive Plan	Local Office/Retail/Commercial	Supports light retail, service uses, and professional office for residents in the immediate vicinity.

Future Land Use Description

Descriptions of the existing and proposed FLUP designations are provided below:

Local Office, Retail, and Commercial (LOC)

This land use is suitable for light retail, service uses and professional office activities that aim to meet the needs of residents in the immediate vicinity. Building designs should be small in scale, typically one or two stories, and require visibility from roadways. Development should orient towards local traffic, but also allow for a comfortable pedestrian environment. Developments should be compatible with adjacent residential and be pedestrian oriented. Additionally, landscaping is encouraged to keep the area attractive, functional and minimize negative impacts on nearby uses. Uses may include boutique retail shops, small sized restaurants, and services such as financial, legal, and insurance services.

Regional Office, Retail, and Commercial (REG)

This land use is compatible on larger land parcels and is suitable for a broad range of retail, service uses and professional office activities that aim to meet the needs of residents within a three to five mile radius or more. The developments in this category are typically larger in scale, more intense and are also high generators of traffic, generally more appropriate around employment centers, along 183A and RM 1431. This category is intended to incorporate a blend of nonresidential uses, such as retail shopping centers, mid-rise corporate office parks, medical campuses, and technology parks. They are characterized by large parking lots where buildings may be of multiple stories as they highly depend on visibility from major roadways. It is encouraged that building designs within this zone be coordinated when possible. Types of uses in this land use category include business parks, hotels, and “big box” retailers.

Petition Process:

The FLUP Amendment Petition process allows an applicant to present a proposal to the City Council that is inconsistent with the FLUP as adopted in the Comprehensive Plan, and solicit City Council feedback on that proposal. Each FLUP Amendment Petition will be evaluated by the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUP amendment supports community goals and objectives as set forth within the Comprehensive Plan.

The adopted Comprehensive Plan provides that amendments to the FLUP should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The City Council will consider each proposed FLUP amendment petition carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Cedar Park. Upon review of the Petition materials, a FLUP amendment petition may be accepted by a majority vote of the City Council.

Acceptance by the City Council of a FLUP amendment Petition shall not constitute or guarantee approval of the proposed FLUP amendment. Acceptance of a FLUP amendment Petition only indicates an applicant may proceed through the FLUP amendment process. If the City Council does not vote to accept, or tables the FLUP amendment Petition, the Petition shall be deemed denied.

The Applicant’s materials, which include a Summary Memorandum, Statement of Comprehensive Plan Goals furthered by the Petition, and other supportive materials are attached (see Exhibit C).

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

- Exhibit A: Current Future Land Use Plan
- Exhibit B: Proposed Future Land Use Plan
- Exhibit C: Applicant’s Materials in Support of Petition

Exhibit A Existing Future Land Use Plan

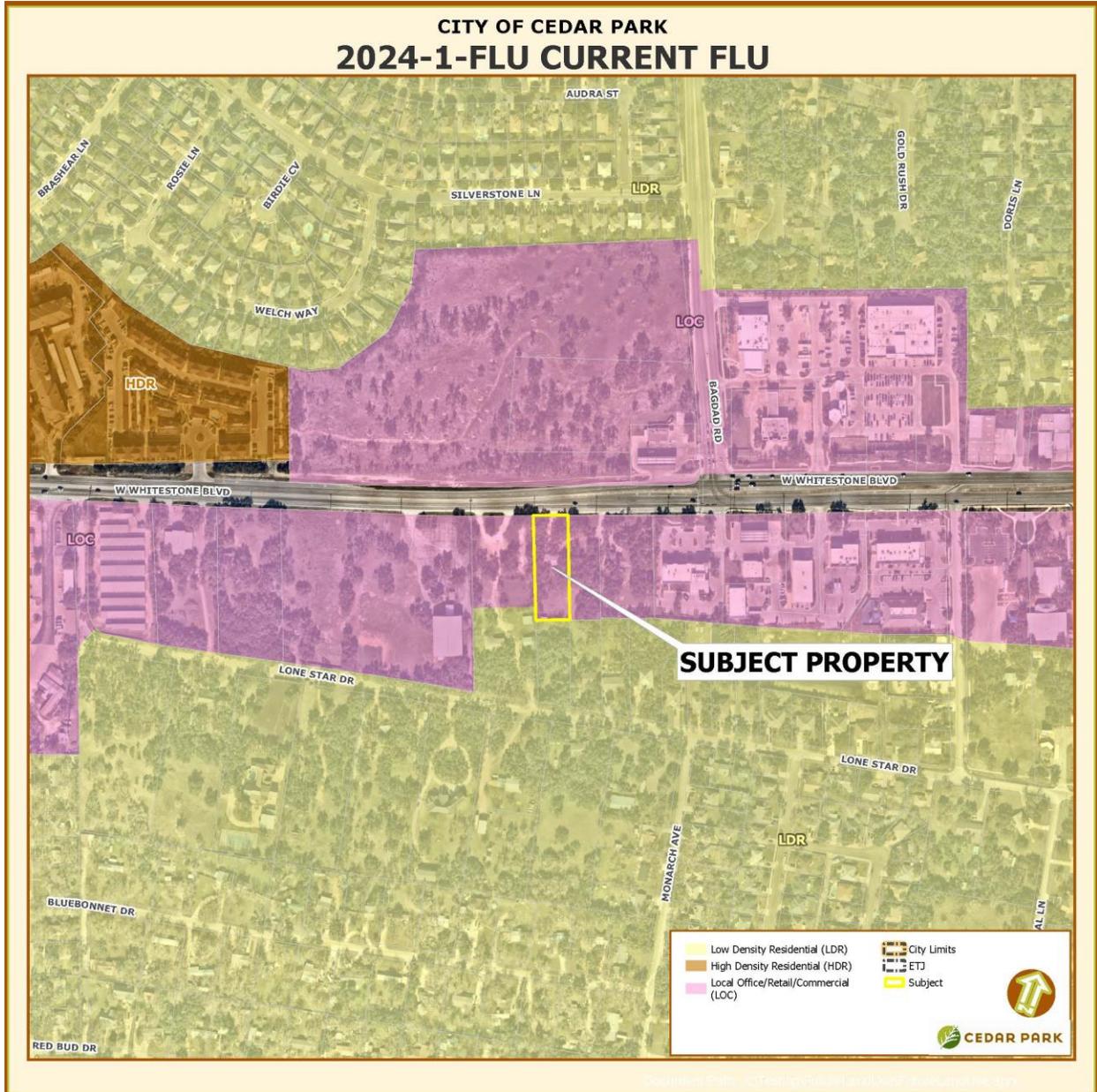


Exhibit B Proposed Future Land Use Plan

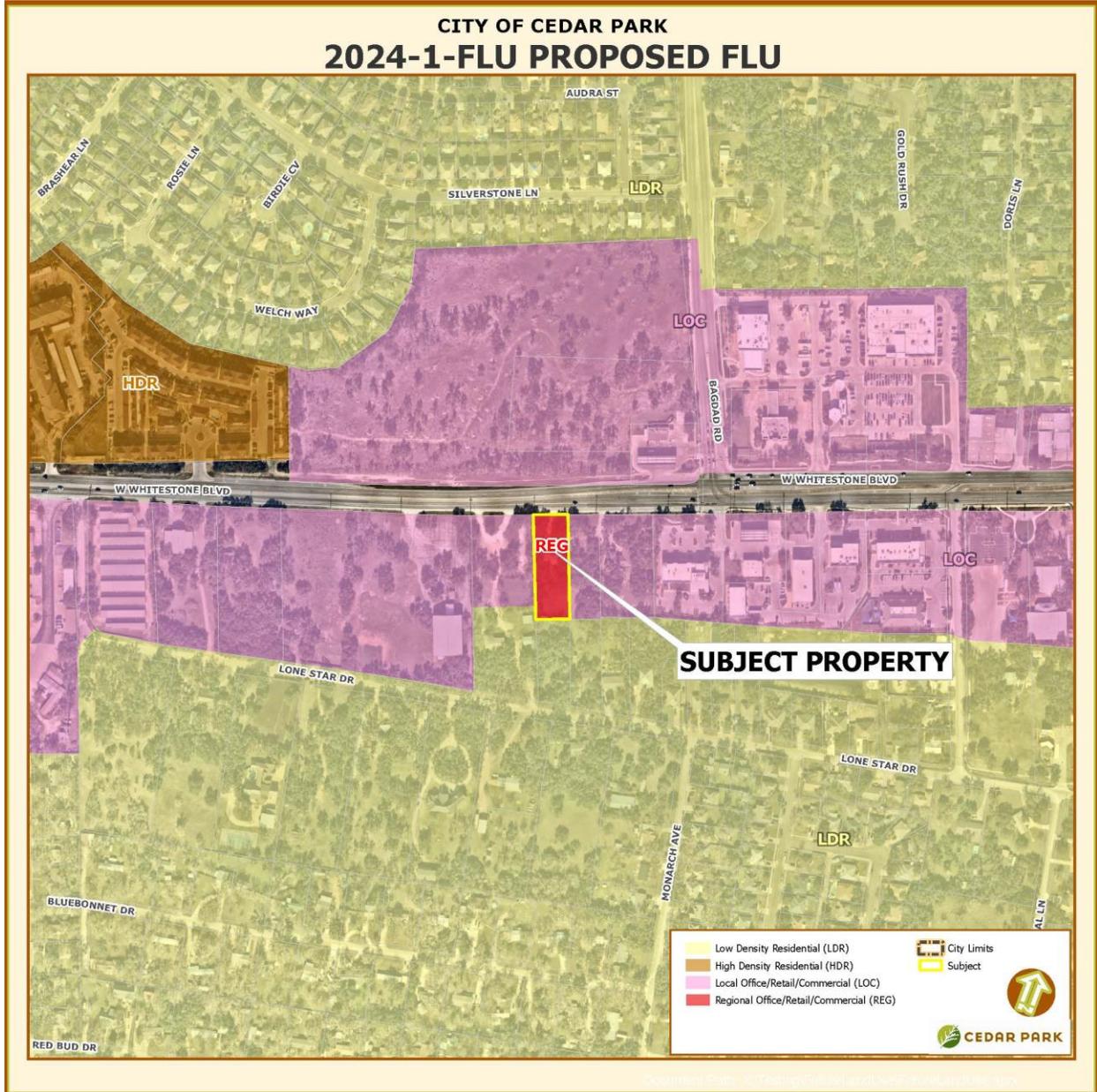


Exhibit C: Applicant's Materials

The following items are required as part of a complete Petition. Items in italics have been submitted but are not included in the attached.

1. *Proof of property ownership.*
2. An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUP designation and the designation of surrounding properties.
3. Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUP amendment. The Letter shall include:
 - a) How the proposed change will enhance the site and the surrounding area;
 - b) Whether the necessary infrastructure is already in place or how this will be provided;
 - c) How the proposed change reflects the vision identified by the Future Land Use Plan;
 - d) Whether or how the subject property is compliant with surrounding land uses and zoning;
 - e) How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner a compatible manner, or enhances adjacent areas;
 - f) Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
 - g) How the proposed land use presents a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
 - h) How the proposed land use contributes to the City's long-term economic well-being.
4. Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
5. Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, etc.
6. Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
7. *Scan of completed Owner's Acknowledgement.*

Development Services Intake

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

Project Name: _____ 127

Submittal Date: _____

SFP Permit #: _____

(City will assign)

**FUTURE LAND USE PETITION**

APPLICATION & CHECKLIST

ABOUT FUTURE LAND USE PLAN AMENDMENT PETITIONS

- » The Comprehensive Plan, which includes the Future Land Use Plan (FLUP), was adopted by the City Council in November 2014. At times, the City may encounter a development proposal that does not directly reflect the purpose and intent of the land use pattern shown on the FLUP. In order for the City Council to consider a development proposal that is inconsistent with the FLUP, a property owner must submit a FLUP Amendment Petition, which may be considered based upon the Letter of Request, Statement of Relevant Goals and Objectives, and other supporting materials, as described on Page 2. Each FLUP Amendment Petition will be evaluated by the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUP amendment supports community goals and objectives as set forth within the Comprehensive Plan.
- » The adopted Comprehensive Plan provides that amendments to the FLUP should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The City Council will consider each proposed FLUP Amendment Petition carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Cedar Park. Upon review of the Letter of Request, Statement of Relevant Goals and Objectives, and other supporting materials, a FLUP Amendment Petition may be accepted by a majority vote of the City Council. Acceptance of a FLUP Amendment Petition by the City Council indicates an applicant may proceed through the FLUP amendment process.
- » While city staff may review the petition for completeness and accuracy, city staff does not make a recommendation to the City Council as to whether a FLUP Amendment Petition should be accepted.
- » **ACCEPTANCE BY THE CITY COUNCIL OF A FLUP AMENDMENT PETITION SHALL NOT CONSTITUTE OR GUARANTEE APPROVAL OF THE PROPOSED FLUP AMENDMENT. ACCEPTANCE OF A FLUP AMENDMENT PETITION ONLY INDICATES AN APPLICANT MAY PROCEED THROUGH THE FLUP AMENDMENT PROCESS. IF THE CITY COUNCIL DOES NOT VOTE TO ACCEPT OR TABLE THE FLUP AMENDMENT PETITION, THE PETITION SHALL BE DEEMED DENIED. ACCEPTANCE OF A FLUP AMENDMENT PETITION SHALL BE VALID FOR A MAXIMUM OF 18 MONTHS FROM CITY COUNCIL CONSIDERATION UNLESS A PUBLIC HEARING FOR THE FLUP AMENDMENT HAS BEEN HELD BEFORE THE PLANNING AND ZONING COMMISSION. ANY SUBSTANTIVE CHANGES TO ORIGINAL FLUP AMENDMENT PETITION MUST BE SUBMITTED FOR RECONSIDERATION BY CITY COUNCIL.**

INSTRUCTIONS

All required materials completed and uploaded to www.mygovernmentonline.org

- Contact Planning Staff (450 Cypress Creek Road, Building 1 / Telephone: 512-401-5082) to discuss the proposed FLUP amendment prior to submission of a petition;
- Upload all required materials to www.mygovernmentonline.org

CEDAR PARK**Development Services Intake**

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

PROJECT INFORMATIONProject Name: 918 W. Whitestone BlvdProposed Amendment: From: Local Office/Retail/Commercial (LOC) To: REGIONAL OFFICE/RETAIL/COMMERCIAL (REG)Project Location/Address: 918 W. Whitestone Blvd Cedar Park, Tx, 78613Project Legal Description: S3361 - Cedar Park Ranchettes #2, BLOCK 4, Lot 10 (W/PT), ACRES 1.37**REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION**

- Proof of property ownership. Copy of deed or other documentation establishing ownership by and individual or entity. If owned by an entity, including a partnership, documentation that the person signing the Owner's Acknowledgment has the authority to do so.
- An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUP designation and the designation of surrounding properties.
- Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUP amendment. The Letter shall include:
 - How the proposed change will enhance the site and the surrounding area;
 - Whether the necessary infrastructure is already in place or how this will be provided;
 - How the proposed change reflects the vision identified by the Future Land Use Plan;
 - Whether or how the subject property is compliant with surrounding land uses and zoning;
 - How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner, or enhances adjacent areas;
 - Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
 - How the proposed land use presents a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
 - How the proposed land use contributes to the City's long-term economic well-being.
- Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
- Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, etc.
- Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
- Scan of completed Owner's Acknowledgment (following page).



CEDAR PARK

Development Services Intake

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

OWNER'S ACKNOWLEDGMENT & DESIGNATION OF AGENT

The signature of the property owner or owners is required. If the property owner information does not match appraisal district records, documentation verifying the change in ownership must be provided.

By signing, the owner indicates consent to the submittal of this petition. If the owner designates an agent to facilitate the petition, both owner and agent must sign this acknowledgment. Signatures certify that the applicant and his agent, if so designated, has reviewed the requirements of this petition and acknowledges that the acceptance of the proposed amendment petition by the City Council does not grant the requested FLUP amendment or guarantee such approval by the Planning and Zoning Commission or City Council when the amendment is presented for consideration. **Acceptance** of a FLUP amendment petition shall be **valid 18 months** from City Council consideration unless a public hearing for the FLUP amendment has been held before the Planning and Zoning Commission and any substantive changes to original submission must be submitted for reconsideration by City Council.

Note: the agent is the official contact person for this petition 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.

I will represent my petition before the City Council.

I hereby authorize the person named below to act as my agent/applicant in processing this petition before the City Council.

Owner's Name (Printed): Craig Collins

Owner's Address: 918 W Whitestone Blvd, Cedar Park, Tx 78613

Owner's Phone: _____ Cell: (512) 573-3700 Email: collinsconst@yahoo.com

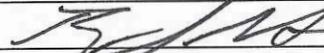
Owner's Signature:  Date: 4/12/24

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: 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.

Agent's Name (Printed): Bailey Morse

Agent's Address: 2301 S Bagdad Rd, Suite 405, Cedar Park, Tx 78613

Agent's Phone: _____ Cell: (512) 630-9888 Email: Bailey@cmeatx.com

Agent's Signature:  Date: 2/12/24

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: 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.



918 W. Whitestone Blvd FLUP Amendment Letter Of Request

Date: February 14, 2024

Property Details:

Subject Property Address: 918 West Whitestone Blvd. Cedar Park, Tx 78613

Subject Property Legal Description: S3361 - Cedar Park Ranchettes #2, BLOCK 4, Lot 10 (W/PT), ACRES 1.37

S3361 - Cedar Park Ranchettes #2

Dear City of Cedar Park Planning Department,

As the designated agent of the owner of 918 W. Whitestone Boulevard, we hereby express our intent to apply for a Future Land Use Plan (FLUP) Amendment for the aforementioned property. Our intent is to amend the FLUP to designate this property to Regional Office/ Retail/ Commercial (REG).

The purpose for this FLUP Amendment is to seek a change in the current zoning designation for the “front” tract of the property. Currently the “front” tract of the property, facing W. Whitestone Blvd, is zoned Suburban Residential (SR) while the rear tract facing Lone Star Drive is zoned General Business (GB). We would like to change the zoning of the “front” tract of the property to General Business (GB). With all adjacent properties currently zoned General Business (GB), it is our preference to pursue a zoning case to change the Suburban Residential (SR) tract to General Business (GB). This will allow for a uniform zoning along W Whitestone Blvd, and with the two parcels that front Lone Star Dr.

The Future Land Use Plan (FLUP) has this “front” tract designated as Local Office/Retail/Commercial (LOC). We have been advised by the Planning Department that to obtain a General Business (GB) zoning for this tract, a Future Land Use Plan (FLUP) Amendment will need to be approved. This FLUP Amendment will need to change the designation of this tract from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG).





Response to Questions:

The proposed change from LOC to REG will enhance the site and surrounding area by creating a uniform zoning along W Whitestone Blvd which will allow for additional commercial development to service the community’s needs. This will also allow for a more uniform aesthetic along W Whitestone Blvd given the adjacent commercial properties.

Necessary utility infrastructure is already in place.

Making this change to the FLUP reflects the vision identified by the Future Land Use Plan by creating uniform zoning along this section of W Whitestone Blvd and allowing a zoning district, GB, that will better serve the vision described in the FLUP.

All adjacent properties are currently zoned general business (GB), which is the zoning we will be requesting.

The proposed land use has a positive impact on the adjacent area by creating a uniform zoning district which will allow for the property to be utilized for it’s highest and best use, which will in turn increase the value of the adjacent properties.

The proposed land use presents a better benefit to the community by allowing a zoning district that will allow the businesses that the community needs and desires.

The proposed land use will create additional tax income for the city once developed by allowing a zoning change from Suburban Residential to General Business.

Sincerely,

A handwritten signature in black ink, appearing to read "Bailey Morse", with a long horizontal line extending to the right.

Bailey Morse
Commercial Market Exchange



918 W. Whitestone Blvd
FLUP Amendment Proposed Land Use and Development Information

Date: February 14, 2024

Property Details:

Subject Property Address: 918 West Whitestone Blvd. Cedar Park, Tx 78613
Subject Property Legal Description: S3361 - Cedar Park Ranchettes #2, BLOCK 4, Lot 10 (W/PT), ACRES 1.37
S3361 - Cedar Park Ranchettes #2

Dear City of Cedar Park Planning Department,

Our proposed intent is to obtain General Business zoning for the “front” tract of 918 W. Whitestone Blvd.

Sincerely,



Bailey Morse
Commercial Market Exchange



918 W. Whitestone Blvd
FLUP Amendment Statement of Relevant Goals and Objectives

Date: February 14, 2024

Property Details:

Subject Property Address: 918 West Whitestone Blvd. Cedar Park, Tx 78613
Subject Property Legal Description: S3361 - Cedar Park Ranchettes #2, BLOCK 4, Lot 10 (W/PT), ACRES 1.37
S3361 - Cedar Park Ranchettes #2

Dear City of Cedar Park Planning Department,

Our request to amend the Future Land Use Plan (FLUP) designation to Regional Office/ Retail/ Commercial (REG) to obtain General Business (GB) zoning supports the Comprehensive Plan Future Land Use objectives of encouraging redevelopment in the appropriate locations, and attracting and retaining businesses. Allowing this FLUP Amendment will encourage redevelopment by allowing a zoning change from SR to GB, which will create uniform zoning with the adjacent properties and allow for commercial development.

Sincerely,



Bailey Morse
Commercial Market Exchange



File Attachments for Item:

H.4 (2024-2-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG) For Approximately 3.2 Acres Generally Located At 102 CR 180.



CITY COUNCIL AGENDA
April 25, 2024

Item/Subject: (2024-2-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/ Commercial (REG) For Approximately 3.2 Acres Generally Located At 102 CR 180.

Staff	Cindy Schlanger, AICP, 512-401-5082, cindy.schlanger@cedarparktexas.gov
Owner	Blue Money, LLC, c/o Michael West
Agent	Sergio Reza Gaytan
Extraterritorial Jurisdiction	Yes
Current Zoning	N/A
Existing Future Land Use Plan	Local Office/Retail/Commercial (LOC)
Proposed Future Land Use Plan	Regional Office/Retail/ Commercial (REG)
Major Corridor	No
Summary of Applicant’s Request	Accept a FLUP Amendment Petition to change the Future Land Use designation to Regional Office/Retail/ Commercial (REG) for approximately 3.2 acres.

The Future Land Use Plan (FLUP) Amendment Petition comprises approximately 3.2 acres generally located at 102 CR 180. The Petition requests consideration of a FLUP amendment from Local Office/ Retail/ Commercial (LOC) to Regional Office/ Retail/ Commercial (REG). The subject property is currently located in the ETJ, although the applicant has expressed interest in requesting annexation and to seek zoning for the General Business (GB) district.

The 2022 Comprehensive Plan includes a Future Land Use Plan (FLUP) that designates the subject property as Local Office/Retail/Commercial (LOC) as shown on the attached map. If approved, the FLUP amendment would change the future land use designation for the subject property to Regional Office/Retail/Commercial (REG). A summary of how the land use percentages will change if the requested amendment is approved is provided below.

FLUP DESIGNATION	CURRENT FLUP ACRES	PERCENT OF TOTAL ACRES	PROPOSED FLUP ACRES	PROPOSED PERCENT OF TOTAL ACRES
Local Office/Retail/Commercial (LOC)	1,437.65	6.73%	1,434.46	6.72%
Regional Office/Retail/Commercial (REG)	1,963.72	9.19%	1,966.92	9.21%

This property is located on CR 180 less than a quarter mile west of the intersection of CR 180 and Ronald W. Reagan Blvd. The area is envisioned to be a mix of regional commercial uses, as well as higher density residential. The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Regional Office/Retail/Commercial (REG)	General Business – Conditional Overlay (GB-CO)	Vacant
South	Medium Density Residential (MDR) Local Office/ Retail/ Commercial (LOC)	ETJ/ Urban Residential (UR)	Single-Family Residential
East	Regional Office/Retail/Commercial (REG)	ETJ	Commercial
West	Local Office/Retail/ Commercial (LOC)	ETJ	Commercial

The applicant proposes to develop the 3.2-acre subject property with an outdoor bar venue and amenities including wiffleball, pickleball and other integrated outdoor activities (See attached concept plan). Annual events, such as pumpkin patches, Easter egg hunts, movie nights and sports viewing parties will provide family-oriented leisure and recreation opportunities. To minimize noise pollution, the Applicant intends to not have an outdoor music venue.

If accepted, this Future Land Use Plan Amendment will allow the applicant to proceed with the process to amend the Future Land Use designation and request annexation and zoning for the General Business (GB) zoning district.

History

The following chart outlines the FLUP History for this property.

YEAR	FLUP DESIGNATION	FLUP DESCRIPTION
1998 Comprehensive Plan	None	N/A
2006 Comprehensive Plan	Neighborhood Office/Retail/Commercial	Supports office, retail and commercial development and mixed use intended to serve the local community.
2014 Comprehensive Plan	Local Office/Retail/Commercial	Supports light retail, service uses, and professional office for residents in the immediate vicinity.

Future Land Use Description

Descriptions of the existing and proposed FLUP designations are provided below:

Local Office, Retail, and Commercial (LOC)

This land use is suitable for light retail, service uses and professional office activities that aim to meet the needs of residents in the immediate vicinity. Building designs should be small in scale, typically one or two story and require visibility from roadways. Development should orient towards local traffic, but also allow for a comfortable pedestrian environment. Developments should be compatible with adjacent residential and be pedestrian oriented. Additionally, landscaping is encouraged to keep the area attractive, functional and minimize negative impacts on nearby uses. Uses may include boutique retail shops, small sized restaurants, and services such as financial, legal, and insurance services.

Regional Office, Retail, and Commercial (REG)

This land use is compatible on larger land parcels and is suitable for a broad range of retail, service uses and professional office activities that aim to meet the needs of residents within a three to five mile radius or more. The developments in this category are typically larger in scale, more intense and are also high generators of traffic, generally more appropriate around employment centers, along 183A and RM 1431. This category is intended to incorporate a blend of nonresidential uses, such as retail shopping centers, mid-rise corporate office parks, medical campuses, and technology parks. They are characterized by large parking lots where buildings may be of multiple stories as they highly depend on visibility from major roadways. It is encouraged that building designs within this zone be coordinated when possible. Types of uses in this land use category include business parks, hotels, and “big box” retailers.

Petition Process:

The FLUP Amendment Petition process allows an applicant to present a proposal to the City Council that is inconsistent with the FLUP as adopted in the Comprehensive Plan, and solicit City Council feedback on that proposal. Each FLUP Amendment Petition will be evaluated by the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUP amendment supports community goals and objectives as set forth within the Comprehensive Plan.

The adopted Comprehensive Plan provides that amendments to the FLUP should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The City Council will consider each proposed FLUP amendment petition carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Cedar Park. Upon review of the Petition materials, a FLUP amendment petition may be accepted by a majority vote of the City Council.

Acceptance by the City Council of a FLUP amendment Petition shall not constitute or guarantee approval of the proposed FLUP amendment. Acceptance of a FLUP amendment Petition only indicates an applicant may proceed through the FLUP amendment process. If the City Council does not vote to accept, or tables the FLUP amendment Petition, the Petition shall be deemed denied.

The Applicant’s materials, which include a Summary Memorandum, Statement of Comprehensive Plan Goals furthered by the Petition, and other supportive materials are attached (see Exhibit C).

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

Finance Director Review

Legal Certification

Approved as to form and content: Yes No **City Attorney**

Associated Information:

- Exhibit A: Current Future Land Use Plan
- Exhibit B: Proposed Future Land Use Plan
- Exhibit C: Applicant’s Materials in Support of Petition

Exhibit A Existing Future Land Use Plan

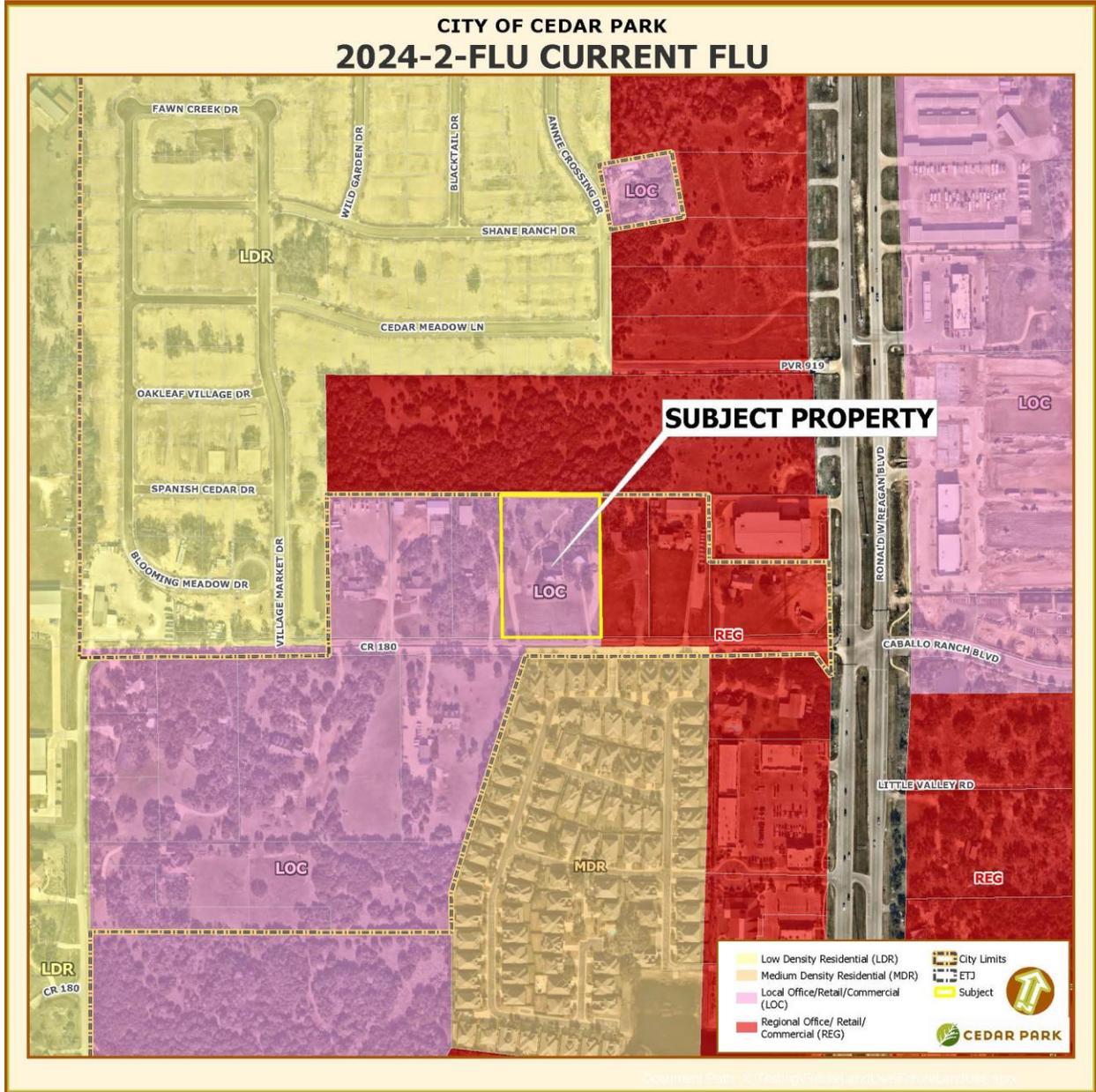


Exhibit B Proposed Future Land Use Plan

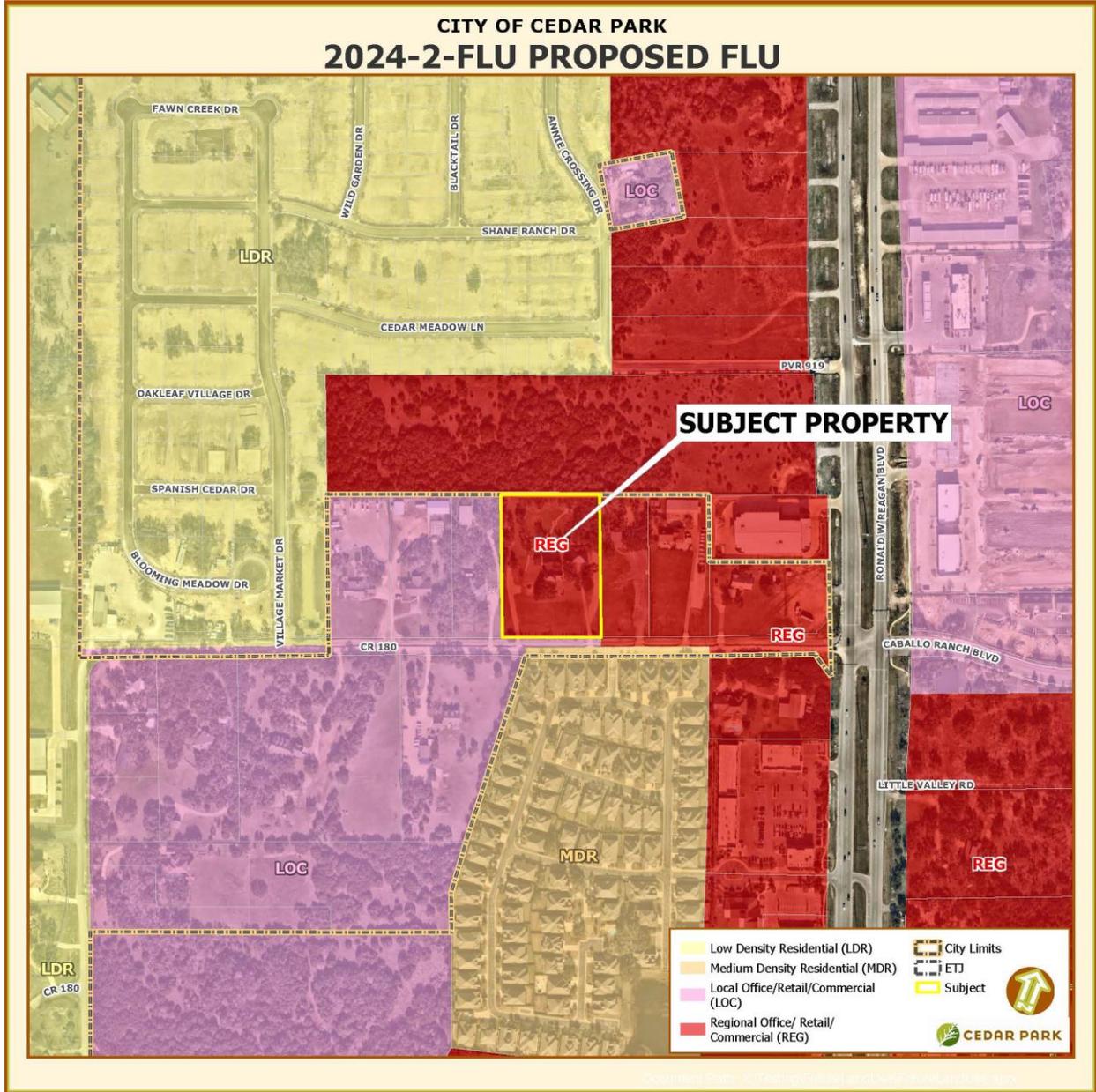


Exhibit C: Applicant's Materials

The following items are required as part of a complete Petition. Items in italics have been submitted but are not included in the attached.

1. *Proof of property ownership.*
2. An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUP designation and the designation of surrounding properties.
3. Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUP amendment. The Letter shall include:
 - a) How the proposed change will enhance the site and the surrounding area;
 - b) Whether the necessary infrastructure is already in place or how this will be provided;
 - c) How the proposed change reflects the vision identified by the Future Land Use Plan;
 - d) Whether or how the subject property is compliant with surrounding land uses and zoning;
 - e) How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner a compatible manner, or enhances adjacent areas;
 - f) Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
 - g) How the proposed land use presents a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
 - h) How the proposed land use contributes to the City's long-term economic well-being.
4. Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
5. Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, etc.
6. Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
7. *Scan of completed Owner's Acknowledgement.*

Development Services Intake

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

Project Name: _____ 142

Submittal Date: _____

SFP Permit #: _____

(City will assign)

**FUTURE LAND USE PETITION**

APPLICATION & CHECKLIST

ABOUT FUTURE LAND USE PLAN AMENDMENT PETITIONS

- » The Comprehensive Plan, which includes the Future Land Use Plan (FLUP), was adopted by the City Council in November 2014. At times, the City may encounter a development proposal that does not directly reflect the purpose and intent of the land use pattern shown on the FLUP. In order for the City Council to consider a development proposal that is inconsistent with the FLUP, a property owner must submit a FLUP Amendment Petition, which may be considered based upon the Letter of Request, Statement of Relevant Goals and Objectives, and other supporting materials, as described on Page 2. Each FLUP Amendment Petition will be evaluated by the City Council on its own merits. It is the responsibility of the property owner or applicant to provide evidence that the proposed FLUP amendment supports community goals and objectives as set forth within the Comprehensive Plan.
- » The adopted Comprehensive Plan provides that amendments to the FLUP should not be made without thorough analysis of immediate needs, as well as consideration for long-term effects of proposed amendments. The City Council will consider each proposed FLUP Amendment Petition carefully to determine whether it is consistent with the Comprehensive Plan's goals and policies, and whether it will be beneficial for the long-term health and vitality of Cedar Park. Upon review of the Letter of Request, Statement of Relevant Goals and Objectives, and other supporting materials, a FLUP Amendment Petition may be accepted by a majority vote of the City Council. Acceptance of a FLUP Amendment Petition by the City Council indicates an applicant may proceed through the FLUP amendment process.
- » While city staff may review the petition for completeness and accuracy, city staff does not make a recommendation to the City Council as to whether a FLUP Amendment Petition should be accepted.
- » **ACCEPTANCE BY THE CITY COUNCIL OF A FLUP AMENDMENT PETITION SHALL NOT CONSTITUTE OR GUARANTEE APPROVAL OF THE PROPOSED FLUP AMENDMENT. ACCEPTANCE OF A FLUP AMENDMENT PETITION ONLY INDICATES AN APPLICANT MAY PROCEED THROUGH THE FLUP AMENDMENT PROCESS. IF THE CITY COUNCIL DOES NOT VOTE TO ACCEPT OR TABLE THE FLUP AMENDMENT PETITION, THE PETITION SHALL BE DEEMED DENIED. ACCEPTANCE OF A FLUP AMENDMENT PETITION SHALL BE VALID FOR A MAXIMUM OF 18 MONTHS FROM CITY COUNCIL CONSIDERATION UNLESS A PUBLIC HEARING FOR THE FLUP AMENDMENT HAS BEEN HELD BEFORE THE PLANNING AND ZONING COMMISSION. ANY SUBSTANTIVE CHANGES TO ORIGINAL FLUP AMENDMENT PETITION MUST BE SUBMITTED FOR RECONSIDERATION BY CITY COUNCIL.**

INSTRUCTIONS

All required materials completed and uploaded to www.mygovernmentonline.org

- Contact Planning Staff (450 Cypress Creek Road, Building 1 / Telephone: 512-401-5082) to discuss the proposed FLUP amendment prior to submission of a petition;
- Upload all required materials to www.mygovernmentonline.org

CEDAR PARK**Development Services Intake**

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

PROJECT INFORMATIONProject Name: The PlaygroundProposed Amendment: From: LOC To: REGProject Location/Address: Fawn Meadows, Lot 4 & 5, ACRES 3.2Project Legal Description: 102 CR 180, LEANDER, TX 78641**REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION**

- Proof of property ownership. Copy of deed or other documentation establishing ownership by and individual or entity. If owned by an entity, including a partnership, documentation that the person signing the Owner's Acknowledgment has the authority to do so.
- An aerial map clearly depicting the subject property and surrounding properties; the same or additional map should identify the property's current FLUP designation and the designation of surrounding properties.
- Letter of Request. A Letter of Request from the owner/applicant outlining the justification for the proposed FLUP amendment. The Letter shall include:
 - How the proposed change will enhance the site and the surrounding area;
 - Whether the necessary infrastructure is already in place or how this will be provided;
 - How the proposed change reflects the vision identified by the Future Land Use Plan;
 - Whether or how the subject property is compliant with surrounding land uses and zoning;
 - How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner, or enhances adjacent areas;
 - Whether uses adjacent to the proposed land use are similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility. If adjacent uses are dissimilar, how compatibility will be addressed;
 - How the proposed land use presents a better benefit to the public health, safety and welfare of the community than the current designation of future land use; and
 - How the proposed land use contributes to the City's long-term economic well-being.
- Statement of Relevant Goals and Objectives. This Statement from the applicant identifies which goals and objectives of the Comprehensive Plan are supported by the proposed land use change, and how they are supported or strengthened by the proposal.
- Proposed Land Use and Development Information. This includes information on proposed land uses, building intensity, building height, building area, density, number of non-residential or residential dwelling units, etc.
- Identification of unique characteristics of the area that supports the proposed land use and any additional maps or other information from the applicant to support the proposed Amendment.
- Scan of completed Owner's Acknowledgment (following page).

CEDAR PARK**Development Services Intake**

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

OWNER'S ACKNOWLEDGMENT & DESIGNATION OF AGENT

The signature of the property owner or owners is required. If the property owner information does not match appraisal district records, documentation verifying the change in ownership must be provided.

By signing, the owner indicates consent to the submittal of this petition. If the owner designates an agent to facilitate the petition, both owner and agent must sign this acknowledgment. Signatures certify that the applicant and his agent, if so designated, has reviewed the requirements of this petition and acknowledges that the acceptance of the proposed amendment petition by the City Council does not grant the requested FLUP amendment or guarantee such approval by the Planning and Zoning Commission or City Council when the amendment is presented for consideration. **Acceptance** of a FLUP amendment petition shall be **valid 18 months** from City Council consideration unless a public hearing for the FLUP amendment has been held before the Planning and Zoning Commission and any substantive changes to original submission must be submitted for reconsideration by City Council.

Note: the agent is the official contact person for this petition 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.

I will represent my petition before the City Council.

I hereby authorize the person named below to act as my agent/applicant in processing this petition before the City Council.

Owner's Name (Printed): Michael West

Owner's Address: 3502 Turkey Path Bend Cedar Park, Tx 78613

Owner's Phone: 512-801-2198 Cell: _____ Email: mike@c2ss.com

Owner's Signature: [Signature] Date: 1-18-2024

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: 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.

Agent's Name (Printed): Gerardo Ben Vaytan

Agent's Address: 1009 West 6th St, Ste 207

Agent's Phone: 512-508-9003 Cell: 512-310-3285 Email: gerardo@pbdesigngroup.com

Agent's Signature: [Signature] Date: 3/1/2024

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: 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.



Letter of Request

I am writing to request a future land use amendment for property located at 102 County Rd 108 Leander, TX 78641 which is intended to host an outdoor bar venue with various amenities requiring a Regional Office/Retail/Commercial (REG) land use designation. This request is motivated by the following justifications:

1. Need for REG Land Use

The proposed outdoor bar venue aims to offer a dynamic community space that caters to diverse recreational needs and preferences of residents. To achieve this goal, the site will feature amenities such as pickleball courts, a wiffleball field, open-air flex space, and more. These offerings require a REG land use designation to ensure compatibility with zoning regulations and to facilitate the development of a vibrant and inclusive gathering place for residents and visitors alike.

2. Infrastructure Improvements

In order to meet the necessary parking and utility requirements for the proposed development, additional infrastructure enhancements will be implemented. We are committed to working diligently with the City of Cedar Park to address all infrastructure needs and ensure compliance with regulatory standards, thereby mitigating any potential impacts on surrounding areas and enhancing the overall functionality and safety of the site.

3. Community Benefits

The proposed land use change capitalizes on the unique characteristics of the site to foster a pedestrian-oriented, family-friendly outdoor venue that enhances the quality of life for residents. By providing a complementary destination to the nearby Perfect Game complex, the development will serve as a "run-off" venue, offering additional entertainment and retail options for the projected 500k-750k patrons annually. Moreover, adjacent lots are already designated REG, facilitating a seamless expansion to this lot and reinforcing the overall coherence and vitality of the area.

4. Proximity to Existing General Business Sites

The site is currently designated ETJ, however General Business Zoning will be requested. Because the site is situated within close proximity to other parcels already zoned for General Business use, representing a logical and incremental expansion of zoning already present in the immediate area. This strategic alignment ensures consistency and compatibility with surrounding land uses, minimizing potential conflicts and enhancing the overall coherence and vitality of the neighborhood.

5. Community Health and Welfare

The proposed land use change benefits the public health and welfare of the community by facilitating the hosting of outdoor amenities, thereby cultivating a pedestrian-oriented, family-friendly venue that promotes outdoor activity.



6. Economic Development

The venue will contribute to the economic development of the community through tax revenue and job creation. Once annexation occurs, adjacent lots may seek development, compounding the city's revenue. Likewise, the synergy promoted between the foot traffic and events associated with nearby venues like the Perfect Game complex are valuable for keeping revenue in the city of Cedar Park.

7. Compatibility with Context

Given the context of the adjacent properties, the proposed land use is designed to seamlessly blend into the existing landscape. The envisioned land use encompasses adjacent lots, serving as a natural extension of the land use practices already established by neighboring properties. While the venue's operating hours are intended to span the full spectrum of day to evening, a steadfast commitment to community courtesy and integration is maintained throughout all hours of operation.

In conclusion, the proposed future land use amendment is aligned with the vision and goals of the City of Cedar Park, as it seeks to create a vibrant and inclusive community space that meets the recreational needs of residents while enhancing economic vitality and attracting visitors to the area. We are committed to working collaboratively with the Planning Department to ensure that the proposed development aligns with all regulatory requirements and contributes positively to the continued growth and prosperity of Cedar Park and the immediate community.



Statement of Relevant Goals and Objectives

(1) Family-Friendly Atmosphere

By introducing a venue with integrated outdoor activities and annual events, the community will have more opportunities for family-oriented leisure and recreation. The expansion of offerings through the REG designation will facilitate a wider array of activities and amenities conducive to family outings, thereby fostering a welcoming and inclusive environment for residents and visitors alike.

(2) Facilitating Seasonal Events

The site will have the capacity to accommodate events like pumpkin patches, Easter egg hunts, movie nights, and sports viewing parties. These types of events cater to the recreational needs and preferences of the neighborhoods in the vicinity and surrounding areas. By providing a dedicated space for such events, the community will have a centralized location to partake in seasonal festivities, fostering a sense of tradition, unity, and shared experiences among residents.

(3) Upholding the Community Mission

The development of a multi-functional venue that caters to diverse interests and activities promotes social cohesion and strengthens community ties, reinforcing Cedar Park's identity as a vibrant and inclusive place to live, work, and play. This investment reflects a commitment to enhancing the quality of life for residents and fostering a sense of belonging in the local area.

(4) Supporting Economic Vitality

The conversion to a Regional Office/Retail/Commercial (REG) land use is strategically aligned with the goal of coinciding with the Perfect Game complex and providing a "run-off" venue for the projected 500k-750k patrons annually. By leveraging the increased foot traffic generated by the Perfect Game complex, the proposed REG development serves as a complementary destination, offering additional entertainment and retail options for visitors to Cedar Park. This synergy between venues not only enhances the overall appeal and attractiveness of the area but also bolsters economic vitality by stimulating local businesses and attracting tourism dollars, thereby ensuring sustained patronage and investment in the community.



Statement Identifying Unique Site Characteristics

The proposed land use for the site capitalizes on its unique characteristics to foster a vibrant and inclusive community space that aligns with the diverse recreational needs and preferences of residents. The following features highlight the site's suitability for the proposed land use:

(1) Large Grassy Areas

The site boasts a significant expanse of lush, open grassy terrain, which will be retained and optimized as a flexible, open-aired activity area. This expansive space provides ample room for a variety of recreational and social activities, including picnics, outdoor games, and community gatherings, fostering a sense of freedom and connection with nature within the urban landscape.

(2) Existing Trees

The site is adorned with mature trees, which will be preserved to maintain the natural beauty and ecological integrity of the surroundings. These existing trees not only enhance the aesthetic appeal of the site but also provide shade, habitat for wildlife, and a sense of tranquility, creating a welcoming and harmonious environment for visitors to enjoy.

(3) Wiffleball Field and Pickleball Courts

In response to community demand for outdoor recreational amenities, the proposed land use includes the installation of a wiffleball field and two outdoor pickleball courts. These facilities offer opportunities for active play, exercise, and social interaction, catering to a wide range of ages and skill levels within the community. By providing designated spaces for popular sports activities, the site promotes physical health, camaraderie, and community engagement among residents.

(4) Distinct Lack of Outdoor Music Venue

Recognizing the importance of minimizing noise pollution and respecting the surrounding residential area, the proposed land use deliberately avoids the establishment of an outdoor music venue. This decision ensures that the site remains conducive to peaceful enjoyment for nearby residents, mitigating potential disturbances while preserving the tranquility and quality of life within the community.

In summary, the unique characteristics of the site, including its large grassy area, existing trees, provision of recreational amenities, and consideration for noise-sensitive uses, collectively support the proposed land use as a dynamic and inclusive space that enhances the overall well-being and vitality of the community.

SYMBOL KEY:

- GAS METER
- ELECTRIC METER
- WATER METER
- UTILITY POLE
- A/C UNIT
- PROPERTY LINE
- SETBACK
- EASEMENT
- PROTECTED TREE

GENERAL NOTES:

1. TREE PROTECTION FENCING AND MULCH SHALL BE INSTALLED AT APPLICABLE TREES WITHIN THE LIMITS OF CONSTRUCTION AS NOTED. FENCING SHALL PROTECT THE ENTIRE CRITICAL ROOT ZONE (CRZ) AREA WHERE POSSIBLE. FENCING IS REQUIRED TO BE CHAIN-LINK MESH AT A MINIMUM HEIGHT OF 5 FT. AN 8 IN LAYER OF MULCH WITHIN THE ENTIRE AVAILABLE ROOT ZONE AREA IS REQUIRED FOR TREES WHICH HAVE ANY DISTURBANCE INDICATED WITHIN ANY PORTION OF THE CRITICAL ROOT ZONE.
2. CONTRACTOR TO REVIEW PLAN FOR SITE ACCESS AND TREE PROTECTION WITH ARCHITECT PRIOR TO STARTING CONSTRUCTION.
3. NO CUT OR FILL 4" OR GREATER WITHIN THE 1/2 CRZ OF PROTECTED TREES. NO IMPACT ALLOWED IN THE 1/4 CRZ.

SITE NOTES:

- OCCUPANCY LOAD: 547
 REQ. PARKING: 105
 BAR - 19
 COVID SEATING - 27
 UNCOVID SEATING - 33
 OFFICE/STORAGE - 7
 PICKLEBALL CRT - 4
 WIFFLE BALL FIELD - 9
 FOOD TRUCKS - 6
- REQ. BATHROOM STALLS: 14
 TOILETS: 10
 URINALS: 4
 REQ. BATHROOM SINKS: 8

THE PLAYGROUND
 102 COUNTY RD 180
 LEANDER TX 78641
 DO NOT SCALE DRAWING



SEAL
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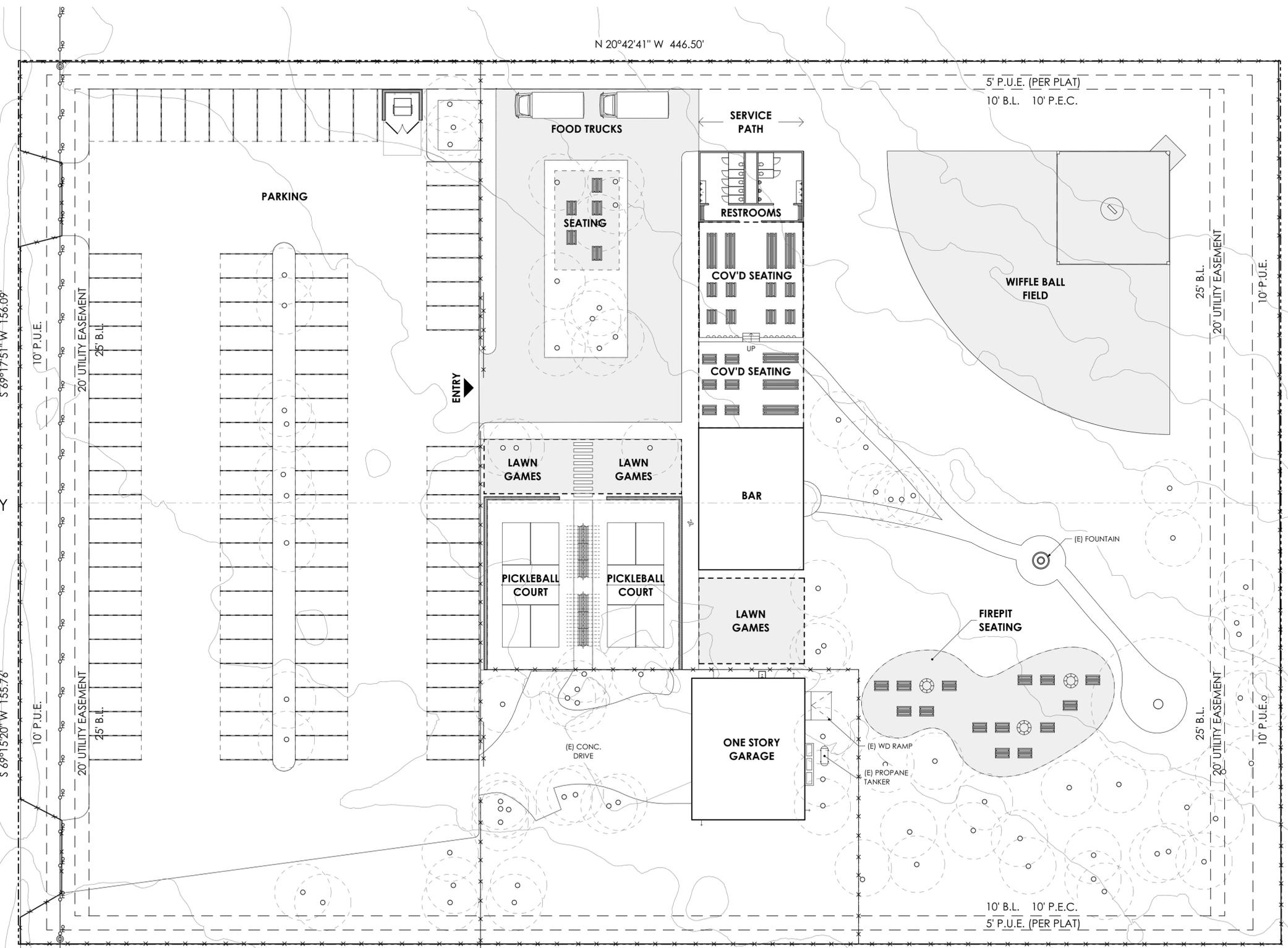
DRAWING TITLE:
 SITE PLAN

SCALE:
 1" = 20'
 SCALES ARE 50% OF NOTED WHEN PRINTED ON 11 X 17 PAPER

DATE:
 12/6/2023

SHEET NUMBER:

A1.00



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SITE PLAN
 SCALE: 1" = 20'