



**CITY OF CEDAR PARK  
REGULAR SCHEDULED CITY COUNCIL MEETING  
CEDAR PARK CITY HALL - COUNCIL CHAMBERS  
450 CYPRESS CREEK ROAD, BUILDING FOUR  
FEBRUARY 25, 2021 AT 6:00 PM**

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

**Event Password:** CedarPark2021

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

**Access Code:** 142 307 4525

Corbin Van Arsdale, Mayor  
Tim Kelly, Council Place One  
Mel Kirkland, Council Place Two  
Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem  
Rodney T. Robinson, Council Place Five  
Heather Jefts, Council Place Six  
Brenda Eivens, City Manager

*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](mailto:Council@cedarparktexas.gov).*

### **AGENDA**

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

### **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:*

*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.*

- 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 Authority To Regulate Religious And Educational Uses.
  - b. Legal Issues Concerning Municipal Sign Regulations Under Reed v. Town Of Gilbert, AZ.
- B.2 Section § 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property.
  - a. Lease City-Owned Properties At 500 Cypress Creek Road And Bell Boulevard.
- B.3 Section § 551.087 Deliberation Regarding Economic Development Negotiations.
  - a. Update Regarding Negotiations With Economic Development Prospects.

The Council Reconvenes into Open Meeting.

## **II. OPEN MEETING**

**To Commence At 7:00 p.m.**

- C.1 Invocation. (4)
- C.2 Pledges Of Allegiance (U.S. and Texas).
- [C.3](#) Discussion Of February 2021 Winter Storm And Consideration Of A Resolution Consenting To Continue The Mayor's Declaration Of Local State Of Disaster Regarding Severe Winter Weather For A Period Of More Than Seven (7) Days.
- [C.4](#) Discussion and Possible Action Regarding The City's Utility Billing Policies and Fee Schedule, Including Winter Averaging For Wastewater Rates, Water Leak Credits, Late Fees, Disconnections, And Permit Fees. (Mayor)
- 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.)

### **Consent Agenda**

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

- [D.1](#) Approval Of Minutes From The Special Called City Council Work Session On February 4, 2021.
- E.1 Second Reading And Approval Of Ordinances: No Items On Consent Agenda For Consideration.
- [F.1](#) Approval For Appointment Of Bobbi Hutchinson To Place One On The Planning And Zoning Commission. (Kelly)

*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.*



- [F.2](#) A Resolution Authorizing An Agreement With Artist Angela Effenberger For The Commissioning Of A Mural To Be Installed In Rosemary Denny Park.
- [F.3](#) A Resolution Authorizing An Agreement For Construction Of The Lift Station Coating Rehabilitation Project With Lewis Concrete Restoration Corporation In An Amount Not To Exceed \$101,590.

### **Public Hearings**

- [G.1](#) First Reading And Public Hearing Of An Ordinance Amending Cedar Park Code Of Ordinances Chapter 11 Zoning, Regarding Hospital Services Regulations (OA-20-002) ***The Planning And Zoning Commission Voted 5-0 To Recommend Approval Of the Amendments.***
- [G.2](#) (Z-20-014) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 4.56 Acres From Development Reserve (DR) To General Business (GB), Located At The Southeast Corner Of W. Whitestone Boulevard And Toro Grande Boulevard. ***The Planning and Zoning Commission Voted 4-2 To Recommend Denial Of General Business (GB).***

### **Regular Agenda (Non-Consent)**

- [H.1](#) Discussion For Appointment Of Christine Blair To Place Four On The Parks, Arts, And Community Enrichment Advisory Board. (Boyce)
- [H.2](#) Consideration Of A Future Land Use Plan (FLUP) Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Medium Density Residential (MDR) For Approximately 6.98 Acres Located At The Northwest Corner Of North Lakeline Boulevard and West Park Street (FLU-21-001).
- [H.3](#) Consideration Of A Future Land Use Plan (FLUP) Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) and Regional Office/Retail/Commercial (REG) To Low Density Residential (LDR) For Approximately 35.5 Acres Located At 2409 East New Hope Road (FLU-21-002).
- [H.4](#) Consideration Of A Resolution Authorizing A Professional Services Agreement With Freese and Nichols, Inc. (FNI) For Design Of The Riviera Springs Subdivision – East Drainage Project In An Amount Not To Exceed \$450,000.
- H.5 Discussion On Limiting Signage At City Polling Locations. (Kirkland)
- H.6 Discussion Regarding The COVID-19 Declaration Of Local State Of Disaster For The City Of Cedar Park.
- H.7 Consider Action, If Any, On Items Discussed In Executive Session.
- H.8 Mayor And Council Closing Comments.

*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.9 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

### 2018-2020 STRATEGIC GOALS



#### DISTINCTLY CEDAR PARK

##### PURPOSE

Cedar Park is a unique location with a distinct identity shaped by its distinguishing projects and programs.

##### OBJECTIVES

- Encourage unique and distinctive developments
- Revitalize Bell Boulevard area
- Create gathering places, including parks and library
- Design special events that attract people to Cedar Park
- Leverage the value of aesthetics on community culture



#### OPEN HERE, GROW HERE

##### PURPOSE

Use economic development resources to expand and diversify our tax base by actively recruiting new employers and supporting existing businesses.

##### OBJECTIVES

- Identify markets and actively recruit targeted industries and employers
- Evaluate economic development tool box
- Protect areas already designated for business
- Develop and launch business retention program



#### SAFETY IS TOP-OF-MIND

##### PURPOSE

Our community feels safe, secure and comfortable.

##### OBJECTIVES

- Ensure timely and appropriate response for calls for service
- Provide resources necessary to meet community expectations
- Enhance citizen safety level



**CEDAR PARK**



#### OPERATIONAL & FISCAL EXCELLENCE

##### PURPOSE

Deliver high-quality services in a fiscally-responsible manner.

##### OBJECTIVES

- Provide high-value services to our community
- Demonstrate fiscal responsibility
- Improve and ensure a well-maintained infrastructure, including storm water
- Attract and retain a qualified workforce



#### LINK PEOPLE, PLACES & THINGS

##### PURPOSE

Improve mobility through multi-modal transportation options that best serve the community's needs.

##### OBJECTIVES

- Continue implementing Roadway Master Plan
- Expand pedestrian and bike networks
- Complete Transit Study
- Use technology to improve traffic/mobility
- Advance 183A frontage road project



#### STRONG COMMUNITY CONNECTIONS

##### PURPOSE

Encourage and expand civic engagement and understanding of government to inspire trust and confidence.

##### OBJECTIVES

- Develop and leverage innovative ways to engage the community
- Evaluate and enhance current engagement programs
- Support development and recognition of board and commission members



#### SUSTAINABLE FUTURE

##### PURPOSE

Demonstrate responsible stewardship of community and natural resources.

##### OBJECTIVES

- Use our resources wisely
- Explore environmental programs
- Update Comprehensive Plan
- Support neighborhood maintenance

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:**

C.3 Discussion Of February 2021 Winter Storm And Consideration Of A Resolution Consenting To Continue The Mayor's Declaration Of Local State Of Disaster Regarding Severe Winter Weather For A Period Of More Than Seven (7) Days.



## **CITY COUNCIL AGENDA**

February 25, 2021

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**Item/Subject:** Consideration Of A Resolution Consenting To Continue The Mayor's Declaration Of Local State Of Disaster Regarding Severe Winter Weather For A Period Of More Than Seven (7) Days.

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### **Commentary**

The Mayor issued a Declaration of Local State of Disaster for the City of Cedar Park, Texas ("local disaster declaration") on February 18, 2021 in response to the threat of widespread and severe property damage, injury and loss of life due to the severe winter weather experienced within the City. The local disaster declaration continues in effect for a period of seven (7) days from the effective date, unless continued in effect by consent of the City Council, in accordance with Texas Government Code Section 418.108(b).

The federal and state disaster declarations issued by the President of the United States and the Governor of the State of Texas, respectively, will continue in effect for a period of longer than seven (7) days. The county judges of Williamson and Travis Counties also issued disaster declarations on February 14, 2021, and the commissioners' courts of each county will consider extensions of the county disaster declarations this week.

This resolution is to extend the City's local disaster declaration through the earlier termination of either a) the State disaster declaration, or b) the Williamson and Travis County disaster declarations, unless earlier revoked by the Mayor.

**Initiating Dept:**

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**Fiscal Impact**

**Fund:**

**Budget**

**Amount:**

☐ **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, CONSENTING TO CONTINUE A DECLARATION OF LOCAL STATE OF DISASTER IN RESPONSE TO SEVERE WINTER WEATHER FOR A PERIOD OF MORE THAN SEVEN DAYS; 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 18, 2021, the Mayor acting in accordance with the authority granted to him under Section 418.108(a) of the Texas Government Code and the City of Cedar Park Charter, declared a local state of disaster for the City due to the imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged severe winter weather within the City (the “disaster declaration”); and

WHEREAS, Section 418.108(b) of the Texas Government Code provides that such a disaster declaration may not be continued for a period of more than seven (7) days except with the consent of the governing body of the political subdivision; and

WHEREAS, the conditions necessitating the disaster declaration will continue to exist for a period of more than seven (7) days; and

WHEREAS, the disaster declarations issued by the President of the United States, and the Texas Governor extend past seven (7) days.

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

SECTION 1. That the City Council consents to continue the Mayor’s Declaration of Local State of Disaster of February 18, 2021 through the earlier termination of a) the State of Texas Declaration of Disaster; or b) the Williamson County Declaration of Disaster and the Travis County Declaration of Disaster, unless terminated earlier by order or proclamation of the Mayor under Section 418.108(c) of the Texas Government Code.

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

PASSED AND APPROVED this the 25<sup>th</sup> day of February, 2021.

CITY OF CEDAR PARK, TEXAS

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Corbin Van Arsdale, Mayor

ATTEST:

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LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

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J.P. LeCompte, City Attorney



**File Attachments for Item:**

C.4 Discussion and Possible Action Regarding The City's Utility Billing Policies and Fee Schedule, Including Winter Averaging For Wastewater Rates, Water Leak Credits, Late Fees, Disconnections, And Permit Fees. (Mayor)

**CITY COUNCIL AGENDA**

February 25, 2021

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**Item/Subject:** Discussion And Possible Action Regarding The City's Utility Billing Policies And Fee Schedule, Including Winter Averaging For Wastewater Rates, Water Leak Credits, Late Fees, Disconnections, And Permit Fees.

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**Commentary**

Staff will present a number of updates related to utility billing and permitting for Council consideration and direction.

**Initiating Dept:** Finance

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**Fiscal Impact****Budget**

Amount:

☐ Finance Director Review**Legal Certification**

Approved as to form and content:

☐ Yes☐ No **City Attorney****Associated Information:**

**File Attachments for Item:**

D.1 Approval Of Minutes From The Special Called City Council Work Session On February 4, 2021.

## MINUTES

**CITY OF CEDAR PARK  
SPECIAL CALLED CITY COUNCIL MEETING – WORK SESSION  
CEDAR PARK RECREATION CENTER – MEETING ROOMS  
1435 Main Street  
FEBRUARY 4, 2021 AT 8:00 AM**

Corbin Van Arsdale, Mayor  
Tim Kelly, Council Place One  
Mel Kirkland, Council Place Two  
Eric Boyce, Council Place Four

Anne Duffy, Mayor Pro Tem  
Rodney T. Robinson, Council Place Five  
Heather Jefts, Council Place Six  
Brenda Eivens, City Manager

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

**Mayor Van Arsdale called the meeting to order at 8:05 a.m.**

**Councilmember Kelly and Councilmember Robinson absent. All others present.**

- B. Discussion Only:  
1. Cedar Park Comprehensive Plan And Land Use Principles.

**Amy Link, Dvlp. Services Director, addressed Council regarding the basics of the Comprehensive Plan and Land Use Principles, Planning Areas and Mixed Use Development, Future Land Use Plan amendments and petition process, rezoning process, and active planning projects.**

**General discussion followed.**

- C. Mayor And Council Closing Comments.

**None.**

- D. Adjournment.

**Mayor Van Arsdale adjourned the meeting at 9:28 a.m.**

**PASSED AND APPROVED THIS 25<sup>th</sup> DAY OF FEBRUARY 2021.**

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**Corbin Van Arsdale, Mayor**

**ATTEST:**

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**LeAnn M. Quinn, TRMC**  
**City Secretary**

**File Attachments for Item:**

F.1 Approval For Appointment Of Bobbi Hutchinson To Place One On The Planning And Zoning Commission. (Kelly)



**CITY COUNCIL AGENDA**  
February 25, 2021

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**Item/Subject:** Approval For Appointment Of Bobbi Hutchinson To Place One On The Planning And Zoning Commission. (Kelly)

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**Commentary**

		Term Length: 2 yr	
		Term: 8/1-7/31	
		Residency Requirement	
	<b>Apptd by:</b>	<b>Current Members/Term Expires</b>	<b>Applicant</b>
Place One	<b>Kelly</b>	VACANT	<b>Bobbi Hutchinson</b>
		7.31.21	<i>Term Expires 7.31.21</i>
Place Two	<b>Kirkland</b>	Bob Ingraham	
		7.31.20	
Place Three	<b>Duffy</b>	Sara Groff	
		7.31.21	
Place Four	<b>Boyce</b>	Audrey Wernecke	
		7.31.22	
Place Five	<b>Robinson</b>	Jeff Baker	
		7.31.21	
Place Six	<b>Jefts</b>	Kimberly Bradford-Brown	
		7.31.22	
Place Seven	<b>Van Arsdale</b>	Randy Strader	
		7.31.20	

**File Attachments for Item:**

F.2 A Resolution Authorizing An Agreement With Artist Angela Effenberger For The Commissioning Of A Mural To Be Installed In Rosemary Denny Park.





## CITY COUNCIL AGENDA

February 25, 2021

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**Item/Subject:** Consideration Of A Resolution Authorizing An Agreement With Artist Angela Effenberger For The Commissioning Of A Mural To Be Installed In Rosemary Denny Park.

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### **Commentary**

This item is to consider the commissioning of a mural on the side of the restroom/concessions building at Rosemary Denny Park.

In 2020, the PACE Advisory Board selected artist Angela Effenberger to commission a mural project at Milburn Park. Following the positive reception of the mural project, the artist reached out to City staff and offered to paint another mural in a City-owned park at no expense to the City. After discussing design possibilities, the PACE Advisory Board has recommended the design attached in **Appendix A** of this document. The mural features an interactive array of balloons that makes for a great photo-op for children, who can pose with the mural amidst the backdrop of balloons.

**Initiating Dept:** City Manager's Office

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### **Fiscal Impact**

**Fund:** N/A

### **Budget**

**Amount:** N/A

☐ **Finance Director Review**

### **Legal Certification**

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

## Appendix A: Final Mural Design



## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ARTIST ANGELA EFFENBERGER FOR THE COMMISSIONING OF A MURAL IN ROSEMARY DENNY PARK; 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 Park, Arts, and Community Enrichment (PACE) Advisory Board assists with the development and promotion of the Public Art Program, which aims to promote and encourage public art programs, further the development, awareness, and interest in the visual arts, create an enhanced visual environment, and promote tourism and economic vitality; and

WHEREAS, The PACE Advisory Board has identified the development of a mural at Rosemary Denny Park to be a fitting project for the Public Art Program; and

WHEREAS, Artist Angela Effenberger submitted a proposed design for a new mural in Rosemary Denny Park that was supported by the PACE Advisory Board at the February 8<sup>th</sup>, 2021 Board Meeting.

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

SECTION 1. The City Manager is hereby authorized and directed to execute an agreement with artist Angela Effenberger for the commissioning of a mural at Rosemary Denny Park, 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 25<sup>th</sup> day of February 2021.

CITY OF CEDAR PARK, TEXAS

ATTEST:

\_\_\_\_\_  
Corbin Van Arsdale, Mayor

\_\_\_\_\_  
LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

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J.P. LeCompte, City Attorney

**File Attachments for Item:**

F.3 A Resolution Authorizing An Agreement For Construction Of The Lift Station Coating Rehabilitation Project With Lewis Concrete Restoration Corporation In An Amount Not To Exceed \$101,590.

## Lift Station Coating Rehabilitation Project



### Competitive Sealed Proposals- Evaluation Factors and Ranking Criteria

#### 1. Cost Proposal (50%):

The Owner will consider the total contract cost as part of its evaluation. The Owner shall have the right to accept alternates in any order or combination unless otherwise specifically provided in the Proposal Documents.

The Proposer submitting the lowest proposed amount shall receive the highest number of points in the category, and the Proposer submitting the highest proposed amount shall receive the lowest number of points awarded in this category.

#### 2. Contractor Experience and References (40%):

Experience as a general contractor with specific experience in similar construction projects of the same or similar type, size, nature and class as the Project being proposed. Consideration will be given to the number of years of experience presented by the Proposer. Consideration may also be given to experience with local projects.

Representative projects (dollar value and/or scope/size) must be submitted as references to include the project name, architect or engineer, and cost of the project. Provide valid contact information for the project owner and the architect or engineer. Consideration will only be given to projects which are occupied or substantially complete.

Evaluation of references provided in the proposal documents. References may be checked from customers other than those listed.

#### 3. Proposed Schedule and Approach (10%):

Time is of essence to the Owner. Amount of time for construction, proposed by each Proposer, will influence the number of points awarded in this category.

Is the bypass pumping plan reasonable and protective of the environment?

What is the availability of the Proposer and their ability to mobilize?



## CITY COUNCIL AGENDA

February 25, 2021

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**Item/Subject:** A Resolution Authorizing An Agreement For Construction Of The Lift Station Coating Rehabilitation Project With Lewis Concrete Restoration Corporation In An Amount Not To Exceed \$101,590

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### **Commentary**

The purpose of this resolution is to authorize the City Manager to execute an agreement for construction of the Lift Station Coating Rehabilitation Project (Project). This FY2021 project consists of the removal and replacement of failing protective coatings at the Blue Ridge Wastewater Lift Station (12304 Ranch Road 620 N) and the Lobo Wastewater Lift Station (313 Lollipop Lane). The wet well portion of the lift stations receives wastewater that is then pumped to a receiving manhole. Over time, the protective coatings in the wet well deteriorate, and must be removed and replaced to protect the wet well from corrosion.

Procurement for construction of the Project was through the alternative delivery method termed competitive sealed proposal (CSP), in accordance with Chapter 2269 of the Government Code and authorized by the City's Purchasing Policy. As required by state statute, the request for competitive sealed proposals included the evaluation criteria and weighting factors used to determine the proposer that offers the best value to the City. In this request, the evaluation factors and scoring criteria included: cost proposal (50%), contractor relevant experience and references (40%), and proposed schedule and approach (10%). A description of these evaluation factors and scoring criteria are attached to this memo.

Three (3) proposals from contractors were received and read in public on February 4, 2021. A selection committee consisting of departmental staff scored the submitted proposals in accordance with the state statutes and the evaluation criteria stated in the request for proposals. By utilizing the scoring system and numerical criteria matrix, the selection committee determined that Lewis Concrete Restoration Corporation was the proposer who

would provide the best value to the City. A table summarizing the ranking of each proposal as determined by the selection committee through utilization of the evaluation matrix is attached to this memo.

The engineer's cost estimate for this project was \$120,000. City staff are recommending execution of an agreement with Lewis Concrete Restoration Corporation for construction of the Lift Station Coating Rehabilitation Project, in an amount not to exceed \$101,590.

**Initiating Dept:** Public Works

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**Fiscal Impact**  
**Fund: Utility**

**Budget**  
**Budget: \$101,590.00**

☐ **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 AND DIRECTING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR CONSTRUCTION OF THE LIFT STATION REHABILITATION PROJECT WITH LEWIS CONCRETE RESTORATION CORPORATION IN AN AMOUNT NOT TO EXCEED \$101,590; 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 Lift Station Coating Rehabilitation Project (“Project”) is a FY2021 Capital Improvement Project; and

WHEREAS, the Project will consist of removing and replacing protective coatings at the Blue Ridge Wastewater Lift Station and the Lobo Wastewater Lift Station; and

WHEREAS, replacement of the protective coating extends the service life of the lift stations and protects valuable utility assets; and

WHEREAS, in accordance with Texas Government Code Chapter 2269, the Project was procured using the alternative delivery method termed competitive sealed proposals, which was authorized by the City’s Purchasing Policy as approved by City Council.; and

WHEREAS, three (3) proposals were received and their corresponding cost proposals were read aloud on February 4, 2021; and

WHEREAS, a selection committee evaluated the proposals in accordance with state statute and the evaluation criteria and weighting factors included in the request for proposals made available to the public; and

WHEREAS, Lewis Concrete Restoration Corporation was determined to be the contractor who would provide the best value to the City; and

WHEREAS, City staff recommends execution of an agreement for construction of the Project with Lewis Concrete Restoration Corporation in an amount not to exceed \$101,590.00.

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 for construction of the Lift Station Coating Rehabilitation Project with Lewis Concrete Restoration Corporation in an amount not to exceed \$101,590.00, 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 25<sup>th</sup> day of February, 2021.

CITY OF CEDAR PARK, TEXAS

ATTEST:

\_\_\_\_\_  
Corbin Van Arsdale, Mayor

\_\_\_\_\_  
LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

\_\_\_\_\_  
J.P. LeCompte, City Attorney

**Lift Station Coating Rehabilitation Project  
Competitive Sealed Proposal Evaluation  
Criteria Ranking Summary**

<b>Overall Rank</b>	<b>Proposer</b>	<b>Cost Proposal Rank (50%)</b>	<b>Experience Rank (40%)</b>	<b>Schedule and Approach Rank (10%)</b>	<b>Cost Proposal Amount</b>
1	Lewis Concrete Restoration Corp.	1	1	1	\$ 101,590.00
2	T&G Services	2	2	2	\$ 119,500.00
3	National Power Rodding Corp.	3	2	2	\$ 157,292.00

**File Attachments for Item:**

G.1 First Reading And Public Hearing Of An Ordinance Amending Cedar Park Code Of Ordinances Chapter 11 Zoning, Regarding Hospital Services Regulations (OA-20-002) ***The Planning And Zoning Commission Voted 5-0 To Recommended Approval Of the Amendments.***



**CITY COUNCIL AGENDA**  
February 25, 2021

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**Item/Subject:** (OA-20-002) First Reading And Public Hearing Of An Ordinance Amending Cedar Park Code Of Ordinances Chapter 11 Zoning Regarding Hospital Services.

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**COMMENTARY**

In July 2020, Vincent Huebinger and Dr. Henry Higgins of Cedar Park Family Hospital, approached the Planning and Zoning Commission and requested consideration of amendments to the Hospital Services use, specifically the conditional standard requiring a minimum site area of 10 acres. The Commission requested staff research this topic and on September 15, 2020, staff provided an overview of existing Hospital Services regulations and a summary of regulations applied in our benchmark cities. The Planning and Zoning Commission directed staff to draft an ordinance amendment that would allow Hospital Services on sites smaller than 10 acres.

The following ordinance amendments are presented for consideration. The amendments generally include additional conditions on the Hospital Services use while eliminating a minimum site area requirement.

Attached are the proposed amendments, with all changes shown in red. Only the language in red will be ~~removed~~ or added.

### **Hospital Zoning District History**

The Hospital (H) zoning district was originally created in 2006 in conjunction with the development of the Cedar Park Regional Medical Center. The district was subsequently amended in 2007 to require a minimum 10 acre site area, reflecting the campus style environment envisioned for hospital services. In 2015, medical uses within the Zoning Code were consolidated into three main categories: hospital services, medical clinics and medical offices. Finally, when the Zoning Code was updated in 2017, conditional standards were established for several uses. A conditional standard requiring the 10 acre minimum site area was associated with the hospital services use to reflect the requirement that was originally established in 2007.

### **Benchmark Analysis**

Staff conducted a benchmark analysis of zoning districts and hospital services uses and found that Cedar Park's Hospital district is unique. A majority of benchmark cities allow hospital services by right or via a special use permit within general commercial districts similar to our General Business (GB) and Local Business (LB) zoning districts.

### **Existing Hospital Services Regulations**

Table 11.02.064 of the Zoning Code identifies Hospital Services as a conditional use within the Hospital zoning district.

Land Use	Standards Reference	Zoning Districts																			
		Interim	Residential					Nonresidential												Mixed Use District	Overlay District
		DR	ES	SR	SU	UR	MF	NB	LB	GB	PO	HC	LI	HI	H	PS	OG	OR	MU	PA	EC
		Legend: P = Permitted; C = Conditional; S = Special Use; – = Prohibited																			
Hospital Services		-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-

Section 11.02.092 of the Zoning Code denotes the conditional standard requiring a minimum site area of 10 acres.

31. Hospital services, is permitted subject to the site area being a minimum of 10 acres.

### **Summary of Proposed Amendments:**

Table 11.02.064, Nonresidential Uses by Zoning District, has been revised to consider Hospital Services via a Special Use Permit (SUP) rather than being permitted as a conditional use within the Hospital zoning district. Language has been added to exempt existing Hospital Services uses from the SUP requirement, which will allow existing facilities to retain a legal conforming use status. The 10 acre minimum site area requirement for Hospital Services is proposed for removal, while additional conditions have been added, requiring that information regarding the anticipated type of licensure and the proposed maximum number of beds be provided at the time of SUP application submittal.

### **Planning and Zoning Commission Public Hearing and Recommendation:**

The Planning and Zoning Commission held a public hearing on January 19, 2021. Two people spoke in support of the proposed amendments. One written letter in opposition was submitted prior to the meeting (see attached).

The Planning and Zoning Commission voted 5-0 to recommend the proposed amendments.

In Favor: Sara Groff, Randy Strader, Bobbi Hutchinson, Bob Ingraham, Jeff Baker

Opposed: None

Absent: Audrey Werneke

### **Public Information Plan:**

<i>January 6, 2021:</i>	Public notice of the Planning and Zoning Commission and City Council public hearings published in the Austin American Statesman
<i>January 19, 2021:</i>	Planning and Zoning Commission public hearing and recommendation
<i>February 10, 2021:</i>	Public notice of the City Council public hearing published in the Austin American Statesman
<i>February 25, 2021:</i>	City Council 1 <sup>st</sup> Reading and Public Hearing
<i>March 11, 2021:</i>	City Council 2 <sup>nd</sup> Reading

**Initiating Dept:** Development Services

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**Fiscal Impact****Fund:** n/a**Budget****Amount:** n/a☐**Finance Director Review****Legal Certification**

Approved as to form and content:

☐

Yes

☐No **City Attorney****Associated Information:**

Draft ordinance, including proposed ordinance amendments





January 19, 2021

Dear Planning and Zoning Commission,

Cedar Park Health System, L.P., d/b/a Cedar Park Regional Medical Center, ("CPRMC") formally objects to Item K.1 on the agenda for the City of Cedar Park Regular Called Meeting of the Planning & Zoning Commission on January 19, 2021 at 6:30 pm and any other modifications relating to the amendment of Section 11.02.092 of the Cedar Park Code of Ordinances, including without limitation, the removal of the ten acre site area requirement for Hospital services.

CPRMC has proudly provided medical care and services to Cedar Park residents for more than 10 years - and we're committed to doing so for many more.

Sincerely,

Bo Beaudry  
Chief Executive Officer

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING THE CEDAR PARK CODE OF ORDINANCES CHAPTER 11 ZONING REGARDING HOSPITAL SERVICES (OA-20-002); 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 Planning and Zoning Commission requested amendments to Chapter 11 Zoning regarding hospital services; and

WHEREAS, on January 19, 2021, the Planning and Zoning Commission voted 5-0 to recommend the proposed amendments;

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 City Council finds that the proposed amendments to Chapter 11 Zoning are in the best interest of the City and its residents.

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

SECTION 1. That Chapter 11 Zoning of the Cedar Park Code of Ordinances be amended as provided in the attached Exhibit A.

SECTION 2. 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 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of approval.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 25<sup>th</sup> day of February, 2021 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 \_\_\_\_ day of \_\_\_\_\_, 2021, 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

ATTEST:

\_\_\_\_\_  
Corbin Van Arsdale, Mayor

\_\_\_\_\_  
LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

\_\_\_\_\_  
JP LeCompte, City Attorney

**EXHIBIT A**

Amendments to Chapter 11 Zoning are shown in red. Only the text shown in red shall change.

**Sec. 11.02.064 Nonresidential uses by zoning district****Table 11.02.064. Nonresidential Uses by Zoning District**

Land Use	Standards Reference	Zoning Districts																				
		Interim	Residential						Nonresidential											Mixed Use District		Overlay District
		DR	ES	SR	SU	UR	MF	NB	LB	GB	PO	HC	LI	HI	H	PS	OG	OR	MU	PA	EC	
		Legend: P = Permitted; C = Conditional; S = Special Use; – = Prohibited																				
Hospital services	<a href="#">11.02.092 (31)</a>	–	–	–	–	–	–	–	–	–	–	–	–	–	SC	–	–	–	–	–	–	

**Sec. 11.02.092 Conditional and special use standards and conditions**

In accordance with the land use designations noted in [table 11.02.063](#), *Residential Uses by Zoning District*, [table 11.02.064](#), *Nonresidential Uses by Zoning District* and [table 11.02.065](#), *Temporary Uses by Zoning District*, the following uses are permitted as conditional uses or may be considered as special uses if the following requirements are met:

31. Hospital services, ~~is permitted subject to the site area being a minimum of 10 acres~~ may be considered subject to the following conditions:

- a. With the exception of hospital services that exist on the effective date of this Chapter, including both principal and accessory uses or buildings, a Special Use Permit is required.
- b. The hospital services are licensed by Department of State Health Services and the anticipated type of licensure is provided at the time of Special Use Permit application; and
- c. The maximum number of beds is included in the Special Use Permit application.

**File Attachments for Item:**

G.2 (Z-20-014) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 4.56 Acres From Development Reserve (DR) To General Business (GB), Located At The Southeast Corner Of W. Whitestone Boulevard And Toro Grande Boulevard. ***The Planning and Zoning Commission Voted 4-2 To Recommend Denial Of General Business (GB).***



## CITY COUNCIL AGENDA

February 25, 2021

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**Item/Subject:** (Z-20-014) First Reading And Public Hearing Of An Ordinance To Rezone Approximately 4.56 Acres From Development Reserve (DR) To General Business (GB), Located At The Southeast Corner Of W Whitestone Boulevard and Toro Grande Boulevard. ***The Planning And Zoning Commission Recommended Denial Of The Rezoning Request To General Business (GB) By A Vote Of 4-2.***

---

<b>Staff</b>	<b>Ashley Austin, 512-401-5058, Ashley.Austin@cedarparktexas.gov</b>
<b>Owner</b>	Cleo Bay Imports Inc
<b>Agent</b>	Sarah Corona, PSCE Inc.
<b>City Limits</b>	Yes
<b>Current Zoning</b>	Development Reserve (DR)
<b>Proposed Zoning</b>	General Business (GB)
<b>Future Land Use Plan</b>	Planning Area G
<b>Major Corridor</b>	Whitestone Boulevard
<b>Summary of Applicant's Request</b>	The applicant's request is to rezone approximately 4.56 acres from Development Reserve (DR) to General Business (GB). The proposed zoning of GB is supported by the current Future Land Use Plan.
<b>Staff Recommendation</b>	GB as requested

## COMMENTARY

**Staff Recommendation:** The proposed zoning is in compliance with the FLUP and staff recommends the applicant's request of General Business (GB) zoning.

**Reason for Staff Recommendation:** The proposed zoning change will provide an appropriate zoning designation, compliant with the FLUP and compatible with surrounding commercial land uses.

**Planning & Zoning Commission Recommendation to the City Council:** On December 15, 2020, the Planning and Zoning Commission recommended denial of the rezoning request by a vote of 4-2.

As a result of the Planning and Zoning Commission's denial recommendation, a super majority of the Council (6 out of 7 votes) will be required to approve the rezoning request.

In favor of motion to deny: Randy Strader, Bobbi Hutchinson, Sara Groff, Audrey Wernecke, Jeff Baker

Recused: None

Opposed to motion to deny: Bobbi Hutchinson, Bob Ingraham

Absent: None

Vacant: Place 1

**Stated Reasons for P&Z Recommendation:** Commissioners raised concerns about the proposed gas station use and its relevance to the intent of Planning Area G. Some Commissioners did not feel that the use met any of the missing places identified in the Comprehensive Plan.

**Planning & Zoning Commission Public Hearing:** The Planning and Zoning Commission held a public hearing on December 15, 2020. No public testimony was received.

**Public Input:** Staff has received one email from an adjacent property owner in opposition of the request.

### **Public Information Plan:**

*December 2, 2020:* Public notice of the Planning and Zoning Commission and City Council public hearings published in the Austin American Statesman

*December 4, 2020:* Eight (8) 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

*December 15, 2020:* Planning and Zoning Commission public hearing

*February 10, 2021:* Public notice of the City Council public hearing published in the Austin American Statesman and eight (8) letter notices were sent to property owners within 300 feet of the subject tract

*February 25, 2021:* City Council 1st reading and public hearing

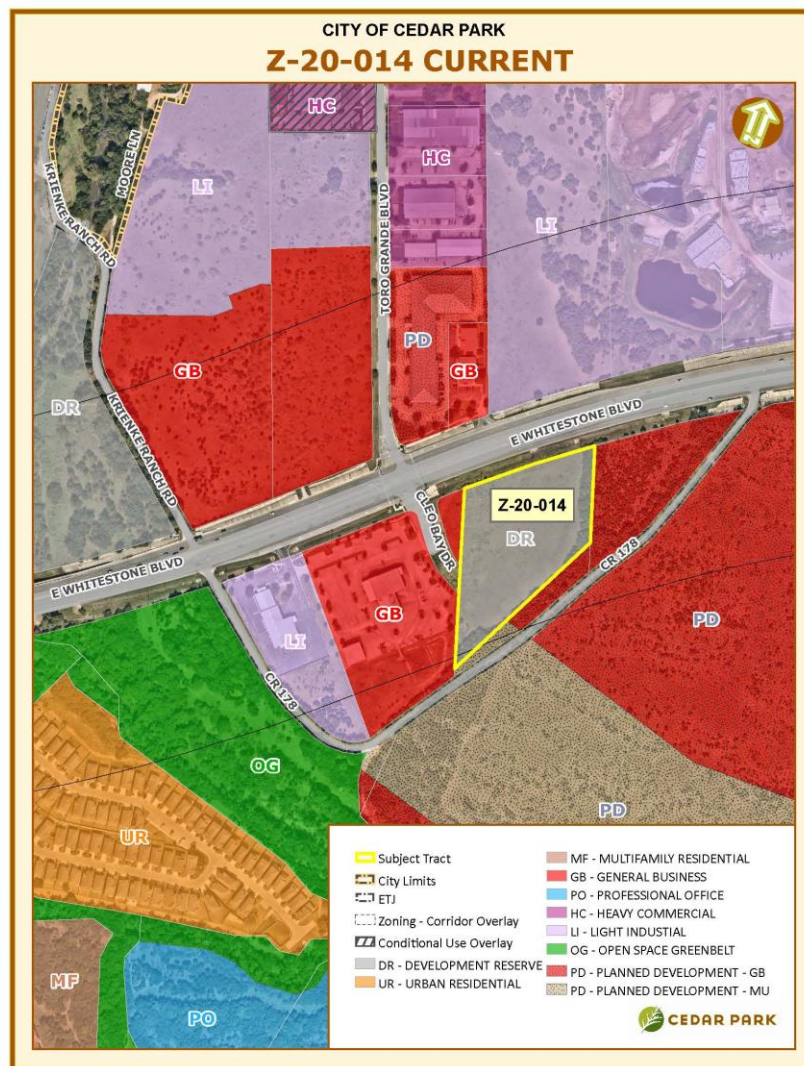
*March 11, 2021:* City Council 2nd reading



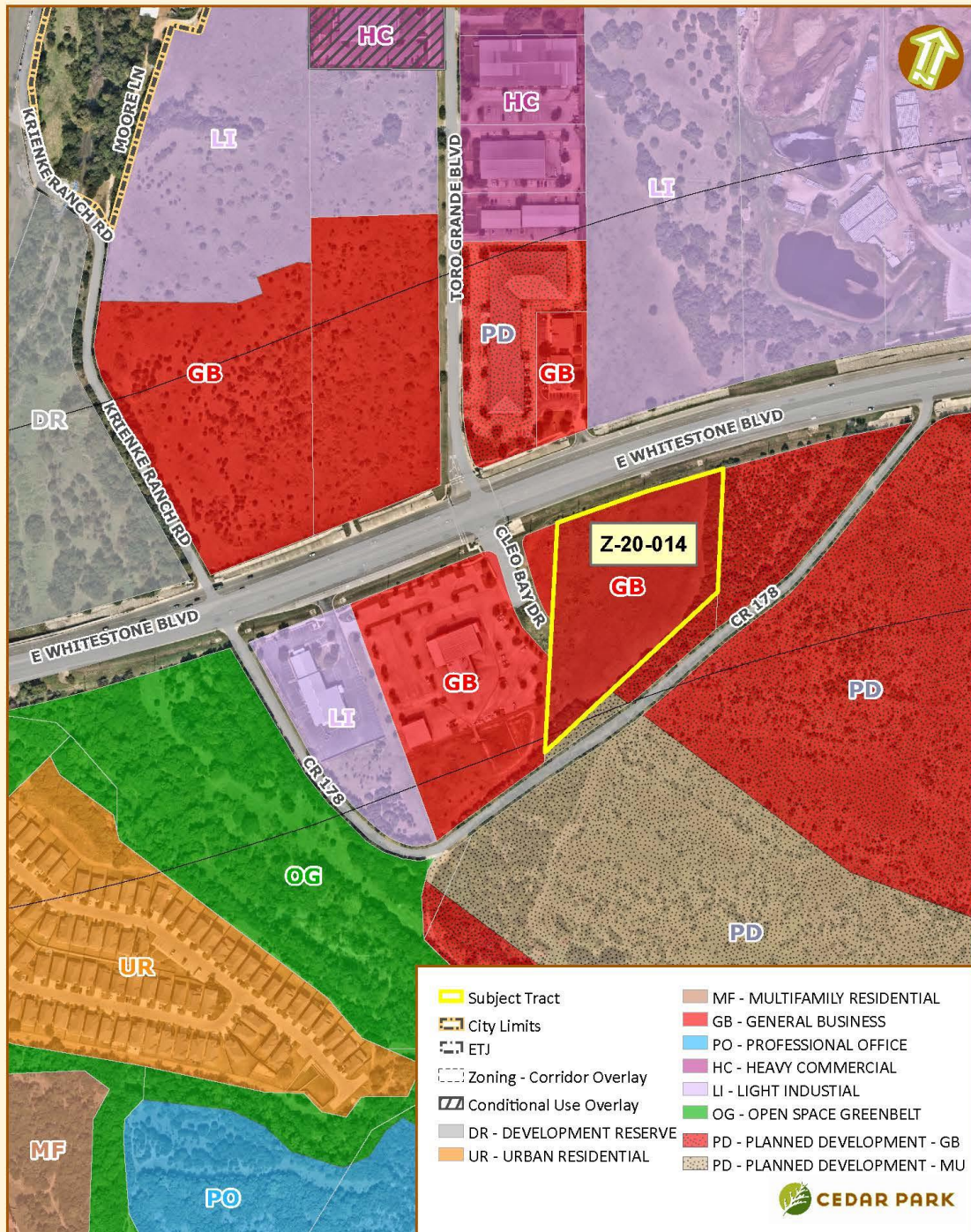
### Existing Site and Surrounding Land Uses:

The property is currently undeveloped and is located at the southwest corner of W Whitestone Boulevard and Toro Grande Boulevard. Directly adjacent to the west of the property is the Cedar Park Emergency Center, zoned General Business (GB). To the north, across Whitestone Boulevard and to the east of Toro Grande Boulevard, is a multi-tenant commercial strip center (Shops at Cedar Park) which includes Extra Space Storage, an indoor storage facility (SD-04-00022) and is zoned Planned Development with a base zoning of General Business (PD-GB; Z-06-022). VCA Premier Animal Hospital (SD-04-00017), zoned GB, and Austin Wood Recycling (SD-14-00016), zoned Light Industrial (LI), are also located to the north of the subject property. The property abutting the subject tract to the south and east, although currently vacant, is slated for a large mixed-use development (Indigo Ridge South; Z-18-014) and is zoned Planned Development (PD-MU and PD-GB).

The following maps depict the current and proposed zoning classifications.



## CITY OF CEDAR PARK Z-20-014 PROPOSED





**Purpose of Requested Zoning District:**

The GB district is principally intended for moderate and large retail centers, big-box stores, and malls that serve the retail and service needs of the community and broader region. This district includes site and building design and architectural standards to ensure quality, sustainable development.

**Future Land Use Plan:**

The Future Land Use Plan (FLUP) currently identifies the subject tract as Planning Area G, which is compatible with the GB zoning request.

**Future Land Use:**

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

**Site Information:*****Zoning Case History:***

This parcel was annexed into the City in 1996 as part of a larger annexation of approximately 98.496 acres (Annexation No. 7A).

<b>Year</b>	<b>Case Number</b>	<b>Request</b>	<b>City Council Action</b>
<b>1996</b>	Annexation No. 7A (Ord. # 96-43)	Assigned original zoning of Development Reserve (DR)	Council approved 12/19/1996

***Major Corridor:***

The subject property will be required to comply with the major corridor standards along Whitestone Boulevard.

***Transportation:***

Whitestone Boulevard is classified as a Major Arterial on the Transportation Plan. According to City data, there were 44,931 average vehicles daily in 2016 on this section of Whitestone Boulevard.

***Subdivision:***

This property is not currently platted and will require a new plat prior to development.

***Land uses:***

Land uses shall comply with those listed for GB in Table 11.02.064 of the Zoning Code.

***Building Setback and Height Requirements:***

	<b><u>GB</u></b>
Front Setback	25'
Interior Side Setback	12'
Rear Setback	30'
Maximum Height	100'

**Staff Commentary:**

The proposed zoning change would allow for more regional services along one of the City's major arterials. The request is consistent with the Future Land Use Plan (FLUP) and the purpose statement of the General Business (GB) zoning district.

**Staff Recommendation:**

Staff recommends approval of the applicant's request to rezone the property to GB.

**Applicant's Neighborhood Communication Summary and Public Input:**

Because the exterior boundary of the subject tract proposed for zoning is not located within 500 feet of any property zoned or used for single-family residential development, the applicant is exempt from submitting a neighborhood communication summary.

**Initiating Dept:** Development Services

**Fiscal Impact**

Account No.: n/a

**Budget**

Budget/Expended: n/a

**Legal Certification**

Approved as to form and content:

☐

**Finance Director Review**

☐

Yes

☐

No **City Attorney**

**Associated Information:**

Ordinance with Exhibits

**From:** [Stephen Swan](#)  
**To:** [Ashley Austin](#)  
**Subject:** RE: Zoning File # Z-20-014  
**Date:** Tuesday, December 15, 2020 10:17:27 AM  
**Attachments:** [image004.png](#)  
[image001.png](#)  
[image007.png](#)  
[Planning Area G.pdf](#)

---

Good Morning Ashley,

Thank you for sending this additional information.

I represent the property owner located to the East and South of this property, RR Whitestone, LP.

After reviewing the information you sent, I am not in favor of this rezoning application, because the proposed land use is Gasoline Service Station.

This property is within Planning Area "G" as shown in the attached document, and a Gasoline Service Station is not compatible with the goals and purpose of the planning areas. As you know, the goal of these Planning Areas is to "identify key locations where at least one of the identified "missing places" is appropriate." These missing places include Entertainment/Cultural District, Educational Campus, Walkable Mixed-Use and Business Park. A Gasoline Service Station does not fit into one of those missing places categories, nor will it encourage the properties that surround it to develop in a way compatible with those goals. Cleo Bay Drive to the south of Whitestone Boulevard will be the main entry into the Planning Area G, so this corner will be representative of the Planning Area as a whole.

With the current circumstances with COVID, please let me know the best way to file a formal protest as outlined in Section 11.05.033.B.2.b.2 of the code, as our adjoining property exceeds 20% of the immediately adjoining land.

Thank you,

Stephen

Stephen Swan



100 Congress Avenue | Suite 1450  
Austin, TX 78701  
[REDACTED]

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**From:** Ashley Austin <Ashley.Austin@cedarparktexas.gov>  
**Sent:** Friday, December 11, 2020 3:13 PM

### *Planning Area "G"*

This area is approximately 105 acres located south of E. Whitestone Boulevard, southeast of Toro Grande Boulevard. This area is largely undeveloped and at the eastern edge of the City limits.

Figure 6a. Planning Area "G"



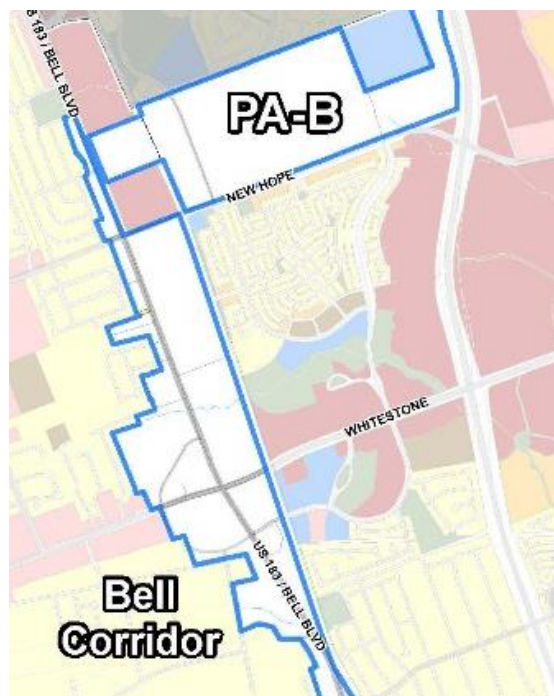
## Potential Vision for Planning Areas

Several areas have been identified as “Planning Areas” on the Future Land Use Map that require additional discussion to adequately describe each area’s vision and expectations. The purpose of these areas is to provide flexibility to land owners and developers to respond to market demands. These areas, A through H and the Bell Boulevard Corridor, are described in the following pages with visual examples of the character envisioned for each area.

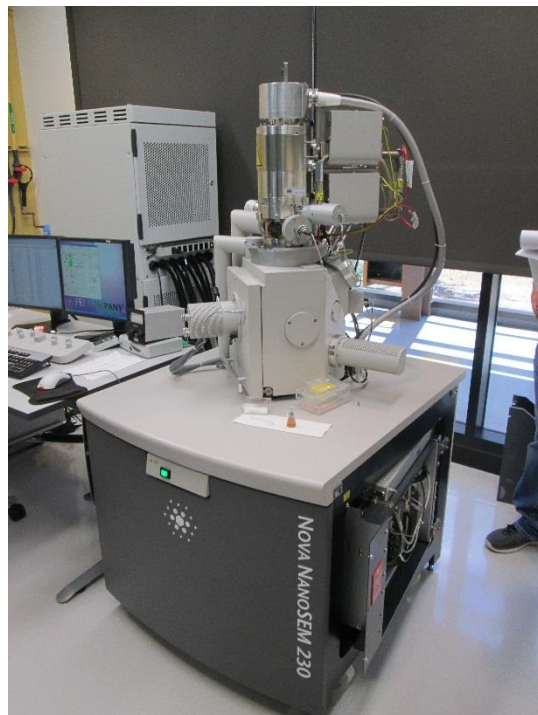
During the visioning process, the community identified several development types or destination points that seem to be lacking in Cedar Park, termed “Missing Places”. Although each Planning Area may lend itself to certain types of development due to the location, access, topography, and adjacent land uses of the site, the areas should be flexible and not be restricted to a particular land use. However, the intent of these Planning Areas is to identify key locations where at least one of the identified “missing places” is appropriate. The following is an overview of these desirable development types:

### *Entertainment / Cultural District*

Entertainment/cultural districts offer vibrant outdoor settings with unique entertainment-oriented features, such as family arcades, movie theaters, water features, and arts venues. These areas are where arts and cultural activities thrive. Entertainment/cultural districts are marketable tourism assets that highlight the unique identity of communities and attract all types of visitors. These districts usually offer interactive shopping, dining and entertainment experiences that are especially attractive destinations for cultural, recreational and business travelers. Attracting business travelers and businesses make these spaces prime locations for small conference centers with hotels or other accommodations. Districts can even be anchored by sports stadiums or arenas for local athletic teams, or smaller music venues for outdoor concerts and festivals. The district could also be home to museums, art galleries, music venues, and public squares for performances. The most successful districts combine improvements to public spaces (such as parks, waterfronts and pedestrian corridors) with proper development planning.







### *Educational Campus*

Cedar Park has also expressed interest in an educational campus, possibly a branch or satellite campus for a larger university, located within the community. An educational campus could be complementary to existing educational facilities or office uses, creating opportunities for partnerships, training programs, and employment opportunities for local businesses and residents.

A college or university offering 4-year degree programs is highly desirable in the City of Cedar Park for a variety of reasons. Educational campuses can serve as a focal point for developmental growth and improvement for citizens by offering continuing education, certification courses, technical coursework, and pre-college courses to support educational and employment efforts of the local populations. Additionally, these educational campuses offer a strong economic benefit to the community.

The Austin-Round Rock MSA is considered a major center for high-tech with thousands of graduates each year from the engineering and computer science programs at the University of Texas at Austin going into the workforce and fueling numerous industries. Cedar Park's proximity to Austin could provide the opportunity for the City to capitalize on this regional trend and provide the same engineering/technology course-work and technical training opportunities that could feed directly into the local economy through the workforce and help to spur residents into attaining higher educational opportunities.



### *Walkable Mixed-Use*

Mixed-use style development should be incorporated into Cedar Park to blend a variety of uses into one centralized, iconic location. This type of development offers a range of benefits, including flexibility of building space, long-term viability of commercial districts, higher-quality high density residences, inclusion of public facilities, increasing pedestrian activity, improved public safety with additional “eyes on the street”, reduction in vehicular trips, minimizing land use consumption, and preservation of open space.

Mixed land uses can come in the form of vertical mixed use (typically retail at ground level and office and/or residential on upper levels), or horizontal mixed use (each use is contained within its own structure but planned into a single development). This type of development should be pedestrian-oriented, with a focus on a central theme—like restaurants, entertainment, or retail. Residential lofts and attached residential units in these types of developments may be desirable to sustain and encourage a vibrant street-life and generate activity for the businesses. Residential densities within these developments are typically 40+ dwelling units per acre.

Walkable mixed-use districts were conceptualized from traditional land development practices in place before the advent of suburbanization, these traditional neighborhoods/developments—like many of today’s most popular mixed-use developments—were very similar in character to downtown or town square areas found in many cities. Although Cedar Park does not have one central “downtown”, the intent of this development style is to create a “downtown” environment. Buildings should be oriented toward the sidewalks, with large display windows, awnings or other elements for shading, and signage visible from the pedestrian view. Regulations should allow for restaurants and cafes to extend patio seating outdoors where sidewalk width allows.





### *Business Park*

The community identified a quality business park as a desirable future addition to Cedar Park to provide employment opportunities. The business park should focus on innovation – research, high technology, computer-related engineering, and design companies are the most desirable businesses for this area. The park should be targeted toward large scale office developments of professional services and light commercial-type uses that are located entirely indoors.

Additionally, to support a business community, the sites should include restaurants, neighborhood services (such as daycare, dry cleaning, fitness facilities, and small retail shops), and possibly mixed use development. Large business parks should require a master planned layout incorporating walkable design and public space.





Each Planning Area should strive to be a livable place – by creating places where people want to be, the City encourages reinvestment and supports the community (see **Figure 22. Cycle of Creating Livable Places** on page 85). All future development in these Planning Areas is intended to be high-quality construction with interconnected design to support pedestrian traffic. While traditional single-family residential homes are not envisioned for any of these areas, higher density residential options may be appropriate if it serves to enhance the commercial vitality of the development and is fully integrated into the development. Parks and public plazas should be incorporated to create social gathering areas.

In order to develop in these areas, applicants should submit a coordinated and master-planned land use scheme that will incorporate the desirable themes that have been mentioned above, such as:

- Walkable, interconnected, pedestrian-friendly developments
- Public plazas and gathering areas
- Unique developments with quality design standards that serve as focal points and provide a unique character for Cedar Park
- Family-oriented activities
- Industries focused on innovation, design, technology, and research
- Educational institutions

See **Figure 12. Example of a Small Area Concept Plan** on page 44 for a visual example of a plan that illustrates the land uses and connectivity that should be provided for the development of these Planning Areas.



## 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 4.56 ACRES FROM DEVELOPMENT RESERVE (DR) TO GENERAL BUSINESS (GB) LOCATED AT THE SOUTHEAST CORNER OF WEST WHITESTONE BOULEVARD AND TORO GRANDE BOULEVARD (Z-20-014); 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 December 15, 2020 the Planning and Zoning Commission voted 4-2 to recommend denial of the proposed zoning; 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 rezone approximately 4.56 acres from Development Reserve (DR) To General Business (GB), located at the southeast corner of W Whitestone Blvd and Toro Grande Blvd, otherwise set forth in the legal description labeled Exhibit "A" and the property location map labeled Exhibit "B".

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 indicated 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 25th day of February, 2021, 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 11th day of March, 2021, 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

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Corbin Van Arsdale, Mayor

ATTEST:

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LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

---

J.P. LeCompte, City Attorney

## EXHIBIT A

FIELD NOTES for a 4.557 acre tract of land in Williamson County, Texas, being part of the John Dillard Survey, Abstract No. 179, and the land herein described being all of a called 4.464 acre tract conveyed to Cleo Bay Imports, Ltd., of record in Document #2006071402, Official Public Records of Williamson County, Texas (O.P.R.W.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in a curve to the right on the south right-of-way line of East Whitestone Boulevard (R.M. 1431 – 200' R.O.W.) at the northwest corner of said 4.464 acre tract, same being the northeast corner of Lot 1, Block B, Cleo Bay, an addition to the City of Cedar Park, Williamson County, Texas, of record in Cabinet BB, Slide 226 & 227, Plat Records of Williamson County, Texas, for the northwest corner of this tract;

THENCE in an easterly direction with the south right-of-way line of said East Whitestone Boulevard, the north line of said 4.464 acre tract and along said curve to the right, having a radius of 5629.58 feet, an arc length of 442.15 feet and a long chord bearing **N. 51° 20' 12" E., 442.03 feet**, to a 1/2" iron rod found at the northeast corner of said 4.464 acre tract and the northwest corner of a called 2.54 acre tract conveyed to Cedar Park Land, LP, of record in Document #2008048551, O.P.R.W.C.T., for the northeast corner of this tract;

THENCE **S. 20° 09' 31" E., 316.52 feet**, with the east line of said 4.464 acre tract and the west line of said 2.54 acre tract, to a 1/2" iron rod with cap stamped "COULTER" found at the northeast corner of a called 0.571 acre tract conveyed to Cedar Park Land, LP, of record in Document #2008026486, O.P.R.W.C.T., being the southeast corner of said 4.464 acre tract, for the southeast corner of this tract;

THENCE in a southwesterly direction with the north line of said 0.571 acre tract (strip & gore act applied), the following four (4) calls:

1. **S. 15° 00' 37" W., 103.37 feet**, to a 3/4" iron pipe found at an angle corner of said 0.571 acre tract, for an angle corner of this tract;
2. **S. 29° 53' 09" W., 328.09 feet**, to a 1/2" iron rod with cap stamped "COULTER" found at an angle corner of said 0.571 acre tract, for an angle corner of this tract;
3. **S. 31° 18' 09" W., 62.26 feet**, to a 1/2" iron rod with cap stamped "COULTER" found at an angle corner of said 0.571 acre tract, for an angle corner of this tract;
4. **S. 26° 31' 32" W., 114.94 feet**, to a 1/2" iron rod found at an angle corner of said 0.571 acre tract, being the southeast corner of Lot 1, Block A, said Cleo Bay and the southwest corner of said 4.464 acre tract, for the southwest corner of this tract;

THENCE **N. 17° 48' 21" W., 244.46 feet**, with the east line of said Lot 1, Block A and the west line of said 4.464 acre tract, to a 1/2" iron rod found at the southwest terminus of Cleo Bay Drive (70' R.O.W.) and a corner of said Lot 1, Block A, for an angle corner of this tract;

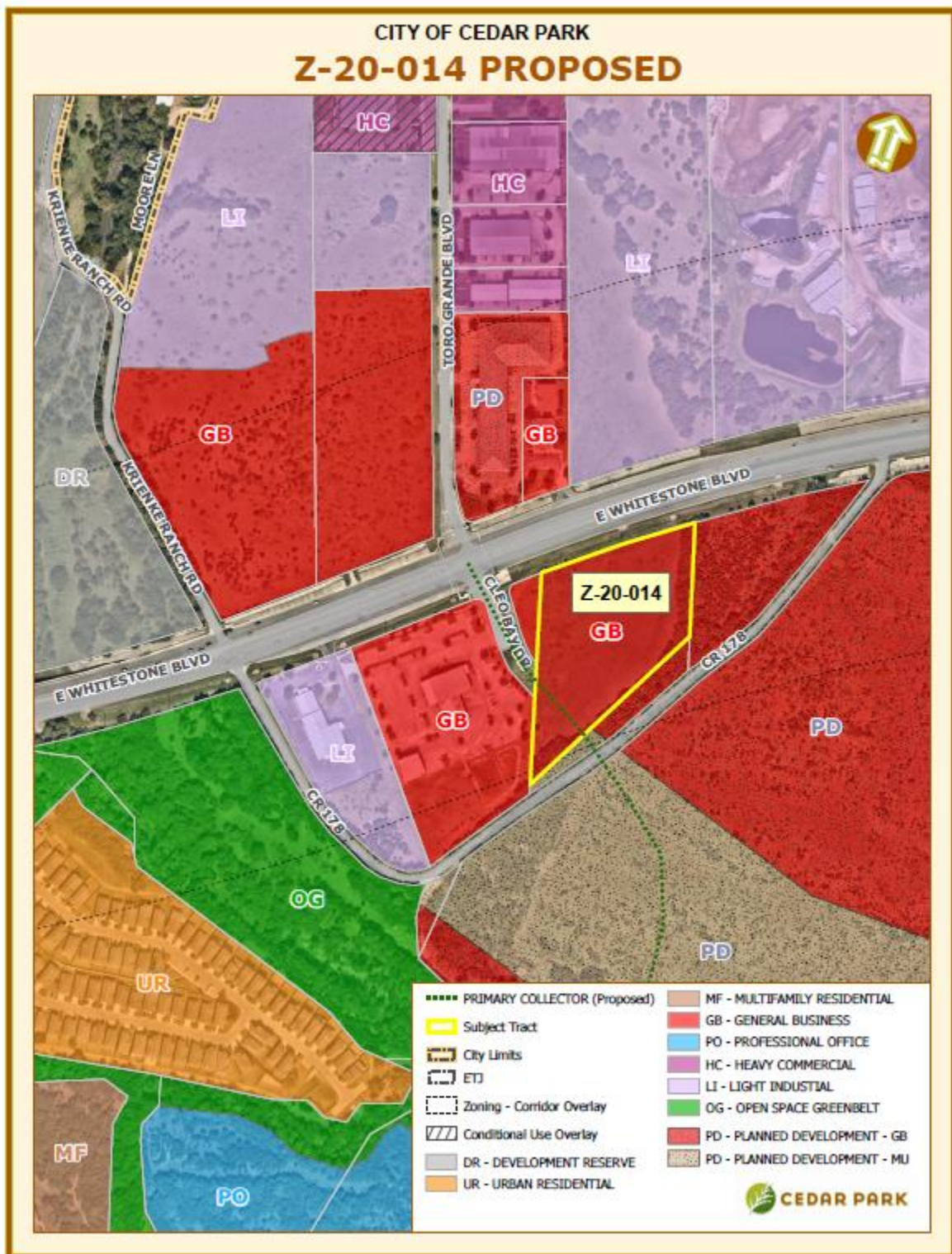
THENCE **N. 17° 48' 17" W., 92.82 feet**, with the east terminus of said Cleo Bay Drive and the west line of said 4.464 acre tract, to a 1/2" iron rod found at the southeast terminus of said Cleo Bay Drive and the south corner of said Lot 1, Block B, for an angle corner of this tract;

THENCE **N. 17° 48' 32" W., 252.29 feet**, with the east line of said Lot 1, Block B and the west line of said 4.464 acre tract, to the POINT OF BEGINNING containing 4.557 acres of land.

The bearings for the above description are grid bearings based on the Texas Coordinate System, Central Zone (NAD 83), as determined by Leica Texas SmartNet GPS observations.



## EXHIBIT B





**File Attachments for Item:**

H.1 Discussion For Appointment Of Christine Blair To Place Four On The Parks, Arts, And Community Enrichment Advisory Board. (Boyce)



## CITY COUNCIL AGENDA

February 25, 2021

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**Item/Subject:** Discussion For Appointment Of Christine Blair To Place Four On The Parks, Arts, And Community Enrichment (“PACE”) Board. (Boyce)

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### Commentary

		Term Length: 2 yr	
		Term: 8/1-7/31	
		Residency Requirement	
<b>7 Person Boards</b>	<b>Apptd by:</b>	<b>Current Members/Term Expires</b>	<b>Applicant</b>
Place One	<b>Kelly</b>	Virginia Hernandez	
		7.31.21	
Place Two	<b>Kirkland</b>	Andy deBruyn	
		7.31.20	
Place Three	<b>Duffy</b>	Cliff Anderson	
		7.31.21	
Place Four	<b>Boyce</b>	Deborah Childress	Christine Blair
		7.31.20	Term Exp: 7.31.22
Place Five	<b>Robinson</b>	Mary McCarthy	
		7.31.21	
Place Six	<b>Jefts</b>	Christina Legrand	
		7.31.22	
Place Seven	<b>Van Arsdale</b>	VACANT	
		7.31.22	



# City of Cedar Park

## Application for Appointment

In order to be considered for an appointment to a Cedar Park Board, Commission, Task Force, Committee, or other position, please complete the following application and attach a current resume and letter of interest.

### 1. PERSONAL INFORMATION

Full Legal Name <i>Mary Christine Blair</i>		Preferred Name <i>Christine</i>	
Spouse's Name <i>-</i>			
Physical Home Address [REDACTED]		Subdivision <i>Ranch at Bushy Creek</i>	
City <i>Cedar Park</i>	State <i>TX</i>	Zip <i>78613</i>	
County <i>Williamson</i>		Home Phone [REDACTED]	
Mobile Phone [REDACTED]		Work Phone [REDACTED]	
Email Address [REDACTED]			
Date of Birth [REDACTED]	Texas Driver License or DPS ID # [REDACTED]		
Are you a registered voter? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

### 2. AREAS OF INTEREST

Please indicate the position(s) of interest to you. A list of all entities to which the City of Cedar Park makes appointments may be found at [www.cedarparktexas.gov](http://www.cedarparktexas.gov).

- |  |  |
|--|--|
| <input type="checkbox"/> Economic Development Sales Tax Corporation (4A) | <input checked="" type="checkbox"/> Parks, Arts, & Community Enrichment Board (PACE) |
| <input type="checkbox"/> Community Development Corporation (4B)          | <input type="checkbox"/> Planning & Zoning Commission (P&Z)                          |
| <input type="checkbox"/> Board of Adjustments                            | <input type="checkbox"/> Tourism Advisory Board                                      |
| <input type="checkbox"/> Building Standards Commission                   | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Civil Service Commission                        |  |

In the space below, please explain your interest in the position(s) selected above.

Also, please explain any experience you have related to your selection(s).

*I love my city and consider it a joy to serve.*

### 3. Employment History

Please provide your employment history for at least the past ten (10) years. Attach additional sheets as needed.

Employer <i>Self</i>	Employer's Address <i>503 S. Frontier Lane Cedar Park</i>	Present Job Title <i>Property Investment</i>
		Profession
Job Description <i>Investment Management Staging / Design</i>		

### 4. Miscellaneous Information

Note: "Material Interest" is defined as a ten (10) percent or greater ownership or serving on the governing board of directors. This does not apply to mutual funds in which you do not exercise authority in investment decisions.

Are you, your spouse, or any company in which you have a material interest currently delinquent in any local, state or federal taxes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please provide details
--	--------------------------------

Do you, your spouse or any company in which you have a material interest or are employed by conduct any business with or receive funds from the City of Cedar Park or its boards, commissions or development corporations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please provide details
---	--------------------------------

Are you or your spouse related to a City of Cedar Park public official? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, please provide name, title, and relationship.		
Name of Public Official	Title	Relationship

Do you currently serve, or have you ever served on any City of Cedar Park board, commission or committee or in any elected or appointed office? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, please list the entity, position held, dates and indicate if you were reimbursed.			
Entity	Position	Years	Reimbursed (Y/N)
<i>HA</i>	<i>board member</i>	<i>2 +</i>	

**MISCELLANEOUS INFORMATION CONT.**

Have you ever been convicted in a criminal proceeding (excluding traffic violations), placed on probation, required to perform community service, or had a criminal proceeding disposed of by pre-trial diversion, deferred prosecution, deferred adjudication or some similar proceeding? ☐ Yes ☒ No

If yes, list the charge, the date of the offense, the city and/or county and state in which it allegedly occurred, and the disposition thereof.

In the spaces below, please provide two references.

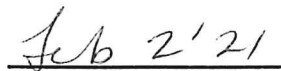
Name	Contact Number	Relationship to Applicant
Jennifer Floyd	214 675 1603	friend / neighbor
Paula Jones	512 632-1468	friend

**CERTIFICATION OF APPLICANT**

I hereby certify that the foregoing and any attached statements are true, accurate and complete. I agree that any misstatement, misrepresentation, or omission of fact may result in my disqualification for appointment. I assign and hereby give the City of Cedar Park full authority to conduct background investigations pertinent to this application. I specifically authorize the Texas Department of Public Safety to conduct a background investigation and to disclose the results of that investigation to the Mayor of the City of Cedar Park or his/her authorized representative. I also understand that this application is subject to disclosure under the Texas Public Information Act.



**Applicant's Signature**



**Date**

Completed application, resume and letter of interest may be submitted in person, email, mail, or by fax to:

City Secretary

City of Cedar Park

450 Cypress Creek Rd, Bldg. 1

Cedar Park, TX 78613

Phone: 512-401-5002

FAX # 512-401-5003

leann.quinn@cedarparktexas.gov

Applications are valid until December 31st of the year of submission.

Thank you for your interest in serving the Cedar Park Community.

**File Attachments for Item:**

H.2 Consideration Of A Future Land Use Plan (FLUP) Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Medium Density Residential (MDR) For Approximately 6.98 Acres Located At The Northwest Corner Of North Lakeline Boulevard and West Park Street (FLU-21-001).



**CITY COUNCIL AGENDA**  
February 25, 2021

**Item/Subject:** (FLU-21-001) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Medium Density Residential (MDR) For Approximately 6.98 Acres Located At The Northwest Corner Of North Lakeline Boulevard And West Park Street.

<b>Staff</b>	<b>Ashley Austin, 512-401-5058, Ashley.Austin@cedarparktexas.gov</b>
<b>Owner</b>	Techni-Center Partners, LTD
<b>Agent</b>	Amanda Swor, Drenner Group
<b>City Limits</b>	Yes
<b>Current Zoning</b>	General Business with a Conditional Overlay (GB-CO)
<b>Existing Future Land Use Plan</b>	Regional Office/Retail/Commercial (REG)
<b>Proposed Future Land Use Plan</b>	Medium Density Residential (MDR)
<b>Major Corridor</b>	Lakeline Boulevard and West Park Street
<b>Summary of Applicant's Request</b>	Accept a FLUP Amendment Petition to change the Future Land Use to Medium Density Residential (MDR) for approximately 6.98 acres.

Below is a summary of how the FLUP percentages will change if amended from REG to MDR:

<b>FLUP Land Use Designation</b>	<b>Current FLUP Acres</b>	<b>Percent of Total Acres</b>	<b>Proposed FLUP Acres</b>	<b>Proposed % of Total Acres</b>
Medium Density Residential (MDR)	461.33	2.22%	468.31	2.25%
Regional Office/Retail/Commercial (REG)	2,025.91	9.74%	2,018.93	9.71%

## **History**

The following chart outlines the FLUP History for this property.

<b>Year</b>	<b>Future Land Use</b>	<b>Description</b>
1998 Comprehensive Plan	High Intensity	Supports industrial parks, employment centers, light manufacturing.
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 (LOC)	Supports light retail, service uses, and professional office for residents in the immediate vicinity.
2015 (FLU-15-011) Ord # G35.16.03.24.C1	Petition to change 13.12 acres from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG)	FLUP requested in conjunction with a rezoning request (Z-15-030) from Local Retail (LR, now LB) to General Retail with a conditional overlay (GR-CO, now GB-CO). Council approved the requests by a vote of 7-0.
2018 (FLU-18-007)	Petition to change 10.7 acres from Regional Office/Retail/Commercial (REG) to Medium Density Residential (MDR)	Request proposed 94 townhome units at a density of 8.78 units per acre. Council approved the petition request by a vote of 5-2.

If accepted, this Future Land Use Amendment (FLU-21-001) will allow the applicant to rezone this property to accommodate a medium density residential development. The property is currently vacant and abuts Lakeline Boulevard to the east and current quarry operations to the west, zoned Professional Office (PO). Coreslab, zoned Heavy Industrial (HI) operates north of the site. Development of the property would spur the future extension of West Park Street, adjacent to the south. The City of Cedar Park Transportation Plan projects that West Park Street will connect to Anderson Mill Road once quarry operations cease.

## **Commentary**

The request is to change approximately 6.98 acres out of a 13.12 acre parent parcel from Regional Office/Retail/Commercial (REG) to Medium Density Residential (MDR). The property has a current zoning designation of General Business with a Conditional Overlay (GB-CO). The existing GB-CO zoning designation would remain on the 6.19 acres along the north and east property boundaries that are not a part of the FLUP and subsequent rezoning requests. The stated desire of the applicant is to develop attached townhome units with a density of 8 units per acre and



a maximum of 56 units. The proposed density (8 units/acre) conforms to the intended vision of the MDR FLUP designation.

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

### **Future Land Use Description**

#### **Regional Office/Retail/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.

#### **Medium Density Residential (MDR)**

Medium density residential refers to townhomes. These units allow for a “full life cycle” of housing, and commonly provide areas for “empty nesters” who may not want the maintenance of a single family home, and for young families who may find a townhome more affordable than a single family home. This category is intended to provide for four to eight dwelling units per acre.

### **Petition Process:**

The Future Land Use Plan (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 of a FLUP amendment petition by the City Council indicates an applicant may proceed through the FLUP amendment process.

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. 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

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**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

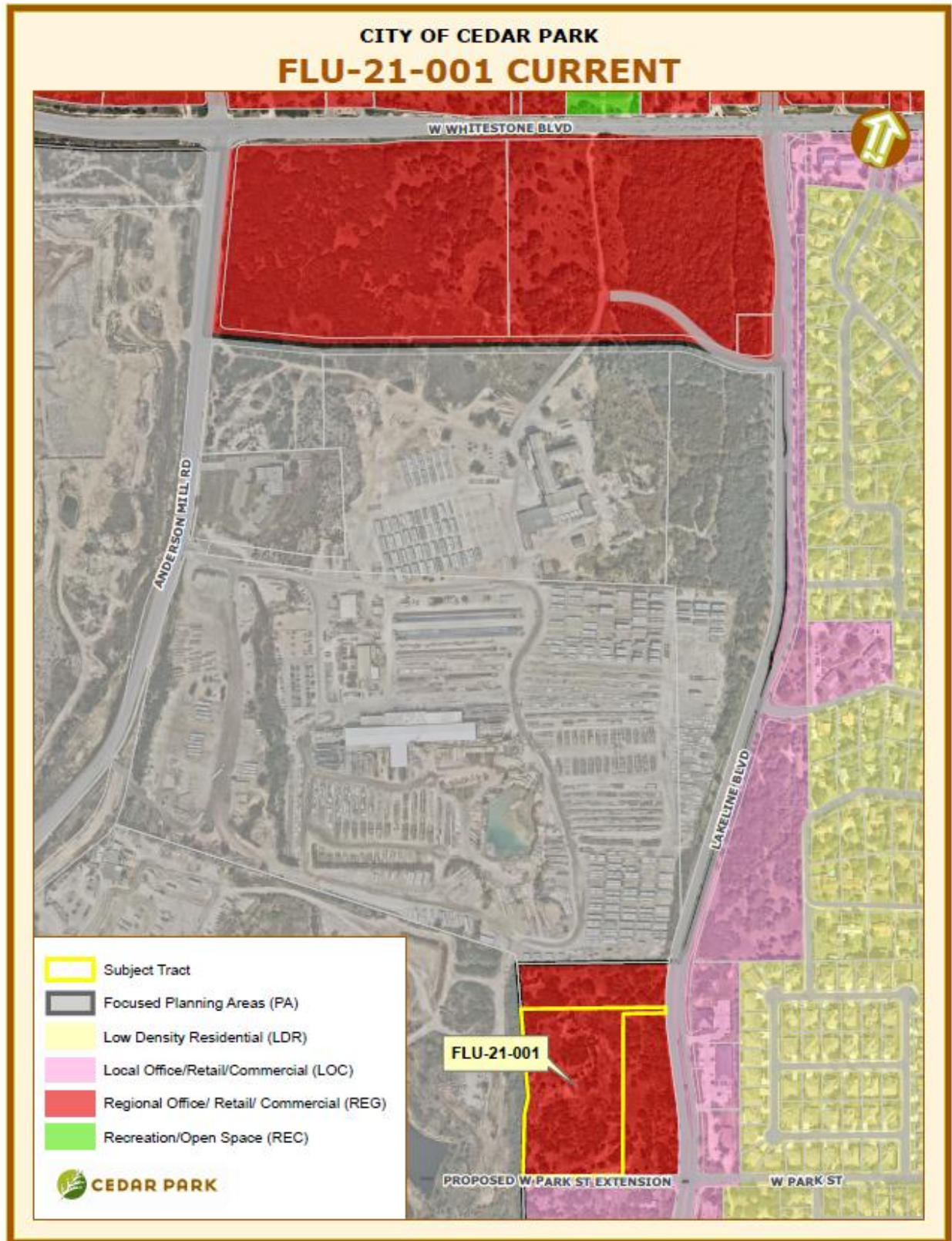
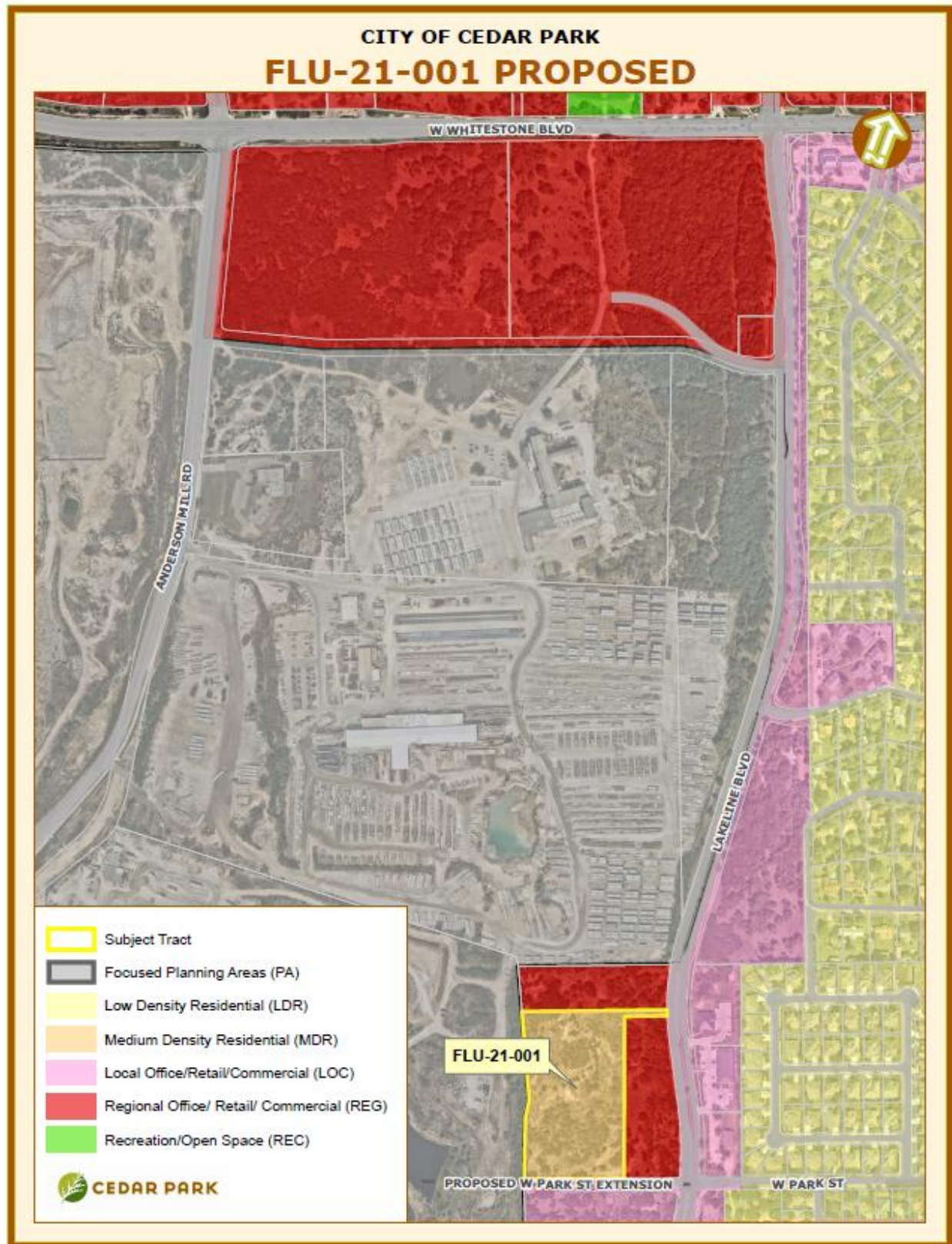




Exhibit B  
Proposed Future Land Use Plan



### 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.*



Project Name: Park and Lakeline

Proposed Amendment: From: Regional Office/Retail/Commercial (REG) To: Medium Density Residential (MDR)

Project Location/Address: Northwest Corner of N Lakeline Blvd. & W Park St. (site has no official address)

Project Legal Description: Lot 9, Cedar Park Ranchettes

### REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION:

- ☒ 1. 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.
- ☒ 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 (following page).



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### GENERAL WARRANTY DEED

THE STATE OF TEXAS                   §  
  §     KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF WILLIAMSON

That **PlaceKeeper II, Inc.**, a Texas corporation as the exchange accommodation titleholder in a qualified exchange accommodation arrangement for **Techni-Center Partners, Ltd.** ("**Grantor**") for and in consideration of the sum of TEN AND NO/100THS (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto **Techni-Center Partners, Ltd.**, a Texas limited partnership ("**Grantee**"), whose mailing address is 3834 Spicewood Springs Road, Suite 202, Austin, Texas 78759-8978, subject to the matters, reservations from and exceptions to conveyance and warranty hereinafter made, the following described real property, to-wit (the "**Property**"):

Being that certain parcel of land stated to contain 13.12 acres, more or less, out of and a part of Lot 9, CEDAR PARK RANCHETTES, according to the map or plat thereof, recorded in Cabinet A, Slide 393, Plat Records, Williamson County, Texas, also being a part of that certain tract of land referenced as containing 19.011 acres described in that Warranty Deed recorded in Document No. 9620820, Official Records, Williamson County, Texas. Said 13.12 acres being more particularly described by metes and bounds attached hereto in **Exhibit "A"**.

This conveyance is made and accepted subject to the following matters, reservations from, and exceptions to conveyance and warranty:

1. Any and all easements, rights of way, and prescriptive rights, whether of record or not; rights of adjoining owners in any fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments, or protrusions or any overlapping of improvements; all presently recorded restrictions, reservations, set back lines, plats, easements, covenants, conditions, oil and gas leases, mineral severances, royalty interests, and other instruments that are still in force and effect and affect the Property, and all building and zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that such matters are still in effect, relating to the herein above described Property, including but not limited to the following:
  - a. Restrictions and other matters contained in instrument recorded in Cabinet A, Slide 393, Plat Records, as amended in Volume 468, Page 694, together with any

amendment thereto as evidenced by document recorded in Volume 633, Page 46, Deed Records, Williamson County, Texas, which are hereby incorporated and referred to, to the same extent if copied verbatim;

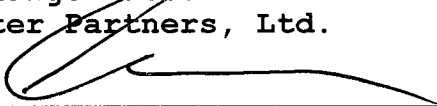
- b. Rights and interests, if any, of parties (excluding governmental entities) to prevent or attempt to prevent the sale of alcoholic beverages on the land by, through or under restrictive covenants recorded with plat in Cabinet A, Slide 393 Plat Records, Williamson County, Texas as amended in Vol. 468 Page 694 and Vol. 633 Page 46 Deed Records, Williamson County, Texas;
  - c. Easement instrument recorded in Volume 579, Page 747, Deed Records, Williamson County, Texas;
  - d. Easement instrument recorded in Volume 489, Page 55, Deed Records, Williamson County, Texas;
  - e. Easement instrument recorded in Volume 500, Page 12, Deed Records, Williamson County, Texas; and,
  - f. Rights, duties, terms, and regulations of Upper Brushy Creek WCID.
2. Current taxes on the Property having been prorated the payment thereof and of all subsequent taxes on the Property is assumed by Grantee.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anyway belonging unto the said Grantee, Grantee's successors and assigns forever; and, except as to the reservations from and exceptions to conveyance and warranty, Grantor hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the said Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this 20<sup>th</sup> day of June, 2014 to be effective as of June 20, 2014.

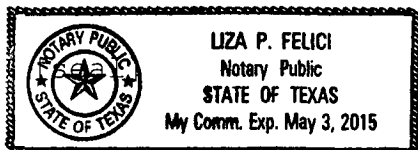
GRANTOR: PlaceKeeper II, Inc., a Texas corporation **as the exchange accommodation titleholder in a qualified exchange accommodation arrangement for Techni-Center Partners, Ltd.**

By:   
Craig A. Dunagan, President



STATE OF TEXAS  
COUNTY OF TRAVIS

This instrument was acknowledged before me this 26<sup>th</sup> day of June, 2014 by Craig A. Dunagan, President of PlaceKeeper II, Inc, a Texas corporation, on behalf of said corporation as the exchange accommodation titleholder in a qualified exchange accommodation arrangement for Techni-Center Partners, Ltd.



Liza P. Felici  
Notary Public, State of Texas

**After recording return to:**

Travis County Exchange Corporation  
Attn: Craig A. Dunagan, President  
2004 Lakeshore Drive  
Austin, Texas 78746



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

## FIELD NOTES

## FOR

A 13.12 acre, or 571,370 square feet more or less, tract of land being that same 12.725 acre tract of land conveyed to Frank Barron in Warranty Deed, recorded in Document No. 2008041433 of the Official Public Records of Williamson County, Texas and being a portion of that called 19.011 acre tract of land conveyed to AUSTEX, Inc. in Document No. 9620820 of the Official Records of Williamson County, Texas, a portion of Lot 9 of the Cedar Park Ranchettes Subdivision recorded in Volume A, Page 393 of the Plat Records of Williamson County, Texas, and situated in the R.G. Anderson Survey, Abstract No. 28, Williamson County, Texas. Said 13.12 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the Central Zone.

**BEGINNING:** At a found "+" in concrete, the northwest corner of Lakeline Boulevard, a 100-foot right-of-way, a called 2.180 acre tract recorded in Document No. 2002075997 of the Official Public Records of Williamson County, Texas, Cause No. 00-018 c26 Proceeding in Eminent Domain, on the south line of Lot 6, Block 1 of the Featherlife Section One Subdivision recorded in Cabinet J, Slides 261-263 of the Plat Records of Williamson County, Texas and the north line of the remaining portion said Lot 9;

**THENCE:** Along and with the west right-of-way line of said Lakeline Boulevard, the east line of said Lot 9, the following calls and distances:

Southeasterly, along a curve to the left said curve having a radial bearing of N 79°45'47" E, a radius of 1050.00 feet, a central angle of 17°43'01", a chord bearing and distance of S 19°05'44" E, 323.39 feet, an arc length of 324.68 feet to a set ½" iron rod with a yellow cap marked "Pape-Dawson", a point of tangency;

S 27°57'15" E, a distance of 282.54 feet to a set ½" iron rod with a yellow cap marked "Pape-Dawson", a point of curvature;

Southeasterly, along a tangent curve to the right said curve having radius of 1450.00 feet, a central angle of 11°32'45", a chord bearing and distance of S 22°10'51" E, 291.70 feet, an arc length of 292.20 feet to a set "+" in concrete, the intersection of the south line of said 19.011 acre tract and said Lakeline Boulevard;

**THENCE:** Along and with the south line of said 19.011 acre tract and approximately 50 feet north of an area to be dedicated to the City of Cedar Park as shown on the Wilcox Subdivision recorded in Cabinet Z, Slides 389-390 of the Plat Records of Williamson County, Texas, the following calls and distances:

13.12 Acres  
Job No. 59003-09  
Page 2 of 2

S 69°03'30" W, a distance of 501.28 feet to a found ½" iron rod;

THENCE: S 69°02'07" W, a distance of 152.85 feet to a found fence post, on the east line of a tract of land leased to the City of Austin recorded in Volume 1618, Pages 316-335 of the Official Public Records of Williamson County, Texas and Volume 10528, Pages 501-520 of the Official Public Records of Real Property of Travis County, Texas, the northwest corner of said area to be dedicated to the City of Cedar Park as shown on the said Wilcox Subdivision, the southwest corner of the remaining portion of said Lot 9;

THENCE: Along and with the east line of said tract of land leased to the City of Austin, the west line of the remaining portion of said Lot 9, the following calls and distances:

N 21°38'58" W, a distance of 263.31 feet to a found ½" iron rod in a tree root;

N 10°23'47" W, a distance of 71.38 feet to a found ½" iron rod;

N 24°52'10" W, a distance of 564.79 feet to a found ½" iron rod, a southwest corner of the aforementioned Lot 6, the northwest corner of said Lot 9;

THENCE: N 69°11'50" E, along and with the south line of said Lot 6, the north line of the remaining portion of said Lot 9, a distance of 652.62 feet to the POINT OF BEGINNING, and containing 13.12 acres in the City of Cedar Park, Williamson County, Texas, Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: March 6, 2009  
JOB NO. 59003-09  
DOC. ID. N:\Survey\09\5-9-59100\59003-09\WORD\59003-09fn.doc

**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS 2014049906***Nancy E. Rister*

06/30/2014 11:23 AM

CPHELPS \$37.00

NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS

②

CRAIG DUNAGAN PC  
2004 LAKESHORE DRIVE  
AUSTIN TX 78746

Unofficial Document

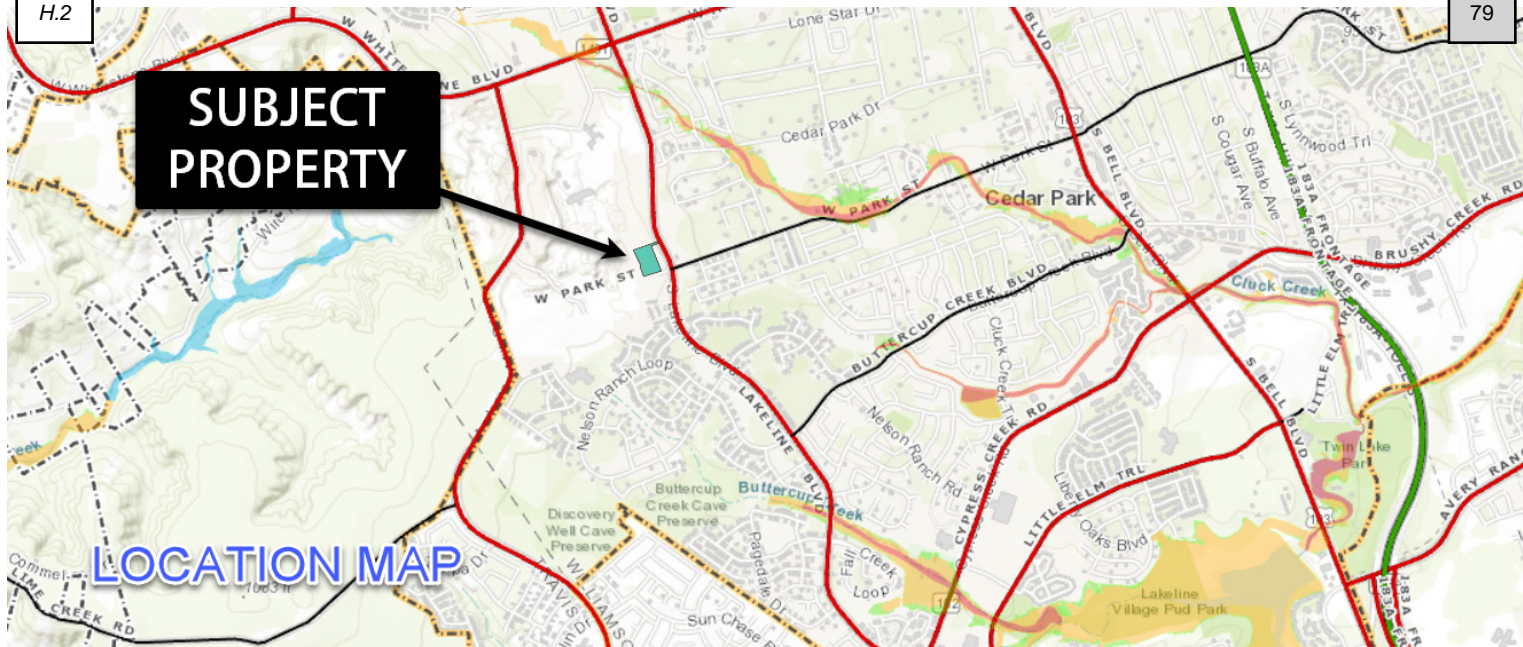
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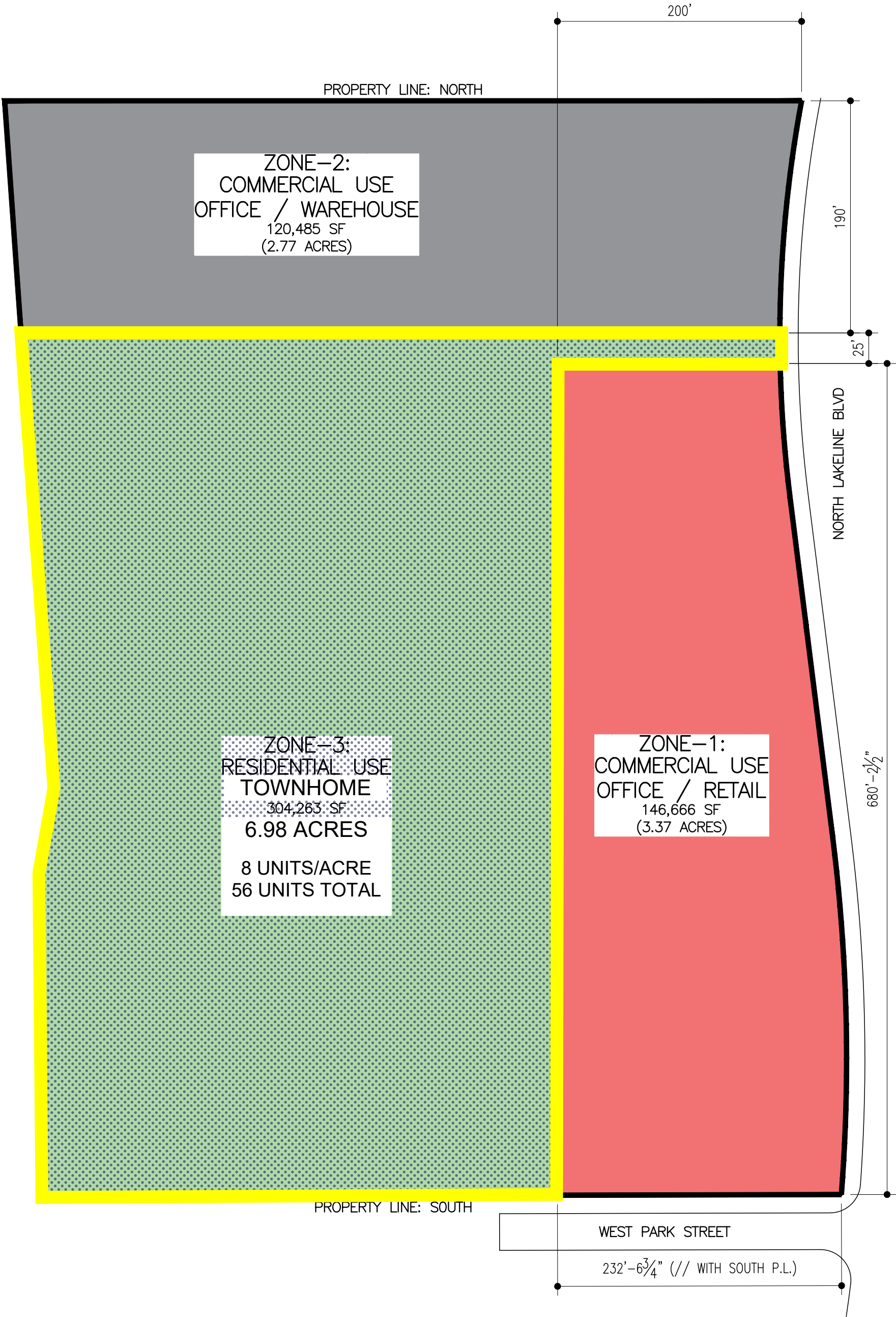
H.2

79

**SUBJECT  
PROPERTY**

**LOCATION MAP**

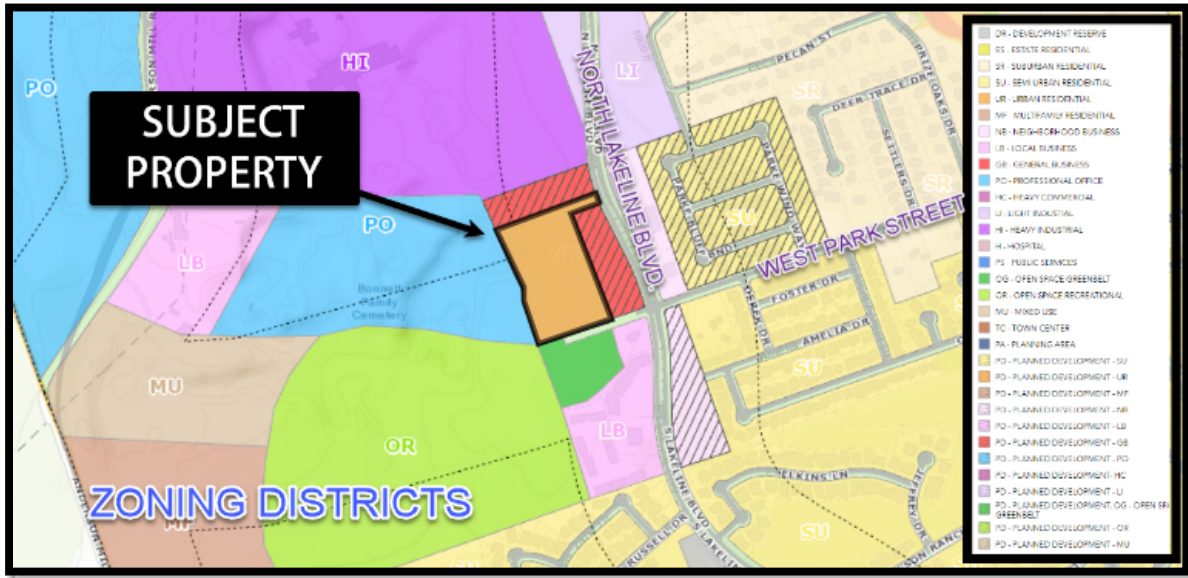




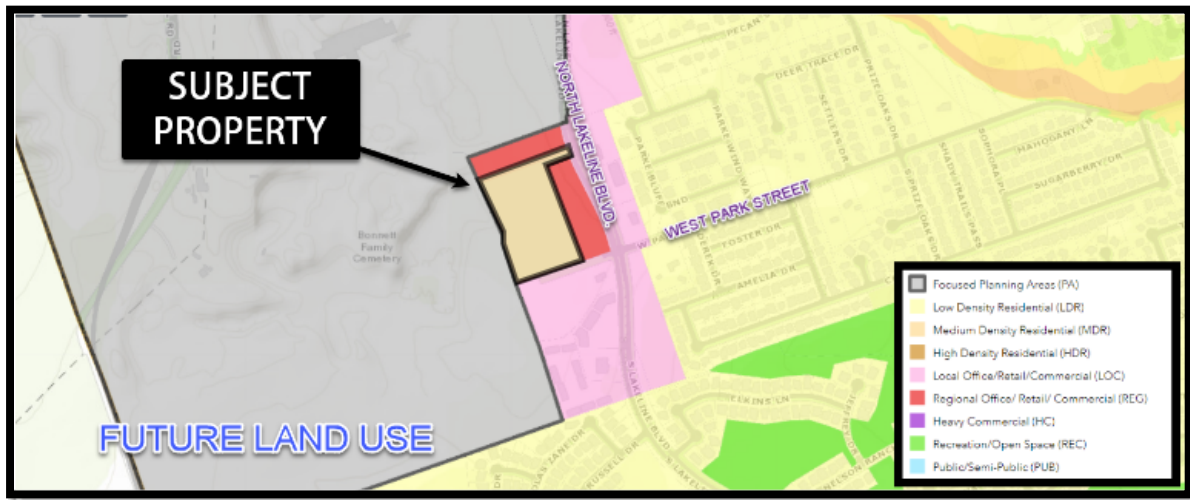
NOTE:  
ALL DIMENSIONS THIS PLAN ARE PARALLEL OR PERPENDICULAR  
RELATIVE TO THE NORTH PROPERTY LINE UNLESS NOTED OTHERWISE

<b>BOREN</b> ARCHITECTS 512.554.5474
THIS SCHEME IS PRELIMINARY - ISSUED FOR REVIEW: NOT FOR REGULATORY APPROVAL, BID OR CONSTRUCTION DAVID BOREN - RA # 20904
<b>N. Lakeline Blvd &amp; W. Park St. SD-03</b>
JOB 2023 1-IN. = 80-FT. 08 OCT 2020

The current zoning map is below (taken from City of Cedar Park GIS).



The current Future Land Use Map is below (taken from City of Cedar Park GIS).





Amanda Swor  
direct dial: (512) 807-2904  
aswor@drennergroupp.com

January 19, 2021

Ms. Amy Link  
Development Services Department  
City of Cedar Park  
450 Cypress Creek Road  
Cedar Park, TX 78613

Re: Lakeline & Park – Future Land Use Plan Amendment Petition for approximately 6.98 acres located at the northwest corner of West Park Street and North Lakeline Boulevard, Cedar Park, Williamson County, Texas (the “Property”)

Dear Ms. Link,

Please let this serve as a formal Letter of Request submitted in consideration of an Amendment Petition to the City of Cedar Park’s Future Land Use Plan (FLUP) for the Property. We kindly request that the Future Land Use category for the Property be amended from Regional Office/Retail/Commercial (REG) to Medium Density Residential (MDR). The Property is part of a larger 13.12-acre piece of property that is currently zoned General Business (GB). This request will allow for the inclusion of a residential use while maintaining the commercial designation at the hard corner and along North Lakeline Boulevard, and also preserve the commercial use as a buffer from uses to the north.

*How will the proposed change enhance the site and surrounding area?*

The requested amendment is a prerequisite for the eventual rezoning request of the property from General Business (GB) to Urban Residential (UR), which would allow for the development of a residential component on the Property to compliment proposed commercial uses adjacent to the subject tract.

This change will enhance the site and the surrounding area by creating a market for an integrated style of residential. The portion of the site outside of this request will remain General



Business. These two districts over time develop a symbiotic relationship, claiming the best of both worlds – property tax and sales tax – for the City.

*Is the necessary infrastructure already in place and/or how will it be provided?*

Immediately adjacent the site is potable water, wastewater, storm sewer, and a four-way signalized roadway intersection.

*How does the proposed change reflect the vision identified by the Future Land Use Plan?*

This request is consistent with many of the planning efforts and programs the City is pursuing, including fulfilling the spirit of the Future Land Use section of the City's (2019 Updated) Comprehensive Plan. This Amendment would provide a compatible mix of uses where people can conveniently walk to nearby services and jobs. The project would provide both live and work uses in close proximity – within walking distance of each other – to create interesting and vibrant social interaction. It would ensure an appropriate mix of land use types within the City. Secondly, though just as important, this request would address a Livability topic by fostering a sense of belonging to the community by bringing neighbors and groups together.

*Whether or how the subject property is compliant with surrounding land uses and zoning.*

The subject property is compliant with surrounding land uses and zoning. It offers smaller scale commercial and office uses facing the roadway, and a residential component behind that. By including the residential use, the added rooftops will add support to the future commercial uses and increase the developability of the non-residential area to a more manageable size.

*How the proposed land use impacts adjacent areas – whether the proposed land use impacts existing areas and uses in a negative manner or a compatible manner or enhances adjacent areas.*

Heavy Industrial zoning currently exists further north but would be buffered by the remaining General Business zoning district. The proposed land use will impact existing areas and uses in a compatible manner to the west, where the area is currently zoned for Professional Office, and slated for redevelopment under the Future Land Use Planning Area A. In addition, West Park Street abuts the Property to the south. This roadway will ultimately extend from North Lakeline Boulevard to Anderson Mill Road. All other areas are compatible, where uses are mainly Local Commercial and some style of residential.

*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.*

From a compatibility standpoint, the neighboring Heavy Industrial use to the north is the most dissimilar adjacent use but would be buffered by the remaining General Business zoning

district. Our design team, with recommendations from City staff, will create a workable design to ensure a successful project. Setbacks and buffers will need to be adhered to ensure these uses can work in concert. North Lakeline Boulevard is a designated Major Corridor therefore development shall incorporate the required minimum 25 feet landscape area corresponding with the 25 foot building setback.

*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.*

Prior to 2015, this area was zoned Local Retail without any successful development. This proposal would create a better benefit to the welfare of the community than the current designation and will act as a catalyst for long-term economic well-being through increased appraisal values.

*How the proposed land use contributes to the City's long-term economic well-being.*

Your approval of this Amendment would help to bolster the economic development at this major intersection. Based on the history of this parcel and the overall intersection, the current retail portion is simply too large to develop on its own. By including the residential use, the added rooftops will add support to the future commercial uses and increase the developability of the non-residential area to a more manageable size. There is a successful balance that can be achieved between a commercial/office area and active residential which allows each use to both rely on and support the other.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor

cc: Ashley Austin, Development Services Department (*via electronic delivery*)  
Jay Symcox, Symcox Development (*via electronic delivery*)

## STATEMENT OF RELEVANT GOALS AND OBJECTIVES

### Future Land Use

*Goal: Plan for land uses that are balanced and compatible that promote Cedar Park as a prime destination for employers and entrepreneurs.*

*Objective 3: Plan for central gathering areas in the community that are interesting, vibrant, and encourage social interaction.*

*Objective 4: Ensure an appropriate mix of land use types within the City.*

**The change from Regional Office/Retail/Commercial (REG) to Medium Density Residential (MDR) would add to the City's much needed diverse housing market, which is needed to grow Cedar Park's local business sector and further diversify the economy at a major transportation intersection.**

### Transportation

*Goal: Plan for transportation improvements and modifications to support the growing community.*

*Objective 7: Improve east-west connectivity within the City where possible.*

**The development will improve West Park Street adjacent to the Property. The City's Transportation Master Plan indicates North Lakeline Boulevard and Anderson Mill Road to be connected by West Park Street.**

### Public Facilities

*Goal: Ensure that the level of City services within Cedar Park is maintained as the City continues to increase in population and area.*

*Objective 15: Meet the community's needs for public safety and service.*

**This Amendment will address the City's property tax base as well as increase sales tax, which the Cedar Park community will continue to depend on for core resources to maintain essential city services and cultural amenities.**

### Livability

*Goal: Ensure that Cedar Park is a desirable place to live, work, worship, and raise a family.*

*Objective 18: Address the physical appearance of the built environment to ensure that a*

*positive image of Cedar Park is exhibited to residents and visitors.*

*Objective 19: Maintain a civic-minded community with a strong social fabric that promotes social, economic, and spiritual interaction and quality of life at a community-wide level.*

*Objective 20: Improve the walkability and connectedness of Cedar Park for pedestrians and bicyclists.*

*Objective 21: Foster a sense of belonging to the community as a whole, bringing together and representing all neighborhoods and groups to reach city-wide visions.*

**City leadership has already done the work of creating a clean process with regulations that make sense. The development will comply with the regulations laid out in Cedar Park's Code of Ordinances, which will require – and ensure – a positive image of the City. The virtue of that positivity will be reflected in the residents: the young families who want something more affordable than a single-family home, or empty nesters who may not want the maintenance of a single-family home.**

If the FLUP Amendment and rezoning is granted, the Property will be developed to comply with the standards of the building intensity, building height, building area, density, and number of non-residential or residential dwelling units outlined in City Code.

**SUBJECT PROPERTY**

**ZONING DISTRICTS**

**LEGEND:**

- DR - DEVELOPMENT RESERVE
- RS - ESTATE RESIDENTIAL
- SR - SUBURBAN RESIDENTIAL
- SU - SEMI-URBAN RESIDENTIAL
- UR - URBAN RESIDENTIAL
- MF - MULTIFAMILY RESIDENTIAL
- NB - NEIGHBORHOOD BUSINESS
- LB - LOCAL BUSINESS
- GB - GENERAL BUSINESS
- PO - PROFESSIONAL OFFICE
- HC - HEAVY COMMERCIAL
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- HL - HOSPITAL
- PS - PUBLIC SERVICES
- OG - OPEN SPACE GREENBELT
- OR - OPEN SPACE RECREATIONAL
- MU - MIXED USE
- TC - TOWN CENTER
- PA - PLANNING AREA
- PO - PLANNED DEVELOPMENT - SU
- PO - PLANNED DEVELOPMENT - UR
- PO - PLANNED DEVELOPMENT - MF
- PO - PLANNED DEVELOPMENT - UR
- PO - PLANNED DEVELOPMENT - MF
- PO - PLANNED DEVELOPMENT - LB
- PO - PLANNED DEVELOPMENT - GB
- PO - PLANNED DEVELOPMENT - PO
- PO - PLANNED DEVELOPMENT - HC
- PO - PLANNED DEVELOPMENT - LI
- PO - PLANNED DEVELOPMENT - OG - OPEN SPACE GREENBELT
- PO - PLANNED DEVELOPMENT - OR
- PO - PLANNED DEVELOPMENT - MU

**SUBJECT PROPERTY**

**FUTURE LAND USE**

**LEGEND:**

- Focused Planning Areas (PA)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Local Office/Retail/Commercial (LOC)
- Regional Office/Retail/Commercial (REG)
- Heavy Commercial (HC)
- Recreation/Open Space (REC)
- Public/Semi-Public (PUB)

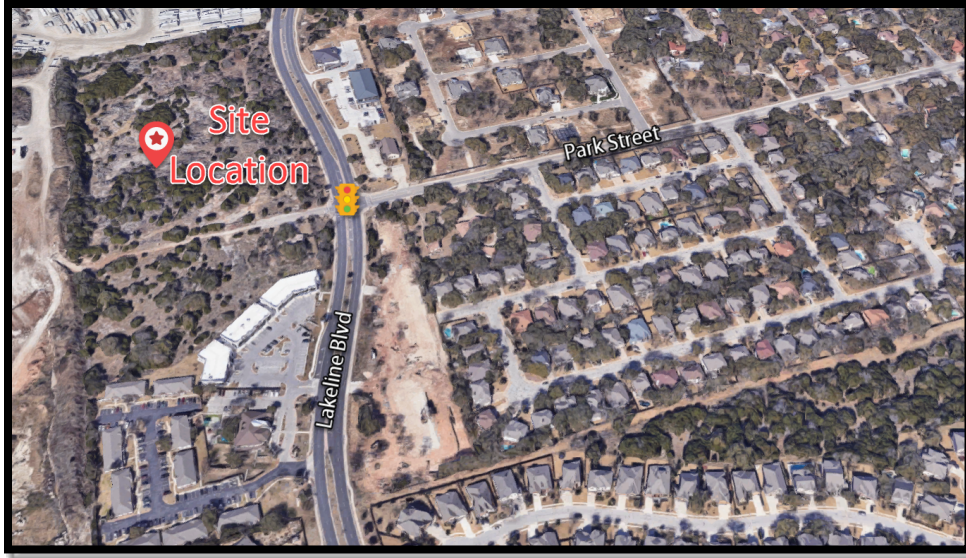
## IDENTIFICATION OF UNIQUE CHARACTERISTICS

This site contains several unique characteristics that lend itself to the proposed use. The area has a general mix of residential, commercial, office, and medical office. The screen shots below provide a picture of the proximity of these uses relative to the site.

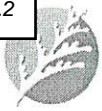


The proposed development also benefits from safe vehicular and pedestrian access from Lakeline Boulevard, East Park Street, and future West Park Street via the existing four-way traffic signal.







Project Name: Park and Lakeline**Owner's Acknowledgement & 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 acknowledgement. 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 Future Land Use Plan 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.

(Check One:)

☐ I will represent my petition before the City Council.☒ I hereby authorize the person named below to act as my agent in processing this petition before the City Council.

TECHNI-CENTER PARTNERS, LTD

512 736-1810

Owner's Name (printed)

Phone

Cell

3834 SPICEWOOD SPRINGS, SUITE 202

DEDELMAN@SRGLOBAL.NET

Owner's Mailing Address

Owner's Email Address

AUSTIN, TX 78759 12/4/20

Owner's Signature

Date

Dedelman, Pres of General Partner

Amanda Swor

512-807-2904

512-496-8573

Agent's Name (printed)

Phone

Cell

Drenner Group

200 Lee Barton Drive, Suite 100 Austin, TX 78704

aswor@drennergroupp.com

Agent's Firm

Firm's Mailing Address

Agent's Email Address

Amanda Swor

01/12/2020

Agent's Signature

Date

(Submittal Date – Office Use Only)

**File Attachments for Item:**

H.3 Consideration Of A Future Land Use Plan (FLUP) Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) and Regional Office/Retail/Commercial (REG) To Low Density Residential (LDR) For Approximately 35.5 Acres Located At 2409 East New Hope Road (FLU-21-002).



## CITY COUNCIL AGENDA

February 25, 2021

**Item/Subject:** (FLU-21-002) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) And Regional Office/Retail/Commercial (REG) To Low Density Residential (LDR) For Approximately 35.5 Acres Located North And South Of East New Hope Drive, West Of Ronald W Reagan Boulevard.

<b>Staff</b>	<b>Ashley Austin, 512-401-5058, Ashley.Austin@cedarparktexas.gov</b>
<b>Owner</b>	Rick Warren
<b>Agent</b>	Andrew Cortes, Milestone Community Builders, LLC
<b>City Limits</b>	Partial
<b>ETJ</b>	Partial
<b>Current Zoning</b>	Development Reserve (DR)
<b>Existing Future Land Use Plan</b>	Local Office/Retail/Commercial (LOC) and Regional Office/Retail/Commercial (REG)
<b>Proposed Future Land Use Plan</b>	Low Density Residential (LDR)
<b>Major Corridor</b>	Ronald W Reagan Boulevard and East New Hope Road
<b>Summary of Applicant's Request</b>	Accept a FLUP Amendment Petition to change the Future Land Use to Low Density Residential (LDR) for approximately 35.5 acres.

Below is a summary of how the FLUP percentages will change if amended from LOC and REG to LDR:

<b>FLUP Land Use Designation</b>	<b>Current FLUP Acres</b>	<b>Percent of Total Acres</b>	<b>Proposed FLUP Acres</b>	<b>Proposed % of Total Acres</b>
Low Density Residential (LDR)	10870.17	52.26%	10905.67	52.43%
Local Office/Retail/Commercial (LOC)	1497.72	7.20%	1466.72	7.05%
Regional Office/Retail/Commercial (REG)	2,025.91	9.74%	2,021.41	9.72%

### **History**

The following chart outlines the FLUP history for this property.

<b>Year</b>	<b>Future Land Use</b>	<b>Description</b>
1998 Comprehensive Plan	High Intensity	Supports industrial parks, employment centers, light manufacturing.
2006 Comprehensive Plan	Local Office/Retail/Commercial (LOC) and Regional Office/Retail/Commercial (REG)	LOC: Supports office, retail and commercial development and mixed use intended to serve the local community.  REG: Supports a broad range of land uses from small-scale offices for transitional areas bordering neighborhoods, to large scale corporate offices, retail, and mixed use developments.
2014 Comprehensive Plan	Local Office/Retail/Commercial (LOC)	Supports light retail, service uses, and professional office for residents in the immediate vicinity.
2016 (FLU-16-013) Ord # G014.17.01.26.E7	Petition to change 48.06 acres from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG)	City initiated FLUP request spurred by the extension of E New Hope Drive to Ronald Reagan Boulevard. Council approved the requests by a vote of 7-0.

If accepted, this Future Land Use Amendment (FLU-21-002) will allow the applicant to rezone this property to accommodate a low density, single family residential development. The property is currently vacant and abuts vacant property to the south, zoned Development Reserve (DR), a single family residential neighborhood (Post Oak Estates (FP-96-028)) located in the ETJ to the

west, and several single family residential tracts located in the ETJ to the north. This property abuts Ronald Reagan Boulevard to the east and is traversed by East New Hope Drive.

### **Commentary**

The request is to change approximately 35.5 acres out of a 59.5 acre parent parcel from Local Office/Retail/Commercial (LOC) and Regional Office/Retail/Commercial (REG) to Low Density Residential (LDR). The majority of the property has a current zoning designation of Development Reserve (DR), with approximately 4 acres currently located in the ETJ. The existing REG designation would remain on the 12 acres at the northwest and southwest corners of the intersection of East New Hope Drive and Ronald Reagan Boulevard. Similarly, the southernmost portion of the subject tract is comprised of 12 acres with an existing Future Land Use designation of Open Space (OS), which would remain. The stated desire of the applicant is to develop 50 and 60 foot single family lots with a density of 3.14 units per acre. The proposed density (3.14 units/acre) conforms to the intended vision of the LDR FLUP designation. At least one deviation from the Code will be requested to allow smaller lot widths. An annexation petition and subsequent Planned Development (PD) zoning request would be needed if the FLUP petition is accepted.

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

### **Future Land Use Description**

#### **Local Office/Retail/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/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.

### **Low Density Residential (LDR)**

This category refers to single family homes that are generally included in typical subdivisions. This type of housing currently composes a large portion of Cedar Park’s existing housing stock. In terms of development density, one to four dwelling units per acre may be appropriate for this category.

### **Petition Process:**

The Future Land Use Plan (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 of a FLUP amendment petition by the City Council indicates an applicant may proceed through the FLUP amendment process.

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. 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

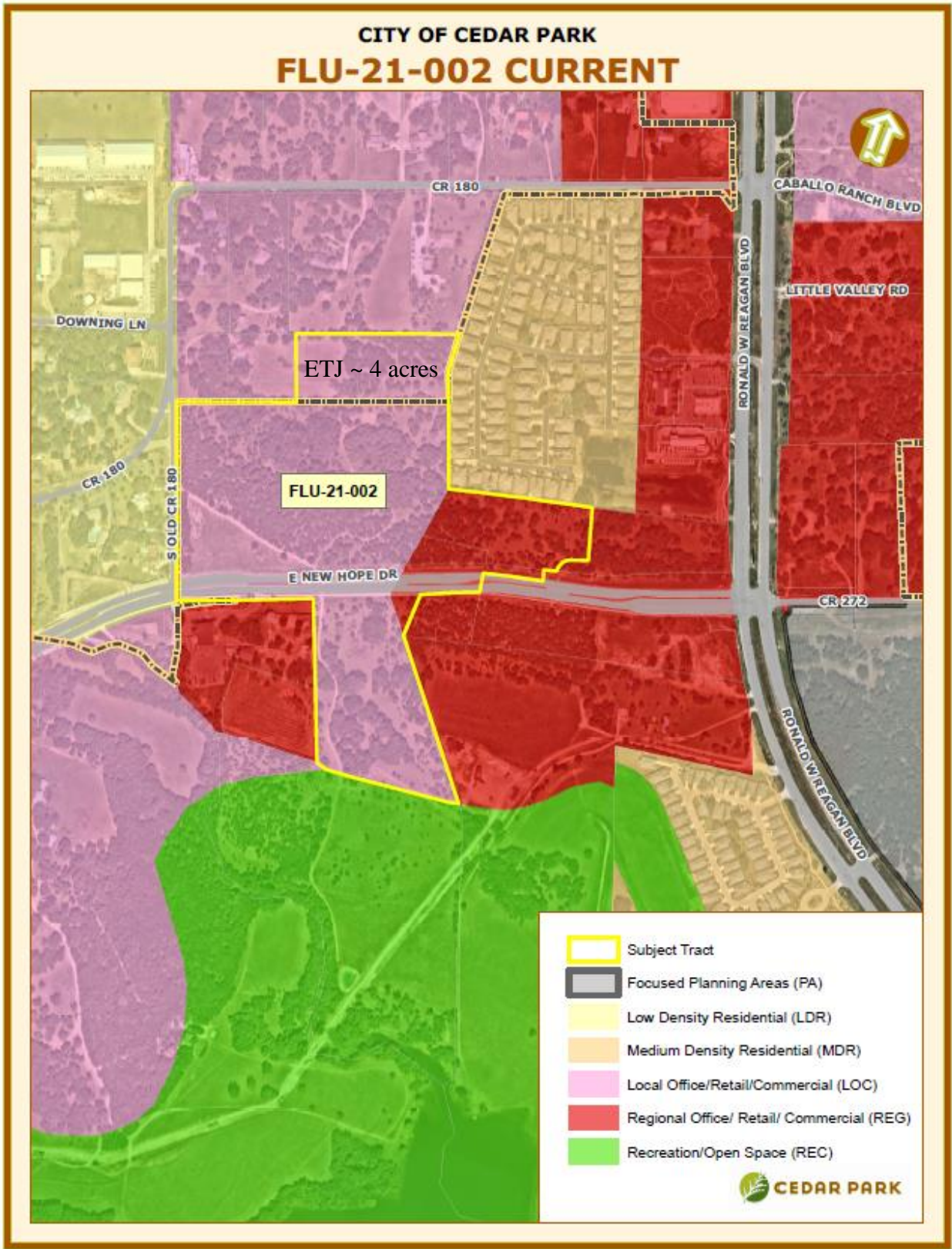
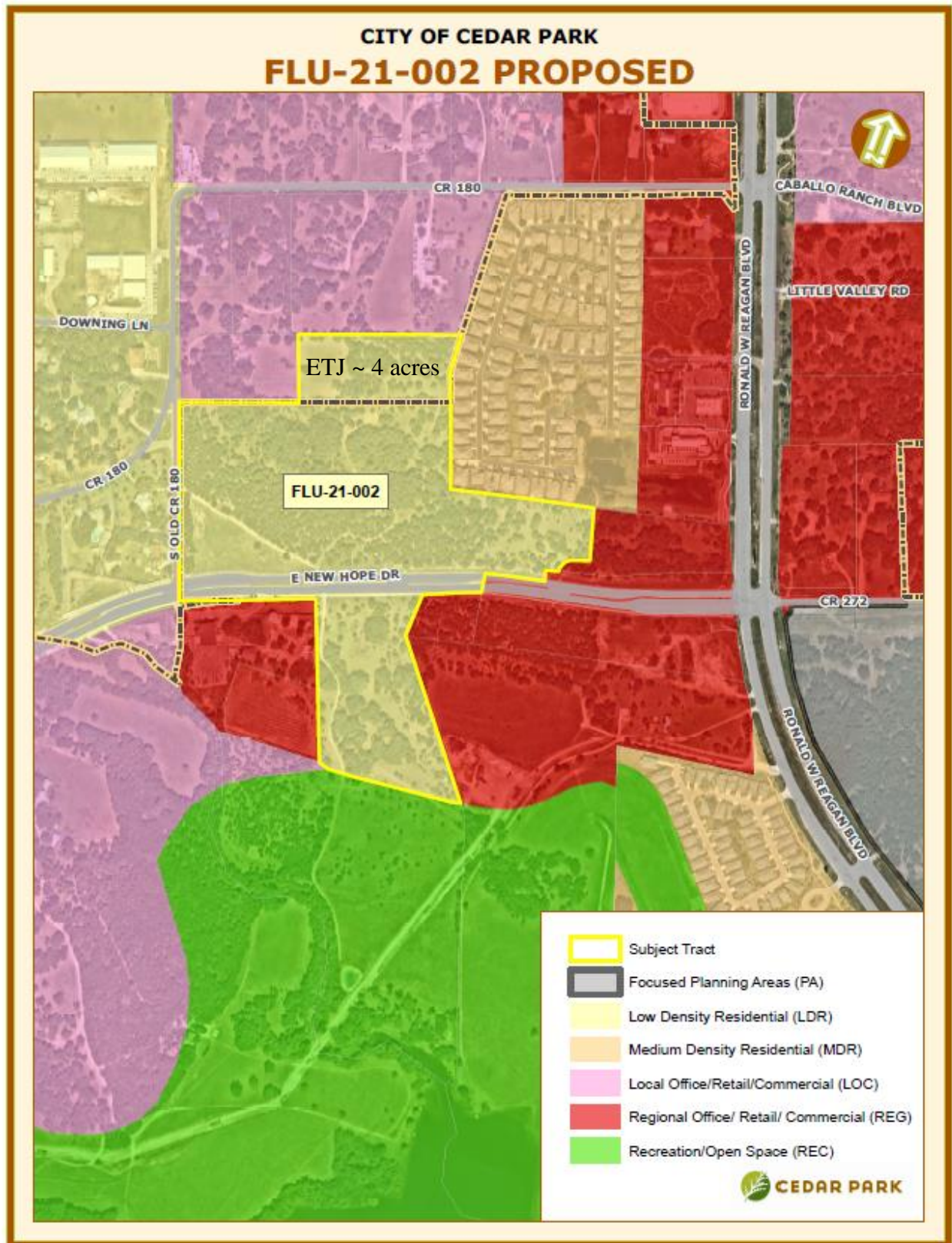




Exhibit B  
Proposed Future Land Use Plan



### 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.*



## 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:

- 1) Contact Planning staff (450 Cypress Creek Road, Building 1 / Telephone: 512-401-5057) to discuss the proposed Future Land Use Plan amendment prior to submission of a petition;
- 2) Make an appointment with Planning staff (450 Cypress Creek Road, Building 1 / Telephone: 512-401-5057) to submit the petition; petitions will only be accepted by appointment; and
- 3) Submit the petition on a labeled CD or USB Drive (min. 300 dpi resolution; non-returnable) with the items listed on the checklist found on Page 2



# CEDAR PARK

## FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: Warren Tract  
 Proposed Amendment: From: LOC and REG To: Low Density Residential Project  
 Location/Address: 2409 E New Hope Dr, Leander TX 78641  
 Project Legal Description: Lot 1 and Lot 2, Lazy Lane and 55.219 Acres out of William S. Parker Survey - See Deeds

### REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION:

- ☒ 1. 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.
- ☒ 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 (following page).



Jan 19, 2021

Amy Link  
450 Cypress Creek Rd. Bldg. 1  
Cedar Park, Texas 78613

RE: Warren Tract - Letter of Request for FLUP

Please accept that letter as our request to initiate a Future Land Use Petition with the City of Cedar Park. An outline of the project benefits are provided below.

- a.** How does the proposed change enhance the site and the surrounding area?
  - i.** The proposed change is more compatible with the existing uses and will help transition adjacent Low Density Residential to the west and Medium Density Residential to the northeast to the commercial along the main corridors.
  - ii.** The proposed change will help transition Parks and Open Space to the local commercial uses through the residential open space and pedestrian connectivity.
  - iii.** The residential land use will connect the existing Shared Use Path along New Hope Drive to the proposed Park and Open Space within the site and the Soil Conservation Site 4 Reservoir.
  - iv.** Residential portion will help increase demand for local commercial within this project, and other commercial development opportunities in the area.
- b.** Is the necessary infrastructure already in place? If not, how will it be provided?
  - i.** Yes – Access and utilities are proposed through the newly completed New Hope Drive. Drainage infrastructure is present and Detention and Water Quality infrastructure will be provided onsite.
- c.** How does the proposed change reflect the vision identified by the Future Land Use Plan?
  - i.** The proposed change creates a balanced and compatible land use that incorporates a vibrant and social community, outdoor gathering spaces, and office, retail, and commercial opportunity at the intersection of New Hope and Ronald Reagan.
  - ii.** Utilizes thoughtful pedestrian friendly connections to adjacent uses and the proposed and future city parks, open space, and trails.
  - iii.** The proposed change will accelerate the local commercial component and provide sustainability through diversity of housing options.
- d.** How is the subject property compliant with surrounding land uses and zoning?



- i. The north tract is consistent with Low Density Residential to northwest and Medium Density Residential to east – it promotes a transition between those areas and the commercial along New Hope and Ronald Regan.
  - ii. Enhances existing areas and uses by connecting the Trail system and neighboring communities to park space.
  - iii. Increases population and demographic that will accelerate the attraction and development of surrounding commercial, retail, restaurant, and/or office.
  - iv. Residential use will improve the aesthetic and demand for the proposed open space and park.
- 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?
  - i. The proposed land use will impact the adjacent areas positively by creating compatibility with existing residential and open space while maintaining commercial opportunity along the main corridors. The proposed land promotes a balance of commercial, community, and recreational land use.
- f. Are uses adjacent to the proposed land use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? If adjacent uses are dissimilar, how will compatibility be addressed?
  - ii. North Tract – Adjacent uses are largely similar in that they are primarily residential, open space and local office. The project provides compatible use with the adjacent property.
  - iii. Transition of density between the rural, large lot homes along CR 180 and to the north of our project, and the MDR development at Reserve at Caballo Ranch.
  - iv. The proposed open space and parkland compliment the existing conservation tract and promotes a family oriented environment that future residents will enjoy.
- g. How does the proposed land use present a better benefit to public health, safety and welfare of the community than the current designation of future land use?
  - i. Increases connectivity to parks and open space promotes and supports active/healthy lifestyle
  - ii. Smaller traffic impact on recently expanded New Hope than if entire project was commercially developed.
- h. How does the proposed land use contribute to the City's long-term economic well-being?
  - i. The Residential/Commercial combination promotes sustainability and increases permanent and immediate tax revenue.

## **Statement of Relevant Goals and Objectives**

### **Future Land Use**

Objective 1 – Focus on business attraction and retention to be a destination for major employers & innovative entrepreneurs

- This change promotes residential development that will attract a wide variety of household demographics who will contribute to the sustainability of local and regional commercial.

Objective 2 – Establish Cedar Park as a regional destination for family-oriented activities.

- The proposed parks, open space, and trail network will provide space for families to gather and socialize.

Objective 3 – Plan for central gathering areas in the community that are interesting, vibrant, and encourage social interaction

- Rear Loaded development in close proximity to green space and open areas will encourage residents to engage with their neighbors and strengthen the community.
- Trail system connecting the path along New Hope to the park/open space to the south activates that green space for the larger community to access and use as a gathering place.
- Pedestrian friendly street sections promote connectivity to local commercial and recreational areas.

Objective 4 – Ensure an appropriate mix of land use types within the City.

- The proposed land use promotes compatibility and balance of residential, commercial and recreational space with the adjacent uses.

### **Transportation**

Objective 6 – Address current and projected heavy traffic volumes moving through and within Cedar Park.

- The balanced use will provide variations in trip generations and some trips will originate and end entirely within the subject tract. Additionally, the use of pedestrian connections and trails will provide a vehicular alternative.
- Project balances commercial use at the intersection of New Hope and Ronald W Reagan Blvd, both of which are arterial streets, and residential use along New Hope Blvd. The trips generated from the project are supported given the corridor infrastructure in close proximity.

### **Public Facilities**

Objective 17 – Coordinate with the in-progress Parks and Recreation Master Plan to ensure recreation amenities meet the needs for the increasing population.

- Trail system through project will connect the Shared Use Path along New Hope Drive to Park and Open Space FLU on southern border of property. The residential project will provide complementary improvements to the PARD Master Plan.

**Livability**

Objective 18 – Address the physical appearance of the built environment to ensure that a positive image of Cedar Park is exhibited to residents and visitors.

- The use of rear entry garages and street trees will promote a pedestrian oriented street section and the proposed curvilinear street network plans around mature trees to give the community an established feel.

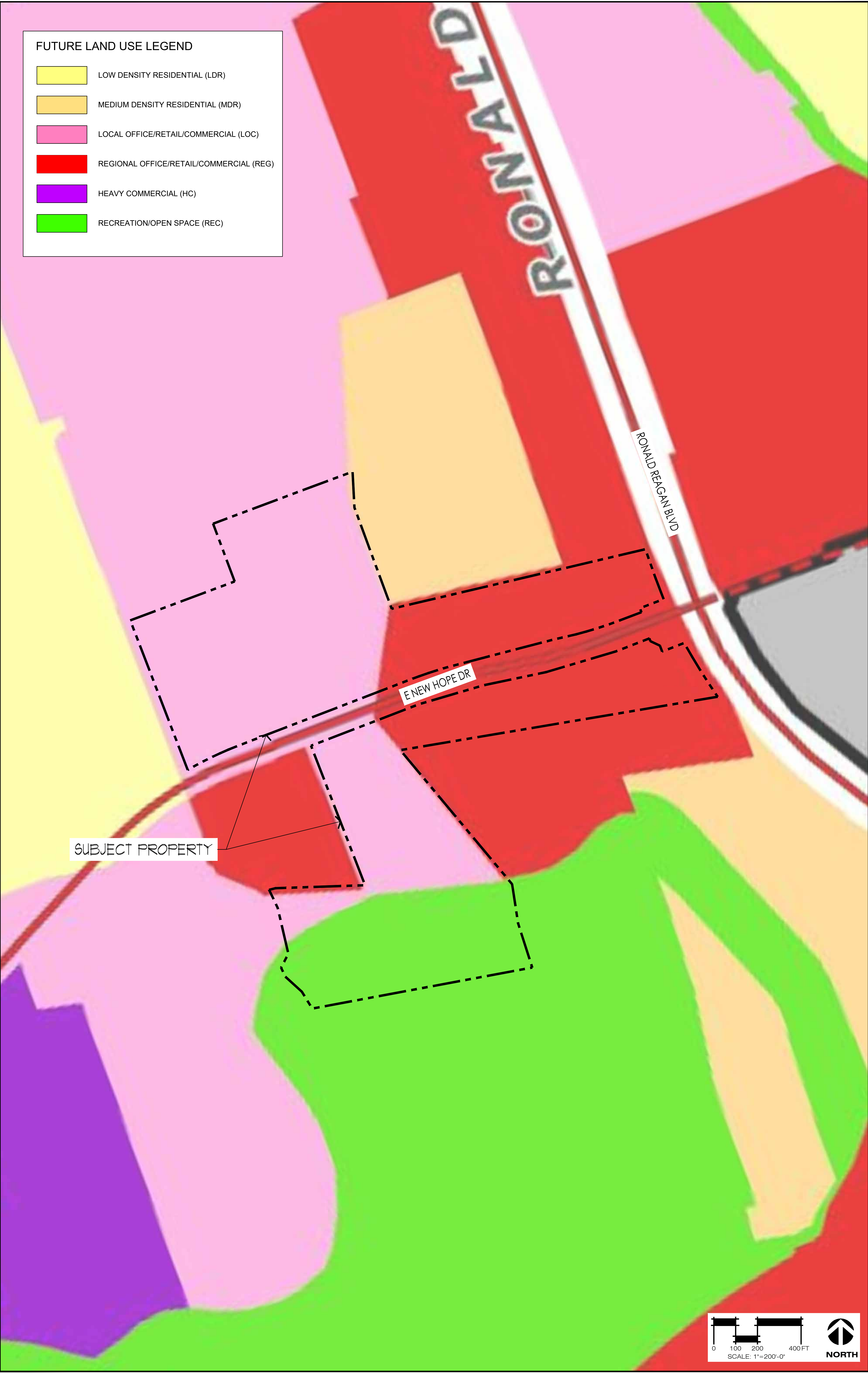
Objective 20 – Improve the walkability and connectedness of Cedar Park for pedestrians and bicyclists

- The proposed trail system through project will connect the Shared Use Path along New Hope to Park and Open Space FLU on southern border of property and provide connections to the commercial and retail along New Hope and Ronald Regan.

**Unique Characteristics of Area**

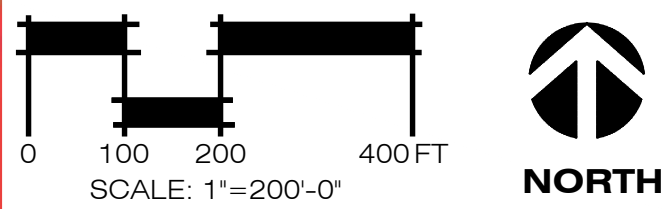
- The existing subdivisions adjacent to both the north tract and the south tract which will complement the residential component of the project. Additionally, the Soil Conservation Site to the south is supported by the residential use and connectivity which aligns with the initiatives of the city to preserve open space and create a family-oriented environment.





FUTURE LAND USE LEGEND

- LOW DENSITY RESIDENTIAL (LDR)
- MEDIUM DENSITY RESIDENTIAL (MDR)
- LOCAL OFFICE/RETAIL/COMMERCIAL (LOC)
- REGIONAL OFFICE/RETAIL/COMMERCIAL (REG)
- HEAVY COMMERCIAL (HC)
- RECREATION/OPEN SPACE (REC)







FUTURE LAND USE LEGEND

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- MEDIUM DENSITY RESIDENTIAL (MDR)
- LOCAL OFFICE/RETAIL/COMMERCIAL (LOC)
- REGIONAL OFFICE/RETAIL/COMMERCIAL (REG)
- HEAVY COMMERCIAL (HC)
- RECREATION/OPEN SPACE (REC)

EXISTING FLU

LDR

MDR

LOC

REG

E NEW HOPE DR

REG

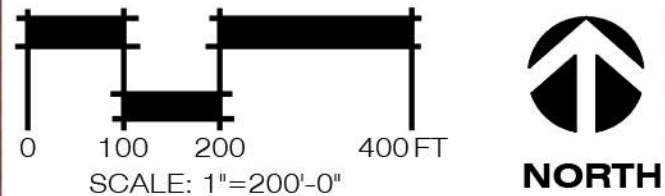
LOC

SUBJECT PROPERTY

REC

MDR

SOIL CONSERVATION  
SITE 4 RESERVOIR







FUTURE LAND USE LEGEND

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- MEDIUM DENSITY RESIDENTIAL (MDR)
- LOCAL OFFICE/RETAIL/COMMERCIAL (LOC)
- REGIONAL OFFICE/RETAIL/COMMERCIAL (REG)
- HEAVY COMMERCIAL (HC)
- RECREATION/OPEN SPACE (REC)

PROPOSED FLU

LDR

LDR

MDR

REG

E NEW HOPE DR

REG

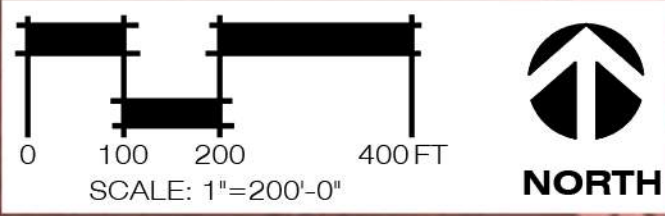
LDR

SUBJECT PROPERTY

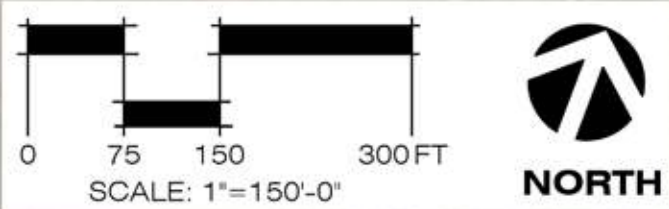
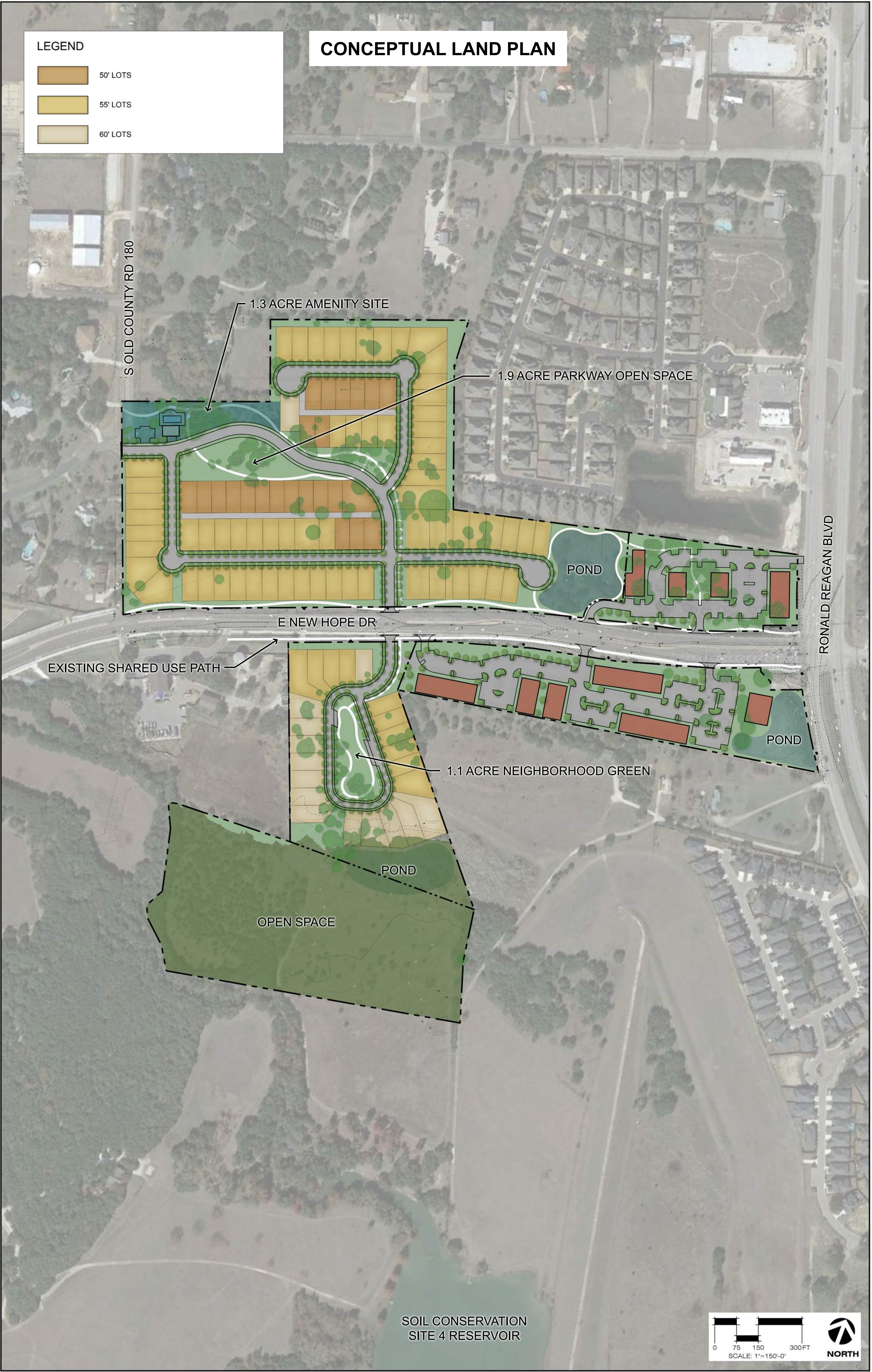
REC

MDR

SOIL CONSERVATION  
SITE 4 RESERVOIR







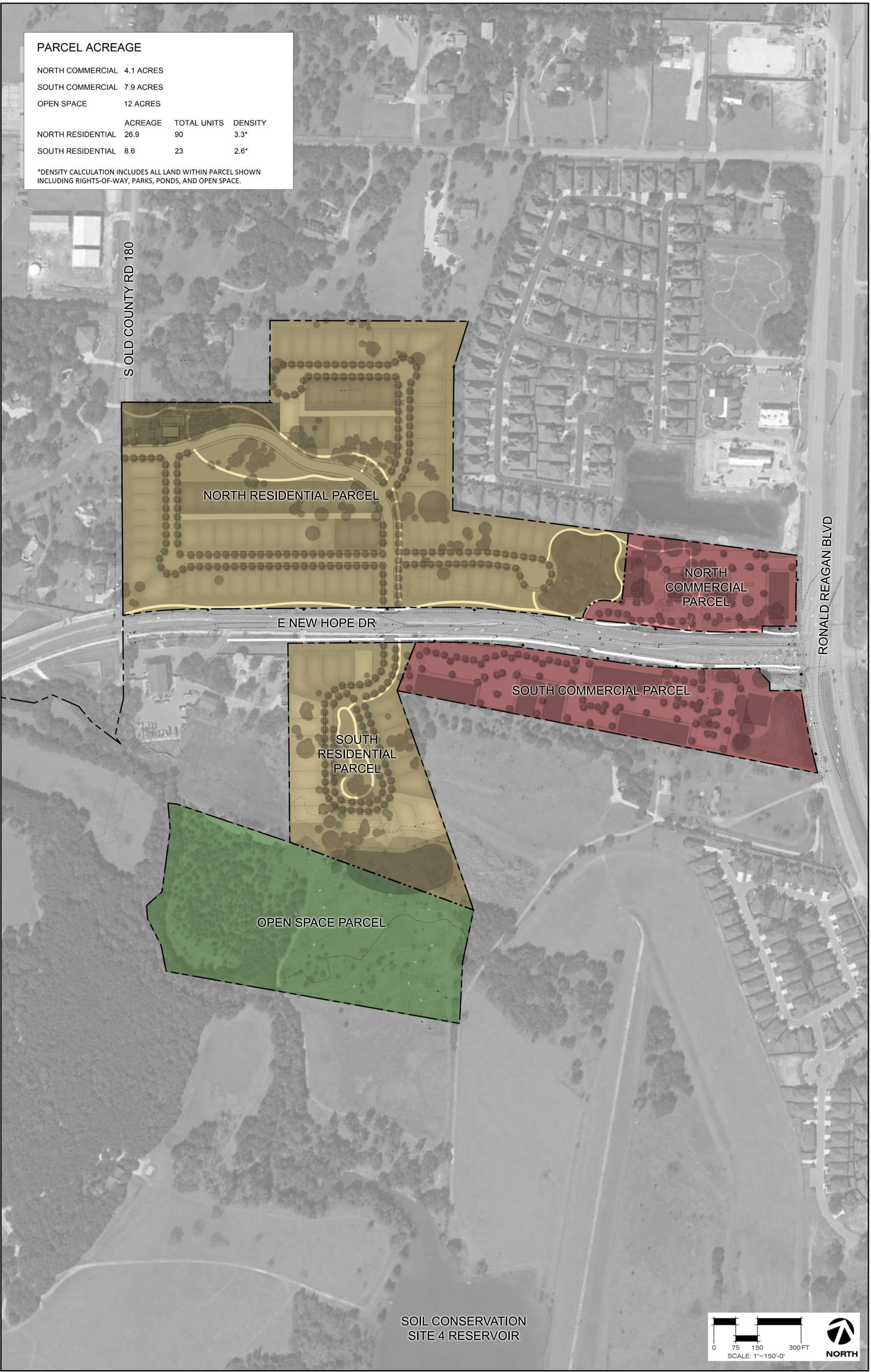


PARCEL ACREAGE

NORTH COMMERCIAL 4.1 ACRES  
SOUTH COMMERCIAL 7.9 ACRES  
OPEN SPACE 12 ACRES

	ACREAGE	TOTAL UNITS	DENSITY
NORTH RESIDENTIAL	26.9	90	3.3*
SOUTH RESIDENTIAL	8.6	23	2.6*

\*DENSITY CALCULATION INCLUDES ALL LAND WITHIN PARCEL SHOWN INCLUDING RIGHTS-OF-WAY, PARKS, PONDS, AND OPEN SPACE.







LEGEND

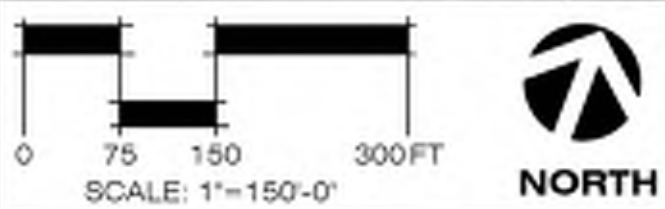
- PARKS AND OPEN SPACE
- EXISTING SHARED USE PATH
- PROPOSED TRAILS

SOLD COUNTY RD 180

E NEW HOPE DR

RONALD REAGAN BLVD

SOIL CONSERVATION  
SITE 4 RESERVOIR





### **Unique Characteristics**

- The site is positioned between the Shared Use Path that connects pedestrian and cyclist to the Cedar Park Center, Cedar Park Regional Medical Center, and other major employers and Open Space Future Land Use within the Soil Conservation Site to the south.
- The site contains frontage along the newly completed New Hope Drive and limited frontage along Ronald Regan for commercial opportunity.
- The site is adjacent to Soil Conservation Service Site 4 Reservoir which provides opportunity for parks and open space and trail connections in conjunction with the residential component.
- Refer to visual representation of the proposed project.





# FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: Warren Tract - 601 CR 180, LEANDER, TX 78641

## Owner's Acknowledgement & 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 acknowledgement. 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 Future Land Use Plan 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.

(Check One:)

       *I will represent my petition before the City Council.*

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

<u>Rickey Warren</u>	<u>806-928-8236</u>	<u>806-928-8236</u>
Owner's Name (printed)	Phone	Cell
<u>601 cr 180 Leander, TX 78641</u>		<u>rm 89540@gmail.com</u>
Owner's Mailing Address		Owner's Email Address
<u>Rickey Warren</u>	<u>12-28-20</u>	
Owner's Signature	Date	

<u>Andrew Cortes</u>	<u>(512) 686-4986</u>	<u>(832) 597-8614</u>
----------------------	-----------------------	-----------------------

Agent's Name (printed)	Phone	Cell
<u>Milestone Community Builders, LLC</u>	<u>9111 Jollyville Rd UNIT 111, Austin, TX 78759</u>	<u>acortes@mymilestone.com</u>

Agent's Firm	Firm's Mailing Address	Agent's Email Address
<u>Andrew Cortes</u>	<u>12/29/20</u>	
Agent's Signature	Date	

(Submittal Date – Office Use Only)



# FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: 605 cr 180 Leander, Tx 78641

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<u>Andrew Cortes</u>	<u>TBD 12/29/20</u>	
Agent's Signature	Date	

(Submittal Date – Office Use Only)

# FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: Warren Tract - 2621 E NEW HOPE DR, LEANDER, TX 78641

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<u>Andrew Cortes</u>	<u>TBD 12/29/20</u>	
Agent's Signature	Date	Agent's Email Address

(Submittal Date – Office Use Only)



# FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: Warren Tract - 2500 E NEW HOPE DR, LEANDER, TX 78641

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Agent's Signature	Date	

(Submittal Date – Office Use Only)



CEDAR PARK

# FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: Warren Tract - 2409 E NEW HOPE DR, LEANDER, TX 78641

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<u>Andrew Cortes</u>	<u>TBD 12/29/20</u>	
Agent's Signature	Date	

(Submittal Date— Office Use Only)



# FUTURE LAND USE PLAN AMENDMENT PETITION

Project Name: Warren Tract - 2620 E NEW HOPE DR, LEANDER, TX 78641

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Milestone Community Builders, LLC 9111 Jollyville Rd UNIT 111, Austin, TX 78759 acortes@mymilestone.com

<u>Andrew Cortes</u>	<u>TBD 12/29/20</u>	
Agent's Firm	Firm's Mailing Address	Agent's Email Address
Agent's Signature	Date	

(Submittal Date – Office Use Only)

**SPECIAL WARRANTY DEED**

**Notice of confidentiality rights:** If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

**Date:** March 31, 2014

**Grantor:** WARREN INVESTMENTS, a Texas general partnership, comprised of GARY WAYNE WARREN, GLENN RAY WARREN and RICKEY LYNN WARREN

**Grantor's Mailing Address:** P. O. Box 5414, Lubbock, Lubbock County, Texas 79418

**Grantees:** GARY WAYNE WARREN, individually, GLENN RAY WARREN, individually, and RICKEY LYNN WARREN, individually, as tenants-in-common

**Grantees' Mailing Address:** Gary Wayne Warren  
3317 23<sup>rd</sup> Street  
Lubbock, Lubbock County, Texas 79410

Glenn Ray Warren  
9621 Indina Hills Drive  
Austin, Travis County, Texas 78717

Rickey Lynn Warren  
601 CR 180  
Leander, Williamson County, Texas 78641

**Consideration:** Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and pursuant to that certain Agreement Winding Up and Terminating General Partnership of even date.

**Property (including any improvements):** 32.46 acres of land, more or less, situated in the William S. Parker Survey, Abstract No. 9, Williamson County, Texas conveyed to Warren Investments, by a deed dated August 10, 1979, recorded in Volume 766, Page 281 of the Deed Records of Williamson County, Texas, and being more particularly described by metes and bounds on Exhibit A attached hereto and incorporated herewith for all purposes.

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:** Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2014, which Grantees assume and agree to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantees assumes/but not subsequent assessments for that and prior years due to change in land usage,

ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantees, in equal undivided shares, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantees' heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantees and Grantees' heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

#### WARREN INVESTMENTS

By: *Gary Wayne Warren*  
GARY WAYNE WARREN, Partner

By: *Glenn Ray Warren*  
GLENN RAY WARREN, Partner

By: \_\_\_\_\_  
RICKEY LYNN WARREN, Partner

STATE OF TEXAS §

§

COUNTY OF LUBBOCK §

This instrument was acknowledged before me on <sup>April</sup>~~March~~ 1, 2014, by GARY WAYNE WARREN, Partner of WARREN INVESTMENTS, a Texas general partnership, on behalf of said company.



*Tracie Cole*  
Notary Public, State of Texas



ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantees, in equal undivided shares, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantees' heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantees and Grantees' heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

#### WARREN INVESTMENTS

By: \_\_\_\_\_  
GARY WAYNE WARREN, Partner

By: \_\_\_\_\_  
GLENN RAY WARREN, Partner

By: Rickey Lynn Warren  
RICKEY LYNN WARREN, Partner

STATE OF TEXAS       §  
                                     §  
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on March \_\_\_\_, 2014, by **GARY WAYNE WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.

\_\_\_\_\_  
Notary Public, State of Texas



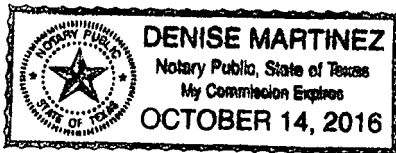
STATE OF TEXAS       §  
                                   §  
 COUNTY OF TRAVIS    §

This instrument was acknowledged before me on March \_\_\_\_, 2014, by **GLENN RAY WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.

\_\_\_\_\_  
 Notary Public, State of Texas

STATE OF TEXAS       §  
                                   §  
 COUNTY OF ~~TRAVIS~~   §

*Williamson*  
 This instrument was acknowledged before me on March 28, 2014, by **RICKEY LYNN WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.



*Denise Martinez*  
 \_\_\_\_\_  
 Notary Public, State of Texas



BEING 32.46 acres of land out of the Wm. S. Parker Survey, Abstract No. 9, in Williamson County, Texas; said land also being out of a certain 210-acre tract conveyed by deed from Charles C. Rowner, et ux, to A. N. Cotton, of record in Volume 335, Page 624 of the Deed Records of Williamson County, Texas. Surveyed on the ground in the month of June, 1979, by Don M. Bizzell, Registered Professional Engineer, and described more fully as follows:

BEGINNING at an iron pin found; said point being S 1° 30' W, 59.95 feet from the N.E. corner of a certain 1.37-acre tract conveyed by deed from A. N. Cotton to John W. Crider, et ux, of record in Volume 586, Page 399 of the Deed Records of Williamson County, Texas; said point also being in the South line of a certain 2.00-acre tract conveyed by deed from A. N. Cotton, et ux, to John Robert Crider, et ux, of record in Volume 470, Page 213 of the Deed Records of Williamson County, Texas, for the most westerly N.W. corner hereof;

THENCE, following a fence along the East line of the aforementioned 1.37-acre tract as follows:

S 1° 30' W, 183.45 feet to an iron pin found near a large corner post;  
S 21° 10' E, 113.70 feet to an iron pin found; and  
S 77° 59' W, at 22.33 feet passing an iron pin set on the East bank of Post Oak Branch, in all, 30.75 feet to a point in the said branch;

THENCE down the meanders of Post Oak Branch as follows:

S 23° 11' E, 91.73 feet to a point;  
S 10° 55' E, 215.59 feet to a point;  
S 29° 36' W, 71.47 feet to a point from which an iron pin set on the East bank bears N 83° 31' E, 25.96 feet;  
S 22° 47' E, 45.73 feet to a point;  
S 45° 29' E, 102.45 feet to a point;  
S 29° 30' E, 90.76 feet to a point;  
S 51° 30' E, 102.54 feet to a point;  
S 89° 29' E, 145.10 feet to a point from which an iron pin on the North bank bears N 12° 03' E, 27.72 feet;  
N 61° 13' E, 177.11 feet to a point;  
S 50° 28' E, 163.79 feet to a point;  
S 15° 51' E, 183.01 feet to a point at the beginning of a lake;

THENCE following along the meanders of the lake as follows:

S 6° 25' E, 285.17 feet to a point;  
S 45° 22' E, 78.38 feet to a point;  
N 87° 15' E, 110.41 feet to a point;  
N 55° 52' E, 198.05 feet to a point;  
S 84° 18' E, 205.56 feet to a point; and  
S 37° 34' E, 157.18 feet to a point, for the most southerly corner hereof;

THENCE N 19° 26' E, 67.80 feet to an iron pin set near the bank of the said lake;

THENCE N 18° 19' W, 740.90 feet to an iron pin set near a cedar fence post;

THENCE N 11° 27' W, 393.20 feet along a fence to an iron pin set near a large fence corner post;

THENCE N 37° 39' W, 974.67 feet to an iron pin set, for the N.E. corner hereof;

THENCE S 71° 11' W, 318.90 feet to an iron pin set, for the most northerly N.W. corner hereof;

THENCE S 18° 56' E, 378.36 feet to an iron pin set, for an interior corner hereof;

THENCE N 89° 42' W, 346.27 feet to the place of BEGINNING and containing 32.46 acres of land.

BEING 1.55 acres of land out of the Wm. S. Parker Survey, Abstract No. 9, in Williamson County, Texas. Said land also being out of a certain 210-acre tract conveyed by deed from Charles C. Bowmer, et ux, to A.N. Cotton, of record in Volume 335, Page 624, of the Deed Records of Williamson County, Texas. Surveyed on the ground in the month of June, 1979, by Don H. Bizell, Registered Professional Engineer, and described more fully as follows:

BEGINNING at an iron pin found; said point being the N.E. corner of a certain 1.37-acre tract conveyed by deed from A.N. Cotton to John R. Crider, et ux, of record in Volume 586, Page 399, of the Deed Records of Williamson County, Texas; said point also being in the South line of a certain 2.00-acre tract conveyed by deed from A.N. Cotton, et ux, to John Robert Crider, et ux, of record in Volume 470, Page 213, of the Deed Records of Williamson County, Texas, for the most westerly N.W. corner hereof;

THENCE, following a fence along the East line of the aforementioned 1.37-acre tract, S 1° 30' W, 59.95 feet to an iron pin set for the S.W. corner hereof;

THENCE, S 89° 42' E, 346.27 feet to an iron pin set for the S.E. corner hereof;

THENCE, N 18° 58' W, 378.36 feet to an iron pin set for the N.E. corner hereof;

THENCE, S 71° 11' W, 150.00 feet to an iron pin set near a large fence corner post at the N.E. corner of the aforementioned 2.00-acre tract for the most northerly N.W. corner hereof;

THENCE, S 18° 58' E, 207.62 feet to an iron pin found at the S.E. corner of the said 2.00-acre tract, for an interior corner hereof;

THENCE, S 70° 46' W, 155.92 feet following a fence along the South line of the said 2.00-acre tract to the place of BEGINNING and containing 1.55 acres of land.

RECORDERS MEMORANDUM  
All or parts of the text on this page  
was not clearly legible for satisfactory  
recording

**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS 2014026076**

*Nancy E. Rister*

04/14/2014 12:22 PM

MARIA \$53.00

NANCY E. RISTER, COUNTY CLERK

WILLIAMSON COUNTY, TEXAS

⑤ Field Manning Stone & Bowther nee  
E Aycock PC  
2112 Indiana Ave  
Lubbock, TX 79410-1444

**SPECIAL WARRANTY DEED**

**Notice of confidentiality rights:** If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

**Date:** March 31, 2014

**Grantor:** WARREN INVESTMENTS, a Texas general partnership, comprised of GARY WAYNE WARREN, GLENN RAY WARREN and RICKEY LYNN WARREN

**Grantor's Mailing Address:** P. O. Box 5414, Lubbock, Lubbock County, Texas 79418

**Grantees:** GARY WAYNE WARREN, individually, GLENN RAY WARREN, individually, and RICKEY LYNN WARREN, individually, as tenants-in-common

**Grantees' Mailing Address:** Gary Wayne Warren  
3317 23<sup>rd</sup> Street  
Lubbock, Lubbock County, Texas 79410

Glenn Ray Warren  
9621 Indina Hills Drive  
Austin, Travis County, Texas 78717

Rickey Lynn Warren  
601 CR 180  
Leander, Williamson County, Texas 78641

**Consideration:** Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and pursuant to that certain Agreement Winding Up and Terminating General Partnership of even date.

**Property (including any improvements):** 20.34 acre tract of land, more or less, out of the William S. Parker Survey, Abstract No. 9, Williamson County, Texas, conveyed to Warren Investments by a warranty deed dated August 24, 1981, recorded in Volume 849, Page 438 of the Deed Records of Williamson County, Texas, and being particularly described by metes and bounds on Exhibit A attached hereto, save and except a 2.94 acre tract of land out of the William S. Parker Survey, Abstract No. 9, Williamson County, Texas, conveyed to Warren Investments by a general warranty deed dated September 11, 2009, recorded in Instrument No. 2009070501 of the Official Public Records of Williamson County, Texas, and being particularly described by metes and bounds on Exhibit B attached hereto

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:** Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing

instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2014, which Grantees assume and agree to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantees assumes/but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantees, in equal undivided shares, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantees' heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantees and Grantees' heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

#### WARREN INVESTMENTS

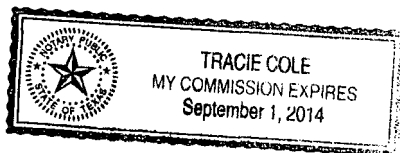
By: Gary Wayne Warren  
GARY WAYNE WARREN, Partner

By: Glenn Ray Warren  
GLENN RAY WARREN, Partner

By: \_\_\_\_\_  
RICKEY LYNN WARREN, Partner

STATE OF TEXAS       §  
                                      §  
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on <sup>April</sup>~~March~~ 1, 2014, by **GARY WAYNE WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.



[Signature]  
Notary Public, State of Texas



instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2014, which Grantees assume and agree to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantees assumes/but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantees, in equal undivided shares, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantees' heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantees and Grantees' heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

#### WARREN INVESTMENTS

By: \_\_\_\_\_  
GARY WAYNE WARREN, Partner

By: \_\_\_\_\_  
GLENN RAY WARREN, Partner

By: Rickey Lynn Warren  
RICKEY LYNN WARREN, Partner

STATE OF TEXAS       §  
                                  §  
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on March \_\_\_\_, 2014, by GARY WAYNE WARREN, Partner of WARREN INVESTMENTS, a Texas general partnership, on behalf of said company.

\_\_\_\_\_  
Notary Public, State of Texas

Notary Public, State of Texas

**STATE OF TEXAS** §  
§  
**COUNTY OF TRAVIS** §

This instrument was acknowledged before me on March \_\_\_\_, 2014, by **RICKEY LYNN WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.

Notary Public, State of Texas

STATE OF TEXAS       §  
                                   §  
 COUNTY OF TRAVIS    §

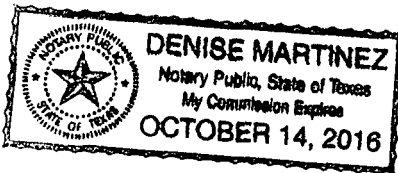
This instrument was acknowledged before me on March \_\_\_\_, 2014, by **GLENN RAY WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.

\_\_\_\_\_  
 Notary Public, State of Texas

STATE OF TEXAS       §  
                                   §  
 COUNTY OF ~~TRAVIS~~   §

*Williamson*  
 This instrument was acknowledged before me on March 28, 2014, by **RICKEY LYNN WARREN**, Partner of **WARREN INVESTMENTS**, a Texas general partnership, on behalf of said company.

*Denise Martinez*  
 \_\_\_\_\_  
 Notary Public, State of Texas





BEING 20.34 acres of land out of the William S. Parker Survey, Abstract No. 9 in Williamson County, Texas. Said land also being out of a certain 136.06 acre tract described in a Partition Deed from Nancy Ann Crider to Mary Ellen Harry, et al, of record in Volume 633, Page 767, of the Deed Records of Williamson County, Texas. Surveyed on the ground in the month of June, 1976 by Don H. Bissell, Registered Professional Engineer, and described more fully as follows:

BEGINNING at an iron pin set in the East margin of a paved county road, said point also being in the West fence line of the aforementioned 136.06 acre tract and being S 18° 01' E, 849.87 feet from the N.W. corner of the said 136.06 acre tract for the N.W. corner hereof;

THENCE S 18° 50' E, 834.54 feet following a fence along the East margin of the said county road to an iron pin set near a fence corner post at the N.W. corner of a certain 2.00 acre tract conveyed by deed from A. N. Cotton, et ux, to John Robert Crider, et ux, of record in Volume 470, Page 213 of the Deed Records of Williamson County, Texas, for the S.W. corner hereof;

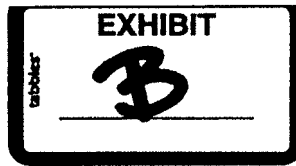
THENCE N 71° 01' E, 417.42 feet to an iron pin set at the N. E. corner of the said 2.00 acre tract;

THENCE N. 71° 11' E, 468.90 feet to an iron pin set at the N. E. corner of a certain 34.01 acre tract described in the aforementioned Volume 633, Page 767, for the S. E. corner hereof;

THENCE N. 10° 10' E, 518.69 feet to an iron pin set at the S. W. corner of a certain 33.63 acre tract conveyed by deed from A. N. Cotton to Charles H. Huffman, of record in Volume 591, Page 293, of the Deed Records of Williamson County, Texas;

THENCE, following a fence along the West line of the said 33.63 acre tract, N 18° 07' W, 368.87 feet to an iron pin set for the N.E. corner hereof;

THENCE S 71° 44' W, 1142.46 feet to the Place of BEGINNING and containing 20.34 acres of land.

**SAVE AND EXCEPT**

DESCRIPTION OF A 2.494 ACRE (108,654 SQUARE FOOT), TRACT OF LAND SITUATED IN THE WILLIAM S. PARKER SURVEY, ABSTRACT NO. 9, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 20.34 ACRE TRACT OF LAND CONVEYED TO WARREN INVESTMENTS BY INSTRUMENT RECORDED IN VOLUME 849, PAGE 438 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.494 ACRE (108,654 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a found 1/2" iron rod in concrete in the existing southerly right-of-way line of Old County Road 180 (right-of-way width varies), 787.79 feet left of proposed New Hope Road baseline station 134+84.91, being the northwesterly corner of said 20.34 acre tract and the southwesterly corner of that called 7.5 acre tract of land conveyed to Rick Warren by Instrument recorded in Volume 886, Page 805 of the Deed Records at Williamson County, Texas:

THENCE, with the westerly boundary line of said 20.34 acre tract, same being said existing southerly right-of-way line of Old County Road 180, S 21°58'00" E for a distance of 734.08 feet to a set 1/2" iron rod with aluminum cap stamped R.O.W. in the proposed curving northerly right-of-way line of New Hope Road, 60.23 feet left of proposed New Hope Road baseline station 134+07.53, being the northwesterly corner and POINT OF BEGINNING of the herein described tract:

THENCE, departing said southerly right-of-way line of Old County Road 180, through the interior at said 20.34 acre tract, with the proposed northerly right-of-way line of New Hope Road, the following two (2) courses:

- 1) Along a non-tangent curve to the right, having a delta angle of 09°12'51", a radius of 1560.00 feet, an arc length of 250.88 feet, and a chord which bears N 64°18'54" E for a distance of 250.61 feet to a set 1/2" iron rod with aluminum cap stamped R.O.W., 60.35 feet left of proposed New Hope Road baseline P.T. station 136+48.71;
- 2) N 68°56'51" E for a distance of 703.30 feet to a set 1/2" iron rod with aluminum cap stamped R.O.W. in the easterly boundary line of said 20.34 acre tract, same being the westerly boundary line of that called 3.00 acre tract of land conveyed to Glen R Warren, Trustee, by instruments recorded in Document No. 199984681 (50% interest), and Document No. 2000000802 (50% interest) of the Official Public Records of Williamson County, Texas, 60.38 feet left of proposed New Hope Road baseline station 143+52.01. being the northeasterly corner of the herein described tract, from which a found 1/2" iron rod at an angle point in the westerly boundary line of said 20.34 acre tract, being the northwesterly corner of that 18.417 acre remainder of that called 19.31 acre tract of land, conveyed to Glenn R Warren, Trustee, by instrument recorded in Document No. 199984661 (50% interest), and Document No. 2000000802 (50% interest) of the Official Public Records of Williamson County, Texas, and the southwesterly corner of Lot 2,

Block A, Mackenzie Meadows, according to the plat thereof recorded in Cabinet L, Slides 383-384 of the Plat Records of Williamson County, Texas, bears N 08°10'32" E, a distance of 380.82 feet;

- 3) **THENCE**, departing said existing northerly right-of-way line of New Hope Road, with the common boundary line of said 20.34 acre tract and said 3.00 acre tract, S 08°10'32" W for a distance of 137.50 feet to a found 1/2" iron rod (to be replaced with 1/2" iron rod with aluminum cap stamped R.O.W.), in the proposed southerly right-of-way line of New Hope Road, 59.84 feet right of proposed New Hope Road baseline station 142+84.87, being the southeasterly corner of said 20.34 acre tract, an angle point in the westerly boundary line of said 3.00 acre tract, and the northeasterly corner of that called 32.46 acre tract of land conveyed to Warren Investments by instrument recorded in Volume 766, Page 281 of the Deed Records of Williamson County, Texas, and being the southwesterly corner of the herein described tract, from which a found 1/2" iron rod in the easterly boundary line of said 32.46 acre tract, being the southwesterly corner of said 3.00 acre tract and the northwesterly corner of that called 40.23 acre tract of land conveyed to Sam Winfield (50% interest), and the Lansford Family Limited Partnership (50% interest), by instrument recorded in Document No. 9626013 of the Official Records of Williamson County, Texas, bears S 39°47'59" E, a distance of 174.97 feet;

**THENCE**, with the southerly boundary line of said 20.34 acre tract, and in part, the northerly boundary line of said 32.46 acre tract, and in part, the northerly boundary line of that called 4.92 acre tract of land conveyed to Paul W. Diedrich and Sarah J. Diedrich by instrument recorded in Document No. 9752826 of the Official Records of Williamson County, Texas, same being the proposed southerly right-of-way line of New Hope Road, the following two (2) courses:

- 4) S 68°57'08" W, passing at a distance of 318.71 feet, a found 3/8" iron rod (to be replaced with 1/2" iron rod with aluminum cap stamped R.O.W.), being the most northerly northwest corner of said 32.46 acre tract and the northeasterly corner of said 4.92 acre tract, 59.62 feet right of proposed New Hope Road baseline station 139+66.16, from which a found 3/8" iron rod, being the southeasterly corner of said 4.92 acre tract and an interior ell corner in the westerly boundary line of said 32.46 acre tract bears S 21°09'32" E, a distance of 378.73 feet, and continuing for a total distance of 488.78 feet to a set 1/2" iron rod with aluminum cap stamped R.O.W., 59.61 feet right of proposed New Hope Road baseline station 138+16.12, being an angle point in the northerly boundary line of said 4.92 acre tract and an angle point in the proposed southerly right-of-way line of New Hope Road;
- 5) S 68°58'57" W for a distance of 167.41 feet to a set 1/2" iron rod with aluminum cap stamped R.O.W., 59.65 feet right of proposed New Hope Road baseline station P.T. 138+48.71;
- 6) **THENCE**, departing said proposed southerly right-of-way line of New Hope Road, continuing with the southerly boundary line of said 20.34 acre tract and the northerly boundary line of said 4.92 acre tract, S 68°58'57" W for a distance of 249.85 feet to a found 1/2" iron rod in the existing southerly right-of-way line of Old County Road 180, being the southwesterly corner of said 20.34 acre tract and the northwesterly corner of said 4.92 acre tract, and being the southwesterly corner of the herein described tract;
- 7) **THENCE**, with the westerly boundary line of said 20.34 acre tract, same being said existing southerly right-of-way line of Old County Road 180, N 21°00'58" W for a distance of 99.83 feet to the POINT OF BEGINNING, containing 2.494 acres (108,654 square feet) of land, more or less.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

This property description is accompanied by a separate plat.

RECORDERS MEMORANDUM  
All or parts of the text on this page  
was not clearly legible for satisfactory  
recording

**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS 2014026078***Nancy E. Rister*

04/14/2014 12:22 PM

MARIA \$53.00

NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS

⑤ Field Manning Stone Hawthorne  
E & Aycock PC  
2112 Indiana Ave.  
Lubbock, TX 79410-1444



**WARRANTY DEED**

**Effective Date** January 1, 2000

**Grantor** William C Warren joined proforma herein by his wife,  
Sarah Warren

**Grantor's Mailing Address** 6802 Nashville Avenue  
Lubbock, Texas 79413  
Lubbock County

**Grantee** Glenn R Warren, Trustee under that certain Declaration of Trust  
dated effective December 1, 1999 for the benefit of Glenn R  
Warren, Gary Warren, and Rick Warren

**Grantee's Mailing Address** 10615 Burnet Road  
Austin, Texas 78758  
Travis County

**Consideration** TEN AND NO/100 DOLLARS and other good and valuable  
considerations receipt in sufficiency of which are hereby  
acknowledged

**Property (including any improvements)**

Grantor's remaining undivided fifty (50%) percent interest in those two certain tracts of land located in Williamson County, Texas consisting of a total of 22.31 acres and being made up of two tracts described as a 19.31 acre tract and a 3 acre tract of land, more or less, both out of the William S. Parker Survey, Abstract Number 9, in Williamson County, Texas and being more particularly described on Exhibit A and Exhibit B, respectively, and which Exhibits are attached hereto and incorporated herein by reference for all purposes

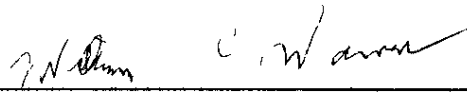
**Reservations from and Exceptions to Conveyance and Warranty**

This conveyance is made and accepted subject to all conditions, restrictions, and covenants, if any, relating to the above described property, but only to the extent that there is still in effect, shown of record in the herein above mentioned county and state and the easements that are filed of record or that are visible or obvious on the ground. This conveyance is also subject to taxes for the year 2000 the payment in which is expressly assumed by the Grantee

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's remaining right, title and interest in the property, together with all of Grantor's remaining rights and appurtenances thereto in any wise belonging to Grantor, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors,

administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty

When the context requires singular nouns and pronouns include the plural.

  
 William C Warren


  
 Sarah Warren

### **ACKNOWLEDGMENT**

STATE OF TEXAS §

COUNTY OF Sublock §

On this the 16<sup>th</sup> day of December, 1999, before me personally appeared William C Warren and Sarah Warren, known to me to be the persons who executed the above instrument and acknowledged to me that they executed the same for the purpose therein stated

 BRENDA STANFIELD  
 Notary Public, State of Texas  
 My Commission Expires 04 23

  
 Notary Public, State of Texas

After Recording Return To

Christopher M. Benjamin, Esq  
 McLeroy, Alberts & Benjamin, P.C.  
 608 West 12<sup>th</sup> Street  
 Austin, Texas 78701

### **RECORDERS MEMORANDUM**

All or parts of the text on this page was not  
 clearly legible for satisfactory recordation

## EXHIBIT A

BEING 19.31 acres of land out of the William S Parker Survey, Abstract No 9 in Williamson County, Texas; said land also being out of a certain 136.06-acre tract described in a Partition Deed from Nancy Ann Crider to Mary Ellen Herry, et al, of record in Volume 633, Page 767 of the Deed of Records of Williamson County, Texas Surveyed on the ground in the month of July, 1977, by Don H Bizzell, Registered Professional Engineer, and described more fully as follows:

BEGINNING at an iron pin the West margin of an unpaved county road at the most easterly N.E. corner of the said 136.06-acre tract; said point also being the S.E. corner of a certain 33.63-acre tract conveyed by deed from A.N. Cotton, et ux, to Charles H.L. Huffman, et ux, of record in Volume 591, Page 293 of the Deed Records of Williamson County, Texas, for the N.E. corner hereof,

THENCE S 78° 58' W, 1265.12 feet following a fence along the south line of the said Huffman tract to an iron pin for the N.W. corner hereof,

THENCE S 10° 10' W, 257.69 feet to an iron pin;

THENCE N 82° 37' E, 288.94 feet to an iron pin set,

THENCE S 7° 23' E, 400.00 feet to an iron pin set,

THENCE N 82° 37' E, 1194.57 feet to an iron pin set in the West margin of an unpaved county road, for the S.E. corner hereof,

THENCE along the West margin of the said county road, N 19° 10' W, 448.47 feet to an iron pin and N 17° 35' W, 291.81 feet to the place of BEGINNING and containing 19.31 acres of land.

Subject, however, to that certain easement of ingress and egress along a 30-foot-wide access easement to County Road No. 178 from that certain 3.00 acres of land out of the William S Parker Survey, Abstract No 9, in Williamson County, Texas, described by metes and bounds in deed of even date herewith with Grantors to Grantee, recorded in the Deed Records of Williamson County, Texas

**EXHIBIT B**

BEING 3 00 acres of land out of the William S Parker Survey, Abstract No 9 in Williamson County, Texas, said land also being out of a certain 136 06-acre tract described in a Partition Deed from Nancy Ann Crider to Mary Ellen Herry, et al , of record in Volume 633, Page 767 of the Deed of Records of Williamson County , Texas Surveyed on the ground in the month of July, 1977, by Don H Bizzell, Registered Professional Engineer, and described more fully as follows

BEGINNING at an iron pin at the N.E corner of a certain 34 01-acre tract described in the aforementioned Partition Deed, for the most westerly corner hereof,

THENCE S 37° 39' E, 175 00 feet to an iron pin set for the S W corner hereof,

THENCE N 82° 37' E, 279.44 feet to an iron pin ser for the S E corner hereof,

THENCE N 7° 23' W, 400 00 feet to an iron pin ser for the N E corner hereof,

THENCE S 82° 37' W, 288 94 feet to an iron pin ser for the N.W corner hereof,

THENCE S 10° 10' W, 261 00 feet to the place of BEGINNING and containing 3 00 acres of land

Together with an easement of ingress and egress from the above described tract to County Road No. 178, along a 30-foot-wide access easement whose center line begins South 7° 23' East, 146.50 feet from the N E corner of the above described tract; said easement extends parallel to and 15 feet wither side of the following described center line, North 80° 20' East, 635 74 feet, South 68° 46' East, 416 13 feet to the West margin of the said County Road No 178

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Nancy E. Rister*

01-05-2000 03:15 PM 2000000802  
STRICKLAND \$15.00  
NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS



**File Attachments for Item:**

H.4 Consideration Of A Resolution Authorizing A Professional Services Agreement With Freese and Nichols, Inc. (FNI) For Design Of The Riviera Springs Subdivision – East Drainage Project In An Amount Not To Exceed \$450,000.



## CITY COUNCIL AGENDA

February 25, 2021

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**Item/Subject:** A Resolution Authorizing And Directing The City Manager To Execute A Professional Services Agreement With Freese and Nichols, Inc. (FNI) For Design Of The Riviera Springs Subdivision – East Drainage Project In An Amount Not To Exceed \$450,000.

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### **Commentary**

The purpose of this resolution is to authorize the City Manager to execute a professional services agreement for the design of the Riviera Springs Subdivision – East Drainage project. This project is one of the highest ranked project in the Stormwater Master Plan and will consist of the addition of stormwater conveyance to intercept drainage flows along the neighborhood roads in Riviera Springs Subdivision and provide conveyance to Soil Conservation Service site 6 Reservoir. Project development will include the development of Construction Plans, Specifications, and Estimates (PS&E), drainage analysis, environmental assessment and coordination, surveying, all permitting, identification and coordination of utility requirements and conflicts, and any other items necessary to successfully develop the project. The project design will be funded by the FY 2020 Stormwater Program budget.

City Staff advertised a Request for Qualifications (RFQ) for the design of the Riviera Springs Subdivision – East Drainage Project on December 2, 2020. The evaluation factors and ranking criteria identified in the RFQ included: submission requirements, qualifications and availability, proposed team experience, and project approach.

Seven (7) Statements of Qualifications (SOQs) from prospective consultants were received on December 18, 2020. A selection committee consisting of representatives of internal departmental staff graded the submitted qualifications in accordance with the state statute and the evaluation criteria stated in the RFQ. After implementing the grading matrix, FNI

ranked as the most highly qualified provider of the desired services. Therefore, City staff recommends execution of an agreement with FNI for an amount not to exceed \$450,000. A table summarizing the overall ranking based on the grading matrix is attached to this memo.

FNI's Project Manager, Jay Scanlon, PE, CFM, ENV SP, has 29 years of experience has managed a variety of water resource design and stormwater projects. FNI has provided a very detailed project approach, addressing the fundamental design constraints such as neighborhood communication, environmental consideration and schedule. In addition to complete several successful projects and studies for the City of Cedar Park, FNI has extensive experience in Central Texas with similar drainage projects to include Old Austin-Hutto Road Rehabilitation (Pflugerville), Griffen Avenue Improvements (Terrell), and North Burleson Street Improvements (Kyle). Additionally, FNI is proposing the use of well-qualified sub-consultants with similar experience for modeling, surveying and environmental studies.

Should the City Manager not be able to negotiate agreeable terms and fees with FNI, 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

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**Fiscal Impact**

**Fund: Stormwater Program Fund**

**Budget**

**Amount: \$450,000**

The actual design fee will be negotiated in an amount not to exceed \$450,000.

☐ **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 AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. (FNI) FOR DESIGN OF THE RIVIERA SPRINGS SUBDIVISION – EAST DRAINAGE PROJECT IN AN AMOUNT NOT TO EXCEED \$450,000; 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, the Riviera Springs Subdivision – East Drainage Project is one of the highest ranked priority project listed in the approved City of Cedar Park Stormwater Master Plan; and

WHEREAS, the Project will design the addition of stormwater conveyance to intercept drainage flows along the neighborhood roads in Riviera Springs Subdivision and provide conveyance to Soil Conservation Service site 6 Reservoir; and

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

WHEREAS, City staff received seven (7) Statements of Qualifications and reviewed all Statements of Qualifications in accordance with the grading criteria listed in the Request for Qualifications; and

WHEREAS, FNI ranked as the highest of the qualified firms and has extensive experience with the design of similar projects; and

WHEREAS, City staff desires to negotiate and execute a Professional Services Agreement with FNI for the design of the Project in an amount not to exceed \$450,000.

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 execute a professional services agreement with FNI for the design of the Riviera Springs Subdivision – East Drainage Project in an amount not to exceed \$450,000, 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 with FNI an agreement at a fair and reasonable price. If a satisfactory agreement cannot be negotiated with FNI for design services, the City shall formally end negotiations with FNI, 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 a contract has been executed.

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 February, 2021.

CITY OF CEDAR PARK, TEXAS

ATTEST:

\_\_\_\_\_  
Corbin Van Arsdale, Mayor

\_\_\_\_\_  
LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

\_\_\_\_\_  
J.P. LeCompte, City Attorney

**Riviera Springs Subdivision – East Drainage  
Project  
Statement of Qualifications for Design  
Evaluation Criteria Ranking Summary**

<b>Scoring Rank</b>	<b>Firm</b>
1	Freese and Nichols, Inc.
2	Jones   Carter
3	Edge Engineering
4	Doucet & Associates, Inc.
5	CLGANN, LLC
6	Seiler Lankes Group
7	Carter-Fentress Engineering