



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

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



Thursday ~ November 20, 2014 at 7:00 PM

Mayor – Christopher Fielder

Place 1 – Andrea Navarrette

Place 2 – Kirsten Lynch

Place 3 – Simon Garcia (Mayor Pro Tem)

Place 4 – Ron Abruzzese

Place 5 – Jason Dishongh

Place 6 – David Siebold

City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance
Mayor Fielder opened the meeting at 7:00 pm and welcomed those in attendance
Mayor Pro Tem Garcia delivered the invocation
2. Roll Call
All present except Council Member Lynch
3. Staff Comments: **Steve Bosak, Parks & Recreation Director talked about the Christmas Parade and Tree Lighting to be held on Dec. 6th**
4. Citizen Comments: Three (3) minutes allowed per speaker
Please turn in speaker request form before the meeting begins
Frank Stiles, 4180 Hwy 183 – spoke about a mobile home near his property

CONSENT AGENDA: ACTION

Mayor Fielder announced that the applicant has pulled items 6 & 11

5. Approval of the minutes: November 06, 2014
6. Second reading of Zoning & Subdivision Cases 14-Z-017, 14-CP-008, & 14-PP-007: consider action on the rezoning and approval of the Red Oak Valley Concept Plan and Preliminary Plat for 113.372 acre tract of land, more or less, located at 17680 Ronald Reagan
7. Approval of an updated Water Conservation Plan
8. Approval of the assignment of the Development Agreement with RJ Madden Inc to Meritage Homes of Texas, LLC
9. Award for Vehicle Upfitting, Lettering and Graphics to Cap Fleet Upfitters, Temple, Texas
10. Dedication and Acceptance of Subdivision Infrastructure Improvements for Borho Phase 2 and Borho Phase 5
11. License Agreement for the installation and maintenance of irrigation, landscape, and decorative lighting within the City rights-of-way

12. Approval of the release and termination of the drainage, right-of-way, and public utility easement associated with the Lot 5A of the Bagdad Meadows Unit 2 Replat, Leander, Williamson County, Texas.
13. Ordinance amending Chapter 13 of the Code of Ordinances to add a provision related to underground Utilities

Motion made by Council Member Navarrette to approve the consent agenda except items 6 & 11. Second by Mayor Pro Tem Garcia. Motion passes, all voting "aye"

PUBLIC HEARING: ACTION

14. **Public Hearing** on Zoning Case #14-Z-027: Consider a zoning change for a 5.69 acre tract of land, more or less, located at 1001 Horizon Park Blvd from TF-2-B, Two Family to PUD, Planned Unit Development, Leander, Williamson County, Texas
Applicant: Howard Kirk on behalf of Willie Kopecky, Jr. and Sue Kopecky
Tom Yantis, Assistant City Manager explained

Mike Kopecky, 1502 Main Street, Cedar Park gave a presentation on the project

Action on Zoning Case #14-Z-027: amending Ordinance #05-018, the Composite Zoning Ordinance for the property located at 1001 Horizon Park Blvd., Leander, Williamson County, Texas

Motion made by Council Member Siebold to approve as submitted except with no exposed neon. Second by Mayor Pro Tem Garcia. Motion passes, 4 to 2 with Mayor Fielder and Council Member Dishongh voting against

15. **Public Hearing** on Zoning Case #14-Z-028: Consider a zoning change for an 18.00 acre tract of land, more or less, generally located at the northwest corner of the intersection of Old 2243 W. and N. Bagdad Road from LC-2-B, Local Commercial to GC-3-C, General Commercial and MF-2-A, Multi Family, Leander, Williamson County, Texas
Applicant: Bruce Nakfor on behalf of Firstmark Credit Union
Tom Yantis, Assistant City Manager explained

**Ernest Brown, 219 Coronet, San Antonio - spoke in favor of
Lake Webb, 700 Sparkling Brook – spoke against multi family
Kelly Childers, 806 Maple creek – spoke against multi family
Mary Williamson, 705 Red River Lane – spoke against multi family**

Action on Zoning Case #14-Z-028: amending Ordinance #05-018, the Composite Zoning Ordinance for the property generally located at generally located at the northwest corner of the intersection of Old 2243 W. and N. Bagdad Road , Leander, Williamson County, Texas

Bruce Nakfor, applicant spoke about conversations he had with citizens in the adjacent neighborhood

Motion made by Mayor Fielder to approve with the following conditions:

1. **The buildings associated with the MF-2-A development shall be limited to two stories within 50 feet of the north and west property lines.**
2. **The non-residential wall requirements shall apply. A six foot tall masonry wall shall be required between the MF-2-A development and the single-family residential properties.**
3. **The southern and western most 410' portion of the property shall be rezoned to LC-2-B (Local Commercial)**

Second by Council Member Navarrette. Motion passes, all voting "aye"

16. **Public Hearing** on Subdivision Case #14-TOD-CP-002: Consider a Concept Plan for the Tylerville Tract for 42.3 acres, more or less, generally located 850 feet from the northwest corner of the intersection of W. San Gabriel Pkwy. and US 183, Leander, Williamson County, Texas

Applicant: Bob Wunsch

Tom Yantis, Assistant City Manager explained

Frank Stiles, 4180 Hwy 183 - expressed his concerns with this property

Bob Wunsch, applicant explained the project

Action on Subdivision Case #14-TOD-CP-002: a Concept Plan for the Tylerville Tract, Leander, Williamson County, Texas

Motion made by Mayor Pro Tem Garcia to approve. Second by Mayor Fielder.

Motion passes, 5 to 1 with Council Member Abruzzese voting against

Mayor Fielder called for a break at 8:13 pm

Council reconvened at 8:21 pm

17. **Public Hearing** on Zoning Case #14-TOD-Z-026: Consider a zoning change for a 33.67 acre portion of land, more or less, generally located 850 feet from the northwest corner of the intersection of W. San Gabriel Pkwy. and US 183 from PUD/TOD, Planned Unit Development/ Transit Oriented Development to and amended PUD, Planned Unit Development, Leander, Williamson County, Texas

Applicant: Bob Wunsch

Tom Yantis, Assistant City Manager explained

Frank Stiles, 4180 Hwy 183 – expressed his concerns with single family development being adjacent to commercial

Action on Zoning Case #14-TOD-Z-026: amending Ordinance #05-018, the Composite Zoning Ordinance for the property located 850 feet from the northwest corner of the intersection of W. San Gabriel Pkwy. and US 183, Leander, Williamson County, Texas

Motion made by Council Member Siebold to deny. Second by Council Member Abruzzese. Motion fails 2 to 4 with Mayor Fielder and Council Members Navarrette, Dishongh and Mayor Pro Tem Garcia voting against the denial.

Motion made by Council Member Navarrette to approve with the requirement that screening be provided adjacent to the concrete plant and against the first two houses on 183. Second by Mayor Pro Tem Garcia. Motion passes, 4 to 2 with Council Members Siebold and Abruzzese voting against.

18. **Public Hearing** on Composite Zoning Ordinance Case #14-OR-008: Consider amending section of the Composite Zoning Ordinance, to add definitions, update the site components regarding outdoor animal boarding and landscape requirements, to modify requirements for drainage and detention facilities, to amend the masonry wall requirements, to update the architectural standards, to update the site development standards, and to update the garage setback requirements

Tom Yantis, Assistant City Manager explained

Shawn Seaberg, 9401 Amberglen Blvd – filled out card in opposition – did not wish to speak

Harry Savio with Home Builder Association – spoke against

Brent Baker with Pulte Homes – spoke against the changes

Gerry Poe with KB Home – spoke against the changes

Kelly Dyer with Meritage Homes – spoke against the changes

Action on Composite Zoning Ordinance Case #14-OR-008: consider amendments to the Composite Zoning Ordinance

Motion made by Mayor Fielder to accept the Heritage Tree definition and the tree ordinance brought back to P & Z and Council for further discussion. Second by Council Member Navarrette. Motion passes, all voting “aye”

Alternate motion made by Mayor Fielder to accept all the ordinance changes with the exception of the garage setback requirement and to have the original tree ordinance to be sent to P & Z for review before coming back to council and meetings be held with home builders concerning the garage setbacks and to bring back to council by 1st meeting in February. Second by Council Member Navarrette. Motion passes, all voting “aye”

19. **Public Hearing** on Comprehensive Plan Case # 14-CPA-003: consider amendments to the Leander Transportation Plan as set forth in the Comprehensive Plan
Tom Yantis, Assistant City Manager explained

No speakers

Action on Comprehensive Plan Case # 14-CPA-003: amending the Leander Transportation Plan as set forth in the Comprehensive Plan

Motion made by Council Member Abruzzese to approve. Second by Council Member Dishongh. Motion passes, all voting “aye”

REGULAR AGENDA

20. Consider and take appropriate action on a resolution approving an application to create the Central Texas Water Development Corporation and approve the Articles of Incorporation and Bylaws of the Corporation
This item has been pulled from the agenda by the applicant
21. Consider and take appropriate action on an Interlocal Agreement with Hays County and Travis County providing for the creation of the Central Texas Water Development Corporation.
This item has been pulled from the agenda by the applicant
22. Consider a Development Agreement between the City of Leander and Waterstone Tylerville, LP for 42.3 acres, more or less, generally located 850 feet from the northwest corner of the intersection of W. San Gabriel Pkwy. and US 183, encompassing the property known as the Tylerville Tract Subdivision within the city limits of the City of Leander, Williamson County, Texas
Tom Yantis, Assistant City Manager explained
- Motion made by Council Member Abruzzese to approve. Second by Mayor Pro Tem Garcia. Motion passes, all voting “aye”**
23. Ordinance Case #14-OR-010: Consider amending Appendix A Fee Schedule to add fees for Wireless Communication Facility Development Plans and Heritage Tree Removal Permits and to update the fees associated with developments within the TOD, Transit Oriented Development
Tom Yantis, Assistant City Manager explained
- Motion made by Council Member Dishongh to approve. Second by Mayor Pro Tem Garcia. Motion passes, all voting “aye”**

24. Subdivision Ordinance Case #14-OR-009: Consider amending sections of the Subdivision Ordinance, to add provisions for the protection of heritage trees, to modify the transportation improvements, water utility improvements, and easement sections of the ordinance
Tom Yantis, Assistant City Manager explained

Frank Stiles, 4180 Hwy 183 - spoke against the amendments concerning the trees
Harry Savio- Home Builders Association – explained his requests to the P& Z

Motion made by Council Member Dishongh to postpone this item. Motion fails due to lack of second.

Motion made by Council Member Abruzzese to approve with a five year expiration on the Tree survey and to bring back to the first meeting in February 2015 with the P & Z recommendation after it goes through the process as with the original ordinance
Second by Council Member Dishongh. Motion passes, all voting “aye”

25. Consider and action on a Resolution directing Publication of the Notice of Public Hearing and intention to Issue Combination Tax and Revenue Certificates of Obligation
Robert Powers, Finance Director explained

Motion made by Mayor Fielder to approve. Second by Council Member Navarrette.
Motion passes, all voting “aye”

26. Consider Standard Professional Services Agreement and Task Order HDR-2 with HDR Engineering, Inc., for professional services for Improvements of Old 2243 West from US Hwy 183 to Lakeline Blvd.
Mayor Fielder recused himself from this item

Terri Crauford, Asst. City Engineer explained

Motion made by Council Member Navarrette to approve. Second by Council Member Siebold. Motion passes, all voting “aye”

27. Consider a Resolution of the City of Leander, Texas, accepting a petition for annexation of land located in Williamson County, Texas; setting an annexation schedule; providing for open meetings and other related Matters
Tom Yantis, Assistant City Manager explained

Motion made by Mayor Pro Tem Garcia to approve. Second by Council Member Siebold.
Motion passes, all voting “aye”

28. Consider a Resolution of the City of Leander, Texas, accepting a petition for annexation of land located in Williamson County, Texas; setting an annexation schedule; providing for open meetings and other related matters.

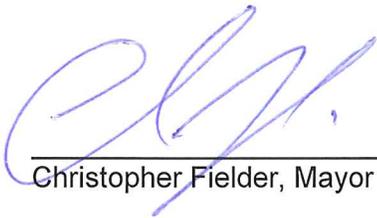
The applicant pulled this item from the agenda

29. Consider nomination for representative member of the Board of Directors of the Travis Central Appraisal District

Motion made by Council Member Navarrette to vote for Tom Moody. Second by Council Member Siebold. Motion passes, all voting “aye”

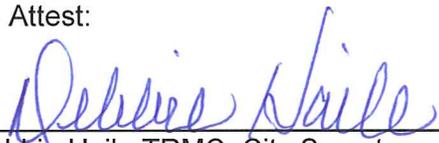
30. Council Members Closing Statements
Council Members gave their closing statements

31. Adjournment
With there being no further business, the meeting adjourned at 9:54 pm



Christopher Fielder, Mayor

Attest:



Debbie Haile, TRMC, City Secretary

