AGENDA
REGULAR CITY COUNCIL
CITY OF LEANDER, TEXAS

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

Thursday ~ June 16, 2016 at 7:00 PM

Mayor – Christopher Fielder	**Place 4 – Ron Abruzzese (Mayor Pro Tem)**
Place 1 – Andrea Navarrette	**Place 5 – Jeff Seiler**
Place 2 – Michelle Stephenson	**Place 6 – Troy Hill**
Place 3 – Shanan Shepherd	**City Manager – Kent Cagle**

1. Open meeting, Invocation, Pledges of Allegiance

2. Roll Call

3. Staff Comments:

4. Citizen Comments: Three (3) minutes allowed per speaker
   Please turn in speaker request form before the meeting begins

5. Consider approval to name the Children's Reading Room at the Library after Carol North and presentation of plaque.
   Sponsored by the Leander Library Foundation

CONSENT AGENDA: ACTION

6. Approval of the minutes: June 2, 2016

7. Second Reading of an Ordinance on Zoning Case 16-Z-011: a zoning change of 1.384 acres, more or less, located at 14000 Nameless Road from Interim SFR-1-B, Single Family Rural to LO-2-B, Local Office, Leander, Williamson County, Texas

8. Dedication and Acceptance of Subdivision Infrastructure Improvements for Savanna Ranch Section 4

PUBLIC HEARING: ACTION

9. **Public Hearing** on Zoning Case 16-Z-006: Consider a zoning change for 50.615 acres, more or less, generally located to the west of the intersection of Crystal Falls Parkway and Lakeline Blvd., more specifically to the west of the Fairways at Crystal Falls, Section 5 from SFS-2-B, Single Family Suburban to PUD, Planned Unit Development with a base zoning district of MF-2-A, Multi Family, Leander, Travis County, Texas
   Applicant: Mike Siefert on behalf of Lookout Partners, LP

   Action on Zoning Case 16-Z-006: a zoning change for 50.615 acres, more or less, generally located to the west of the intersection of Crystal Falls Parkway and Lakeline Blvd., more specifically to the west of the Fairways at Crystal Falls, Section 5 from SFS-2-B, Single Family Suburban to PUD, Planned Unit Development with a base zoning district of MF-2-A, Multi Family, Leander, Travis County, Texas

10. **Public Hearing** on Zoning Case 16-Z-013: Consider a zoning change for 65.25 acres, more or less, generally located to the southwest of the intersection of Crystal Falls Parkway and 183A Toll from GC-2-A, General Commercial, LC-2-A, Local Commercial, LO-2-A, Local Office and SFT-2-A, Single Family Townhome to PUD, Planned Unit Development with a base zoning district of GC-2-A, General Commercial and MF-2-A, Multi Family, or any other more restrictive district, Leander, Williamson County, Texas
    Applicant: City of Leander on behalf of Premas Global Leander, LLC

    Action on Zoning Case 16-Z-013: a zoning change for 65.25 acres, more or less, generally located to the southwest of the intersection of Crystal Falls Parkway and 183A Toll from GC-2-A, General Commercial, LC-2-A, Local Commercial, LO-2-A, Local Office and SFT-2-A, Single Family Townhome to PUD, Planned Unit Development with a base zoning district of GC-2-A, General Commercial and MF-2-A, Multi Family, or any other more restrictive district, Leander, Williamson County, Texas

REGULAR AGENDA

11. Second Reading of an Ordinance on Zoning Case 16-Z-009: a zoning change for 10.922 acres, more or less, generally located to the northwest corner of Crystal Falls Parkway and Lakeline Blvd. from GC-3-B, General Commercial to PUD, Planned Unit Development with base zoning districts MF-2-A, Multi-Family and GC-2-A, General Commercial, Leander, Williamson County, Texas

12. Consider Action on: (a) the Settlement Agreement with Premas Global Leander, LLC, and (b) the Development Agreement for Global Village; for 65.25 acres, more or less, generally located to the southwest of the intersection of Crystal Falls Parkway and 183A Toll, Leander, Williamson County, Texas

13. Second Reading of an Ordinance on Zoning Case 16-Z-013: a zoning change for 65.25 acres, more or less, generally located to the southwest of the intersection of Crystal Falls Parkway and 183A Toll from GC-2-A, General Commercial, LC-2-A, Local Commercial, LO-2-A, Local Office and SFT-2-A, Single Family Townhome to PUD, Planned Unit Development with a base zoning district of GC-2-A, General Commercial and MF-2-A, Multi Family, or any other more restrictive district, Leander, Williamson County, Texas

14. Consider proposed removal of a Heritage Tree located within the Deerbrooke Subdivision, Leander, Williamson County, Texas

15. Authorize the City Manager to execute a professional services contract with Revenue Enhancement Services, LLC to conduct an audit of billing and collection services within the Utility Billing office.

16. Consider the Construction Manager at Risk method of delivery for the relocation of Fire Station #1

17. Consider the Sealed Competitive Proposal method of solicitation for the Police Department Sally Port construction project

18. Consider Termination and Release of a Water Line Easement located on the Hero Way Multi-family site, now known as The Standard at Leander Station

19. Consider appointment of 2 council members to serve on the Old Town Christmas Festival Committee

20. Water Use and Supply update

21. Council Member Closing Statements

EXECUTIVE SESSION

22. Convene into executive session:
    a) pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding legal issues related to the City's boundaries and the future growth of the City
    b) pursuant to Section 551.071 and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to deliberate the offer of financial or other incentives to business prospects the City seeks to have locate in the city
    c) pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding a proposed settlement agreement in Cause No. 15-0088- C277, Premas Global Leander I v. City of Leander, et al., In the 277th Judicial District Court of Williamson County, Texas

23. Reconvene into open session to take action as deemed appropriate in the City Council's discretion:
    a) regarding the City's boundaries and future growth of the City
    b) regarding the offer of financial or other incentives to business prospects the City seeks to have locate in the City
    c) regarding a proposed settlement agreement in Cause No. 15-0088- C277, Premas Global Leander I v. City of Leander, et al., In the 277th Judicial District Court of Williamson County, Texas

24. Adjournment

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves The right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain Consultation with attorney]. 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations Or 551.076 [deployment/implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary at (512) 528-2743 for information. Hearing impaired or speech disabled persons equipped with telecommunication devices for the deaf may call (512) 528-2800. I certify that the above agenda for this meeting of the City Council of the City of Leander, Texas, was posted on the bulletin board at City Hall in Leander, Texas on the 10th day of June, 2016 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code

Debbie Haile

Debbie Haile, TRMC, City Secretary

Executive Summary

June 16, 2016

Subject: Consider approval to name the Children's Reading Room at the Library after Carol North. Sponsored by the Leander Library Foundation.

Background: On March 15th the Leander Library Foundation unanimously approved a recommendation to the City Council to name the Children's Reading Room after Carol North, a lifetime elementary school teacher and donor to the Foundation. After Ms. North's death, her family, friends and teaching colleagues raised $10,000, all of which was donated to the Library Foundation to promote children's reading. The donation also included a collection of children's books that Carol North accumulated throughout her years of teaching.

Teaching children to read was her passion. She brought the joy of reading and learning to literally hundreds of students. At her memorial service, many of her former students told family members that they attribute a good portion of their success in life to the head start they received from Carol. Several parents said that Carol taught their children to read, and that they will never forget that priceless gift she made for so many individuals.

She was born in Cedar Rapids Iowa on July 11, 1954 and attended the University of Northern Iowa where she received her bachelor's degree in Elementary Education. Carol moved to Texas in 1990 and lived there for the remainder of her life.

Carol began teaching at LISD in 1994 as a volunteer and substitute teacher. She began at Whitestone Elementary teaching pre-kindergarten. She then taught kindergarten at Blockhouse Creek Elementary, and spent the last years of her 22-year career at Knowles Elementary until she passed away unexpectedly in 2016. Her teaching techniques were not only effective, but also made kids want to read and want to learn. She made learning fun for her students. She always smiled, always laughed, and fostered an environment of joy in her classroom. On multiple occasions, Carol collected stuffed animals and books to bring to school to give to her students as incentives to read as effective tools to accomplish that goal. In fact, Knowles Elementary still has Carol's books and stuffed animals, and they are continuing to be a gift to many children.

She not only educated her students, but served as a mentor and team leader for many teachers. Her experiences became excellent teaching tools to create more brilliant teachers, who will also continue her work. One of her coworkers said these words: *"We all take what we learned from Carol and make the best of any situation. It's her style. Carol's voice and footprints are permanently imprinted on so many teachers and kiddos. We still learn from her*

every day…even when she is not physically here with us. She continues to make us the teachers that we are. An impact that will be shared for a lifetime."

The Leander Library Foundation is a 501c(3) not-for-profit organization that was established by the City Council in 2009 for the specific and primary purpose of supporting and strengthening the Leander Public Library. The Foundation raises funds through donations, grants and the sale of used books. Funds are used to purchase book shelves and equipment, pay for programs, speakers and other Library activities.

Financial Consideration: None

Recommendation: The Leander Library Foundation respectfully recommends that the City Council name the Library Children's Reading Room the "Carol North Story Time Room" to honor the lifetime legacy of Carol North and her passion to teach children.

Attachments: Certification of Petition from the City Secretary

Prepared by: Gary Anderson, President, Leander Library Foundation
Stephen Bosak, Parks & Recreation Director

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

CERTIFICATION OF PETITION

I, Debbie Haile, City Secretary of the City of Leander, Texas, do hereby certify that the "Petition to Name the Leander Public Library Children's Reading Room after Carol North" was presented to me and verification of 50 signatures as registered voters in the City of Leander was performed. This petition meets all of the requirements as stated in the Policy for Naming City Buildings and Facilities.

WITNESS MY HAND and Official Seal of the City of Leander, Texas, this 18th day of May, 2016.

Debbie Haile

Debbie Haile, TRMC, City Secretary
City of Leander, Texas

CITY OF LEANDER
ESTABLISHED 1882
INCORPORATED 1978
STATE OF TEXAS

CAROL NORTH STORY TIME ROOM

Carol North dedicated her adult life to teaching children the joy of reading. Because of her dedication, hundreds of Leander school children learned a skill that would be their foundation for learning for a lifetime.

Born in Cedar Rapids, Iowa on July 11, 1954, Carol received her bachelor's degree in elementary education from the University of Northern Iowa. She moved to Texas in 1990 and lived here until her death in 2016.

She put her teacher training to work for 22 years in Leander ISD first as a volunteer and substitute teacher, and later as a classroom teacher at Whitestone, Blockhouse Creek and Knowles elementary schools. Teaching children to read was her passion. Her smile and laugh helped create a fun and joyful learning environment. She brought stuffed animals and books to the classroom to provide as incentives for students to read. Her teaching techniques were effective in making children want to read and learn. At her memorial service, many of her former students told family members that they attribute a portion of their success in life to the head start they got in Carol's classroom.

To honor her dedication, the Leander City Council named this the Carol North Story Time Room on June 16, 2016.

AGENDA
REGULAR CITY COUNCIL
CITY OF LEANDER, TEXAS

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

Thursday ~ June 2, 2016 at 7:00 PM

Mayor – Christopher Fielder
Place 1 – Andrea Navarrette (Mayor Pro Tem)
Place 2 – Michelle Stephenson
Place 3 – Shanan Shepherd
Place 4 – Ron Abruzzese
Place 5 – Jeff Seiler
Place 6 – Troy Hill
City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance
   Mayor Fielder opened the meeting at 7:02 pm and welcomed those in attendance
   Council Member Shepherd delivered the invocation

2. Roll Call
   All present

3. Staff Comments: Tom Yantis, Asst. City Manager – 2015 Census Update
   Tom Yantis, Asst. City Manager gave an update on the 2015 Census

4. Citizen Comments: Three (3) minutes allowed per speaker
   Please turn in speaker request form before the meeting begins
   Rosie Miller 2100 Emerald Isle – spoke about the ordinance regarding chickens
   Laura Manley 409 Hernando's Loop – spoke about the ordinance regarding chickens
   Tegan Retzer 2105 Emerald Isle – spoke about the ordinance regarding chickens
   James Oakley P.O. Box 121 Spicewood, TX – spoke about his candidacy for the PEC Board

5. Recognition of Madie Boreman for her Outstanding Academic and Athletic Achievement
   Sponsored by Eric Zeno
   Eric Zeno, Economic Development Manager introduced Madie Boreman and spoke of her achievements. She was presented a certificate from the Mayor and City Council

6. Recognition of the Leander Police Department Explorer Post #641 for their outstanding performance at the 2016 Austin PD Explorer Competitions
   Greg Minton, Police Chief and Sergeant Mohler recognized the members of the Leander Police Department Explorer Post #641 and talked about their achievements

7. State of the Chamber of Commerce Presentation and update on Old Town Street Festival
   Bridget Brandt, President of the Leander Chamber of Commerce gave a presentation

CONSENT AGENDA: ACTION

8. Approval of the minutes: May 19, 2016

9. Receive Quarterly Investment Report

10. Second Reading of an Ordinance on Zoning Case 15-Z-033: Consider a zoning change of two parcels generally located at the northwest corner of the future intersection of Lakeline Blvd. and San Gabriel Parkway, for 119.932 acres, more or less from interim SFR-1-B, Single Family Rural to SFR-2-A, Single Family Rural, LC-2-B, Local Commercial, LO-2-B, Local Office and SFT-2-B, Single Family Townhome, Leander, Williamson County, Texas

11. License Agreement Case 16-LA-006: License Agreement for the installation and maintenance of irrigation within the rights-of-way of Twisted Tree Drive and Blended Tree Ranch Drive; within the Borho Subdivision; Leander, Williamson County, Texas

12. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for Mason Ranch Phase 1, Section 3

13. Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for Mason Ranch Phase 2, Section 2A

14. Consider Award of Purchase Order for Storage Area Network Equipment and Components
Mayor Fielder pulled item #10 from the consent agenda for a separate vote

Motion made by Mayor Pro Tem Navarrette to approve the consent agenda with the exception of item # 10. Second by Council Member Shepherd. Motion passes, all voting "aye"

Motion made by Council Member Shepherd to approve item #10 with the changes from LC-2-B to LC-2-A and LO-2-B to LO-2-A. Second by Council Member Seiler. Motion passes, all voting "aye"

PUBLIC HEARING: ACTION

15. **Public Hearing** on Zoning Case 16-Z-009: Consider a zoning change for 10.922 acres, more or less, generally located to the northwest corner of Crystal Falls Parkway and Lakeline Blvd. from GC-3-B, General Commercial to PUD, Planned Unit Development with base zoning districts MF-2-A, Multi-Family and GC-2-A, General Commercial, Leander, Williamson County, Texas
Applicant: Adam Diskin on behalf of Bliss at Mason Hills, LLC
Tom Yantis, Asst. City Manager explained

John Becak 1313 McFarland – spoke against
Francesca Romans 1524 Bovina Drive – spoke against
Addie Sassman 1424 Unland – spoke against
Philip Roberts 1504 Lotus Flower Loop – spoke for

Action on Zoning Case 16-Z-009: a zoning change for 10.922 acres, more or less, generally located to the northwest corner of Crystal Falls Parkway and Lakeline Blvd. from GC-3-B, General Commercial to PUD, Planned Unit Development with base zoning districts MF-2-A, Multi-Family and GC-2-A, General Commercial, Leander, Williamson County, Texas
Motion made by Mayor Pro Tem Navarrette to approve with P&Z recommendations. Second by Council Member Stephenson.

Motion made by Council Member Shepherd to call the vote. Second by Mayor Fielder. Motion to call the vote passes 6 to 1 with Council Member Hill voting against.

Mayor Fielder called for the vote on the original motion.
Motion passes, 5 to 2 with Council Members Abruzzese and Hill voting against

16. **Public Hearing** on Zoning Case 16-Z-011: Consider a zoning change of 1.384 acres, more or less, located at 14000 Nameless Road from Interim SFR-1-B, Single Family Rural to LO-2-B, Local Office, Leander, Williamson County, Texas
Applicant: James & Jody Giddens on behalf of 6J Family Limited Partnership/6J, LLC, General Partner
Tom Yantis, Asst. City Manager explained
No speakers

Action on Zoning Case 16-Z-011: a zoning change of 1.384 acres, more or less, located at 14000 Nameless Road from Interim SFR-1-B, Single Family Rural to LO-2-B, Local Office, Leander, Williamson County, Texas

Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Abruzzese. Motion passes, all voting "aye"

17. **Public Hearing** on Comprehensive Plan Amendment Case 16-TOD-CPA-001: Consider a Comprehensive Plan amendment requesting a change to the Transportation Plan; to remove proposed collector roadway C12 from the Transportation Plan. The roadway is located between Broade Street and US 183 to the north of San Gabriel Parkway, Leander, Williamson County, Texas
Applicant: Angelica Anderson on behalf of RSI Maya Vista LLC
Tom Yantis, Asst. City Manager explained

Action on Comprehensive Plan Amendment Case 16-TOD-CPA-001: a Comprehensive Plan amendment requesting a change to the Transportation Plan; to remove proposed collector roadway C12 from the Transportation Plan. The roadway is located between Broade Street and US 183 to the north of San Gabriel Parkway, Leander, Williamson County, Texas

Motion made by Council Member Shepherd to approve. Second by Council Member Stephenson. Motion passes, all voting "aye"

18. **Public Hearing** on Subdivision Case 15-CP-010: Consider Greatwood South Concept Plan for 119.93 acres, more or less, generally located at the northwest corner of the future intersection of Lakeline Blvd. and San Gabriel Parkway, Leander, Williamson County, Texas
Applicant: Danny Martin on behalf of J.L. Development Inc. (John Lloyd)
Tom Yantis, Asst. City Manager explained

Action on Subdivision Case 15-CP-010: Greatwood South Concept Plan for 119.93 acres, more or less, generally located at the northwest corner of the future intersection of Lakeline Blvd. and San Gabriel Parkway, Leander, Williamson County, Texas

Motion made by Council Member Stephenson to approve. Second by Council Member Shepherd. Motion passes, all voting "aye"

REGULAR AGENDA

19. Second Reading of an Ordinance on Zoning Case 16-Z-007: Consider a zoning change of several parcels of land generally located to the west of the intersection of CR 279 and Live Oak for 76.89 acres, more or less, from interim zoning SFR-1-B, Single Family Rural to SFR-2-B, Single Family Rural, Leander, Williamson County, Texas
Tom Yantis, Asst. City Manager explained

Motion made by Council Member Seiler to approve. Second by Council Member Stephenson. Motion passes, 6 to 1 with Council Member Abruzzese voting against.

20. Development Agreement Case 14-DA-009: Consider a Development Agreement for the San Gabriel Whitt Ranch Subdivision. *Applicant: Davy Roberts on behalf of San Gabriel Whitt Ranch, LLC*
Tom Yantis, Asst. City Manager explained

Motion made by Council Member Shepherd to approve. Second by Council Member Seiler. Motion passes, 6 to 1 with Council Member Abruzzese voting against.

21. Consider approval of a Resolution authorizing the annexation of an 8.92 acre tract and a 0.151 acre tract by the Palmera Ridge Municipal Utility District
Tom Yantis, Asst. City Manager explained

Motion made by Council Member Shepherd to approve. Second by Council Member Abruzzese. Motion passes, all voting "aye"

22. Consider approval of Design Service Contract for Phase Two Development in Lakewood Park
Steve Bosak, Parks & Recreation Director explained

Motion made by Council Member Abruzzese to approve with amount not to exceed $564,800.00. Second by Council Member Seiler. Motion passes, all voting "aye"

23. Consider a Resolution Expressing Intent to Finance Expenditures to be incurred by The City of Leander, Texas
Jodi Levie, Senior Accountant explained

Motion made by Council Member Stephenson to approve. Second by Council Member Shepherd. Motion passes, all voting "aye"

24. Consider a Resolution approving a real estate acquisition by the Travis Central Appraisal District
Jodi Levie, Senior Accountant explained

Motion made by Mayor Pro Tem Navarrette to approve. Second by Council Member Shepherd. Motion passes, all voting "aye"

25. Consider Old Town Business Grant to "Sweeten Up Bake Shop"
Mark Willis, Economic Development Director explained

Motion made by Council Member Seiler to approve. Second by Council Member Abruzzese. Motion passes, all voting "aye"

26. Consider Action Relating to the Pedernales Electric Cooperative, Inc. 2016 Election for Directors District 4 & 5 and Proposed Amendment
Kent Cagle, City Manager explained

Motion made by Mayor Fielder to vote for Jim Powers for District 4, Judge James Oakley for District 5 and "for" on the amendment to the PEC Articles of Incorporation. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

27. Consider appointment of Mayor Pro Tem
Mayor Fielder recognized Mayor Pro Tem Navarrette for her service as Mayor Pro Tem and presented her with a Plaque of Appreciation

Motion made by Mayor Fielder to appoint Council Member Abruzzese as Mayor Pro Tem. Second by Mayor Pro Tem Navarrette. Motion passes, all voting "aye"

28. Council Member Closing Statements
Council Members gave their closing statements

EXECUTIVE SESSION

29. Convene into executive session pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding a proposed settlement agreement in Cause No. 15-0088- C277, Premas Global Leander I v. City of Leander, et al., In the 277th Judicial District Court of Williamson County, Texas

Council convened into executive session at 9:09 pm
Council reconvened into open session at 9:25 pm

30. Reconvene into open session to take action as deemed appropriate in the City Council's discretion regarding a proposed settlement agreement in Cause No. 15-0088- C277, Premas Global Leander I v. City of Leander, et al., In the 277th Judicial District Court of Williamson County, Texas

No action taken

31. Adjournment
With there being no further business, the meeting adjourned at 9:26 pm

Attest:

Christopher Fielder, Mayor	Debbie Haile, TRMC, City Secretary

AGENDA ITEM # 7

Executive Summary

June 16, 2016

Agenda Subject: Zoning Case 16-Z-011: Consider action on the rezoning of 1.384 acres more or less out of the William W. Hornsby Survey, located at 14000 Nameless Road, TCAD ID 354061. Currently, the property is zoned Interim SFR-1-B (Single-Family Rural). The applicant is proposing to zone the property to LO-2-B (Local Office), Leander, Williamson County, Texas.

Background: This request is the final step in the rezoning process.

Origination: Applicant: James & Jody Giddens on behalf of 6J Family Limited Partnership/6J GP, LLC (General Partner).

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission unanimously recommended approval of the LO-2-B (Local Office) zoning district at the May 26, 2016 meeting. The City Council approved this request at the June 2, 2016 meeting.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Notification Map
5. Proposed Zoning Map
6. Aerial Map
7. Letter of Intent
8. Ordinance

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/07/2016

PLANNING ANALYSIS

ZONING CASE 16-Z-011
Gidden's Office

GENERAL INFORMATION

Owner: 6J Family LTD Partnership/ 6J GP, LLC

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

Proposed Zoning: LO-2-B (Local Office)

Size and Location: The property is located at 14000 Nameless Road for 1.384 acres more or less.

Staff Contact: Martin Siwek, AICP, GISP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	Interim SFR-1-B	Vacant Property
EAST	Interim SFR-1-B	Vacant Property
SOUTH	Interim SFR-1-B	Vacant Property
WEST	Interim SFR-1-B	Established Single Family Home

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

LO – LOCAL OFFICE:

Features: Office, assisted living, day care. Hours of operation: 7:00 a.m. to 10:00 Sun.-Thurs., 7:00 a.m. to 11:00 p.m. Fri. and Sat.

Intent: Development of small scale, limited impact office uses or similar uses which may be located adjacent to residential neighborhoods. Access should be provided by a collector or higher classification street. This component is intended to help provide for land use transitions from local or general commercial or from arterial streets to residential development.

SITE COMPONENT:

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

(1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

(2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.

(3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.

(4) This component is generally not intended to be utilized with HC and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

ARCHITECTURAL COMPONENTS:

TYPE B:

Features: 85% masonry 1st floor, 50% all stories; 4 or more architectural features.

Intent:

(1) The Type B architectural component is intended to be utilized for the majority of residential development except that which is intended as a Type A architectural component.

(2) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions.

(3) This component may be utilized to raise the building standards and help ensure compatibility for non-residential uses adjacent to property that is more restricted.

(4) This component is intended for the majority of the LO and LC use components except those meeting the intent of the Type A or C architectural components.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide a balanced mix of complementary uses that support a strong and diverse tax base.
- Consider both the land use pattern and roadway design in the development and redevelopment of corridors.

LAND USE POLICIES

CORRIDORS

- MIXED USE CORRIDOR
  Areas along arterials between Centers that have available land should be developed to preserve the integrity of the corridor and maintain mobility. Typical uses within this corridor include a variety of residential types, such as small-lot single-family, townhomes, duplexes and quadplexes, civic and institutional uses (schools and places of worship) and small professional offices that complement residential development. Limited neighborhood-serving commercial uses and higher-density residential are appropriate at intersections.

ANALYSIS:

The applicant is requesting to rezone the property from Interim SFR-1-B (Single-Family Rural) to LO-2-B (Local Office). The properties to the north, east, and south are vacant, while the property to the west is an established single family home. This portion of nameless road was annexed into the City in 2006.

The use component of LO permits a variety of professional office and low intensity non-residential uses such as places of worship, community centers, day cares, group homes, libraries, museums, and veterinarian offices. The hours of operation of the LO district are limited to the public from 7:00 a.m. – 11:00 p.m. Sunday thru Thursday, and 7:00 a.m. – 11:00 p.m. Friday and Saturday.

The applicant's proposed Type 2 site component is to be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

The Type B architectural component requested by the applicant requires 85% masonry on the first story and 50% masonry on each additional story thereafter. The remaining materials of the building may either be comprised of cementious-fiber planking (not panels) or solid wood planking. This component requires four architectural features for all street facing facades and restricts the building height to 35 ft with a maximum of 45 ft with increased building setbacks.

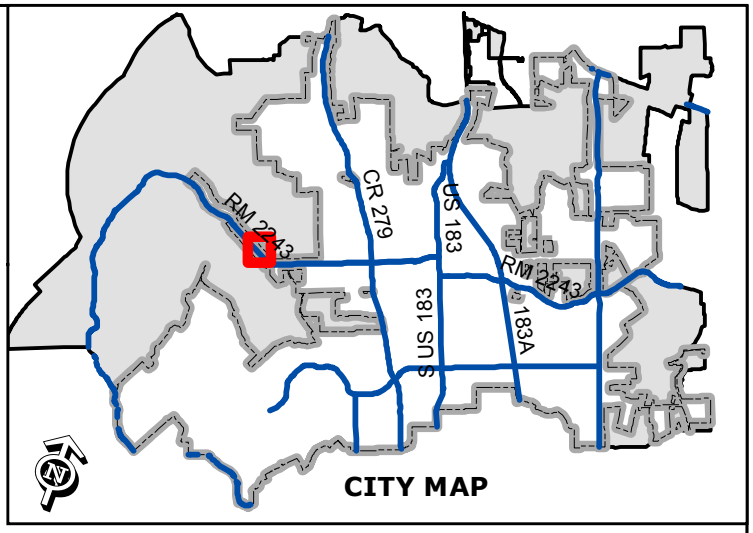
This property is located in the Mixed Use corridor designation on the Future Land Use Plan. Mixed Use Corridors are to provide for a variety of high density residential types and low intensity and compatible non-residential uses such as schools, places of worship, and small

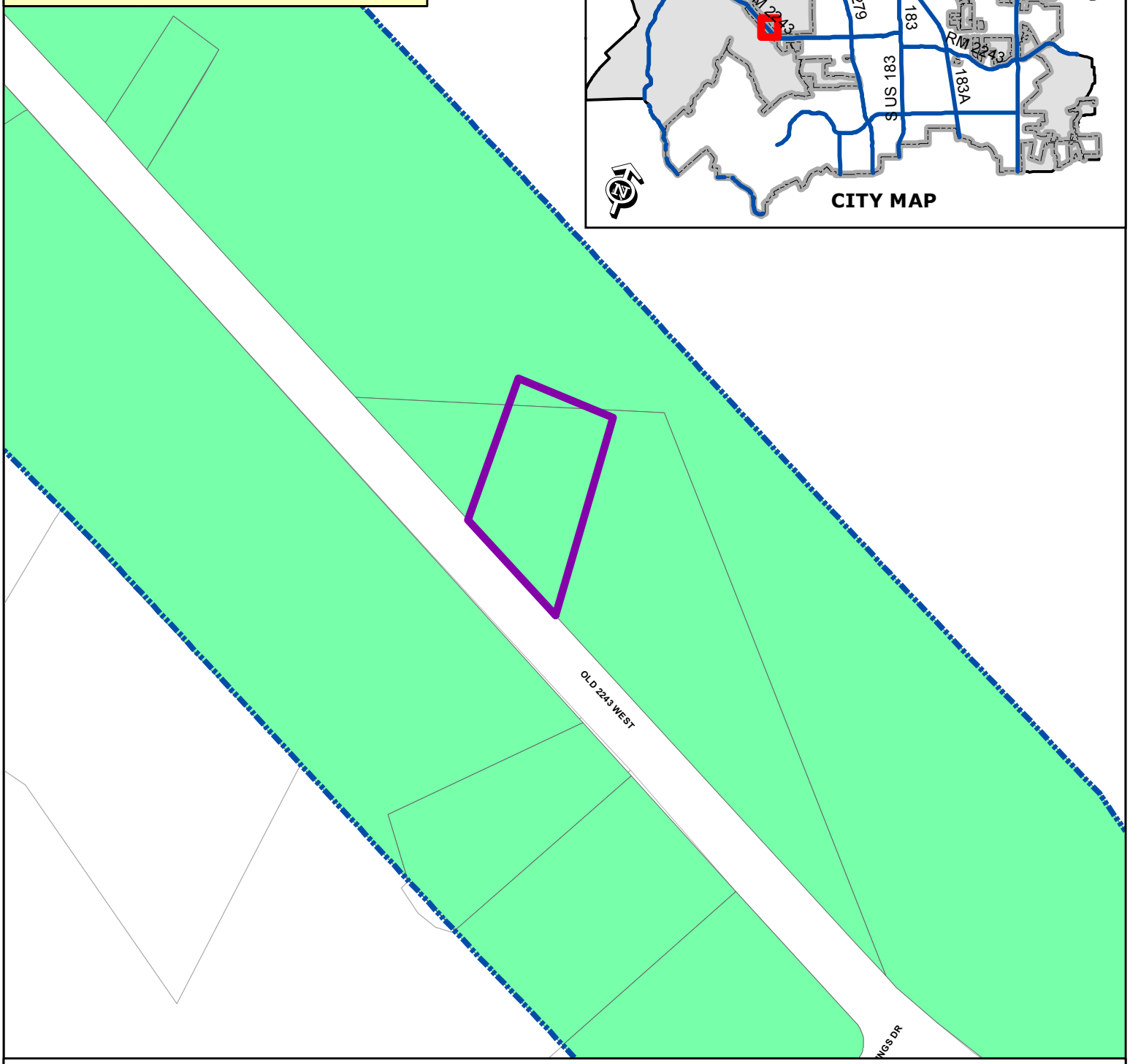
professional offices. This corridor designation permits TF, SFT, SFL, PUD, LO, and LC (at appropriate intersections).

STAFF RECOMMENDATION:

Staff recommends approval of the applicant's requested LO-2-B district. The applicant's request to rezone the property from Interim SFR-1-B to LO-2-B is in compliance with the City's Comprehensive Plan and intent statements of the Composite Zoning Ordinance.

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





ZONING CASE 16-Z-011 Attachment #2

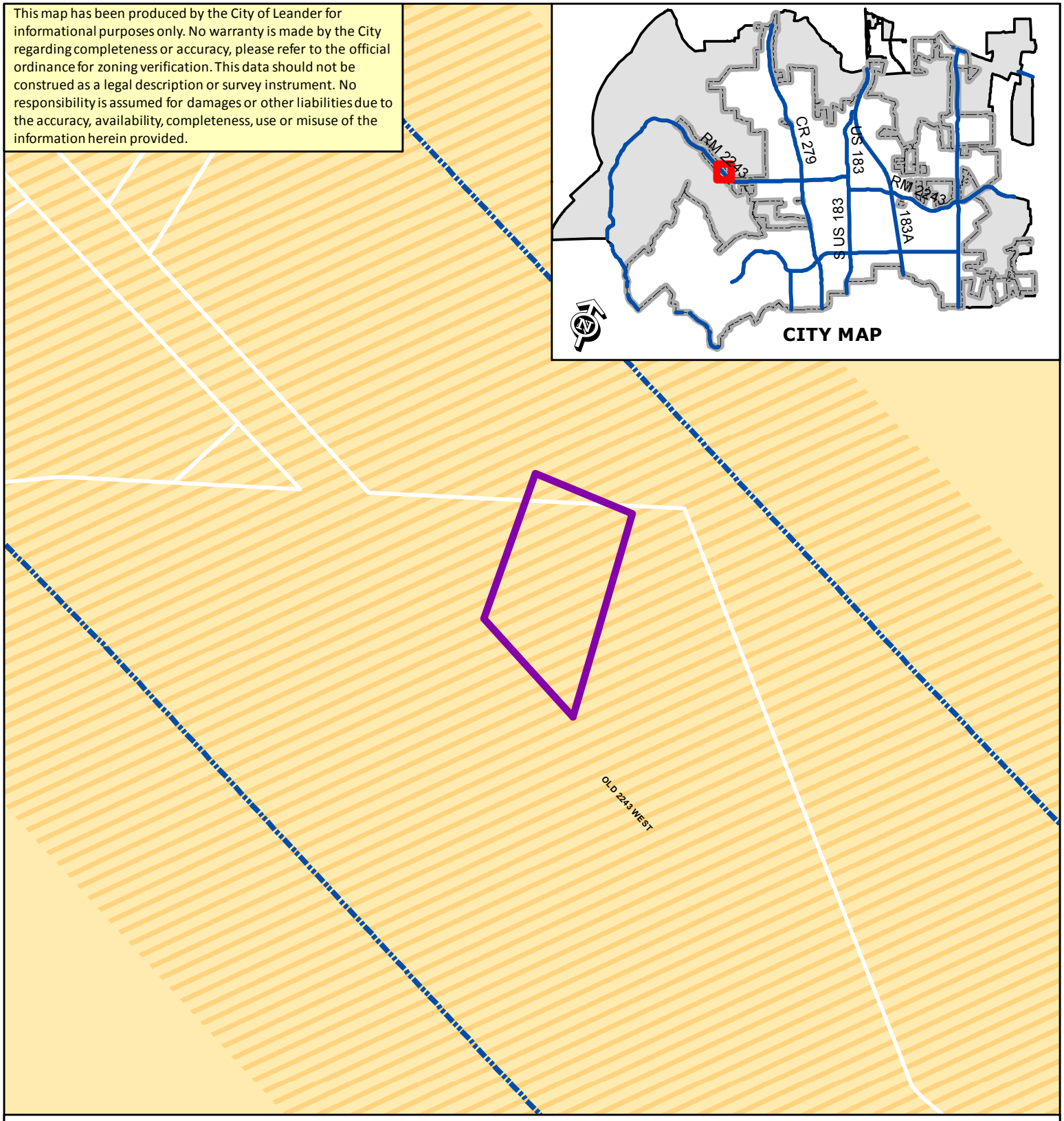
Current Zoning Map - Giddens Office

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-011 Attachment #3

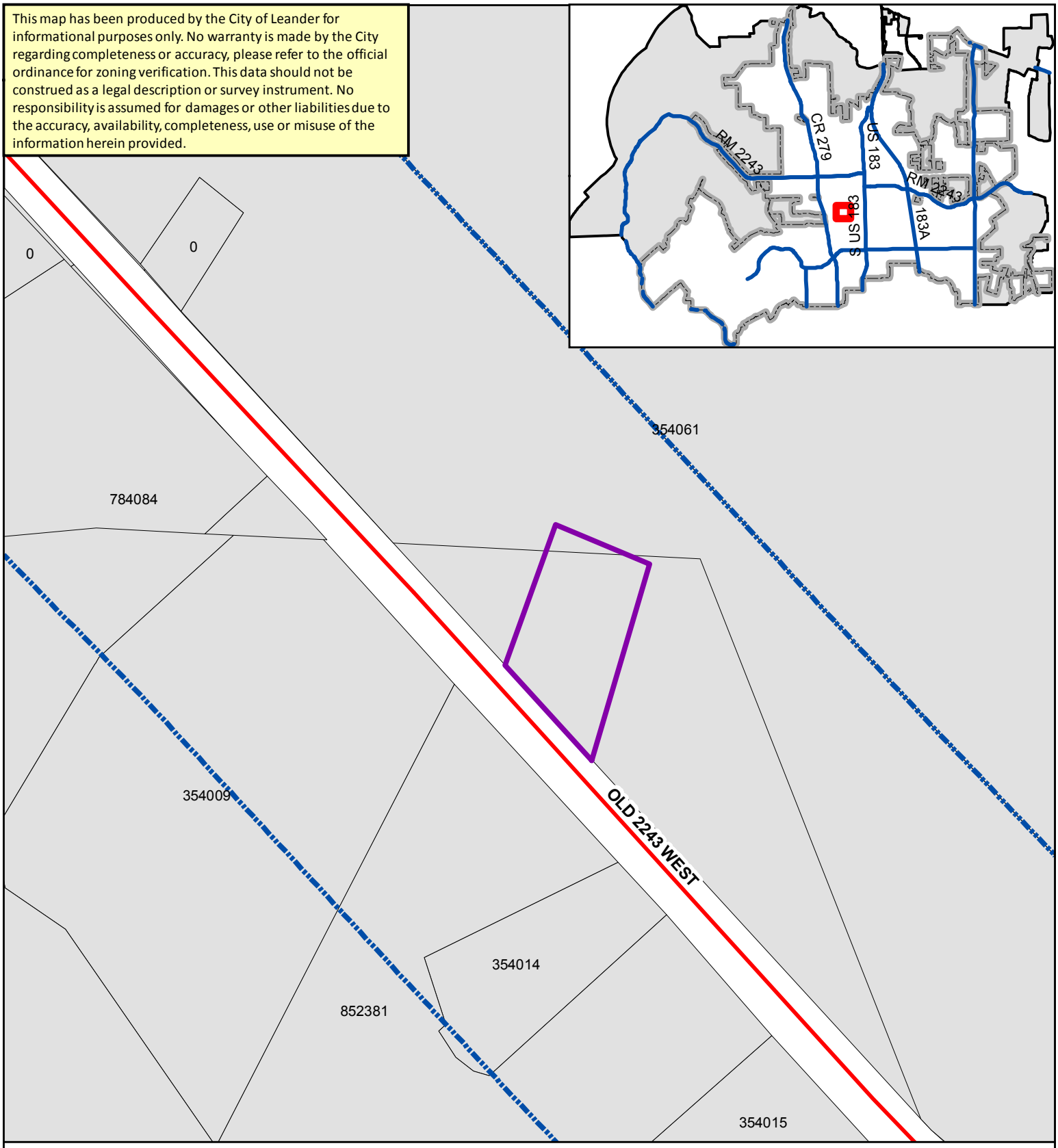
Future Land Use Map - Giddens Office

- Subject Property
- City Limits
- Open Space
- Mixed Use Corridor
- Commercial Corridor
- Neighborhood Center
- Community Center
- Activity Center
- Transit Supportive Mixed Use
- Station Area Mixed Use
- Old Town Mixed Use
- Employment Mixed Use
- Industrial District
- Neighborhood Residential

N

0 200

Feet



ZONING CASE 16-Z-011

Attachment #4

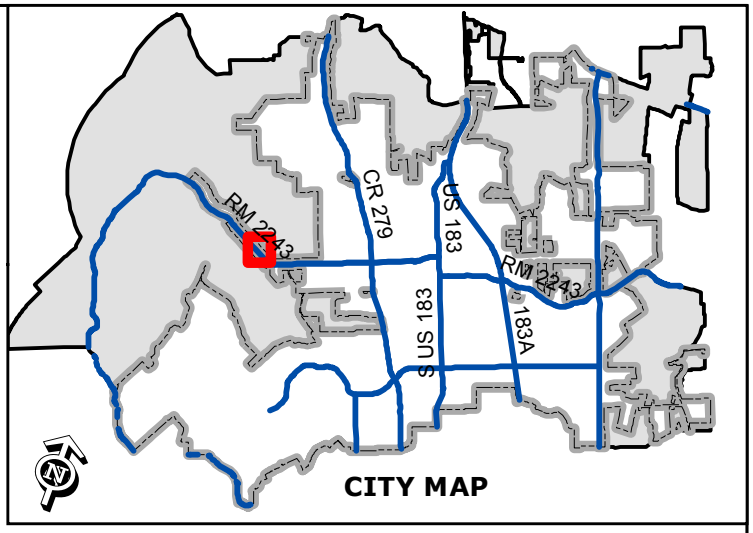
Notification Map
Giddens Office

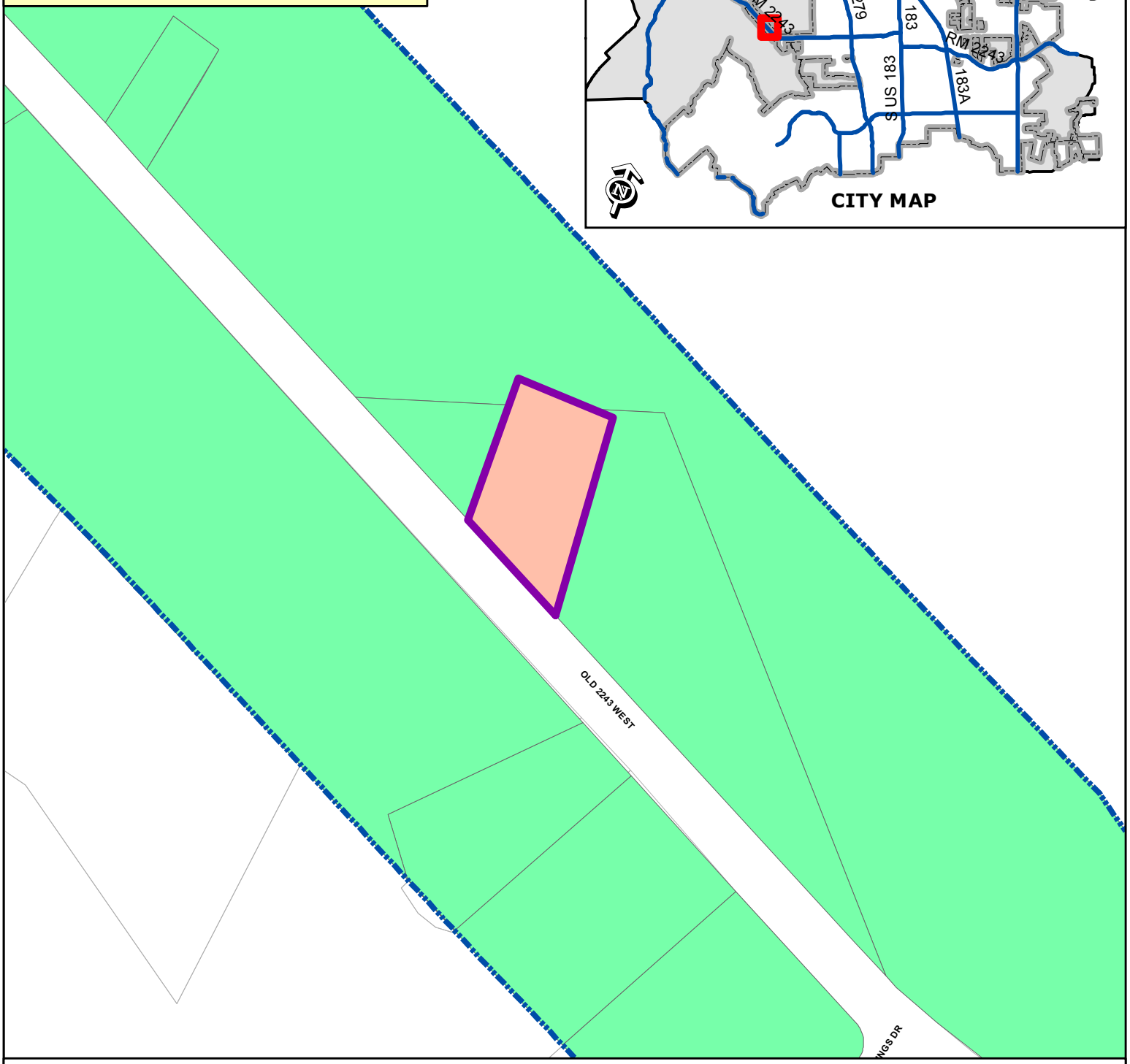
Subject Property
Public Notification Boundary
City Limits
WCAD Parcels
TCAD Parcels

N

0 100 200 400 Feet

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





ZONING CASE 16-Z-011 Attachment #5

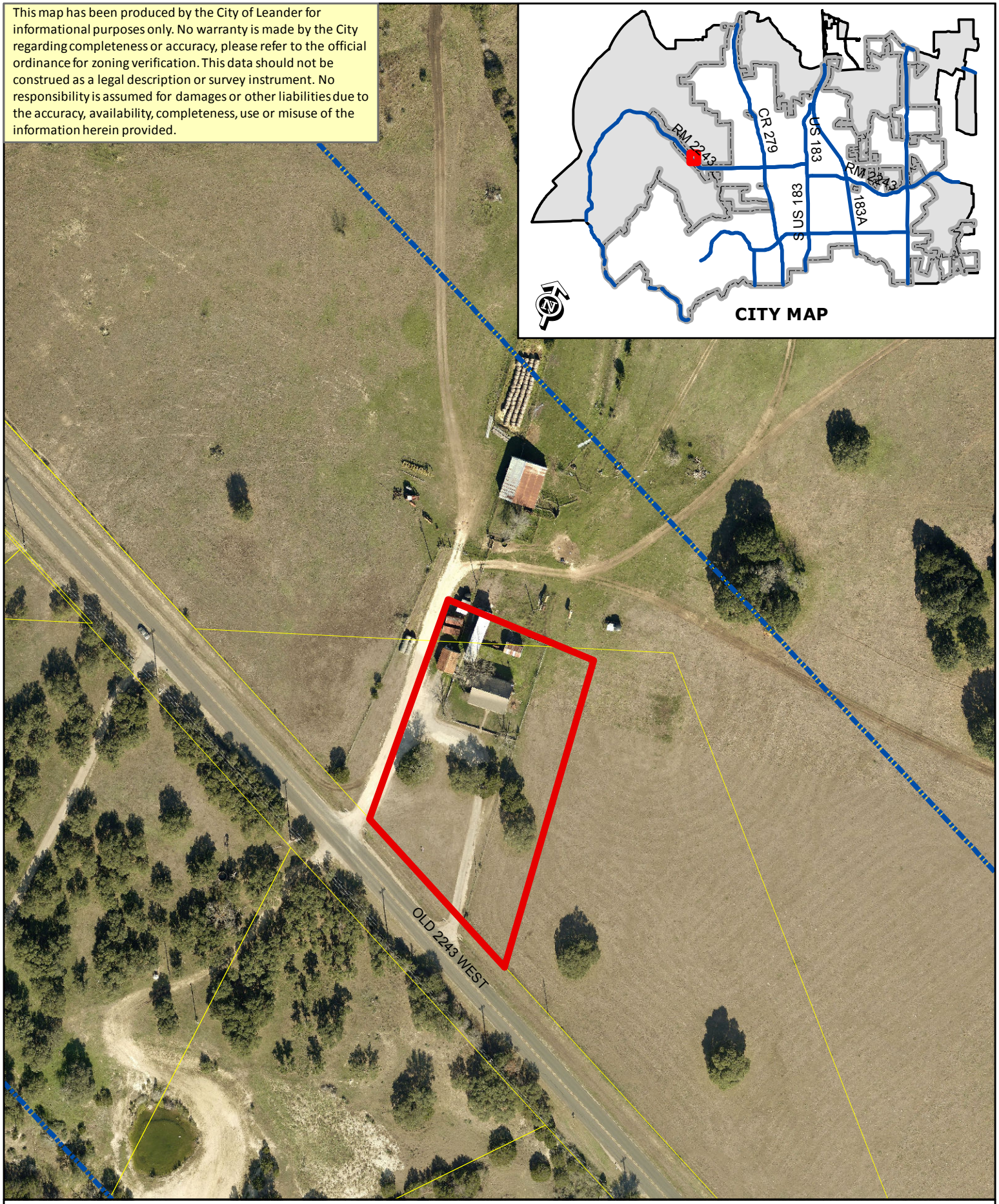
Proposed Zoning Map - Giddens Office

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-011 Attachment #6

Aerial Exhibit - Approximate Boundaries
Giddens Office

0 200
Feet

Subject Property
City Limits

LETTER OF INTENT

ZONING CHANGE REQUEST

GIDDENS OFFICE BUILDING

JAMES GIDDENS IS PROPOSING TO BUILD AN OFFICE BUILDING ON THE PROPERTY. WE ARE PLANNING ON STARTING THE BUILDING THIS SUMMER AND FINISHING IT AS SOON AS POSSIBLE.

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PORTION OF A PARCEL FROM INTERIM SFR-1-B (SINGLE-FAMILY RURAL) TO LO-2-B (LOCAL OFFICE); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following portion of a parcel of land, which is herein referred to as the "Property." That certain parcels being 1.384 acres, more or less, located in Leander, Travis County, Texas, being more particularly described in Exhibit "A", located at 14000 Nameless Road; Travis County, Texas; more particularly described in instrument number 2009004728, recorded in the Travis County Official Public Records; identified by Travis County tax identification number 354061.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from Interim SFR-1-B (Single-Family Rural) to LO-2-B (Local Office), as shown in Exhibit "B".

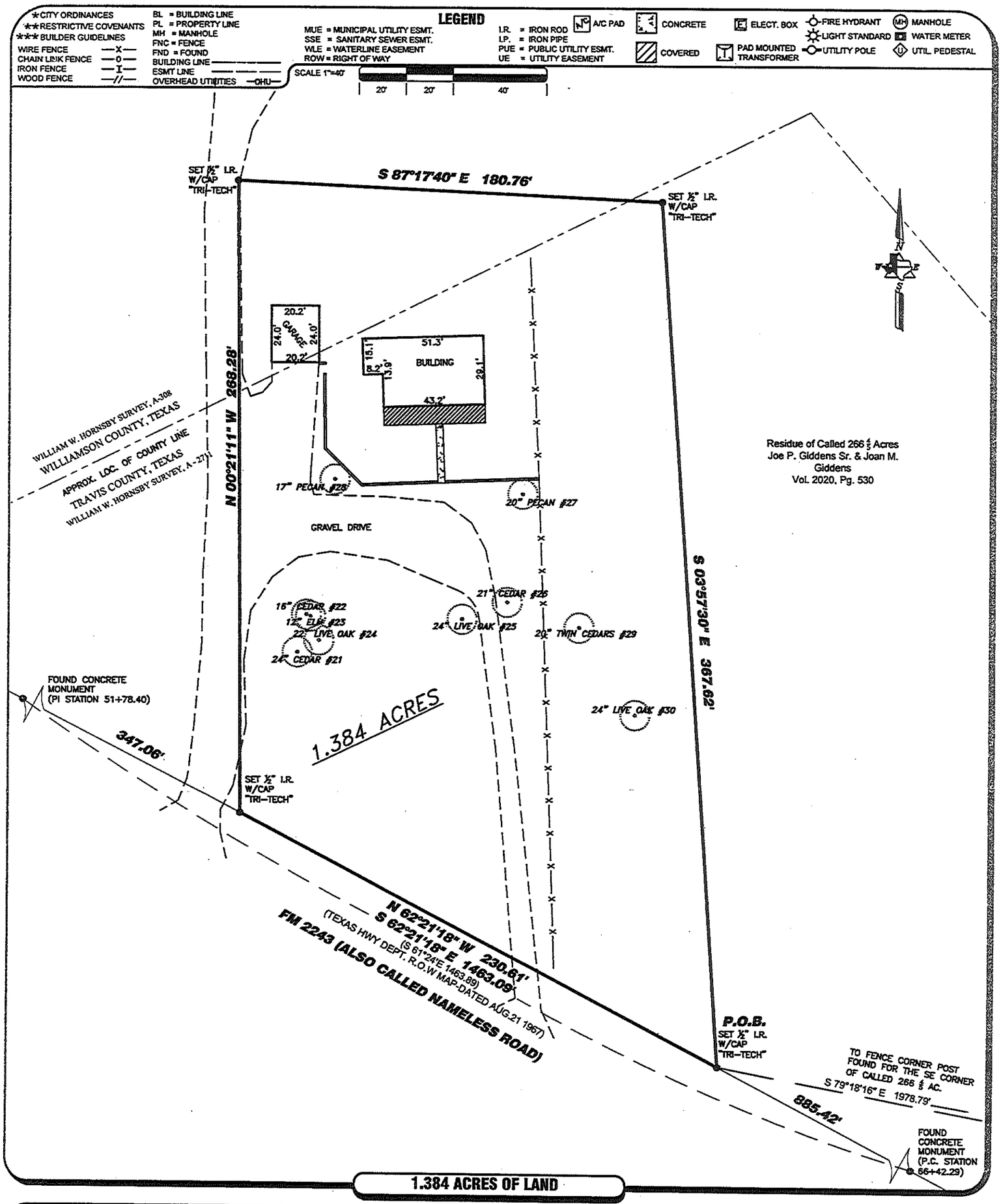
Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 2nd day of June, 2016.
FINALLY PASSED AND APPROVED on this the 16th day of June, 2016.

THE CITY OF LEANDER, TEXAS	**ATTEST:**
_____	_____
Christopher Fielder, Mayor	Debbie Haile, City Secretary



1.384 ACRES OF LAND

PROPERTY INFORMATION

1.384 ACRES OF LAND, LOCATED IN THE WILLIAM W. HORNSBY SURVEY, A-308, WILLIAMSON COUNTY, TEXAS AND A-2711 TRAVIS COUNTY, TEXAS.

BEING A PART OF THAT SAME LAND CONVEYED AS 266 4/5 ACRES IN A DEED FROM LOIS F. & ELIZABETH GIDDENS TO JOE P. GIDDENS SR. & JOAN M. GIDDENS, DATED JUNE 4, 1991, RECORDED IN VOLUME 2020, PAGE 530 OF THE WILLIAMSON COUNTY DEED RECORDS.

DRAWING INFORMATION

TT JOB NO:	SMS-GID-203-16
CLIENT JOB NO:	N/A
DRAWN BY:	ILV
BEARING BASE:	TEXAS STATE PLANE, CENTRAL ZONE
DATE:	4-1-16

NOTES:

ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.

NOTE: PROPERTY SUBJECT TO RECORDED RESTRICTIONS, REGULATIONS, & ORDINANCES, IF ANY.

RESTRICTIVE COVENANTS AND EASEMENTS AS DEFINED PER PLAT RECORDED IN VOL. 2020 PG. 530 OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

ALL BUILDING LINES, RECORDED EASEMENTS, UNRECORDED EASEMENTS, BUILDING RESTRICTIONS (DEED RESTRICTIONS, ETC.) AND ZONING ORDINANCES, IF ANY, THAT AFFECT SUBJECT PROPERTY SHOULD BE VERIFIED.

OWNER/BUILDER MUST VERIFY MINIMUM PROPOSED FINISHED FLOOR REQUIREMENTS OF F.E.M.A. AND/OR LOCAL GOVERNMENT AUTHORITIES, INCLUDING APPLICABLE BENCHMARK DATUM AND ADJUSTMENT, PRIOR TO PLANNING AND/OR CONSTRUCTION.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AT THE REQUEST OF GIDDEN HOMES AND MAY NOT SHOW ALL ENCUMBRANCES OF RECORD. THE BUILDER MUST VERIFY ALL BUILDING LINES, EASEMENTS, RESTRICTIONS AND ORDINANCES, IF ANY, THAT MAY AFFECT SUBJECT PROPERTY PRIOR TO STARTING CONSTRUCTION. THIS PLOT PLAN DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. SURVEYOR RECOMMENDED A CURRENT TITLE REPORT SHOULD HAVE BEEN OBTAINED.

THIS PLOT PLAN DOES NOT ADDRESS EAVES, GUTTERS OR OTHER OVERHANGING STRUCTURE FEATURES, WHICH MAY PROTRUDE OVER BOUNDARY, EASEMENTS AND/ OR BUILDING LINES, UNLESS OTHERWISE SHOWN HEREON

THE SURVEY COMPANY IS NOT RESPONSIBLE OR LIABLE FOR ANY CONSTRUCTION COST OR REIMBURSEMENT TO BUILDER FOR ADDITIONAL IMPROVEMENTS SHOWN OR NOT SHOWN ON SAID PLOT PLAN. THE MAIN PURPOSE OF A PLOT PLAN IS TO ESTABLISH PLACEMENT OF THE DWELLING ON THE SUBJECT PROPERTY TO AVOID ENCROACHMENTS. BUILDER SHOULD VERIFY ALL QUANTITIES AND PLACEMENT OF ALL IMPROVEMENTS.

REVISIONS

NO.	DATE	REASON	BY

TRI-TECH SURVEYING CO., L.P.
Firm Reg. Number 10193729
WWW.SURVEYINGCOMPANY.COM
100 E. San Antonio St. Ste. 100 San Marcos, Texas 78666
Phone: (512) 440-0222
Fax: (512) 440-0224

CERTIFICATION

I, the undersigned registered professional land surveyor, do hereby state that the plat shown hereon represents a boundary survey made on the ground under my supervision of the tract or parcel of land, according to the map or plat thereof, indicated hereon.

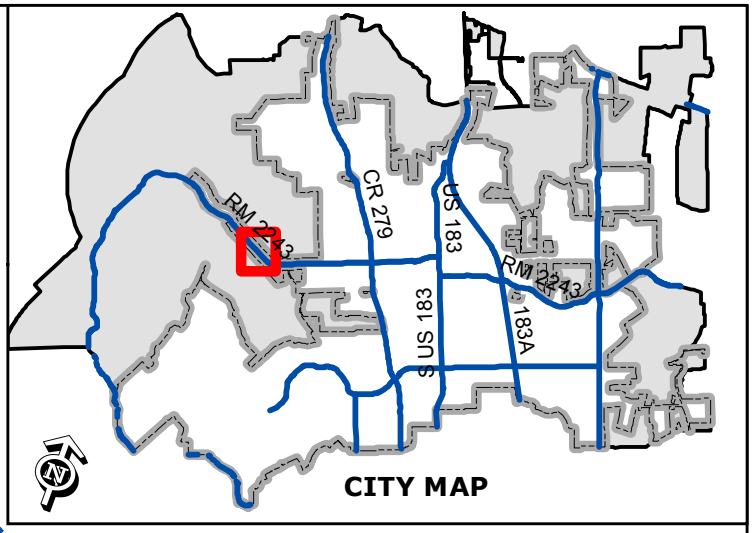
THIS SURVEY IS VALID FOR THIS TRANSACTION ONLY.
THIS SURVEY IS INVALID WITHOUT THE ORIGINAL EMBOSSED SURVEYORS SEAL AND SIGNATURE.

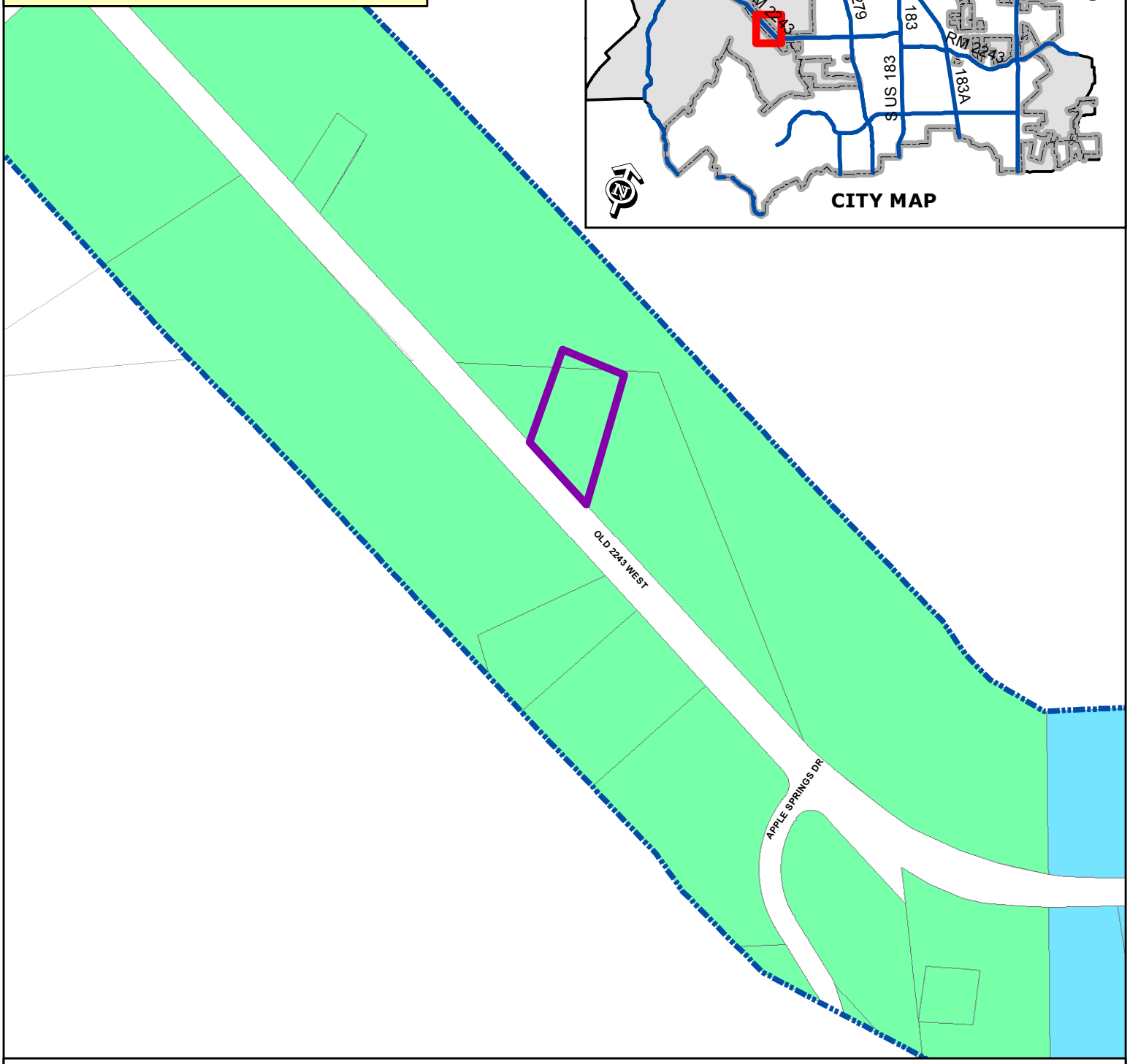
© 2016 TRI-TECH SURVEYING COMPANY, L.P.

STATE OF TEXAS REGISTERED DOROTHY J. TAYLOR 6295 PROFESSIONAL LAND SURVEYOR

4-18-16

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





ZONING CASE 16-Z-011 Exhibit B

Zoning Map Giddens Office

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet

AGENDA ITEM # 8

Executive Summary

June 16, 2016

Council Agenda Subject: Consider Dedication and Acceptance of Subdivision Infrastructure Improvements for: **Savanna Ranch Section 4**

Background: The subdivision infrastructure improvements required for Savanna Ranch 4 have been installed, inspected, and found to be satisfactorily completed. All documentation required for acceptance of the subdivision has been received, including record drawings, statement of substantial completion prepared by a Professional Engineer licensed in the State of Texas, copies of all inspection reports and certified test results, electronic files of the improvements and final plat, affidavit of all bills paid, and a two-year term Maintenance Bond. The Maintenance Bond will commence its two year term upon City Council acceptance, as anticipated, on June 16, 2016 which will provide warranty and maintenance coverage for the infrastructure improvements through June 16, 2018. The Engineering Department will perform a formal inspection of the improvements approximately 30 days prior to the expiration of the Maintenance Bond to assure that any defects in materials, workmanship, or maintenance are corrected prior to expiration of the bond.

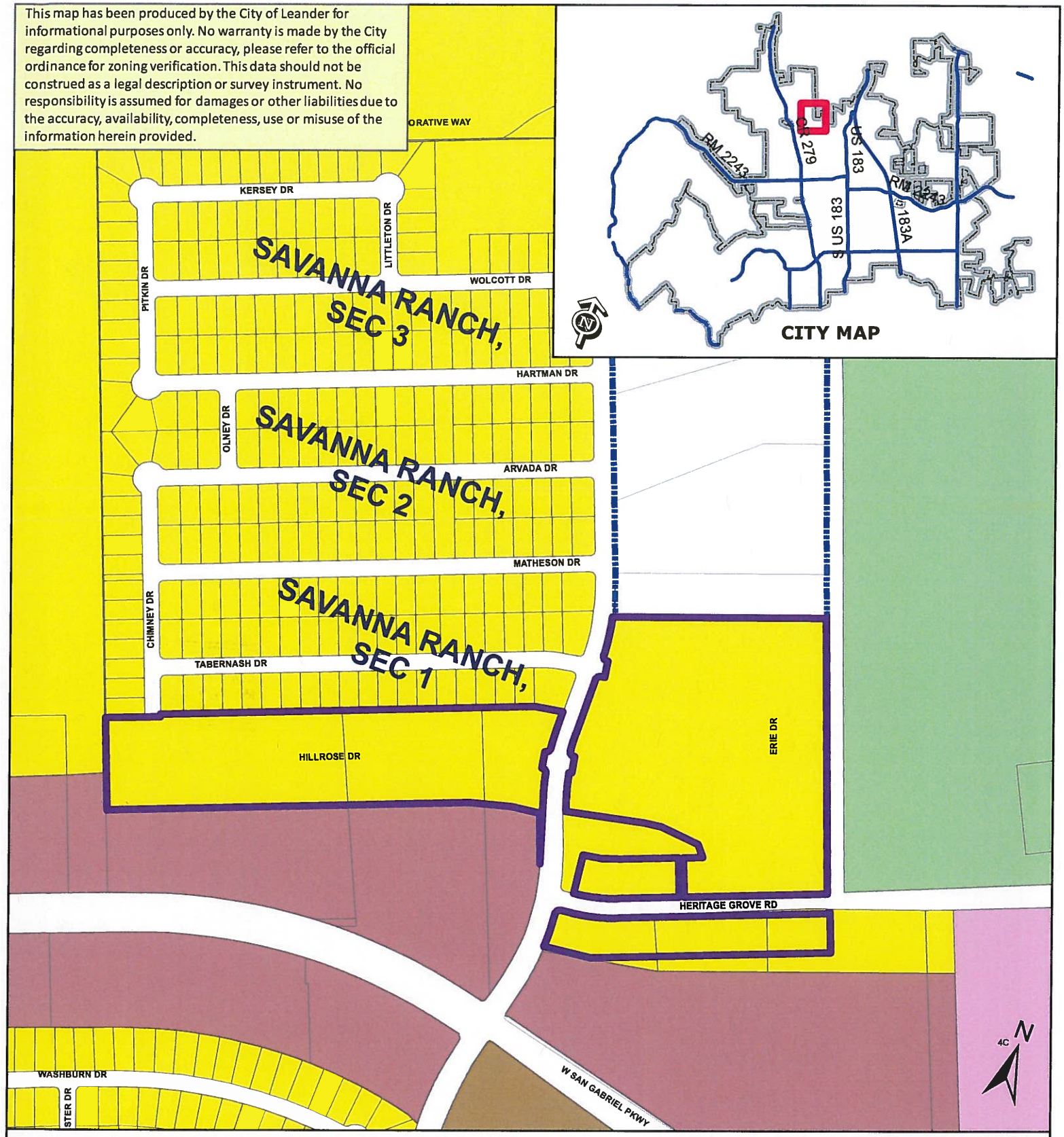
Origination: Wayne S. Watts, P.E., CFM, City Engineer

Financial Consideration: N/A

Recommendation: Staff recommends City Council's formal acceptance of the subdivision infrastructure improvements for Savanna Ranch Section 4.

Attachments: Location Map, RAS Approval Letter, Engineer's Concurrence Letter, Maintenance Bond, Affidavits of All Bills Paid, and Final Pay Estimates.

Prepared by: Wayne S. Watts, P.E., CFM, City Engineer



SUBDIVISION ACCEPTANCE

Location Map - Savanna Ranch: 4

- Area For Acceptance
- City Limits
- PUD Commercial
- PUD Mixed Use
- PUD Multi-Family
- PUD Single-Family
- PUD Townhome
- SFR
- SFE
- SFS
- SFU
- SFC
- SFL
- SFT
- SFU/MH
- TF
- MF
- LO
- LC
- GC
- HC
- HI
- PUD

0 400 Feet

ENGINEER'S CONCURRENCE FOR PROJECT ACCEPTANCE

PROJECT: Savanna Ranch Section Four

SCOPE OF WORK: W: _____ WW: _____ S/D: _____ ALL: X SITE WORK _____

OWNER/DEVELOPER'S Name and Address:	CONSULTANT ENGINEER'S Name and Address:
Benbrook Development, Inc.	Danny R. Martin, P.E., R.P.L.S.
John S. Lloyd	Malone Wheeler, Inc.
4720-4 Rockcliff Road	Firm Registration No. F-786
Austin, Texas 78746	5113 Southwest Parkway, Suite 260
	Austin, Texas 78735

This is to certify that I, the undersigned professional engineer, or my duly appointed representative, on 05/27/2016, made an on-site inspection of the referenced project. No discrepancy or deviation from the approved construction plans was noted which may materially affect the usefulness of the work for purpose and life intended for the project by design, except those listed below. I, therefore, recommend acceptance of this project by the City of Leander, upon satisfactory correction and or completion of the following items: NONE

STATE OF TEXAS
DANNY R. MARTIN
44960
LICENSED
PROFESSIONAL ENGINEER

(Seal)

Signature

06/02/16
Date

44960
Texas Registration Number

p3 Consulting

May 26, 2016

Mr. Danny Martin
Malone Wheeler
5113 Southwest Pkwy #260
Austin, TX 78735

Re: Savanna Ranch Section 4
Leander, Texas

INSPECTION – NO VIOLATIONS

Dear Mr. Martin:

We are pleased to inform you that the public sidewalks and curb ramps installed at the Savanna Ranch Section 4 in Leander, Texas have been inspected and appear to be in substantial compliance with the Texas Accessibility Standards (TAS) in accordance with provisions of the Texas Government Code, Chapter 469 and the Standards for Accessible Design in accordance with Title III of the Americans with Disabilities Act (ADA).

Please contact me at (512) 291-7700 with any additional questions or comments.

Sincerely,

James Rickard
RAS #1182

MAINTENANCE BOND
Subdivision Improvements
Bond No. MNT9178345

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

KNOW ALL BY THESE PRESENTS, that Cash Construction Company, Inc. as Principal, whose address is P.O. Box 1279, Pflugerville, Texas 78691 and Fidelity and Deposit Company of Maryland, Colonial American Casualty and Surety Company a Corporation organized under the laws of the State of Maryland, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Leander, Texas as Obligee, in the penal sum of Two Hundred Sixty Three Thousand Nine Hundred Thirty and 53/100's Dollars ($263,930.53) to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has constructed Savanna Ranch Section 4 – Streets and Utilities Improvements (*insert description of subdivision improvements*) (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

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

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

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

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

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

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

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

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

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

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 31st day of May, 2016.

Cash Construction Company, Inc. Principal	Fidelity and Deposit Company of Maryland, Colonial American Casualty and Surety Company Surety
By: BJ Cash	By: David S. Ballew
Title: V.P.	Title: David S. Ballew, Attorney-In-Fact
Address:	Address:
P.O. Box 1279	1400 American Lane, Tower I, 18th Floor
Pflugerville, Texas 78691	Schaumburg, IL 60196-1056

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

Ballew Surety Agency, Inc., David S. Ballew

3802 Manchaca Road, Austin, Texas 78704-6734

(Seal)

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **MICHAEL BOND, Vice President,** in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **David S. BALLEW, of Austin, Texas,** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, EXCEPT bonds on behalf of Independent Executors, Community Survivors and Community Guardians.** and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 13th day of January, A.D. 2016.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: _____

Secretary
Eric D. Barnes

_____

Vice President
Michael Bond

State of Maryland
County of Baltimore

On this 13th day of January, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **MICHAEL BOND, Vice President, and ERIC D. BARNES, Secretary,** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

_____

Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2019

POA-F 168-0087B

ZURICH

Texas Important Notice

IMPORTANT NOTICE

To obtain information or make a complaint:

You may call Zurich North America's toll-free telephone number for information or to make a complaint at:

1-800-382-2150

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

1-800-252-3439

You may write the Texas Department of Insurance:
P.O. Box 149104
Austin, TX 78714-9104
Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

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

ATTACH THIS NOTICE TO YOUR POLICY:

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

AVISO IMPORTANTE

Para obtener información o para presentar una queja:

Usted puede llamar al número de teléfono gratuito de Zurich North America's para obtener información o para presentar una queja al:

1-800-382-2150

Usted puede comunicarse con el Departamento de Seguros de Texas para obtener información sobre compañías, coberturas, derechos, o quejas al:

1-800-252-3439

Usted puede escribir al Departamento de Seguros de Texas a:
P.O. Box 149104
Austin, TX 78714-9104
Fax: (512) 490-1007
Sitio web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS POR PRIMAS DE SEGUROS O RECLAMACIONES:

Si tiene una disputa relacionada con su prima de seguro o con una reclamación, usted debe comunicarse con la compañía primero. Si la disputa no es resuelta, usted puede comunicarse con el Departamento de Seguros de Texas.

ADJUNTE ESTE AVISO A SU PÓLIZA: Este aviso es solamente para propósitos informativos y no se convierte en parte o en condición del documento adjunto.

MAINTENANCE BOND
Subdivision Improvements

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON § Bond No. 1001057858

KNOW ALL BY THESE PRESENTS, that Aken Industries, LLC as Principal, whose address is P.O. Box 162424, Austin, TX 78716 and Texas Bonding Company a Corporation organized under the laws of the State of California, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto the City of Leander, Texas as Obligee, in the penal sum of Nine Thousand Three Hundred Fifty Six and 75/100's Dollars ($ 9,356.75) to which payment will and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has constructed Savanna Ranch section 4 Street Lights (*insert description of subdivision improvements*) (the "improvements") pursuant to the ordinances of the Obligee, which ordinances are hereby expressly made a part hereof as though the same were written and embodied herein;

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

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

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

arising by reason of defective material, work, or labor performed by said Principal or its subcontractors, and in the case the said Principal shall fail to do so within ten days after being notified, it is agreed that the Obligee may do said work and supply such materials, and charge the same against Principal and Surety on this obligation.

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

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

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

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

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

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 31st day of May, 2016.

Aken Industries, LLC	Texas Bonding Company
Principal	Surety
By: Kate McKay	By: David S. Ballew
Title: President	Title: David S. Ballew, Attorney-in-fact
Address:	Address:
P.O. Box 162424	601 South Figueroa Street, 16th Floor
Austin, TX 78716	Los Angeles, CA 90017

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

Ballew Surety Agency, Inc. – David S. Ballew

3802 Manchaca Road, Austin, TX 78704

(Seal)

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemni ty Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collective y he "Companies"), do by these presents make, constitute and appoint:

David S. Ballew or William Kim Wade of Austin, Texas

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** ********************Ten Million******************** **Dollars ($** **10,000,000.00** **).** This Power of Attorney shall expire without further action on December 20, 2017. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and a thority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1st day of December, 2014.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals

AMERICAN CONTRACTORS INDEMNITY CO. INCORPORATED SEPT. 25, 1990 CALIFORNIA — UNITED STATES SURETY COMPANY — TEXAS BONDING COMPANY STATE OF TEXAS — U.S. Specialty Insurance Company

By: ____________________
Daniel P. Aguilar, Vice President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles SS:

On this 1st day of December, 2014, before me, Maria G. Rodriguez-Wong, a notary public, personally appeared Dan P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature ____________________ (Seal)

MARIA G. RODRIGUEZ-WONG
Commission # 2049771
Notary Public - California
Los Angeles County
My Comm. Expires Dec 20, 2017

I, Michael Chalekson , Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 31st day of May , 2016

Corporate Seals

Michael Chalekson, Assistant Secretary

Bond No. 1001057858
Agency No. 17029

HCC

Texas Bonding Company
601 S. Figueroa Street, Suite 1600, Los Angeles, California 90017
main 310 649 0990 facsimile 310 649 0416

THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION

To obtain information, make a complaint or assert a claim, or if you have a dispute concerning your premium, you should call the Surety's toll free telephone number for information at: 1-800-486-6695. You may also write to the Surety at:

Texas Bonding Company
601 S. Figueroa St., Suite 1600
Los Angeles, CA 90017

Important Time Limitation Regarding Warranty

Notwithstanding anything to the contrary in the Construction Contract and Bond, in no event shall Surety have any obligation for any loss occurring or claim made by Obligee more than twenty-five (25) months after the date on which Principal has substantially completed the work under the Construction Contract.

Exclusion of Liability for Mold, Mycotoxins, Fungi & Environmental Hazards

Notwithstanding anything to the contrary in the Construction Contract and Bond, the Bond to which this Rider is attached does not provide coverage for, and the Surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor for any environmental hazards, bio-hazards, hazardous materials, environmental spills, contamination, or cleanup, nor the remediation thereof, nor the consequences to persons, property, or the performance of the bonded obligations, of the occurrence, existence, or appearance thereof.

Important Notice Regarding Calculation of Premium

Adjustments to the contract price entitle the Surety to adjust premium charged for the adjustment in risk to Surety. Notwithstanding anything to the contrary in the Construction Contract and Bond, adjustments to the contract price or the premium charged shall not change the Bond amount, unless the contract price is increased no more than 10% of the original contract price.

MALONE ★ WHEELER
SINCE INC. 1995

CIVIL ENGINEERING ★ DEVELOPMENT CONSULTING ★ PROJECT MANAGEMENT

June 2, 2016

Mr. Michael O'Neal, P.E.
Engineering Department
City of Leander
200 West Willis
Leander, Texas 78641

RE: Savanna Ranch Section Four and JSL Commercial Tract 3
Final Project Cost
MW Project No. 14-005

Dear Mr. O'Neal,

I hereby certify that the final project cost for the public improvements for Savanna Ranch Section Four and JSL Commercial Tract 3 is $2,639,305.30 plus $93,567.50 for the street lighting. For a total of $2,732,872.80

Attached hereto are the Final Payment Applications from Cash Construction Company, Inc. and Aken Industries, LLC. to Benbrook Development, Inc. and modified Final Payment application for deleting non-public improvement costs.

The original engineer's estimate of the construction cost for the public improvements was $2,581,837.67. A check for $2,265.53 for the additional review and inspection fee is attached hereto.

Sincerely,

STATE OF TEXAS
DANNY R. MARTIN
44960
LICENSED
PROFESSIONAL ENGINEER

Danny R. Martin, P.E., R.P.L.S.
Senior Project Manager

Attachments:

Cc: Mr. John Lloyd
File

APPLICATION FOR PAYMENT

CONTRACTOR: CASH CONSTRUCTION COMPANY, INC. P.O. BOX 1279 PFLUGERVILLE, TEXAS 78691 (512) 251-7872 Fax (512) 990-5609	**OWNER:** BENBROOK DEVELOPMENT, INC. 4720-4 ROCKCLIFF ROAD AUSTIN, TEXAS 78746

PROJECT NAME: **SAVANNA RANCH SECTION 4 - STREETS AND UTILITIES**
CASH JOB NO: 739

PROJECT DATE AS OF:	05/31/2016
BILLED TO PAY REQUEST NO.:	MODIFIED
TOTAL WORK COMPLETED TO DATE	$2,488,929.50
RETAINAGE:	$0.00
AMOUNT DUE THIS ESTIMATE:	$2,488,929.50
PREVIOUS BILLINGS:	$2,488,929.50
CURRENT AMOUNT DUE	$0.00

CONTRACT DATE:	10/29/2014
ORIGINAL CONTRACT AMOUNT:	**$2,463,679.50**
CHANGE ORDER #1	$25,250.00
CHANGE ORDER #2	
CHANGE ORDER #3	
CHANGE ORDER #4	
CHANGE ORDER #5	
REVISED CONTRACT AMOUNT:	**$2,488,929.50**

Contractor's Representative Date

Owner's Representative Date

Engineer's Representative Date

TO: BENBROOK DEVELOPMENT, INC.
4720-4 ROCKCLIFF ROAD
AUSTIN, TEXAS 78746

FROM: CASH CONSTRUCTION COMPANY, INC.
P.O. BOX 1279
PFLUGERVILLE TX. 78691

APPLICATION FOR PAYMENT

JOB NAME:	**SAVANNA RANCH SEC. 4 - STREETS AND UTILITIES**
JOB#	739
ESTIMATE #	MODIFIED
DATE	05/31/2016
ORIG. AMOUNT	**$2,463,679.50**
REV. AMOUNT	**$2,488,929.50**
RETAINAGE	0%

TOTAL WORK THIS ESTIMATE	$0.00
TOTAL COMPLETED TO DATE	$2,488,929.50
LESS RETAINAGE	$0.00
TOTAL DUE TO DATE	$2,488,929.50
PREVIOUS BILLINGS	$2,488,929.50
AMOUNT DUE THIS ESTIMATE	$0.00

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT AMOUNT	UNIT PRICE	PREVIOUS QUANTITY	QTY THIS ESTIMATE	AMOUNT THIS ESTIMATE	QUANITITY TO DATE	AMOUNT TO DATE	PERCENT COMPLETE
	STREET IMPROVEMENTS										
1	SUBGRADE PREP	SY	15,439.00	$30,878.00	$2.00	15439	0.00	$0.00	15,439	$30,878.00	100.00%
2	8" FLEX BASE	SY	11,945.00	$89,587.50	$7.50	11945	0.00	$0.00	11,945	$89,587.50	100.00%
3	11" FLEX BASE	SY	3,494.00	$36,687.00	$10.50	3494	0.00	$0.00	3,494	$36,687.00	100.00%
4	2" HMAC TY. C	SY	12,938.00	$142,318.00	$11.00	12938	0.00	$0.00	12,938	$142,318.00	100.00%
5	CURB & GUTTER	LF	7,585.00	$83,435.00	$11.00	7585	0.00	$0.00	7,585	$83,435.00	100.00%
6	CONCRETE VALLEY GUTTER	EA	3.00	$16,500.00	$5,500.00	3	0.00	$0.00	3	$16,500.00	100.00%
7	ADA RAMP	EA	14.00	$14,000.00	$1,000.00	14	0.00	$0.00	14	$14,000.00	100.00%
8	4' CONCRETE SIDEWALK	LF	175.00	$3,675.00	$21.00	175	0.00	$0.00	175	$3,675.00	100.00%
9	REMOVE BARRICADE	EA	3.00	$300.00	$100.00	3	0.00	$0.00	3	$300.00	100.00%
10	SPEED LIMIT SIGNS	EA	4.00	$940.00	$235.00	4	0.00	$0.00	4	$940.00	100.00%
11	COMBO STREET SIGNS	EA	5.00	$1,625.00	$325.00	5	0.00	$0.00	5	$1,625.00	100.00%
12	STOP BAR	EA	5.00	$1,000.00	$200.00	5	0.00	$0.00	5	$1,000.00	100.00%
~~13~~	~~STAKING~~	~~LS~~	~~1.00~~	~~$11,500.00~~	~~$11,500.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$11,500.00~~	~~100.00%~~
	~~**STREET IMPROVEMENT SUBTOTAL**~~			~~**$432,445.50**~~				~~**$0.00**~~		~~**$432,445.50**~~	
	REVISED SUBTOTAL			**$420,945.50**				**$0.00**		**$420,945.50**	
	WATER IMPROVEMENTS										
1	8" PVC WATER MAIN	LF	3,760.00	$148,520.00	$39.50	3760	0.00	$0.00	3,760	$148,520.00	100.00%
2	8" GATE VALVE	EA	5.00	$6,500.00	$1,300.00	5	0.00	$0.00	5	$6,500.00	100.00%
3	FIRE HYDRANTS	EA	6.00	$27,000.00	$4,500.00	6	0.00	$0.00	6	$27,000.00	100.00%
4	2' FLUSH VALVE	EA	1.00	$1,100.00	$1,100.00	1	0.00	$0.00	1	$1,100.00	100.00%
5	8" WET CONNECTION	EA	5.00	$7,000.00	$1,400.00	5	0.00	$0.00	5	$7,000.00	100.00%
6	SHORT DOUBLE SERVICE	EA	25.00	$22,500.00	$900.00	25	0.00	$0.00	25	$22,500.00	100.00%
7	LONG DOUBLE SERVICE	EA	32.00	$44,800.00	$1,400.00	32	0.00	$0.00	32	$44,800.00	100.00%
8	SHORT SINGLE SERVICE	EA	1.00	$700.00	$700.00	1	0.00	$0.00	1	$700.00	100.00%
9	LONG SINGLE SERVICE	EA	1.00	$1,000.00	$1,000.00	1	0.00	$0.00	1	$1,000.00	100.00%
~~10~~	~~STAKING~~	~~LS~~	~~1.00~~	~~$7,500.00~~	~~$7,500.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$7,500.00~~	~~100.00%~~
11	TRENCH SAFETY	LF	3,760.00	$1,880.00	$0.50	3760	0.00	$0.00	3,760	$1,880.00	100.00%
	~~**WATER IMPROVEMENT SUBTOTAL**~~			~~**$268,500.00**~~				~~**$0.00**~~		~~**$268,500.00**~~	
	REVISED SUBTOTAL			**$261,000.00**				**$0.00**		**$261,000.00**	
	WASTEWATER IMPROVEMENTS										
1	8" SDR-26 0-8	LF	2,244.00	$107,712.00	$48.00	2244	0.00	$0.00	2,244	$107,712.00	100.00%
2	8" SDR-26 8-10	LF	2,025.00	$103,275.00	$51.00	2025	0.00	$0.00	2,025	$103,275.00	100.00%
3	8" SDR-26 10-12	LF	2,380.00	$128,520.00	$54.00	2380	0.00	$0.00	2,380	$128,520.00	100.00%
4	8" SDR-26 12-14	LF	435.00	$26,100.00	$60.00	435	0.00	$0.00	435	$26,100.00	100.00%
5	BORE, CASING & CARRIER	LF	200.00	$100,000.00	$500.00	200	0.00	$0.00	200	$100,000.00	100.00%
6	4' DIA. MANHOLE 0-8	EA	35.00	$161,000.00	$4,600.00	35	0.00	$0.00	35	$161,000.00	100.00%
7	EXTRA DEPTH MANHOLE	VF	60.00	$27,000.00	$450.00	60	0.00	$0.00	60	$27,000.00	100.00%
8	CONNECT TO EXISTING LINE	EA	2.00	$4,000.00	$2,000.00	2	0.00	$0.00	2	$4,000.00	100.00%
9	SHORT DOUBLE SERVICE	EA	25.00	$25,000.00	$1,000.00	25	0.00	$0.00	25	$25,000.00	100.00%
10	LONG DOUBLE SERVICE	EA	32.00	$44,800.00	$1,400.00	32	0.00	$0.00	32	$44,800.00	100.00%
11	SHORT SINGLE SERVICE	EA	1.00	$1,000.00	$1,000.00	1	0.00	$0.00	1	$1,000.00	100.00%
12	LONG SINGLE SERVICE	EA	1.00	$1,300.00	$1,300.00	1	0.00	$0.00	1	$1,300.00	100.00%
13	TRENCH SAFETY	LF	8,559.00	$8,559.00	$1.00	8559	0.00	$0.00	8,559	$8,559.00	100.00%
~~14~~	~~STAKING~~	~~LS~~	~~1.00~~	~~$13,000.00~~	~~$13,000.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$13,000.00~~	~~100.00%~~
	~~**WASTEWATER IMPROVEMENT SUBTOTAL**~~			~~**$751,266.00**~~				~~**$0.00**~~		~~**$751,266.00**~~	
	REVISED SUBTOTAL			**$738,266.00**				**$0.00**		**$738,266.00**	
	DRAINAGE IMPROVEMENTS										
1	18" RCP CL. III	LF	155.00	$6,045.00	$39.00	155	0.00	$0.00	155	$6,045.00	100.00%
2	24" RCP CL. III	LF	2,033.00	$119,947.00	$59.00	2033	0.00	$0.00	2,033	$119,947.00	100.00%
3	30" RCP CL. III	LF	416.00	$29,952.00	$72.00	416	0.00	$0.00	416	$29,952.00	100.00%
4	36" RCP CL. III	LF	544.00	$65,280.00	$120.00	544	0.00	$0.00	544	$65,280.00	100.00%
5	48" RCP CL. III	LF	532.00	$91,504.00	$172.00	532	0.00	$0.00	532	$91,504.00	100.00%

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT AMOUNT	UNIT PRICE	PREVIOUS QUANTITY	QTY THIS ESTIMATE	AMOUNT THIS ESTIMATE	QUANITITY TO DATE	AMOUNT TO DATE	PERCENT COMPLETE
6	POND AND CHANNEL IMPROVEMENTS	LS	1.00	$515,700.00	$515,700.00	1	0.00	$0.00	1	$515,700.00	100.00%
7	PLACE EXCESS ON COMMERCIAL LOT	CY	6,600.00	$33,000.00	$5.00	6600	0.00	$0.00	6,600	$33,000.00	100.00%
8	10' CURB INLET	EA	19.00	$68,400.00	$3,600.00	19	0.00	$0.00	19	$68,400.00	100.00%
9	AREA INLET	EA	1.00	$3,200.00	$3,200.00	1	0.00	$0.00	1	$3,200.00	100.00%
10	4' DIA MANHOLE	EA	1.00	$3,500.00	$3,500.00	1	0.00	$0.00	1	$3,500.00	100.00%
11	5' DIA MANHOLE	EA	4.00	$16,800.00	$4,200.00	4	0.00	$0.00	4	$16,800.00	100.00%
12	6' DIA MANHOLE	EA	5.00	$25,000.00	$5,000.00	5	0.00	$0.00	5	$25,000.00	100.00%
13	7' DIA MANHOLE	EA	1.00	$8,500.00	$8,500.00	1	0.00	$0.00	1	$8,500.00	100.00%
14	CONNECT TO EXISTING STORM	EA	3.00	$3,000.00	$1,000.00	3	0.00	$0.00	3	$3,000.00	100.00%
15	18" HEADWALL	EA	1.00	$3,800.00	$3,800.00	1	0.00	$0.00	1	$3,800.00	100.00%
16	48" HEADWALL	EA	1.00	$10,000.00	$10,000.00	1	0.00	$0.00	1	$10,000.00	100.00%
17	TRENCH SAFETY	LF	3,680.00	$1,840.00	$0.50	3680	0.00	$0.00	3,680	$1,840.00	100.00%
~~18~~	~~STAKING~~	~~LS~~	~~1.00~~	~~$6,000.00~~	~~$6,000.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$6,000.00~~	~~100.00%~~
	~~**DRAINAGE IMPROVEMENT SUBTOTAL**~~			~~**$1,011,468.00**~~				~~**$0.00**~~		~~**$1,011,468.00**~~	
	REVISED SUBTOTAL			**$1,005,468.00**				**$0.00**		**$1,005,468.00**	
	CHANGE ORDER #1										
	DEDUCT										
	BORE, CASING & CARRIER	LF	-100.00	-$50,000.00	$500.00	-100	0.00	$0.00	-100	-$50,000.00	100.00%
	ADD										
	6" CONCRETE CAP	LF	100.00	$12,500.00	$125.00	100	0.00	$0.00	100	$12,500.00	100.00%
	DEWATERING/EROSION CONTROLS MAINTAINCE	LS	1.00	$10,000.00	$10,000.00	1	0.00	$0.00	1	$10,000.00	100.00%
	COLORED AND TEXTURED CONCRETE STRUCTURES IN POND	LS	1.00	$52,750.00	$52,750.00	1	0.00	$0.00	1	$52,750.00	100.00%
	CHANGE ORDER #1 SUBTOTAL			**$25,250.00**				**$0.00**		**$25,250.00**	
	TOTAL			**$2,488,929.50**				**$0.00**		**$2,488,929.50**	
	REVISED TOTAL			**$2,450,929.50**				**$0.00**		**$2,450,929.50**	

APPLICATION FOR PAYMENT

CONTRACTOR: CASH CONSTRUCTION COMPANY, INC. P.O. BOX 1279 PFLUGERVILLE, TEXAS 78691 (512) 251-7872 Fax (512) 990-5609	**OWNER:** BENBROOK DEVELOPMENT, INC. 4720-4 ROCKCLIFF ROAD AUSTIN, TEXAS 78746

PROJECT NAME: **SAVANNA RANCH SECTION 4 - EARTHWORK**
CASH JOB NO: 739

PROJECT DATE AS OF:	05/31/2016
BILLED TO PAY REQUEST NO.:	MODIFIED
TOTAL WORK COMPLETED TO DATE	$399,875.80
RETAINAGE:	$0.00
AMOUNT DUE THIS ESTIMATE:	$399,875.80
PREVIOUS BILLINGS:	$399,875.80
CURRENT AMOUNT DUE	$0.00

CONTRACT DATE:	10/29/2014
ORIGINAL CONTRACT AMOUNT:	**$399,875.80**
CHANGE ORDER #1	
CHANGE ORDER #2	
CHANGE ORDER #3	
CHANGE ORDER #4	
CHANGE ORDER #5	
REVISED CONTRACT AMOUNT:	**$399,875.80**

Contractor's Representative — Date

Owner's Representative — Date

Engineer's Representative — Date

TO: BENBROOK DEVELOPMENT, INC.
4720-4 ROCKCLIFF ROAD
AUSTIN, TEXAS 78746

FROM: CASH CONSTRUCTION COMPANY, INC.
P.O. BOX 1279
PFLUGERVILLE TX. 78691

APPLICATION FOR PAYMENT

JOB NAME:	**SAVANNA RANCH SEC. 4 - EARTHWORK**
JOB#	739
ESTIMATE #	MODIFIED
DATE	05/31/2016
ORIG. AMOUNT	**$399,875.80**
REV. AMOUNT	**$399,875.80**
RETAINAGE	0%

TOTAL WORK THIS ESTIMATE	$0.00
TOTAL COMPLETED TO DATE	$399,875.80
LESS RETAINAGE	$0.00
TOTAL DUE TO DATE	$399,875.80
PREVIOUS BILLINGS	$399,875.80
AMOUNT DUE THIS ESTIMATE	$0.00

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT AMOUNT	UNIT PRICE	PREVIOUS QUANTITY	QTY THIS ESTIMATE	AMOUNT THIS ESTIMATE	QUANITITY TO DATE	AMOUNT TO DATE	PERCENT COMPLETE
	EROSION CONTROLS										
1	SEC	EA	2.00	$4,000.00	$2,000.00	2	0.00	$0.00	2	$4,000.00	100.00%
2	SILT FENCE	LF	8,602.00	$21,505.00	$2.50	8602	0.00	$0.00	8,602	$21,505.00	100.00%
3	INLET PROTECTION	EA	20.00	$1,400.00	$70.00	20	0.00	$0.00	20	$1,400.00	100.00%
4	REVEG ROW	SY	8,430.00	$3,793.50	$0.45	8430	0.00	$0.00	8,430	$3,793.50	100.00%
5	TREE PROTECTION	LF	488.00	$1,317.60	$2.70	488	0.00	$0.00	488	$1,317.60	100.00%
~~6~~	~~CONTROL STAKING~~	~~LS~~	~~1.00~~	~~$9,800.00~~	~~$9,800.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$9,800.00~~	~~100.00%~~
	~~**EROSION CONTROLS SUBTOTAL**~~			~~$41,816.10~~				~~$0.00~~		~~$41,816.10~~	
	REVISED SUBTOTAL			**$32,016.10**						**$32,016.10**	
	EARTHWORK										
9	CLEARING	AC	25.23	$17,408.70	$690.00	25.23	0.00	$0.00	25	$17,408.70	100.00%
10	STREET EXCAVATION	SY	15,439.00	$138,951.00	$9.00	15439	0.00	$0.00	15,439	$138,951.00	100.00%
~~11~~	~~LOT GRADING~~	~~LS~~	~~1.00~~	~~$175,400.00~~	~~$175,400.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1.00~~	~~$175,400.00~~	~~100.00%~~
~~12~~	~~ROUCH CUT STAKING~~	~~LS~~	~~1.00~~	~~$15,500.00~~	~~$15,500.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$15,500.00~~	~~100.00%~~
~~13~~	~~RESET PINS~~	~~LS~~	~~1.00~~	~~$10,800.00~~	~~$10,800.00~~	~~1~~	~~0.00~~	~~$0.00~~	~~1~~	~~$10,800.00~~	~~100.00%~~
	~~**EARTHWORK SUBTOTAL**~~			~~$358,059.70~~				~~$0.00~~		~~$358,059.70~~	
	REVISED SUBTOTAL			**$156,359.70**						**$156,359.70**	
	~~**TOTAL**~~			~~$399,875.80~~				~~$0.00~~		~~$399,875.80~~	
	REVISED TOTAL			**$188,375.80**				**$0.00**		**$188,375.80**	

Aken Industries, LLC

Invoice

P.O. Box 162424
Austin, TX 78716
Phone (512) 426-1483

DATE: 4/25/2016
Invoice # 15602

FOR: Savanna Ranch
Section 4

FOR:
Bendbrook Development, Inc.
4720-4 Rockcliff Road
Austin, TX 78746

Savannah Subdivision

DESCRIPTION	QUANTITY	RATE	AMOUNT
Street Light Improvements	26.00	3598.75	93,567.50
PAID IN FULL			

Terms: Due upon receipt

SUBTOTAL	$ 93,567.50
OTHER	
TOTAL	$ 93,567.50

Any questions please call Josh McKay 512-426-1483

THANK YOU FOR YOUR BUSINESS!

Danny R. Martin 06/02/16
Engineer's Representative Date
Malone Wheeler, Inc. F-786

STATE OF TEXAS
DANNY R. MARTIN
44960
LICENSED
PROFESSIONAL ENGINEER

Updated 10.20.14

FINAL BILLS PAID AFFIDAVIT
AND WAIVER OF LIEN

STATE OF TEXAS '
COUNTY OF TRAVIS '

Date: May 17, 2016

Developer: Benbrook Development, Inc.

Contractor/Material Provider ("Affiant"): Cash Construction Company, Inc.

Project : **Savanna Ranch Section 4 – Streets and Utilities**

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

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

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

SUBSCRIBED AND SWORN TO BY Affiant on this 17th day of May, 2016.

Initialed: _____

Updated 10.20.14

AFFIANT:

Signature: _____

Typed Name: Michael Nixon

Title: Secretary/Treasurer

STATE OF TEXAS '
'
COUNTY OF TRAVIS '

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 17th day of May, 2016.

[S E A L]

STACY SMALL
Notary Public, State of Texas
Comm. Expires 03-04-2020
Notary ID 11068934

_____
Notary in and for the State of Texas

Name: Stacy Small

My commission expires: March 4, 2020

Initialed: _____

Updated 10.20.14

FINAL BILLS PAID AFFIDAVIT
AND WAIVER OF LIEN

STATE OF TEXAS '
COUNTY OF TRAVIS '

Date: March 23, 2016

Developer: Benbrook Development, Inc.

Contractor/Material
Provider ("Affiant"): Cash Construction Company, Inc.

Project : **Savanna Ranch Section 4 - Earthwork**

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

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

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

SUBSCRIBED AND SWORN TO BY Affiant on this 23rd day of March, 2016.

Initialed: _____

Updated 10.20.14

AFFIANT:

Signature: _____

Typed Name: Michael Nixon

Title: Secretary/Treasurer

STATE OF TEXAS '
'
COUNTY OF TRAVIS '

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23rd day of March, 2016.

[S E A L]

STACY SMALL
Notary Public, State of Texas
Comm. Expires 03-04-2020
Notary ID 11068934

_____
Notary in and for the State of Texas

Name: Stacy Small

My commission expires: March 4, 2016

Initialed: _____

Updated 10.20.14

FINAL BILLS PAID AFFIDAVIT

AND WAIVER OF LIEN

STATE OF TEXAS '

COUNTY OF '

Date: 6/8/16

Developer: Benbrook Development, Ltd.

Contractor/Material
Provider ("Affiant"): Aken Industries, LLC

Project : Savanna Ranch Section 4 Street Lights

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

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

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

from any liens, debts, or obligations arising from any labor or materials provided by or through Affiant to the project through the date set out above.

SUBSCRIBED AND SWORN TO BY Affiant on this 8th day of June, 2016.

AFFIANT:

Signature: Katie McKay

Typed Name: Katie McKay

Title: President

STATE OF TEXAS '

'

COUNTY OF Travis '

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of June 2016

Notary in and for the State of Texas

Name: Adam Wade Pope

My Commission expires: 07/10/2018

[S E A L]

ADAM WADE POPE
Notary Public, State of Texas
My Commission Expires
JULY 10, 2018

129879185

Notary in and for the State of Texas

Name: Adam Wade Pope

My commission expires: _____

Initialed: _____

AGENDA ITEM # 9

Executive Summary

June 16, 2016

Agenda Subject: Zoning Case 16-Z-006: Consider action on the rezoning of 50.615 acres more or less out of the C. Ybarbo Survey, No. 420 and the C.C. Chafin Survey No. 78, generally located to the west of the intersection of Crystal Falls Pkwy and Lakeline Blvd, more specifically to the west of the Fairways at Crystal Falls, Section 5 Subdivision; TCAD ID 796313. Currently, the property is zoned SFS-2-B (Single-Family Suburban). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of MF-2-A (Multi-Family), Leander, Travis County, Texas.

Background: This request is the second step in the rezoning process.

Origination: Applicant: Mike Siefert on behalf of Lookout Partners, LP.

Financial Consideration: None

Recommendation: See Planning Analysis. The applicant wishes to delay the second reading of the ordinance for 90 days. The Planning & Zoning Commission unanimously recommended to deny the request at the June 9, 2016 meeting. They requested that the applicant works with staff to address the following issues:

1. Prohibit lighting from the interior of the project
2. Increase the minimum building size to 1,800 square feet
3. Propose an alternative to the masonry wall along Crystal Falls Pkwy such as berms, landscaping, and wrought iron.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Notification Map
5. Proposed Zoning Map
6. Aerial Map

7. PUD Notes and Conceptual Site Layout & Land Use Plan
8. Letter of Intent
9. Approved Preliminary Plat
10. Ordinance
11. Minutes-Planning & Zoning Commission June 09, 2016

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/10/2016

PLANNING ANALYSIS

ZONING CASE 16-Z-006

FAIRWAYS, SECTION 6 PUD

GENERAL INFORMATION

Owner: Lookout Partners, LP.

Current Zoning: SFS-2-B (Single-Family Suburban)

Proposed Zoning: PUD (Planned Unit Development) with a base zoning district of MF-2-A (Multi-Family)

Size and Location: The property is generally located to the west of the intersection of Crystal Falls Pkwy and Lakeline Blvd, more specifically to the west of the Fairways at Crystal Falls, Section 5 Subdivision and is approximately 50.615 acres in size.

Staff Contact: Robin M. Griffin, AICP
Senior Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFR-2-B	Established Single-Family Neighborhood (Grand Mesa)
EAST	SFR-2-B SFS-2-B	Golf Course Established Single-Family Neighborhood (Fairways)
SOUTH	SFR-2-B	Golf Course
WEST	SFR-2-B	Established Single-Family Neighborhood (Grand Mesa)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

PUD – PLANNED UNIT DEVELOPMENT:

The purpose and intent of the Planned Unit Development (PUD) district is to design unified standards for development in order to facilitate flexible, customized zoning and subdivision standards which encourage imaginative and innovative designs for the development of property within the City. The intent of this zoning request is to provide for the design of a development which permits condo regime single-family development. The intent of this zoning district is to cohesively regulate the development to assure compatibility with adjacent single-family residences, neighborhoods, and commercial properties within the region.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Create strong neighborhoods with a variety of housing choices.
- Encourage a range of housing types at a variety of price points.
- The Neighborhood Residential land use category is intended to accommodate a variety of housing types. The density and mix of housing types is dependent on a number of suitability factors including environmental constraints (such as steep topography and floodplain), the availability of sewer infrastructure, proximity to neighborhood and community centers, existing and planned parks and recreation sites, schools, and the road network.

ANALYSIS:

The applicant is requesting the PUD (Planned Unit Development) district in order to allow for the development of a condominium regime single-family project. The surrounding properties include established single-family neighborhoods and the Crystal Falls golf course.

A PUD district can be an appropriate district in this situation because it offers the applicant the opportunity to design a zoning district that will provide for a condominium regime single-family project while limiting the overall density and providing higher design standards.

The applicant is proposing the MF-2-A (Multi-Family) base zoning district to accommodate the proposed development. The proposal includes a total of 98 detached single-family units. The current zoning district would permit single-family lots with a minimum lot width of 70 feet for interior lots and 80 feet for corner lots. There is an approved preliminary plat on file with the City that includes 98 lots for this project. The change in zoning would not increase the density of the units at this location.

This application includes the following higher standards and waivers.

HIGHER STANDARDS	WAIVERS
COMPOSITE ZONING ORDINANCE	
85% Masonry for all structures	-
High Quality Roofing Materials	-
Density Limitation	Condominium/Cluster Style Development

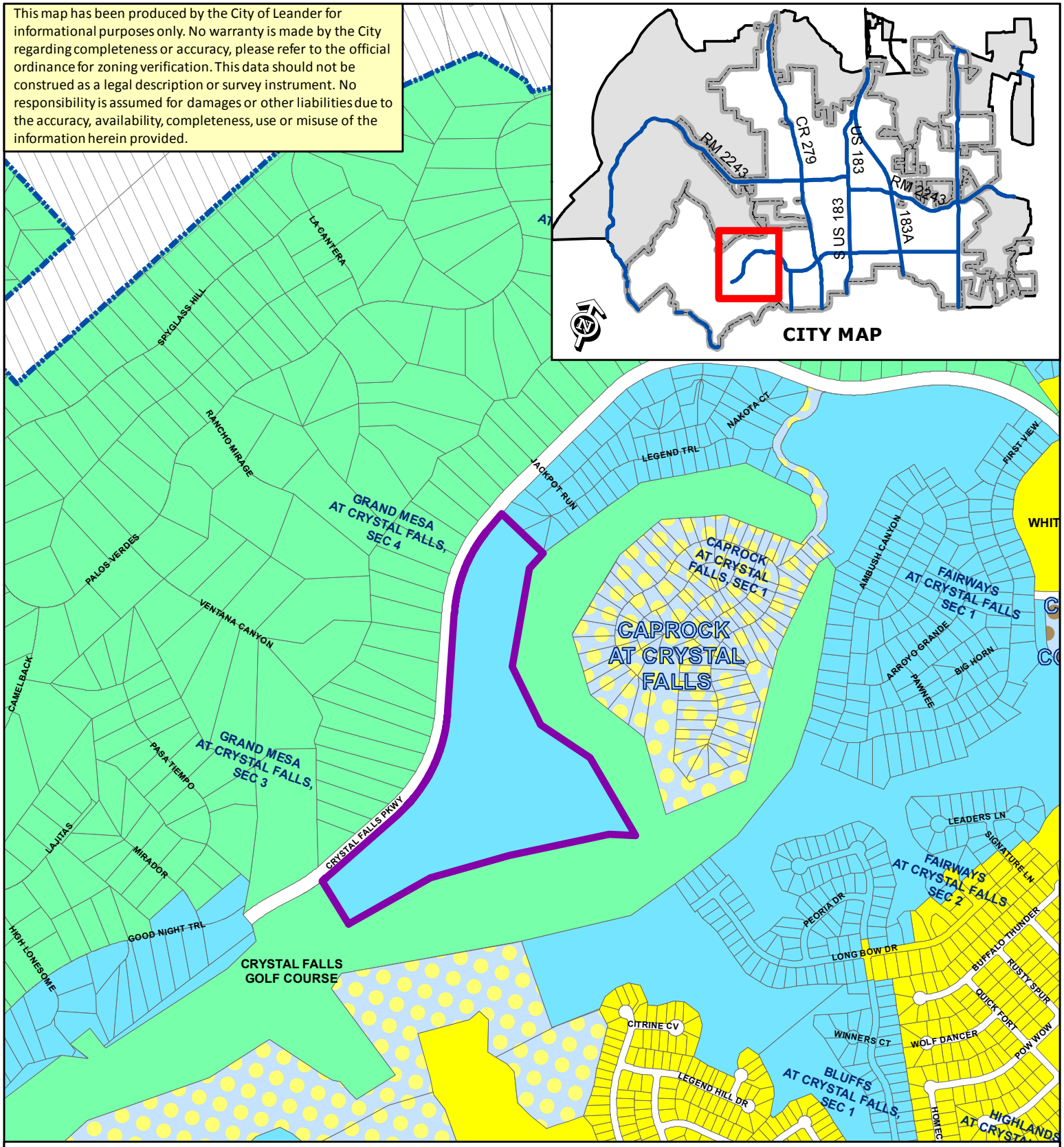
The current concept plan includes a variance to the sidewalk and street lighting requirements. If they developed under the current zoning district, these items would not be required.

This property is located in the Neighborhood Residential land use category as identified in the Comprehensive Plan. The Neighborhood Residential category seeks to accommodate a variety of housing types based on several suitability factors including availability and future availability of water and wastewater infrastructure, topography, floodplain, the proximity of the property to Neighborhood and Community Centers, and existing or planned parks and schools.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Fairways, Section 6 PUD as requested. This change in zoning will allow for more flexibility in the location of the homes and aid in the preservation of the trees on the property. The density of the project will remain the same and the architectural component will increase from Type B to Type A.

The requested zoning district meets the intent statements of the Composite Zoning Ordinance and the goals of the Comprehensive Plan.



ZONING CASE 16-Z-006 Attachment #2

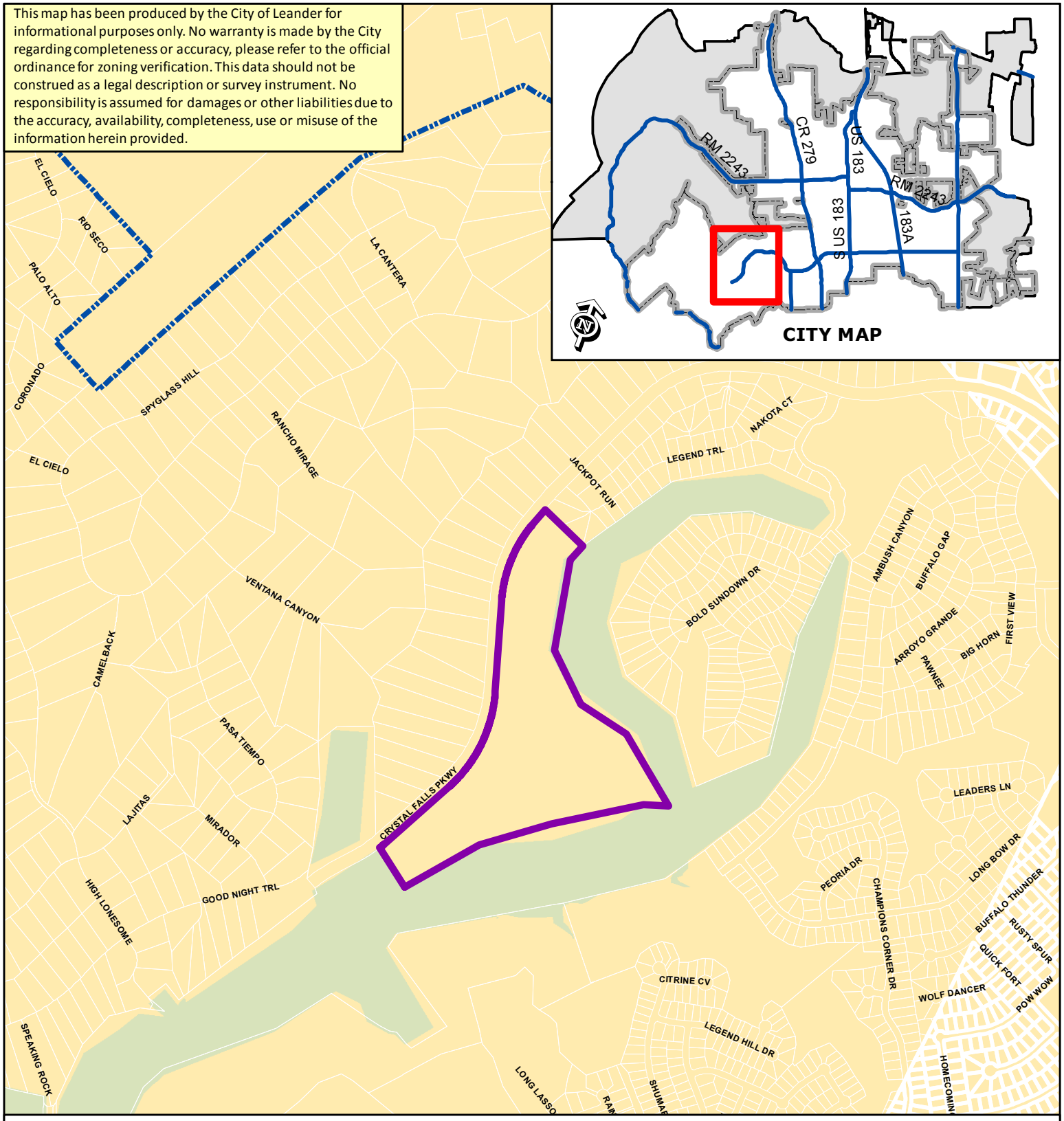
Current Zoning Map - Fairways PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-006 Attachment #3

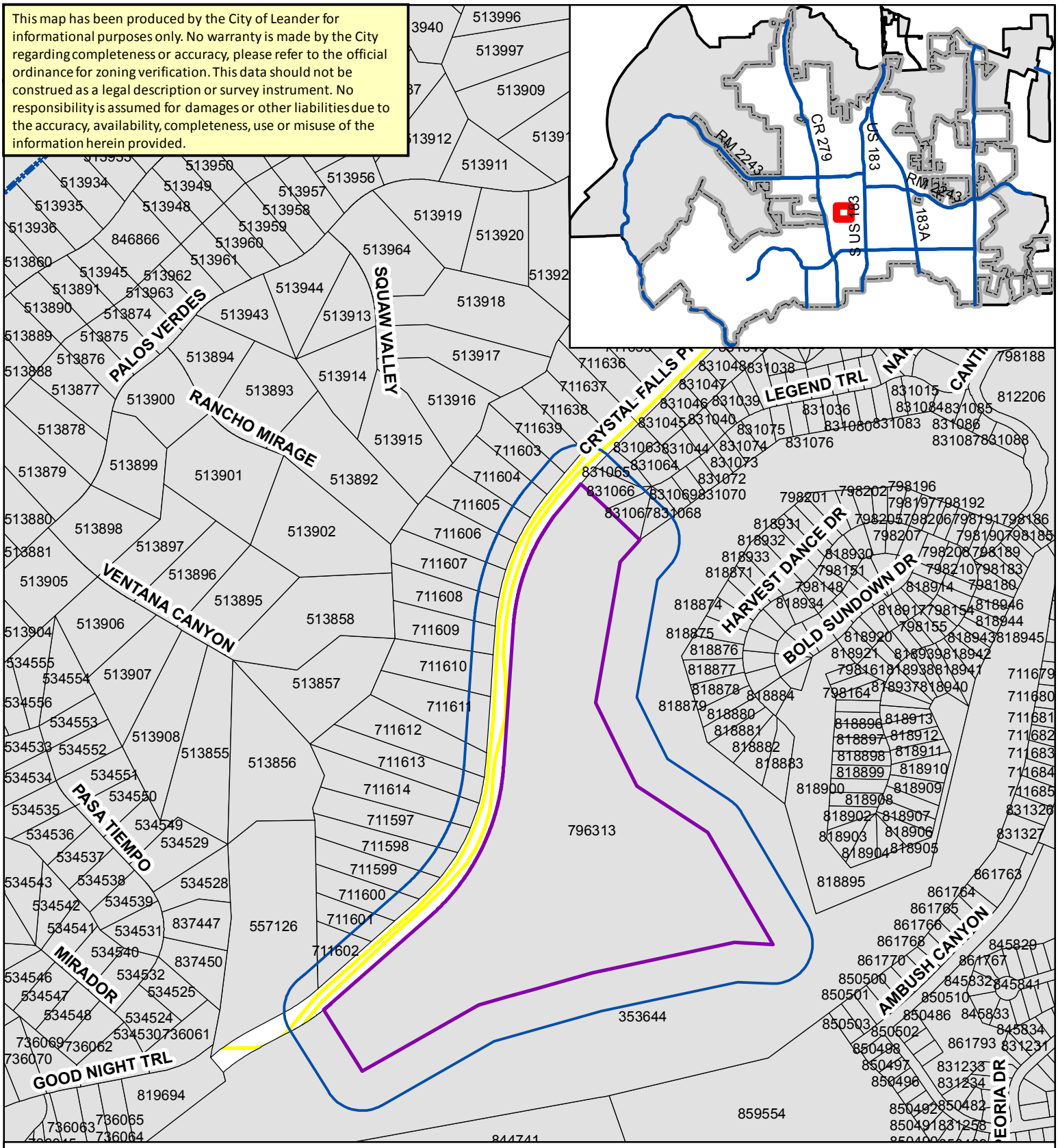
Future Land Use Map - Fairways PUD

- Subject Property
- City Limits
- Open Space
- Mixed Use Corridor
- Commercial Corridor
- Neighborhood Center
- Community Center
- Activity Center
- Transit Supportive Mixed Use
- Station Area Mixed Use
- Old Town Mixed Use
- Employment Mixed Use
- Industrial District
- Neighborhood Residential

N

0 200

Feet



ZONING CASE 16-Z-006

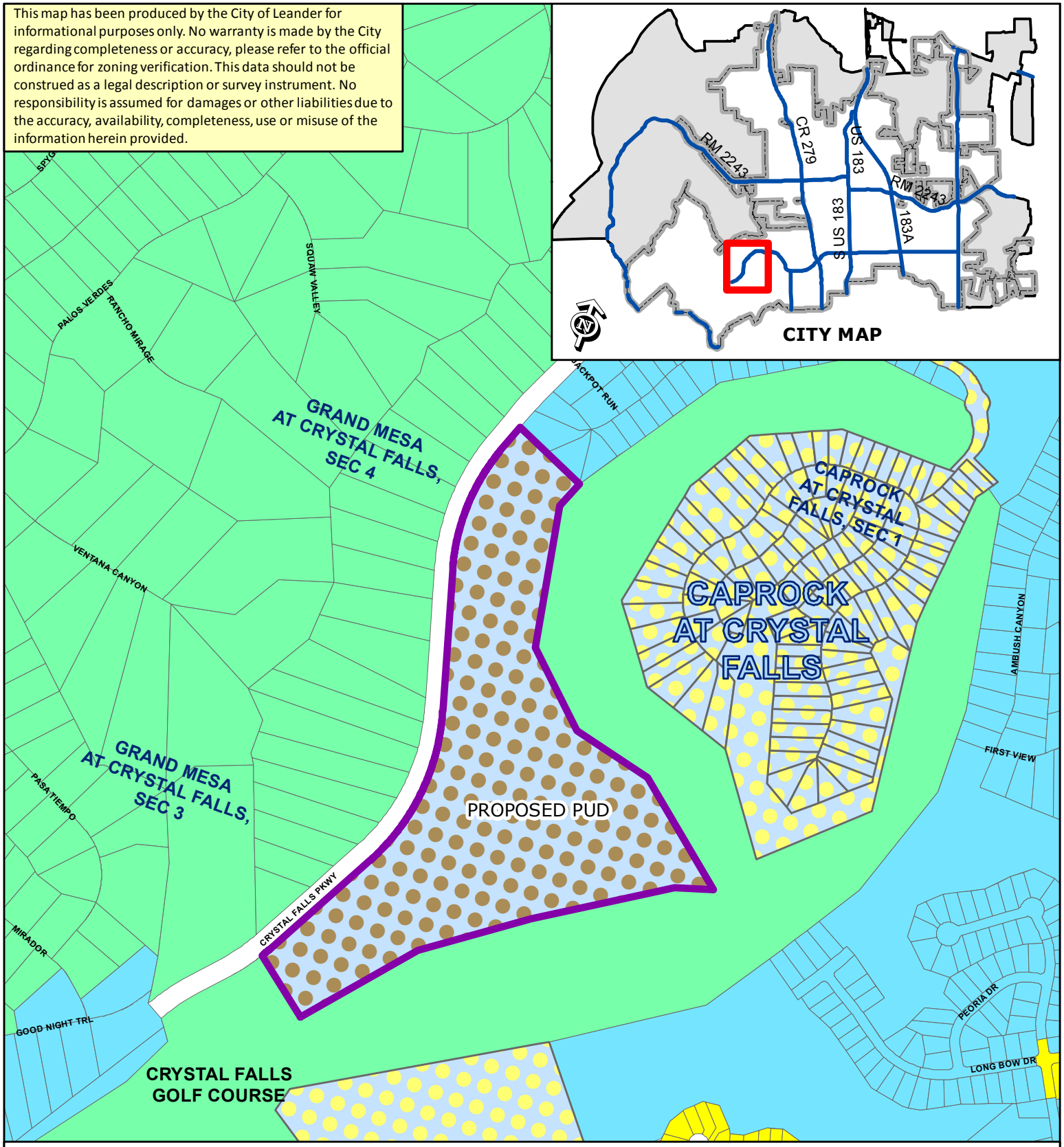
Attachment #4

Notification Map
Fairways Sec 6 Zoning Change

Subject_Prop_Buffer
Subject Property
City Limits
TCAD Parcels

N

0 250 500 Feet



ZONING CASE 16-Z-006 Attachment #5

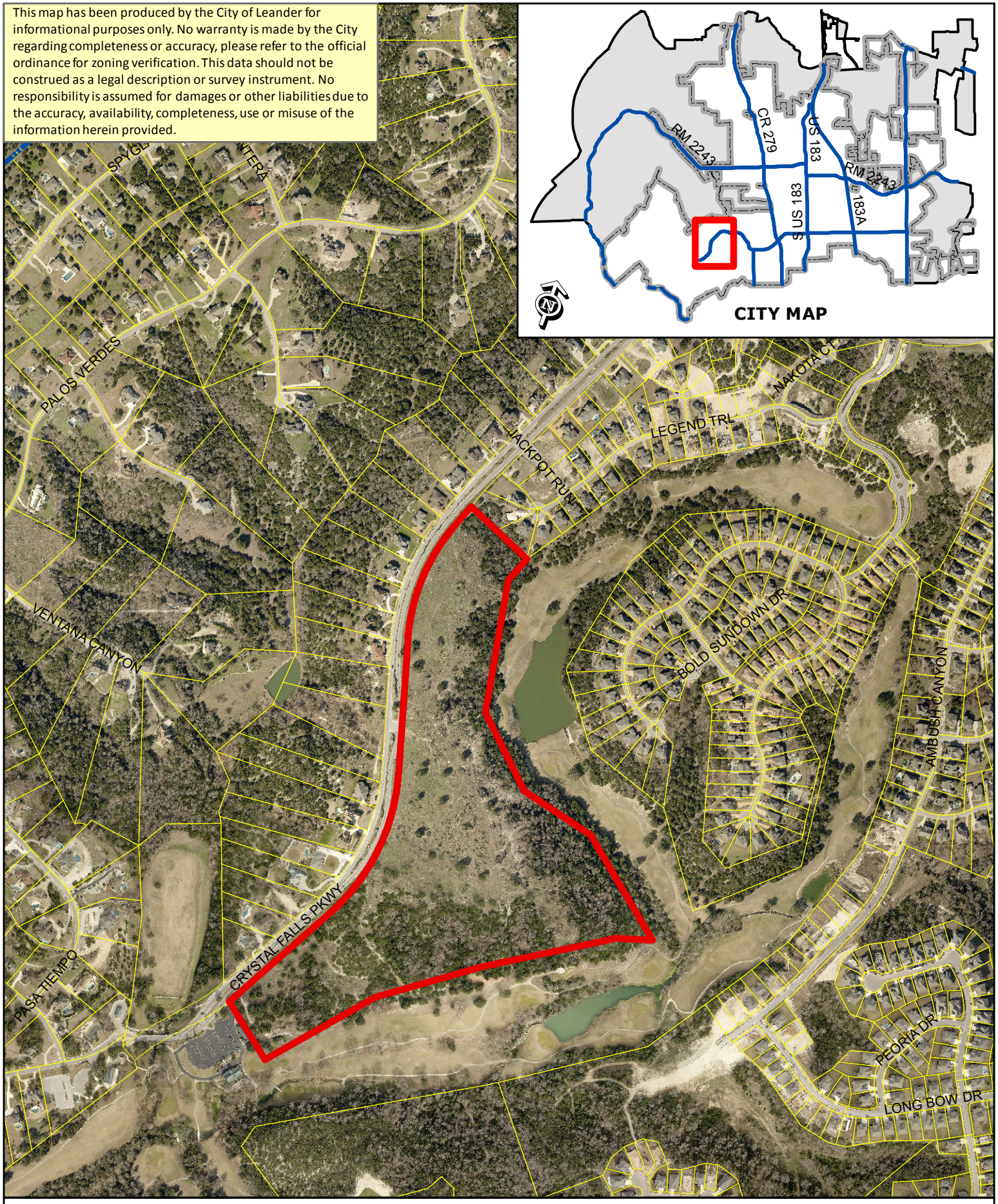
Proposed Zoning Map - Fairways PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-006 Attachment #6

Aerial Exhibit - Approximate Boundaries
Fairways PUD

0 200
Feet

Subject Property

City Limits

EXHIBIT A
FAIRWAYS SECTION 6- PUD

A. **Purpose and Intent**
   1. The Fairways Section 6 PUD is composed of approximately 50.615 acres, as shown in Exhibit C. The development of this property is a detached condominium regime single-family community.

B. **Applicability and Base Zoning**
   1. All aspects regarding the development of this PUD shall comply with the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled Exhibit A.
   2. For the purpose of establishing development standards for the PUD, base zoning of MF-2-B (Multi-Family) has been selected from the Leander Composite Zoning Ordinance.

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

D. **Allowable Use**
   1. The use will be detached single-family dwellings. The maximum dwelling count shall be 98.

E. **Development Design Standards**
   1. Building envelopes shall comply with the following. These dimensions do not include patios (covered or uncovered) or decks.
      a. Maximum – 100’ wide X 90’ deep
      b. Minimum – 50’ wide X 50’ deep
   2. Development Standards:

	MF-2-A
	DETACHED DWELLINGS
Front Setback (minimum from back of curb)	18 ft. Min
Side Setback (minimum between dwelling units)	10 ft. Min **
Street Side Setback (minimum from back of curb)	10 ft. Min
Rear Setback (minimum)	20 ft. Min*
Perimeter Setback	15 ft. Min
Building Separation (minimum)	10 ft. Min **
Building Setback from Golf Course	35 ft. Min
Building Height	35 ft Max

**This setback is defined as the condition when the rears of two units are immediately adjacent.*
***Eave overhang is not included in calculations for minimum building separation. A minimum of seven feet clear zone between building roof lines will be provided. Patios, decks and similar improvements shall have a minimum separate of 10 feet from all adjacent buildings.*

F. **Drive Design**

1. Refer to Exhibit B for detailed cross section of vehicular access easement.
2. The minimum centerline radius for private drives is 100-feet. Minimum cul-de-sac drive surface radius is 50-feet.
3. The access drive alignment, building pads and island locations may vary to minimize disturbance to significant trees and natural topographic features. Private drives will have a 23-foot wide pavement width with 18-inch ribbon curbs or a 23-foot wide pavement width with 24-inch curb and gutter (which includes mountable curb or stand up curb).
4. This project will be gated.
5. A path for a golf cart connection shall be provided from this development to the Golf Course clubhouse. This path is required to be a minimum of 10-feet and constructed of concrete.

G. **Architectural & Parking Requirements**

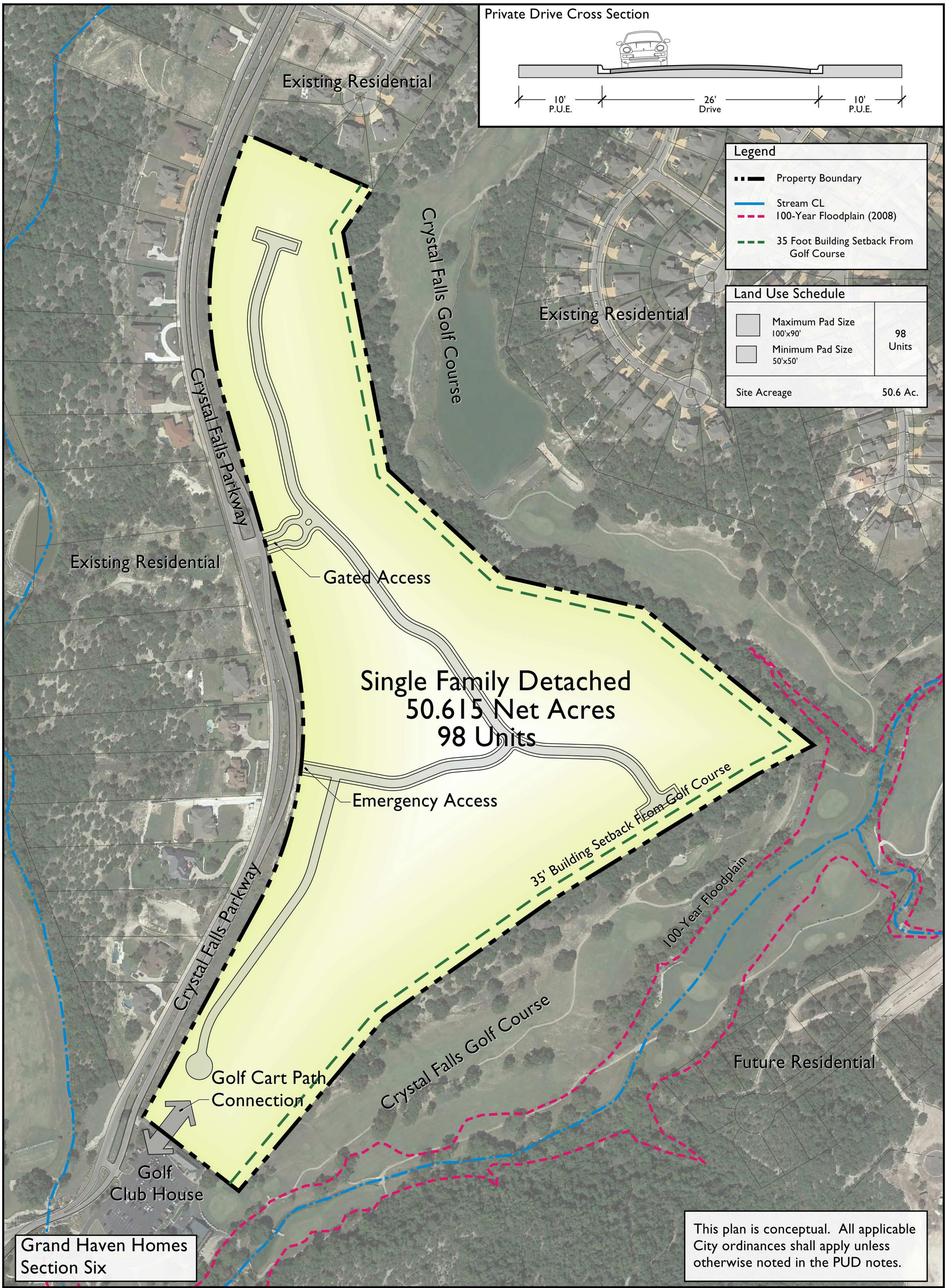
1. All residential homes within this project shall comply with the applicable standards of the Type B Architectural Component and the Architectural Standards for single-family districts as listed in Article VII and Article VIII of the Composite Zoning Ordinance unless modified herein. Drives shall constitute streets with regard to this application of the ordinance.
   a. Each dwelling shall have a minimum of 1,500 square feet of living area and a maximum of 6,000 square feet.
   b. All dwellings shall be detached.
   c. Garage Standard: This project shall comply with Article VIII, Section 5, (j) of the Composite Zoning Ordinance.
   d. All roofing materials shall be tile, standing seam metal, or slate. Laminated, dimensional shingles are prohibited.
   e. All structures shall be comprised of eighty-five (85%) percent masonry.
   f. The renderings and elevations provided as Exhibit D are conceptual in nature. Once building plans are developed for this product the homes built shall substantially conform to the overall architectural style of Exhibit D.
2. Parking
   a. A minimum of two garage-enclosed parking spaces and two additional off-street parking spaces (the garage driveway may be counted toward the provision of off-street parking if it is a minimum of 18' long) shall be provided per unit.

H. **Fencing, Sidewalks, & Lighting**

1. If fencing is proposed, it shall be comprised of wrought iron, decorative tubular metal, or masonry.
2. Sidewalks are required to be installed on one side of internal drives.
3. Lighting is not required in the interior of this project, but is permitted. A street light shall be provided at the intersection of the drive and the street.

I. **Landscaping**

1. This project shall comply with Article VI of the Composite Zoning Ordinance.
   a. The tree preservation/protection requirements associated with commercial and/or multi-family projects shall apply.
   b. The landscape requirements associated with single-family projects shall apply.



Crystal Falls

Leander, Texas

Exhibit B Conceptual Site Layout And Land Use Plan

SCALE : 1" = 100'
0 50 100 200
DATE : 06-01-2016

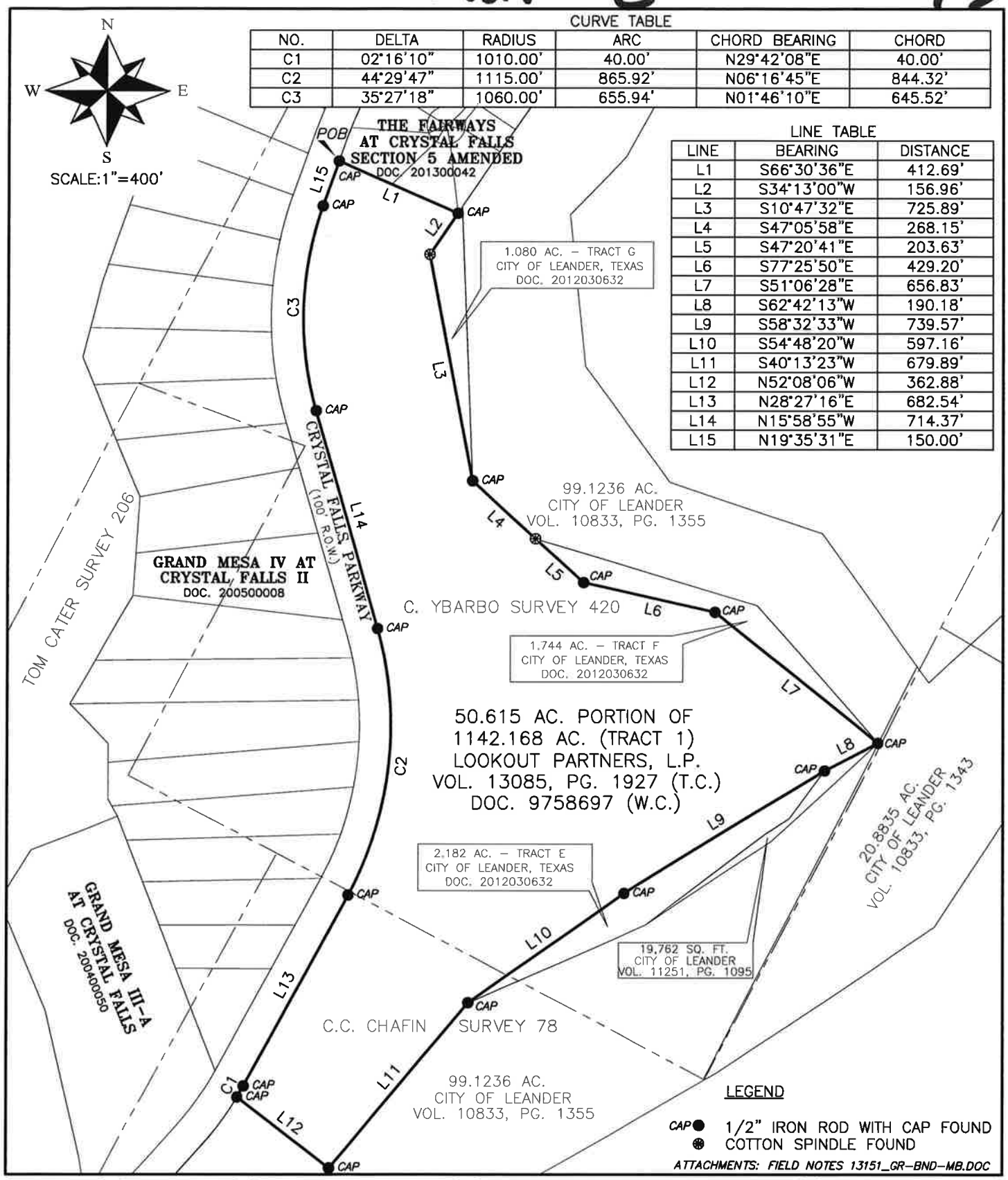
NORTH

712 Congress Avenue, Suite 300
Austin, TX 78701
Tel: (512) 480-0032 Fax: (512) 480-0617
www.rviplanning.com
rvi planning + landscape architecture

All information furnished regarding this property is from sources deemed reliable. However, RVi has not made an independent investigation of these sources and no warranty or representation is made by RVi as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice, to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

File: L:\2015\C-Falls Grand Haven\PUD\Exhibit update.Dwg

Exhibit "C" 1/3



CURVE TABLE

NO.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	02°16'10"	1010.00'	40.00'	N29°42'08"E	40.00'
C2	44°29'47"	1115.00'	865.92'	N06°16'45"E	844.32'
C3	35°27'18"	1060.00'	655.94'	N01°46'10"E	645.52'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S66°30'36"E	412.69'
L2	S34°13'00"W	156.96'
L3	S10°47'32"E	725.89'
L4	S47°05'58"E	268.15'
L5	S47°20'41"E	203.63'
L6	S77°25'50"E	429.20'
L7	S51°06'28"E	656.83'
L8	S62°42'13"W	190.18'
L9	S58°32'33"W	739.57'
L10	S54°48'20"W	597.16'
L11	S40°13'23"W	679.89'
L12	N52°08'06"W	362.88'
L13	N28°27'16"E	682.54'
L14	N15°58'55"W	714.37'
L15	N19°35'31"E	150.00'

SHEET	EXHIBIT	
1 / 1		BEARING BASIS: NAD 83 CENTRAL ZONE PLOTTING SCALE: 1" = 400' DRAWN BY: PMC REVIEWED BY: DRS PROJECT NO: 13151 FILE: L:\13151\DWG\13151_GR-BND-EX DATE: MARCH 20, 2013

50.615 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE C. YARBO SURVEY NO. 420 AND THE C.C. CHAFIN SURVEY NO. 78, BEING A PORTION OF A 1,142.168 ACRE TRACT DESCRIBED IN A DEED OF RECORD TO LOOKOUT PARTNERS, L.P., IN VOLUME 13085, PAGE 1927 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND IN DOCUMENT NUMBER 9758697, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

G&R SURVEYING, LLC
1805 OUIDA DR.
AUSTIN, TEXAS 78728
PHONE: (512) 267-7430
FAX: (512) 836-8385

ATTACHMENT 8

THE LOOKOUT GROUP

2370 Rice Blvd., Suite 200
Houston, Texas 77005
Tel: 713.524.5263
Fax: 713.524.2807
mycrystalfalls.com

May 26th, 2016

Ms. Robin Griffin
Senior Planner, City of Leander
104 North Brushy Street
PO Box 319
Leander, Texas 78646-0319
Fax (512) 528-2729

Re: Letter of Intent for PUD –Fairways Section 6

Dear Ms. Griffin:

I respectfully request for the City of Leander to consider the attached PUD application for the tract located along Crystal Falls Parkway, near the Crystal Falls Golf Clubhouse. The 50 acre tract (more or less) described in this package is proposed to change from the current zoning of SFS to a PUD with a base zoning district of MF-2-A. The PUD will allow for the development of a 98 unit detached single family condominium project. The condominium regime is necessary to sell the "lock and leave" lifestyle we are targeting with this section. The proposed PUD increases the architectural standards (and overall quality) from the current zoning by: 1) requiring 100% masonry and 2) prohibiting composite roof shingles. This unique condominium product will give the homebuilder the flexibility to save existing trees, keep more of the land adjacent to the golf course as untouched open space and deliver a custom street scene while targeting a specific age demographic.

You can reach me at (512)260-2066 or mike@mycrystalfalls.com if you have any questions.

Regards,

Michael Siefert, P.E.
Vice President of Construction
The Lookout Development Group, Inc.

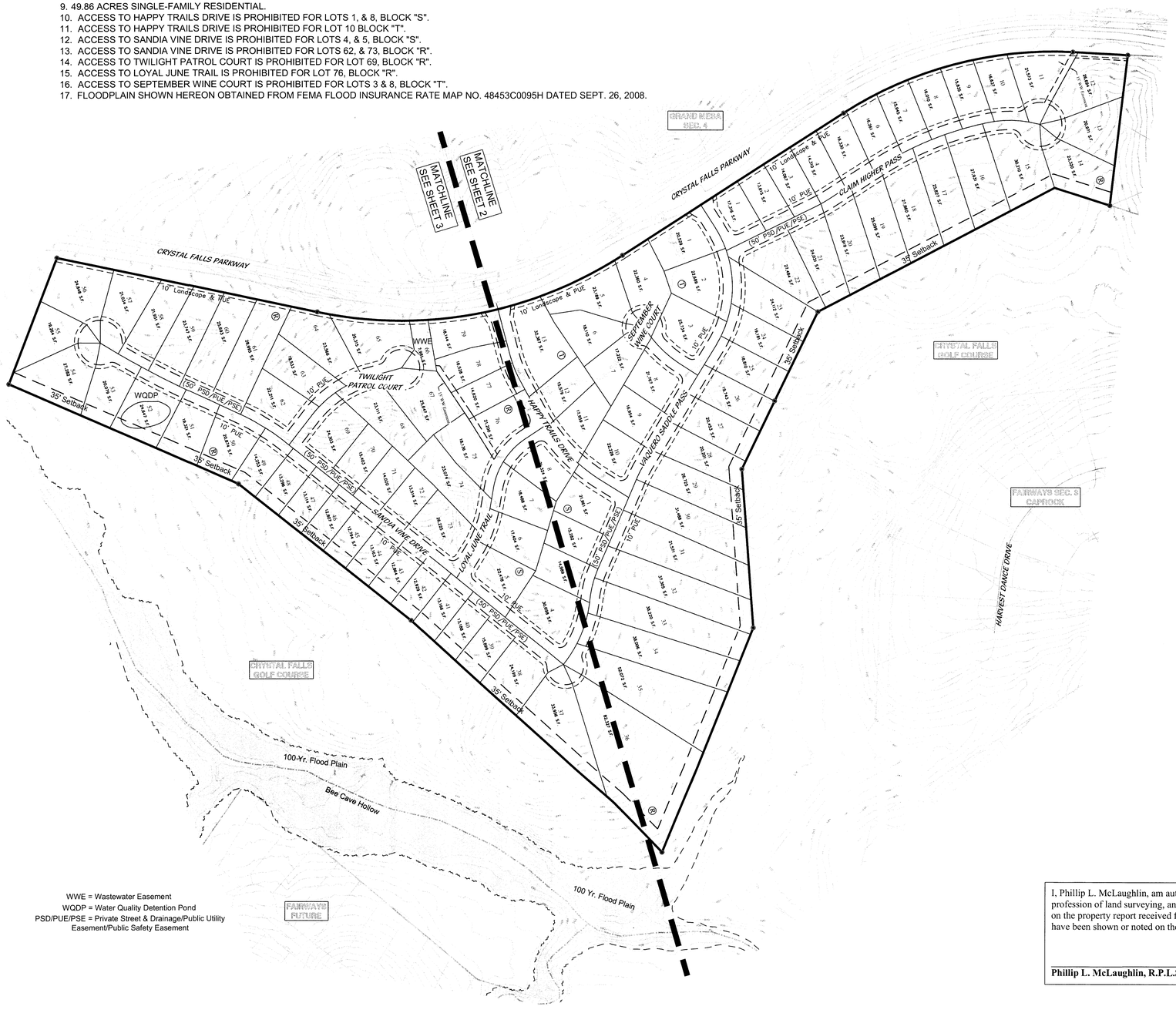
THE FAIRWAYS @ CRYSTAL FALLS

SECTION 6 PRELIMINARY PLAT REVISION 2

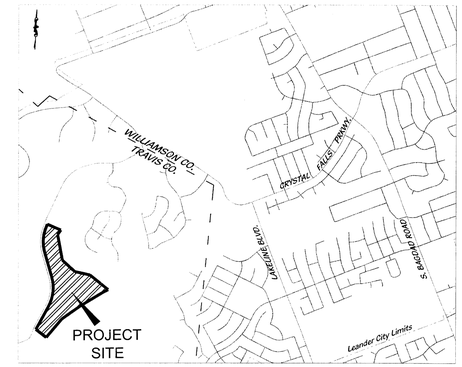
IN THE CITY OF LEANDER, TRAVIS COUNTY & WILLIAMSON COUNTY, TEXAS

NOTES:

1. A THIRTY-FIVE (35) FOOT BUILDING SETBACK FROM THE CRYSTAL FALLS GOLF COURSE SHALL BE DEDICATED WITH FINAL PLAT.
2. ALL 100-YEAR FLOODPLAIN WITHIN THE SUBDIVISION SHALL BE CONTAINED WITHIN THE DRAINAGE EASEMENT.
3. ALL WATER QUALITY/DETENTION BASINS WITHIN THE SUBDIVISION SHALL BE MAINTAINED BY THE CRYSTAL FALLS HOMEOWNERS ASSOCIATION.
4. OBSTRUCTION OF DRAINAGE EASEMENT IS PROHIBITED.
5. ALL STREETS ARE PRIVATE, UNLESS AMENDED.
6. PARKLAND DEDICATION SATISFIED THROUGH DEVELOPMENT AGREEMENT DATED NOV. 17, 2003.
7. DRIVEWAY ACCESS TO CRYSTAL FALLS PARKWAY IS PROHIBITED.
8. PROPERTY ZONED SFS-2-B.
9. 49.86 ACRES SINGLE-FAMILY RESIDENTIAL.
10. ACCESS TO HAPPY TRAILS DRIVE IS PROHIBITED FOR LOTS 1, & 8, BLOCK "S".
11. ACCESS TO HAPPY TRAILS DRIVE IS PROHIBITED FOR LOT 10 BLOCK "T".
12. ACCESS TO SANDIA VINE DRIVE IS PROHIBITED FOR LOTS 4, & 5, BLOCK "S".
13. ACCESS TO SANDIA VINE DRIVE IS PROHIBITED FOR LOTS 62, & 73, BLOCK "R".
14. ACCESS TO TWILIGHT PATROL COURT IS PROHIBITED FOR LOT 69, BLOCK "R".
15. ACCESS TO LOYAL JUNE TRAIL IS PROHIBITED FOR LOT 76, BLOCK "R".
16. ACCESS TO SEPTEMBER WINE COURT IS PROHIBITED FOR LOTS 3 & 8, BLOCK "T".
17. FLOODPLAIN SHOWN HEREON OBTAINED FROM FEMA FLOOD INSURANCE RATE MAP NO. 48453C0095H DATED SEPT. 26, 2008.



WWE = Wastewater Easement
WQDP = Water Quality Detention Pond
PSD/PUE/PSE = Private Street & Drainage/Public Utility Easement/Public Safety Easement



LOCATION MAP
SCALE: 1"=2,000'

	FAIRWAYS Sec.6
RESIDENTIAL LOTS	98
ACREAGE	49.86 Ac.
WWE/WQDP LOTS	2
WWE/WQDP ACREAGE	0.75 Ac.
	50.61

Total Acreage = 50.61 Ac.

OWNER:
The Lookout Development Group, L.P.
2370 Rice Blvd., Suite 200
Houston, Texas 77005
Phone: (713) 524-5263
Fax: (713) 524-2807

ENGINEER:
Jay Engineering Co., Inc.
Texas Registered Engineering Firm F-4780
P.O. Box 1220
Leander, Texas 78646-1220
Phone: (512) 259-3882
Fax: (512) 259-8016

SURVEYOR:
Phillip L. McLaughlin RPLS
G & R Surveying, LLC
1805 Ouida Drive
Austin, Texas 78728
Phone: (512) 267-7430
Fax: (512) 836-8385

THE LOOKOUT GROUP

CRYSTAL FALLS ™
The Natural Alternative To Subdivisions

Approved on 3/13/14 by [illegible]

TABLE OF CONTENTS

1__Overall Layout
2__Layout (100' Scale)
3__Layout (100' Scale)
4__Water Distribution System
5__Wastewater Collection System
6__Overall Drainage Plan
7__Tree Plan

I, Phillip L. McLaughlin, am authorized under the laws of the state of Texas to practice the profession of land surveying, and hereby state that all existing easements of record as found on the property report received from Independence Title Company on November 18, 2013, have been shown or noted on the Preliminary Plat.

Phillip L. McLaughlin, R.P.L.S. #5300

SCALE: 1"=150'
1 FOOT CONTOURS

Date: 02-05-14

STATE OF TEXAS
SAMUEL D. KIGER
89553
PROFESSIONAL ENGINEER
1-13-14

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel: (512) 259-3882 Fax: (512) 259-8016
Texas Registered Engineering Firm F-4780

Section 6 Preliminary Plat Revision 2
FAIRWAYS
SECTION 6 LAYOUT

THE LOOKOUT GROUP

SCALE: AS NOTED DWN: VDI DESIGN: SDK DATE: Feb 2014
DWG. NO. AS NOTED JOB NO. 157-053-20

no.	date	Revisions	appv.

PSD/PUE/PSE = Private Street & Drainage/Public Utility Easement/Public Safety Easement

STREET INFORMATION

STREET NAME	LENGTH	EASEMENT WIDTH	ROAD WIDTH	DESIGN SPEED	HMAC	BASE
CLAIM HIGHER PASS	939 L.F.	50'	27' F-F	30 MPH	1-1/2"	8"
SEPTEMBER WINE COURT	198 L.F.	50'	27' F-F	30 MPH	1-1/2"	8"
VAQUERO SADDLE PASS	1,374 L.F.	50'	27' F-F	30 MPH	1-1/2"	8"
HAPPY TRAILS DRIVE	662 L.F.	50'	27' F-F	30 MPH	1-1/2"	8"
LOYAL JUNE TRAIL	493 L.F.	50'	27' F-F	25 MPH	1-1/2"	8"
TWILIGHT PATROL COURT	384 L.F.	50'	27' F-F	25 MPH	1-1/2"	8"
SANDIA VINE DRIVE	1,536 L.F.	50'	27' F-F	30 MPH	1-1/2"	8"

Line Table

Line #	Length	Direction
L1	363.13'	S52°08'35"E
L2	723.41'	S28°26'25"W
L3	714.49'	S15°58'56"E
L4	149.61'	S19°44'14"W
L5	411.94'	N66°29'39"W
L6	157.40'	N34°17'07"E
L7	726.23'	N10°46'39"W
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L12	739.76'	N58°32'11"E
L13	597.09'	N54°47'15"E
L14	680.18'	N40°07'14"E

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord
C1	866.083	1115.000	044.5048	S06°16'49"W	844.47'
C2	656.146	1060.000	035.4664	S01°47'07"W	645.72'

MATCHLINE

SEE SHEET 3

SCALE: 1"=100'
1 FOOT CONTOURS

Date: 02-05-14

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel. (512) 259-3882 Fax. (512) 259-8016
Texas Registered Engineering Firm F-4780

SAMUEL D. KIGER
89353
LICENSED
PROFESSIONAL ENGINEER
1-13-14

Section 6 Preliminary Plat Revision 2
LAYOUT (100' Scale)

THE LOOKOUT GROUP

SCALE: AS NOTED DWN: VDI DESIGN: SDK DATE: Feb 2014
DWG. NO. AS NOTED JOB NO. 157-053-20

no.	date	Revisions	appv.

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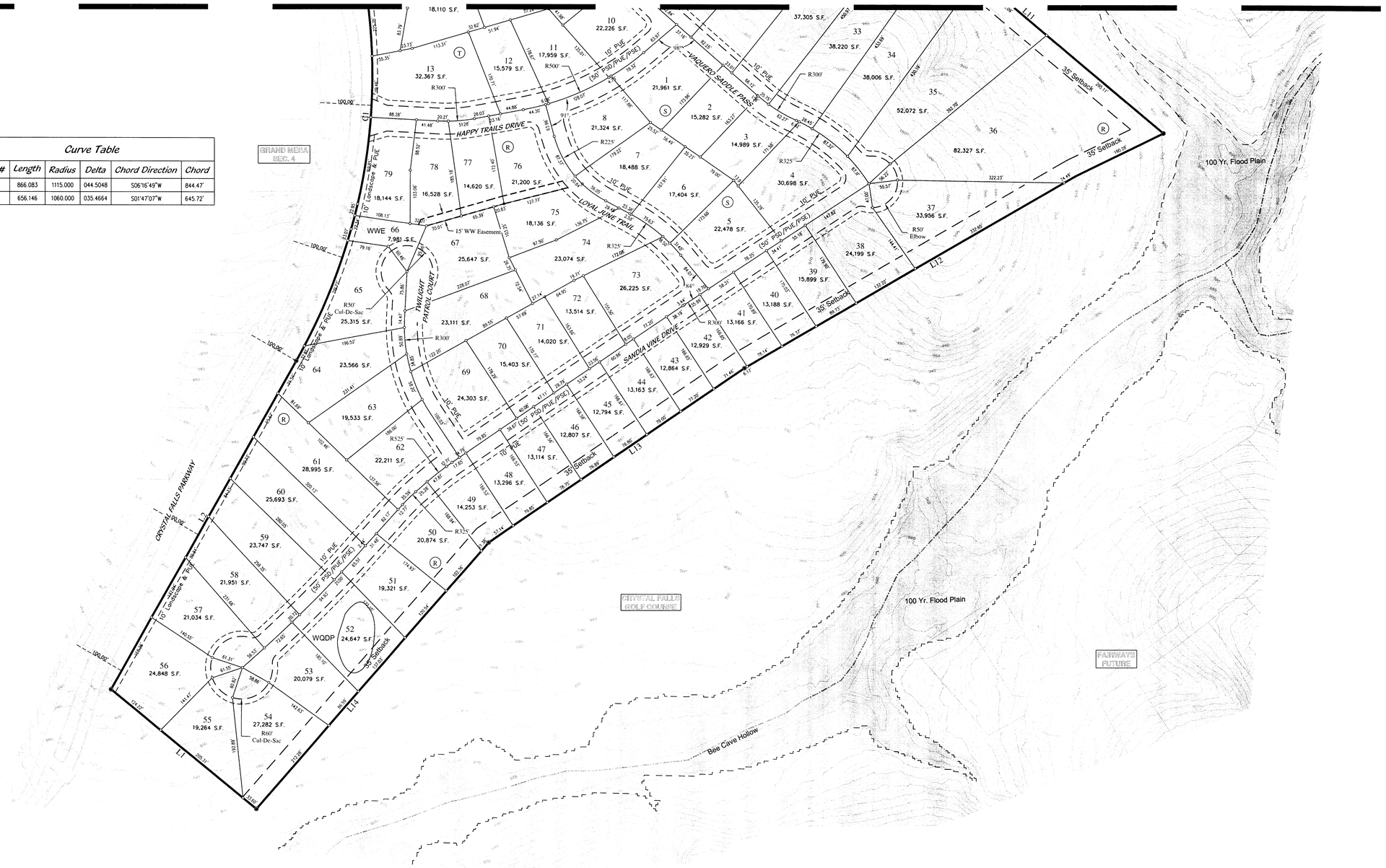
MATCHLINE SEE SHEET 2



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SCALE: 1"=100'
1 FOOT CONTOURS
Date: 02-05-14

STATE OF TEXAS
SAMUEL D. KIGER
86653
PROFESSIONAL ENGINEER
1-13-14

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel. (512) 259-3882 Fax. (512) 259-8016
Texas Registered Engineering Firm F-4780

Section 6 Preliminary Plat Revision 2
LAYOUT (100' Scale)

THE LOOKOUT GROUP

SCALE: AS NOTED DWN: VDI DESIGN: SDK DATE: Feb 2014
DWG. NO. AS NOTED JOB NO. 157-053-20

no.	date	Revisions	appv.

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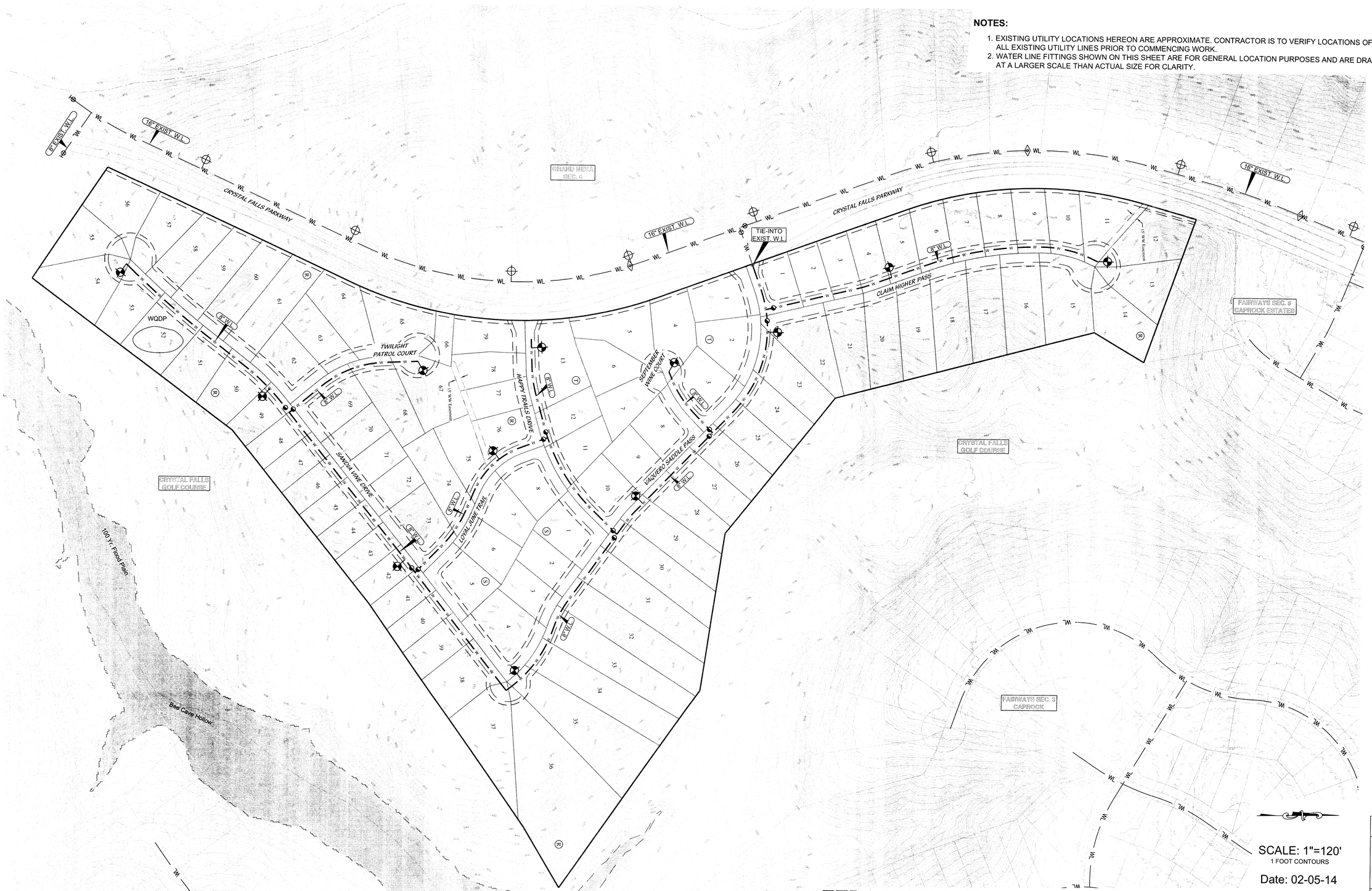
THE FAIRWAYS @ CRYSTAL FALLS

SECTION 6 PRELIMINARY PLAT REVISION 2

IN THE CITY OF LEANDER, TRAVIS COUNTY & WILLIAMSON COUNTY, TEXAS

NOTES:

1. EXISTING UTILITY LOCATIONS HEREON ARE APPROXIMATE. CONTRACTOR IS TO VERIFY LOCATIONS OF ALL EXISTING UTILITY LINES PRIOR TO COMMENCING WORK.
2. WATER LINE FITTINGS SHOWN ON THIS SHEET ARE FOR GENERAL LOCATION PURPOSES AND ARE DRAWN AT A LARGER SCALE THAN ACTUAL SIZE FOR CLARITY.



WATER DISTRIBUTION PLAN

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel. (512) 259-3882 Fax. (512) 259-8016
Texas Registered Engineering Firm F-4780

Section 6 Preliminary Plat Revision 2
WATER DISTRIBUTION PLAN

THE LOOKOUT GROUP

SCALE: AS NOTED DWN: VDI DESIGN: SDK DATE: Feb 2014
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no.	date	Revisions	appv.

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THE FAIRWAYS @ CRYSTAL FALLS

SECTION 6 PRELIMINARY PLAT REVISION 2

IN THE CITY OF LEANDER, TRAVIS COUNTY & WILLIAMSON COUNTY, TEXAS

NOTES:

1. EXISTING UTILITY LOCATIONS HEREON ARE APPROXIMATE. CONTRACTOR IS TO VERIFY LOCATIONS OF ALL EXISTING UTILITY LINES PRIOR TO COMMENCING WORK.

WASTEWATER COLLECTION SYSTEM

STATE OF TEXAS
SAMUEL D. KIGER
89353
LICENSED PROFESSIONAL ENGINEER
1-13-14

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel. (512) 259-3882 Fax. (512) 259-8016
Texas Registered Engineering Firm F-4780

Section 6 Preliminary Plat Revision 2
WASTEWATER COLLECTION SYSTEM

THE LOOKOUT GROUP

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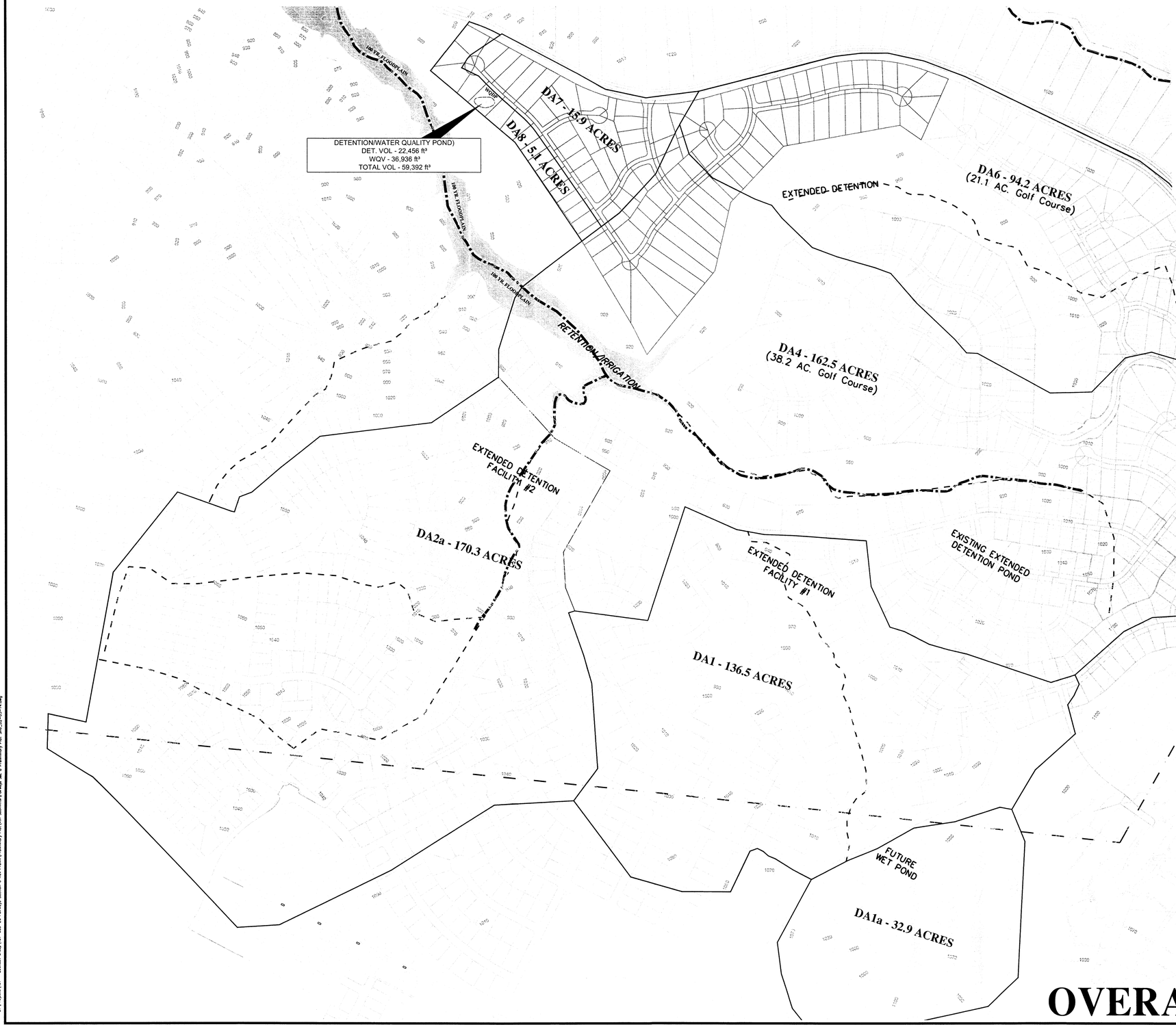
THE FAIRWAYS @ CRYSTAL FALLS

SECTION 6 PRELIMINARY PLAT REVISION 2

IN THE CITY OF LEANDER, TRAVIS COUNTY & WILLIAMSON COUNTY, TEXAS



NOTES:

1. PROPOSED DETENTION POND WILL MAINTAIN FLOWS AT OR BELOW EXISTING LEVELS FOR THE 2, 10, 25 AND 100 YEAR STORMS.

BLUFFS/FAIRWAYS (DA1)		**DETENTION DESIGN FOR**		100	**YEAR FREQUENCY STORM**					
Cp	0.68		proposed runoff coefficient		2 year storm:			25 year storm:		
Ap	15.9	acres	drainage area		a =	54.767		a =	82.936	
Qa	78	cfs	Q allowable is Q existing		b =	11.051		b =	10.746	
Tcp	19.9	minutes	proposed time of concentration		c =	0.8116		c =	0.7634	
					5 year storm:			100 year storm:		
storm frequency	**a**	**b**	**c**		a =	62.981		a =	118.3	
100	118.3	13.185	0.7736		b =	10.477		b =	13.185	
EQUATION USED:[(td+b)^c+1]/[a(td+b-c*td)] = 2Cp*Ap/Qallowable					c =	0.782		c =	0.7736	
					10 year storm:					
Initial Td	**New Td**	**LHS**	**RHS**	**C.F.**	a =	70.82				
30		0.336443	0.277230769	0.824005	b =	10.396				
	24.72015702	0.2839625	0.277230769	0.976294	c =	0.7725				
	24.13413228	0.2781879	0.277230769	0.996559	**CRITICAL STORM DURATION BY THE**					
	24.05109657	0.2773706	0.277230769	0.999496	**MODIFIED RATIONAL METHOD Td =**				24.05	**min**
Pond Storage Volume:										
EQUATION USED: 60*Cp*{a/[(Td+b)^c]}*Ap*Td]-{30*Qa*(Td+Tcp)}										
Sd	9583.615611 ft³									
			Precipitation Values in Austin, inches							
P180	6.87	**Duration (min)**	**2 yr**	**5 yr**	**10 yr**	**25 yr**	**100 yr**			
Ptd	2.93	**5**	0.54	0.64	0.72	0.82	0.99			
		10	0.9	1.08	1.21	1.4	1.7			
		15	1.15	1.4	1.58	1.84	2.25			
		30	1.62	2.03	2.31	2.73	3.38			
		60	2.07	2.69	3.1	3.72	4.66			
		120	2.45	3.32	3.9	4.74	6.03			
		180	2.64	3.68	4.37	5.36	6.87			
REQUIRED VOLUME										
Sr = Sd*P180/Ptd		CALC VALUES	1.43	1.78	2.02	2.38	2.93			
Sr =	**22456.62 ft³**									
		***EXISTING FLOW WAS DECREASED BY 7.7 cfs TO**								
		COMPENSATE FOR INCREASED FLOWS FROM								
		FULL BUILD-OUT IN DA8								

RATIONAL METHOD DRAINAGE SUMMARY
FAIRWAYS AT CRYSTAL FALLS SECTION 6 PRELIM REVISION 2
Time of Concentration

Drainage Area ID	Area (ac)	(min)	C1	C25	C100	Q1 (cfs)	Q25 (cfs)	Q100 (cfs)
7-Existing	15.9	20.1	0.29	0.50	0.57	15.2	47.9	71.2
7-Developed	15.9	20.7	0.37	0.61	0.69	19.2	58.3	85.4
8-Existing	5.1	5.0	0.26	0.47	0.54	7.3	24.1	34.4
8-Developed	5.1	5.0	0.34	0.58	0.66	9.4	30.0	42.1

SCALE: 1"=300'
1 FOOT CONTOURS

Date: 02-05-14

OVERALL DRAINAGE PLAN

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel. (512) 259-3992 Fax. (512) 259-8016
Texas Registered Engineering Firm F-4780

Section 6 Preliminary Plat Revision 2
OVERALL DRAINAGE PLAN

THE LOOKOUT GROUP

SCALE: AS NOTED DWN: VDI DESIGN: SDK DATE: Feb 2014
DWG. NO. AS NOTED JOB NO. 157-053-20

no.	date	Revisions	app'v

Sheet No. 6 of 7

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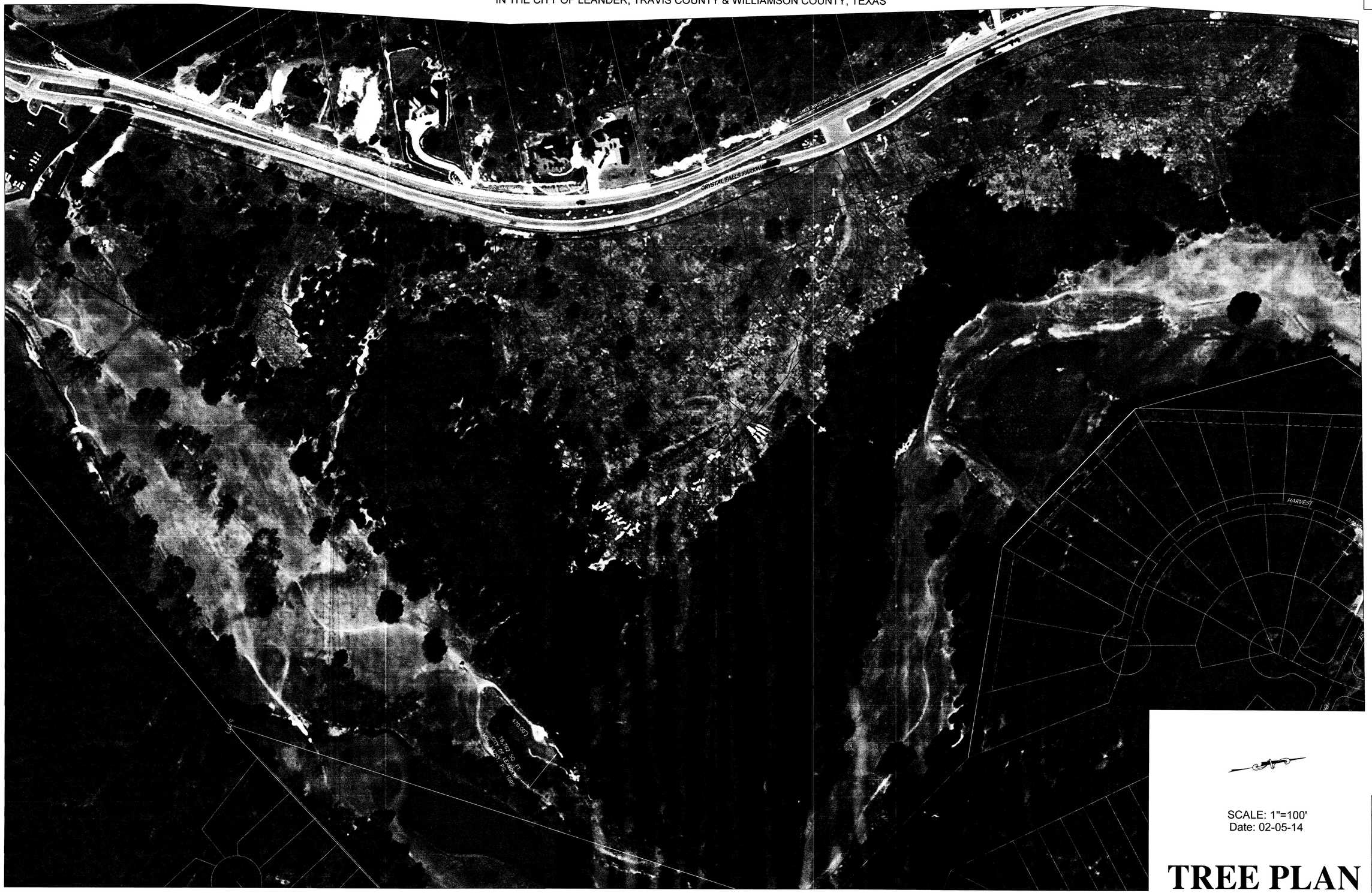
THE FAIRWAYS @ CRYSTAL FALLS

SECTION 6 PRELIMINARY PLAT REVISION 2

IN THE CITY OF LEANDER, TRAVIS COUNTY & WILLIAMSON COUNTY, TEXAS



SCALE: 1"=100'
Date: 02-05-14

TREE PLAN

STATE OF TEXAS
SAMUEL D. KIGER
89853
REGISTERED PROFESSIONAL ENGINEER
1-13-14

Jay Engineering Company, Inc.
P.O. Box 1220
Leander, Texas 78646-1220
Tel: (512) 259-3882 Fax: (512) 259-8016
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Section 6 Preliminary Plat Revision 2

TREE PLAN

THE LOOKOUT GROUP

SCALE: AS NOTED DWN: VDI DESIGN: SDK DATE: Feb 2014
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no.	date	Revisions	appv.

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ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SFS-2-B (SINGLE-FAMILY SUBURBAN) TO PUD (PLANNED UNIT DEVELOPMENT); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property:" That certain parcel of land being 50.615 acres, more or less, located in Leander, Travis County, Texas, being more particularly described in Exhibit "C", generally located to the west of the intersection of Crystal Falls Pkwy and Lakeline Blvd; legally described as 50.615 acres more or less out of the C. Ybarbo Survey, No. 420 and the C. C. Chafin Survey No. , more particularly described in Instrument Number 5874404 Official Public Records of Travis County, Texas, and identified by tax identification number 796313.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from SFS-2-B (Single-Family Suburban) to PUD (Planned Unit Development) known as the Fairways Section 6 PUD. The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", "C", and "D" which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth in this Ordinance, this Ordinance shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 16th day of June, 2016.
FINALLY PASSED AND APPROVED on this the 7th day of July, 2016.

THE CITY OF LEANDER, TEXAS	**ATTEST:**
_____	_____
Christopher Fielder, Mayor	Debbie Haile, City Secretary

EXHIBIT A
FAIRWAYS SECTION 6- PUD

A. **Purpose and Intent**
   1. The Fairways Section 6 PUD is composed of approximately 50.615 acres, as shown in Exhibit C. The development of this property is a detached condominium regime single-family community.

B. **Applicability and Base Zoning**
   1. All aspects regarding the development of this PUD shall comply with the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled Exhibit A.
   2. For the purpose of establishing development standards for the PUD, base zoning of MF-2-B (Multi-Family) has been selected from the Leander Composite Zoning Ordinance.

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

D. **Allowable Use**
   1. The use will be detached single-family dwellings. The maximum dwelling count shall be 98.

E. **Development Design Standards**
   1. Building envelopes shall comply with the following. These dimensions do not include patios (covered or uncovered) or decks.
      a. Maximum – 100’ wide X 90’ deep
      b. Minimum – 50’ wide X 50’ deep
   2. Development Standards:

	MF-2-A
	DETACHED DWELLINGS
Front Setback (minimum from back of curb)	18 ft. Min
Side Setback (minimum between dwelling units)	10 ft. Min **
Street Side Setback (minimum from back of curb)	10 ft. Min
Rear Setback (minimum)	20 ft. Min*
Perimeter Setback	15 ft. Min
Building Separation (minimum)	10 ft. Min **
Building Setback from Golf Course	35 ft. Min
Building Height	35 ft Max

**This setback is defined as the condition when the rears of two units are immediately adjacent.*
***Eave overhang is not included in calculations for minimum building separation. A minimum of seven feet clear zone between building roof lines will be provided. Patios, decks and similar improvements shall have a minimum separate of 10 feet from all adjacent buildings.*

F. **Drive Design**

1. Refer to Exhibit B for detailed cross section of vehicular access easement.
2. The minimum centerline radius for private drives is 100-feet. Minimum cul-de-sac drive surface radius is 50-feet.
3. The access drive alignment, building pads and island locations may vary to minimize disturbance to significant trees and natural topographic features. Private drives will have a 23-foot wide pavement width with 18-inch ribbon curbs or a 23-foot wide pavement width with 24-inch curb and gutter (which includes mountable curb or stand up curb).
4. This project will be gated.
5. A path for a golf cart connection shall be provided from this development to the Golf Course clubhouse. This path is required to be a minimum of 10-feet and constructed of concrete.

G. **Architectural & Parking Requirements**

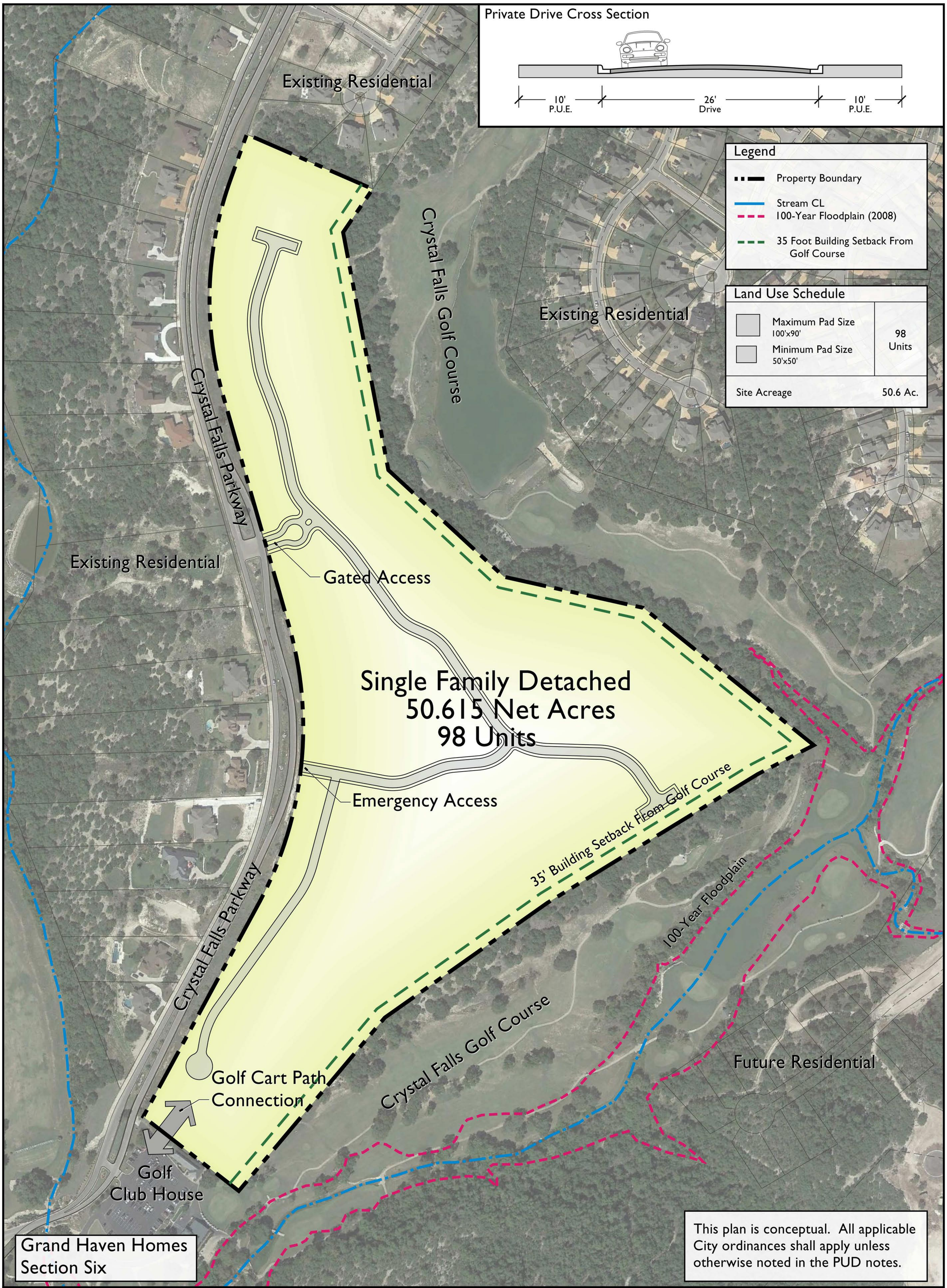
1. All residential homes within this project shall comply with the applicable standards of the Type B Architectural Component and the Architectural Standards for single-family districts as listed in Article VII and Article VIII of the Composite Zoning Ordinance unless modified herein. Drives shall constitute streets with regard to this application of the ordinance.
   a. Each dwelling shall have a minimum of 1,500 square feet of living area and a maximum of 6,000 square feet.
   b. All dwellings shall be detached.
   c. Garage Standard: This project shall comply with Article VIII, Section 5, (j) of the Composite Zoning Ordinance.
   d. All roofing materials shall be tile, standing seam metal, or slate. Laminated, dimensional shingles are prohibited.
   e. All structures shall be comprised of eighty-five (85%) percent masonry.
   f. The renderings and elevations provided as Exhibit D are conceptual in nature. Once building plans are developed for this product the homes built shall substantially conform to the overall architectural style of Exhibit D.
2. Parking
   a. A minimum of two garage-enclosed parking spaces and two additional off-street parking spaces (the garage driveway may be counted toward the provision of off-street parking if it is a minimum of 18' long) shall be provided per unit.

H. **Fencing, Sidewalks, & Lighting**

1. If fencing is proposed, it shall be comprised of wrought iron, decorative tubular metal, or masonry.
2. Sidewalks are required to be installed on one side of internal drives.
3. Lighting is not required in the interior of this project, but is permitted. A street light shall be provided at the intersection of the drive and the street.

I. **Landscaping**

1. This project shall comply with Article VI of the Composite Zoning Ordinance.
   a. The tree preservation/protection requirements associated with commercial and/or multi-family projects shall apply.
   b. The landscape requirements associated with single-family projects shall apply.



Crystal Falls

Leander, Texas

Exhibit B Conceptual Site Layout And Land Use Plan

SCALE : 1" = 100'
0 50 100 200
DATE : 06-01-2016

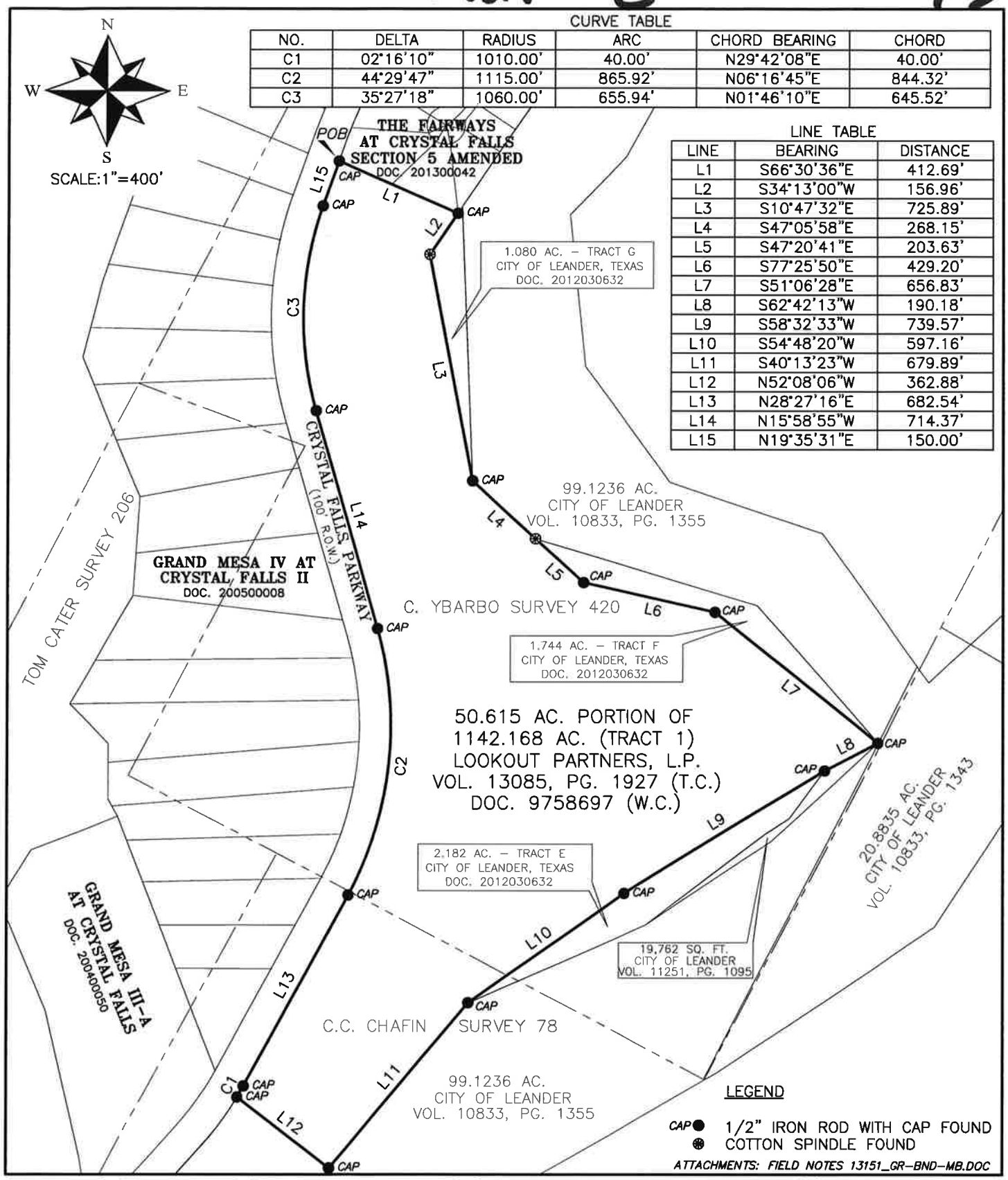
NORTH

712 Congress Avenue, Suite 300
Austin, TX 78701
Tel: (512) 480-0032 Fax: (512) 480-0617
www.rviplanning.com
rvi planning + landscape architecture

All information furnished regarding this property is from sources deemed reliable. However, RVi has not made an independent investigation of these sources and no warranty or representation is made by RVi as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice, to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

File: L:\2015\C-Falls Grand Haven\PUD\Exhibit update.Dwg

Exhibit "C" 1/3



CURVE TABLE

NO.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	02°16'10"	1010.00'	40.00'	N29°42'08"E	40.00'
C2	44°29'47"	1115.00'	865.92'	N06°16'45"E	844.32'
C3	35°27'18"	1060.00'	655.94'	N01°46'10"E	645.52'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S66°30'36"E	412.69'
L2	S34°13'00"W	156.96'
L3	S10°47'32"E	725.89'
L4	S47°05'58"E	268.15'
L5	S47°20'41"E	203.63'
L6	S77°25'50"E	429.20'
L7	S51°06'28"E	656.83'
L8	S62°42'13"W	190.18'
L9	S58°32'33"W	739.57'
L10	S54°48'20"W	597.16'
L11	S40°13'23"W	679.89'
L12	N52°08'06"W	362.88'
L13	N28°27'16"E	682.54'
L14	N15°58'55"W	714.37'
L15	N19°35'31"E	150.00'

SHEET	EXHIBIT	
1 / 1		BEARING BASIS: NAD 83 CENTRAL ZONE PLOTTING SCALE: 1" = 400' DRAWN BY: PMC REVIEWED BY: DRS PROJECT NO: 13151 FILE: L:\13151\DWG\13151_GR-BND-EX DATE: MARCH 20, 2013

50.615 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE C. YARBO SURVEY NO. 420 AND THE C.C. CHAFIN SURVEY NO. 78, BEING A PORTION OF A 1,142.168 ACRE TRACT DESCRIBED IN A DEED OF RECORD TO LOOKOUT PARTNERS, L.P., IN VOLUME 13085, PAGE 1927 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND IN DOCUMENT NUMBER 9758697, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

G&R SURVEYING, LLC
1805 OUIDA DR.
AUSTIN, TEXAS 78728
PHONE: (512) 267-7430
FAX: (512) 836-8385

Commissioner Schwendenmann made an alternate motion to approve the zoning request with the current landscape ordinance requirements and the Multi-Family use component. The motion failed due to the lack of a second.

10. Zoning Case 16-Z-006: Hold a public hearing and consider action on the rezoning of 50.615 acres more or less out of the C. Ybarbo Survey, No. 420 and the C.C. Chafin Survey No. 78, generally located to the west of the intersection of Crystal Falls Pkwy and Lakeline Blvd, more specifically to the west of the Fairways at Crystal Falls, Section 5 Subdivision; TCAD ID 796313. Currently, the property is zoned SFS-2-B (Single-Family Suburban). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of MF-2-A (Multi-Family), Leander, Travis County, Texas. Applicant: Mike Siefert on behalf of Lookout Partners, LP.

a) Staff Presentation

Martin Siwek, Planner, discussed the purpose for the zoning request.

b) Applicant Presentation

Mike Siefert, explained the zoning request.

c) Open Public Hearing

Chair Sokol opened the public hearing.

Todd Madden – Spoke for
Brian McCurtis – Spoke against
Mike Meadows – Spoke against
Michael Dube – Spoke against
Suzy Pessia - Spoke against
Bob Kanade -Spoke against
Jim Wiggers – Spoke against
Steve Wiesenthal - spoke against
Dave Abrons - Spoke against
Andy Pitts - Spoke against
Irene Cosley – Spoke against
Christine Turner – Spoke against
Philip Turner – Spoke against
Kenneth Ahrens – Spoke against
Phil Wright – Spoke against
Karen Hutton – Spoke against
Kurt Strauss – Spoke for
Kathryn Parker – Spoke for

d) Close Public Hearing

Chair Sokol closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Hines moved to deny the zoning request of PUD (Planned Unit Development) with base zoning district of MF-2-A (Multi-Family). The Commission requested that the applicant works with staff to address the following issues:

1. **Prohibit lighting from the interior of the project**
2. **Increase the minimum building size to 1,800 square feet**

3. **Propose an alternative to the masonry wall along Crystal Falls Pkwy such as berms, landscaping, and wrought iron.**

Commissioner Hines seconded the motion. Motion passed unanimously.

Meeting Adjourned at **9:50 pm**

_____
Chairman Sokol

ATTEST:

_____
Ellen Pizalate, Secretary

AGENDA ITEM # 10

Executive Summary

June 16, 2016

Agenda Subject: Zoning Case 16-Z-013: Hold a public hearing and consider action on the rezoning of 65.25 acres more or less out of the Walter Campbell Survey; generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll; WCAD ID R031201, R080605, R432787, R031200, R328187, and R432786. Currently, the property is zoned GC-2-A (General Commercial), LC-2-A (Local Commercial), LO-2-A (Local Office), and SFT-2-A (Single-Family Townhome). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district; Leander, Williamson County, Texas.

Background: This request is the second step in the rezoning process.

Origination: Applicant: City of Leander on behalf of Premas Global Leander, LLC.

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission denied the zoning request of PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district with a 4 to 2 (Schwendenmann and Allen opposing).

Commissioner Schwendenmann made an alternate motion to approve the zoning request with the current landscape ordinance requirements and the Multi-Family use component. Motion failed due to the lack of a second.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Notification Map

5. Proposed Zoning Map
6. Aerial Map
7. PUD Notes
8. Ordinance
9. Minutes-Planning & Zoning Commission June 09, 2016

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/10/2016

PLANNING ANALYSIS

ZONING CASE 16-Z-013
GLOBAL VILLAGE REZONING

GENERAL INFORMATION

Owner: Premas Global Leander, LLC

Current Zoning: GC-2-A (General Commercial)
LC-2-A (Local Commercial)
LO-2-A (Local Office)
SFT-2-A (Single-Family Townhome)

Proposed Zoning: PUD (Planned Unit Development) with the following base zoning districts:
GC-2-A (General Commercial)
MF-2-A (Multi-Family)

Size and Location: The property is generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll and includes approximately 65.25 acres.

Staff Contact: Robin M. Griffin, AICP
Senior Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	GC-3-B	Undeveloped Land Zoned for Commercial Use
EAST	GC-2-A LC-1-B Interim SFR-1-B	Undeveloped Land Zoned for Commercial, Local Commercial and Interim Single Family Uses
SOUTH	OCL	Undeveloped Land located outside of the City Limits & ETJ
WEST	GC-3-A LC-3-A LO-2-A SFU-2-B	Undeveloped Land Zoned for Commercial, Local Commercial and Local Office Uses Established Single-Family Subdivision (Ridgewood South)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

GC – GENERAL COMMERCIAL:

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

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

MF – MULTI-FAMILY:

Features: Apartments (25 un./ac. if Type A; 18 un./ac. if Type B)

Intent: Development of multi-family dwelling structures. Such components are generally intended to serve as a buffer between single-family neighborhoods and more intensive uses such as commercial uses or arterial roadways. Such components are also intended to create more variety in housing opportunities and in the fabric of the community but are intended to be utilized in small areas to avoid large tracts devoted to strictly multi-family residential development. The goal is to avoid more than twenty-five (25) acres of contiguous land having a Multi-Family component. Access should be provided by a collector or higher classification street.

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

(1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

(2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.

(3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.

(4) This component is generally not intended to be utilized with LI and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

TYPE A:

Features: 85% masonry; 5 or more architectural features.

Intent:

(1) The Type A architectural component is intended to be utilized for high quality developments or to provide variety as an additional option for portions of a residential development and may be utilized in or adjacent to single-family uses.

(2) This component is intended to be utilized for single-family development that backs up to, or sides to, a major thoroughfare.
(3) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions by applying this component to a less restrictive use or site component adjacent to a more restrictive use or site component. This standard may be utilized to help ensure compatibility for non-residential uses, multi-family, two-family, townhouse or small lot residential development with adjacent property that is more restricted.
(4) This component is intended to be utilized for buildings requiring heights greater than those provided in other architectural components.
(5) This component may be utilized for any high profile development, for any property in a prominent location or at an important gateway to the community.
(6) This component is not intended to become an involuntary standard for the majority of a single-family subdivision, especially with SFR, SFE, SFS, SFU and SFC components.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Plan for future development that is compatible with existing residential neighborhoods.
- The Community Center provides the same uses and services offered by a Neighborhood Center including small professional offices, small-lot single-family, townhouses, duplexes and quadplexes, churches, gyms, child care centers, and other civic uses, etc. Additionally, Community Centers include uses that are demanded less frequently than daily, and are typically anchored by grocery stores. Community Centers should have an internal network of streets and promote walkability within the Center.
- Mixed Use Corridors are areas along arterials between Centers that have available land and should be developed to preserve the integrity of the corridor and maintain mobility. These corridors include land within approximately 500 feet of the outer edge of the right-of-way (typically one block deep).

ANALYSIS:

The City has initiated a zoning case for this property in order to allow for the development of commercial and multi-family uses at this location. This property was rezoned on November 19, 2015 to the current zoning districts. The City previously approved a development agreement for this property which incorporated some of the proposed development criteria in the PUD.

The properties to the west currently include the Ridgewood South Subdivision and undeveloped commercial. The property to the south is not located within the City Limits or ETJ. The property to the east is zoned GC-2-A and LC-1-B and is currently undeveloped. The Crystal Springs Subdivision is also proposed to the east of the subject property. The property to the north is zoned GC-3-C and is undeveloped.

The City is proposing a PUD with the base zoning districts of GC-2-A (General Commercial) and MF-2-A (Multi-Family). The General Commercial use component permits the development of small to large scale commercial, retail, and commercial service uses located in high traffic areas. The Composite Zoning Ordinance states that access to this component should be provided by an arterial street and that the heaviest concentration of this component should be located at intersections of arterial streets.

The Multi-Family use component permits the development of multiple homes on a single lot. This component is generally intended to serve as a buffer between single-family neighborhoods and more intensive uses such as commercial uses or arterial roadways. In addition, this component is also intended to create more variety in housing opportunities and in the fabric of the community but are intended to be utilized in small areas to avoid large tracts devoted to strictly multi-family residential development.

The Type 2 site component is intended to be used with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity. This site component does allow for drive through service lanes and accessory buildings. This site component does not allow outdoor storage, display, overhead service doors, carwashes or fueling stations. This site component also includes requirements for multi-family projects. These projects would be required to construct garages for a minimum of thirty-five (35%) percent of the units.

The Type A Architectural Component requires that all structures are eight five (85%) percent masonry and have a minimum of five different design features.

This proposed PUD restricts the following uses:

- Animal Hospital
- Sexually oriented businesses
- Wrecker impoundment, towing
- Self-service storage
- Recreational vehicle park
- Outdoor storage
- Commercial laundry
- Construction and building material storage
- Crematory
- Funeral Homes
- Manufactured housing sales and accessory building sales
- Vehicle and major equipment sales, rental or leasing, repair, and body shop

In addition, no more than 15 acres of the property may be developed as office warehouse and the MF-2-A uses are limited to no more than fifteen (15) acres south of the extension of Raider Way. The following site uses are permitted:

- Outdoor fuel sales
- No building size prohibition
- Overhead commercial doors

The riparian corridor setbacks are proposed to be modified so that they only apply to the Blockhouse Creek. In addition, the tree protection and mitigation requirements are modified to incorporate some of the current ordinance standards with the standards listed in the previously approved development agreement for this property.

This application includes the following higher standards and waivers.

HIGHER STANDARDS	WAIVERS
COMPOSITE ZONING ORDINANCE	
Type A Architectural Component	-
Master Sign Plan	-
Use Restrictions	-
Trail System	-
-	Permitting fuel sales, overhead doors, and unlimited building size
-	Perimeter block length requirements waived
-	Modification of tree mitigation & preservation requirements

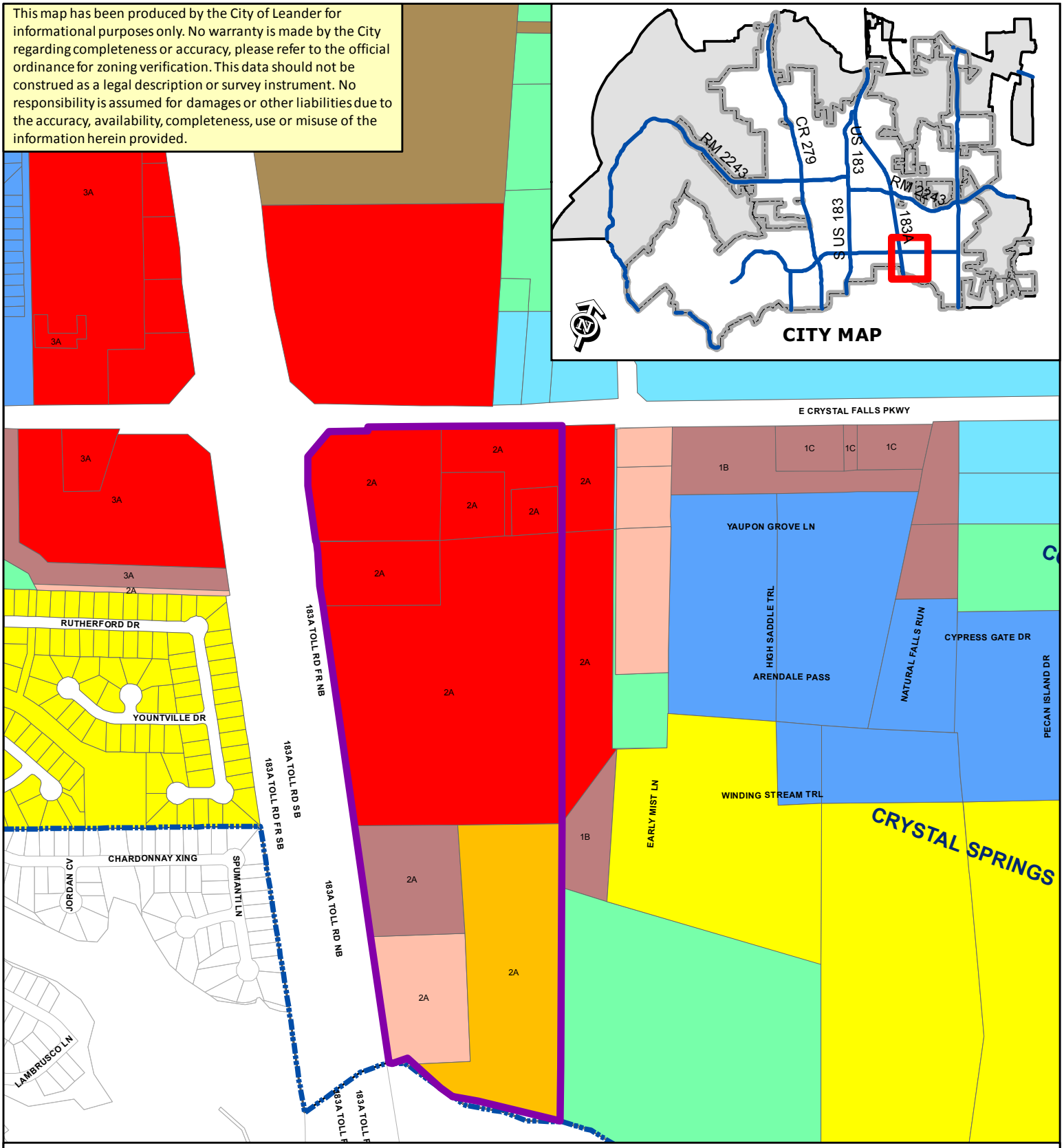
This property is located within a Community Center. The Community Center provides the same uses and services offered by a Neighborhood Center including small professional offices, small-lot single-family, townhouses, duplexes and quadplexes, churches, gyms, child care centers, and other civic uses, etcetera. Additionally, Community Centers include uses that are demanded less frequently than daily, and are typically anchored by grocery stores. Community Centers should have an internal network of streets and promote walkability within the Center. The target land use mix for a Community Center is 50% residential and 50% non-residential. Currently, this Community Center is zoned 32% residential and 68% non-residential.

This property is also located within a Mixed Use Corridor. Mixed Use Corridors are areas along arterials between Centers that have available land and should be developed to preserve the integrity of the corridor and maintain mobility. These corridors include land within approximately 500 feet of the outer edge of the right-of-way (typically one block deep). This corridor extends along 183A Toll Road to the south along the property.

STAFF RECOMMENDATION:

Staff recommends approval of the Global Village PUD. This PUD will provide for commercial uses at the intersection of two major thoroughfares as well as multi-family to the south of the future extension of Raider Way. The PUD provides for higher standards including the Type A architectural component and use restrictions that balance the proposed waivers. This request complies with the Comprehensive Plan and the intent statements of the Composite Zoning Ordinance.

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



ZONING CASE 16-Z-013 Attachment #2

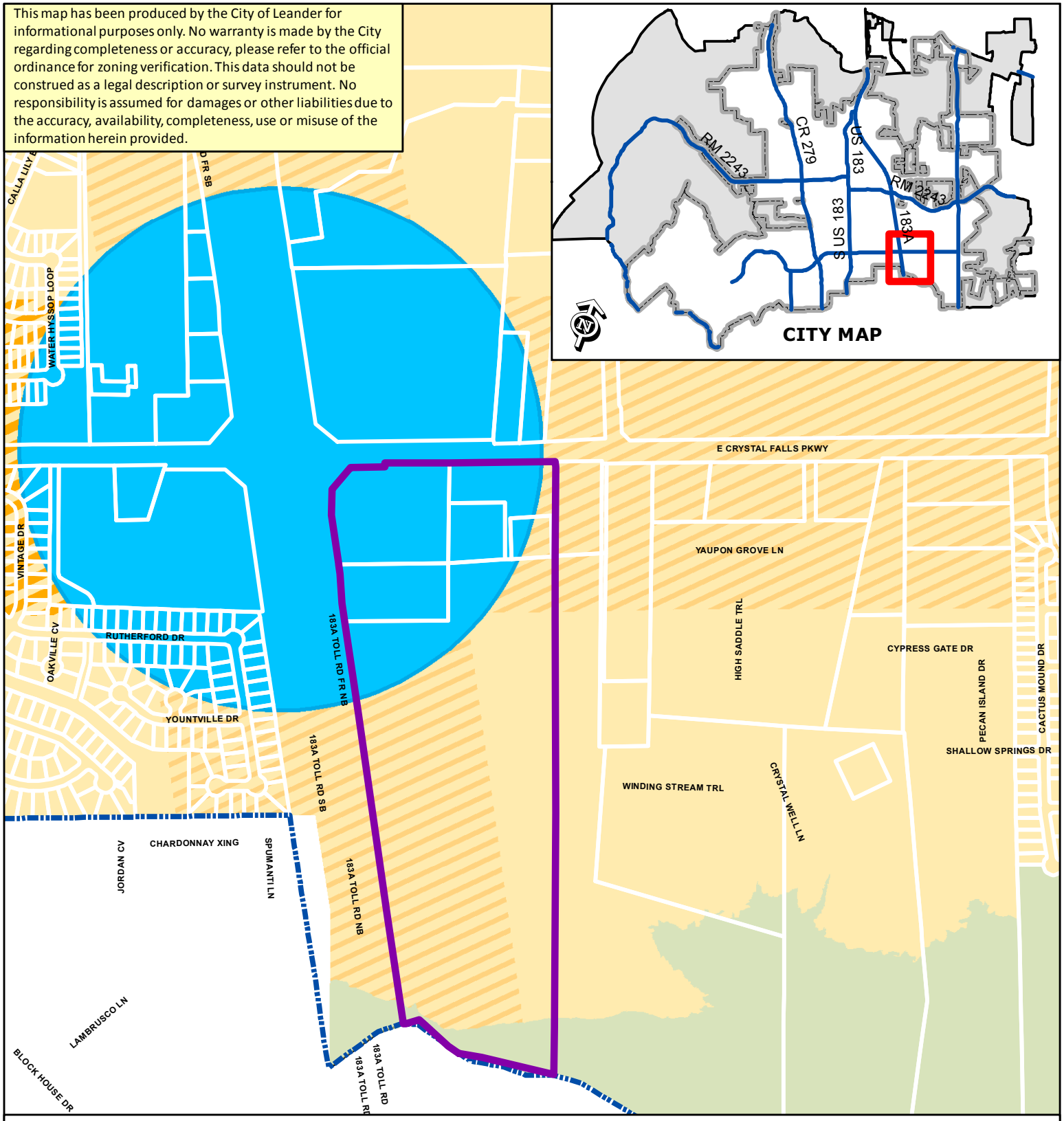
Current Zoning Map - Global Village PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-013 Attachment #3

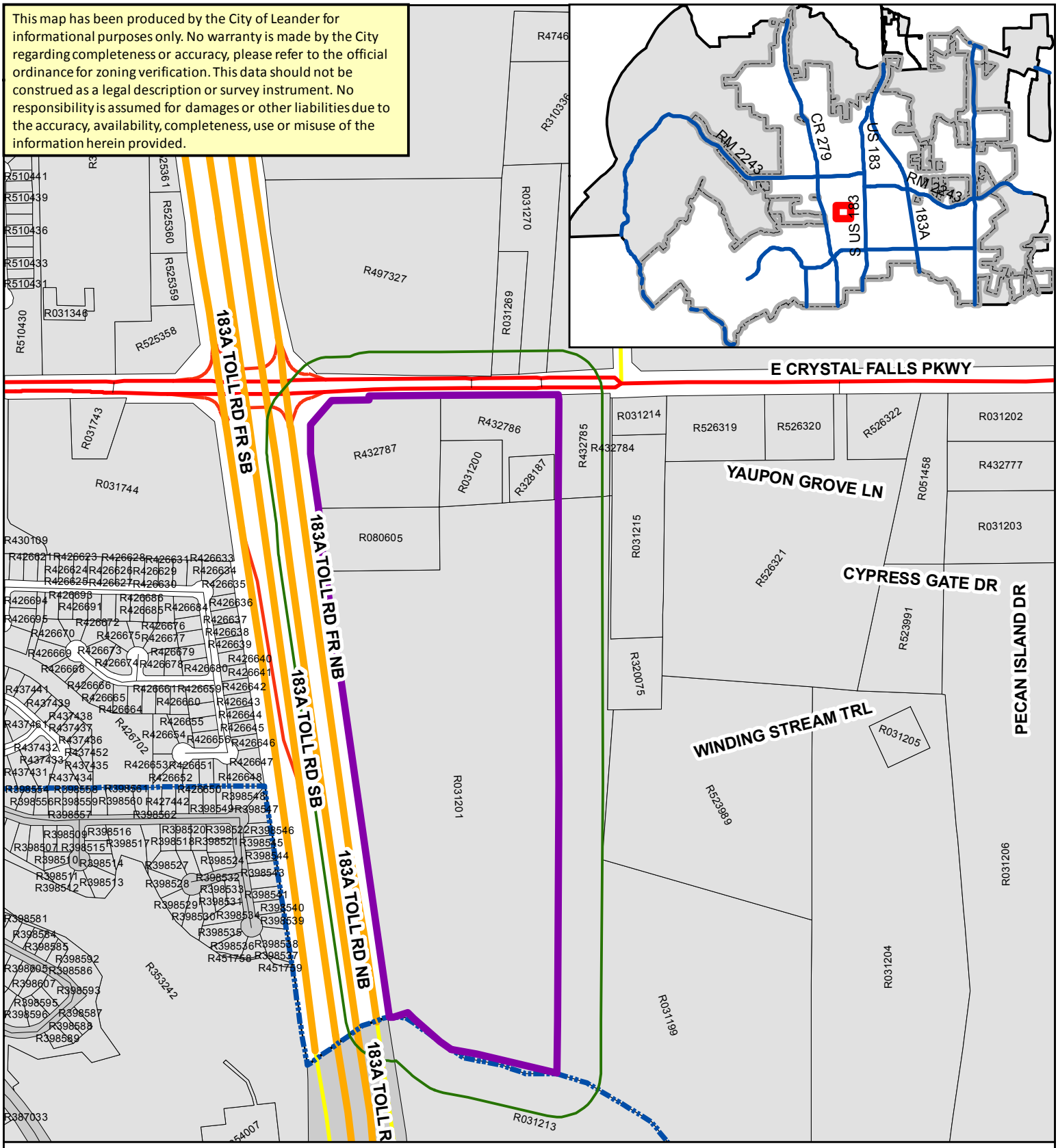
Future Land Use Map - Global Village PUD

- Subject Property
- City Limits
- Open Space
- Mixed Use Corridor
- Commercial Corridor
- Neighborhood Center
- Community Center
- Activity Center
- Transit Supportive Mixed Use
- Station Area Mixed Use
- Old Town Mixed Use
- Employment Mixed Use
- Industrial District
- Neighborhood Residential

N

0 200

Feet



ZONING CASE 16-Z-013

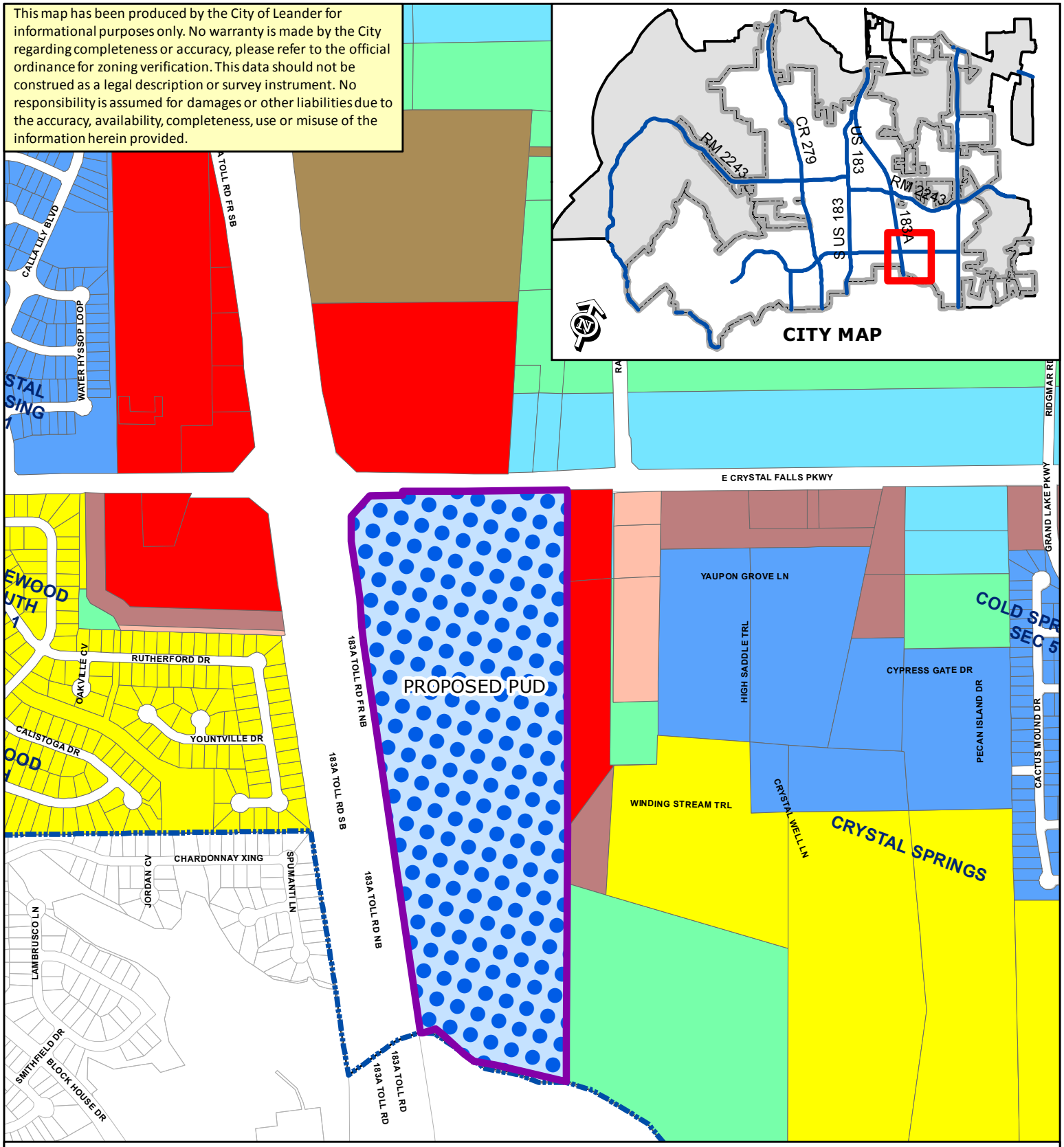
Attachment #4

Notification Map
Global Village PUD

Public Notification Boundary
Subject Property
City Limits
WCAD Parcels
TCAD Parcels

N

0 260 520 1,040 Feet



ZONING CASE 16-Z-013 Attachment #5

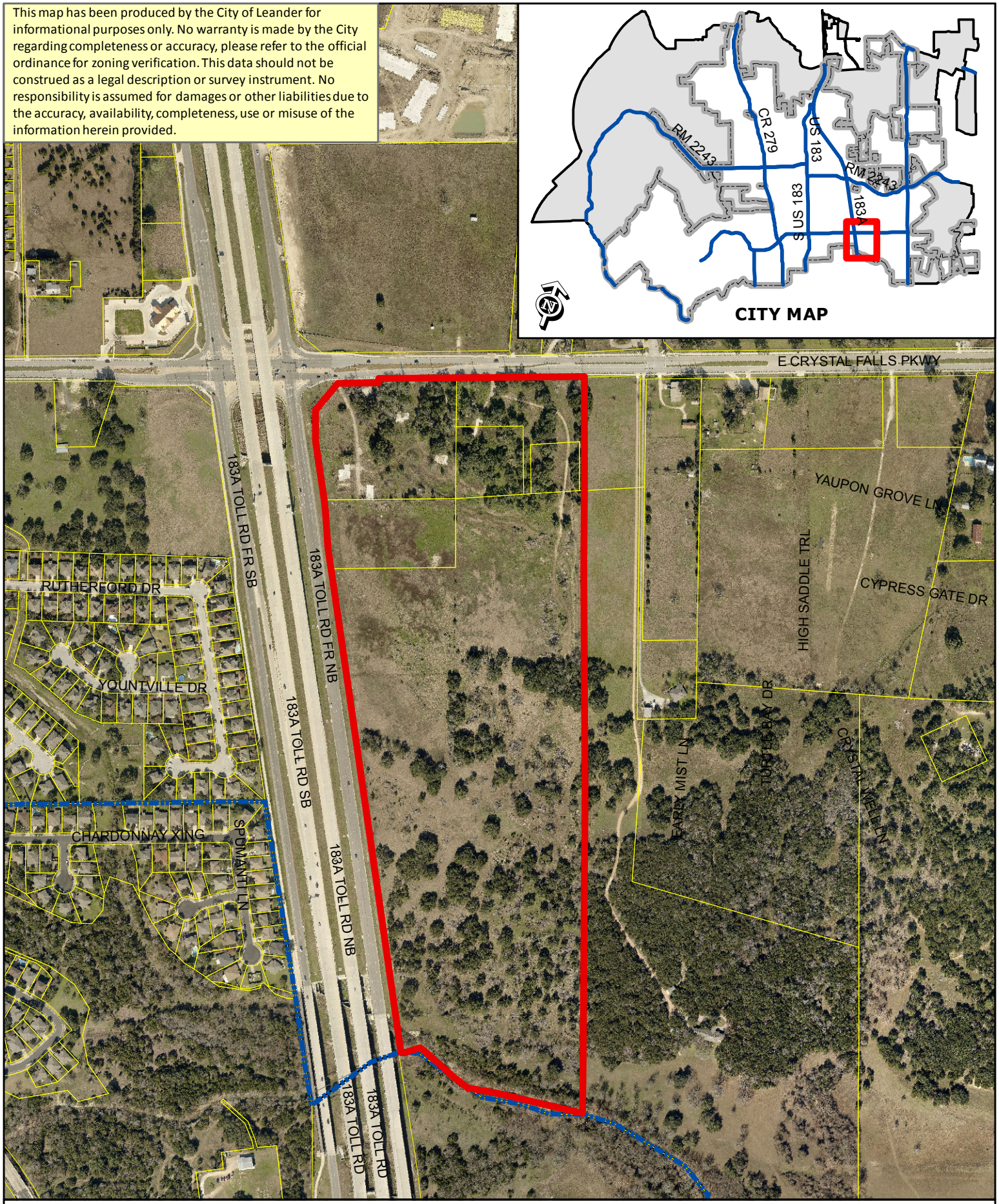
Proposed Zoning Map - Global Village PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-013 Attachment #6

Aerial Exhibit - Approximate Boundaries
Global Village PUD

0 200
Feet

Subject Property
City Limits

EXHIBIT A
GLOBAL VILLAGE – PUD

A. **Purpose and Intent**

1. The Global Village PUD is composed of approximately 65.25 acres, as shown in Exhibit B (the "Property"). The development of this Property is comprised of commercial and multi-family uses.

B. **Applicability and Base Zoning**

1. All aspects regarding the development of this PUD shall comply the City of Leander Composite Zoning Ordinance in effect on September 02, 2010 (the "2010 Composite Zoning Ordinance"), except as established in this exhibit, titled Exhibit A.
2. For the purpose of establishing development standards for the PUD, except as modified herein, base zoning of GC-2-A (General Commercial) applies to the Property, except that for multi-family uses, MF-2-A shall apply.

C. **Conceptual Site Layout & Land Use Plan**

1. A Conceptual Site Layout and Land Use Plan described in Article III, Section 16(e) of the 2010 Composite Zoning Ordinance is not required for approval of this PUD or the development of the Property; provided that before the Property may be developed with any multifamily uses authorized in the MF-2-A zoning district, the property owner must apply for and obtain approval of a Conceptual Site Layout and Land Use Plan as an amendment to this PUD that includes architectural renderings of proposed buildings for the portion of the Property to be developed under the MF-2-A base zoning.

D. **Use Components**

1. The use shall comply with Article III, Section 13 (General Commercial) of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following uses shall be prohibited;
      i. Animal Hospital
      ii. Sexually oriented businesses
      iii. Wrecker impoundment, towing
      iv. Self-service storage
      v. Recreational vehicle park
      vi. Outdoor storage
      vii. Commercial laundry
      viii. Construction and building material storage
      ix. Crematory
      x. Funeral Homes
      xi. Manufactured housing sales and accessory building sales
      xii. Vehicle and major equipment sales, rental or leasing, repair, and body shop
   b. Not more than 15 acres of the Property may be developed, or used, for office warehouse.
   c. MF-2-A uses shall be limited to no more than 15 acres which must be located south of the extension of Raider Way.

E. **Site Components**

1. The site shall comply with Article V, Section 2 of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following site uses are permitted:

i. Outdoor fuel sales that comply with the following requirements:

(a) Washing of vehicles (including vacuum facilities) is not located within one hundred fifty (150') feet of a single family or two family residential district unless such district is utilized for non-residential purposes. The location is measured from the closest portion of the structure associated with the washing of vehicles to the residential district; and

(b) Commercial fueling is not located within one hundred (100') feet of a single family or two family residential district unless such district is utilized for non-residential purpose. The location is measured from the closest portion of the structure associated with the outdoor commercial fueling to the residential district; and

(c) No more than two outdoor commercial fueling and washing of vehicles facilities shall be located within six hundred (600') feet of any intersection separately or in combination with a convenience store or other use.

(d) Vehicle washing and fueling facility locations are reserved only by obtaining an approved building permit for such facility and keeping such permit active (see Article IX of the Composite Zoning Ordinance in effect on April 20, 2016).

(e) Gasoline pumps shall be located no closer to the street than the primary structure.

ii. Individual users may exceed 40,000 gross square feet of floor area.

iii. Overhead commercial services doors are permitted, provided that warehouse, mini-warehouse and overhead (commercial service) doors shall not be oriented so as to face a street(s) or residential property or shall be screened from view from the street(s) or residential property unless the Director of Planning determines that there is no other feasible alternative.

F. **Site Standards**

1. Site standards shall comply with Article VI of the 2010 Composite Zoning Ordinance except as amended below.

a. Tree protection and preservation:

i. Development of the portion of the Property identified as Area A on Exhibit C shall comply with the tree preservation and projection requirements set forth in the 2010 Composite Zoning Ordinance, except as amended in this Section F.1.a.i:

(a) Significant Trees 18 caliper inches and less may be removed at the sole discretion of the property owner; provided that mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(b) Significant Trees between 18 caliper inches and 30 caliper inches may be removed after obtaining the written approval of the Public Works Director; provided that the mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(c) The removal of trees that have a single trunk larger than 30 caliper inches measured at a height of four feet must be approved by the City Council. The mitigation ratio for such trees authorized to be removed shall be 2 to 1 caliper inches.

ii. The portion of the Property identified as Area B on Exhibit C shall comply with the tree preservation and protection requirements set forth in Article VI, Section 1(c) of the Composite Zoning Ordinance in effect on April 20, 2016, except as

amended in this subsection F.1.a.ii:

(a) No mitigation fee will be required for removal of Heritage Trees.

(b) The regulations governing critical root zones set forth in Article VI, Section 1(c)(5) of the 2010 Composite Zoning Ordinance shall apply.

b. Drainage and detention facilities shall comply with Article VI, Section 7 of the Composite Zoning Ordinance in effect on April 20, 2016 (the "Drainage and Detention Regulations"), except as provided in this Section F.1.b.

i. The Drainage and Detention Design Standards shall not apply to the grassy swale that is proposed to be located on the Property as shown in Exhibit D; provided that a landscape screen will be installed along portions of the grassy swale that abut and are visible from the proposed reciprocal use driveway. Such screening shall consist of hedges that are a minimum 30" at the time of planting, planted no farther than 48" apart when measured at the center of the hedge. The grassy swale will serve as temporary drainage for Area A, and such temporary drainage will be modified as necessary to comply with the drainage and detention regulations in effect as of April 20, 2016, at the time of site development of the lots or property abutting the grassy swale.

c. Article VI, Section 14 (d) of the Composite Zoning Ordinance in effect on April 20, 2016 shall be amended as follows:

(a) A six-foot masonry privacy wall is required to be constructed by any non-residential use that abuts property having single-family or two-family zoning.

(i) Such wall shall be constructed at the common property line between the uses, or if such location is not feasible because of floodplain, trees or other natural feature, at a location that will effectively screen the non-residential use from view from the single-family or two-family residence.

(ii) Such wall is required to be constructed of one or more of the following materials: textured pre-cast concrete (e.g. WoodCrete), brick, stone, cast stone, stucco, factory tinted or painted split-faced concrete masonry unit, granite, tile or other similar material approved by the Director of Planning.

(iii) An eight-foot wall may be utilized for security purposes.

(iv) Gates shall be provided in the wall as appropriate to connect to public sidewalks or other pedestrian connections unless such wall is also used as described above for security.

(v) The masonry privacy wall is not required for non-residential uses that are permitted by right in any Single-Family Districts.

d. Shared parking is allowed subject to (i) parking that has been constructed exceeds the parking requirements for the development on the lot; and (ii) the Planning Director's approval of a shared parking analysis that sufficient parking has been installed to serve completed portions of the development on the Property as construction and occupancy progress. Parking that has been previously planned and constructed in an adjoining phase or section that is sufficient to satisfy the parking requirements for the section or phase in which it has been located and a new or subsequent phase or section being developed, may be used to satisfy parking

requirements for the new phase or section; provided such rights are secured by a joint use agreement or covenants that run with the land.

G. **Site Development**

1. Riparian Corridor Setbacks. The riparian corridor regulations and setback set forth in Article III, Section 49 of the Subdivision Ordinance in effect on April 20, 2016 and Article IX, Section 3(a) of the Composite Zoning Ordinance in effect on April 20, 2016 shall apply to Blockhouse Creek and the land that falls within the riparian corridor setback from Blockhouse Creek. Excavation of Blockhouse Creek reservoir for storm water detention will be deemed in compliance with the riparian corridor regulations. No other riparian corridor will be deemed to exist on the Property. The land located within the riparian corridor setback for Blockhouse Creek shall further comply with the landscaping and screening requirements set forth in the Composite Zoning Ordinance in effect on April 20, 2016.
2. A master sign plan will be submitted for approval prior to the approval of the first building-related site development permit.
3. Sidewalks will be installed in conjunction with site development and completion of the sidewalks will be a condition of issuance of a certificate of completion.
4. The internal reciprocal use driveways shown on Exhibit E and any additional reciprocal use driveways shall be counted as public right-of-way when determining compliance with maximum block perimeter lengths. The proposed block perimeter length shown on Exhibit E complies with maximum block perimeter length requirements for commercial uses.
5. Landscaping may be planned for adjoining lots, phases and sections and landscaping previously installed in an adjoining lot, phase or section that exceeds the landscaping for that lot, phase or section may be credited to the requirements for an abutting lot; provided that a minimum of ten (10%) percent of each lot shall be landscaped. This Section G.1 only applies to the requirement in the 2010 Composite Zoning Ordinance (which is set forth in Article VI, Section 1(c)(1) governing the minimum percentage of the lot that must be landscaped and does not modify any other applicable landscaping requirements.
6. The property owner will construct a ten foot wide concrete trail, dedicate the Trail Tract, (being generally located on the portion of Area B shown in Exhibit F), and provide access to the Trail Tract, as provided in this section.
    (a) The property owner will construct a ten foot wide concrete trail along the route generally shown in the City's Transportation Plan in effect on April 20, 2016, in accordance with construction plans approved by the City (the "Trail") and will convey the Trail Tract, the Trail Easement and the TCE to the City as provided in Section G.6. The Trail will be built in conjunction with site development of the portion of Phase 3 south of Raider Way. It will not be a condition of issuance of a permit for the construction of the Trail that such portion of the Property upon which the Trail is located must be a legal lot. The property owner shall further provide for permanent improved access to the Trail along a route agreeable to the City and the property owner for the City, its employees, agents, contractors, and subcontractors to access the Trail Tract; provided that such access will not be used by the general public. It will be a condition of issuance of a certificate of completion for any site development application for the portion of Phase 3 south of Raider Way that the property owner has completed and obtained City acceptance of the Trail, has provided permanent improved access to the Trail, and has conveyed the Trail Tract to the City in fee simple, free of liens and encumbrances, in accordance with this Section G.6; provided that if the City has

constructed the Trail prior to the property owner being required to construct the Trail, the property owner will convey the Trail Tract and provide the permanent access to the Trail as a condition of issuance of the certificate of completion.

(b) The City may request that the Trail Easement, the TCE, and the temporary access to the Trial described in Section G.6.d be conveyed to the City prior to Area B being final platted. In such event, the Trail Easement, TCE, and temporary access will be dedicated to the City, with any liens and encumbrances subordinated to said easement, within 90 days written notice from the City.

(c) The Trail Tract may be conveyed by metes and bounds without the requirement that the Trail Tract be platted as a separate lot.

(d) At the time that Area B, or a portion thereof, is final platted, the property owner will dedicate to the City a twenty-five (25) foot wide trail/recreational easement over the portion of the Property where the Trail will be located (the "Trail Easement"), and a twenty-five foot wide temporary construction easement adjacent to the Trail Easement (the "TCE")in a form acceptable to the City. The property owner will provide for the City, its employees, agents, contractors, and subcontractors to have temporary access (by easement or by access to a the reciprocal use driveways or public right-of way) to the property upon which the Trail Easement and TCE are located by route agreeable to the City and the property owner at the time that the Area B is final platted; provided that such access may not be used by the general public.

(e) Dedication of the Trail Tract will count towards any parkland dedication or fee in lieu of parkland dedication requirements for the Project. Construction of the Trail will count towards any parkland improvement or fee in lieu of improvement requirements for the Project. The April 20, 2016 regulations related to dedication of parkland located in the floodplain will apply.

(f) The Developer may plant trees on the Trail Tract that are required for mitigation under the City's tree preservation requirements before and after conveyance of the Trail Tract to the City, subject to approval of the City as to the location of the trees.

7. Exhibits D, E, and F shall be used for showing the general location of the grassy swale, reciprocal use driveways, and Trail Tract, respectively. The final approved construction plans and approved metes and bounds, as applicable, will determine actual location.

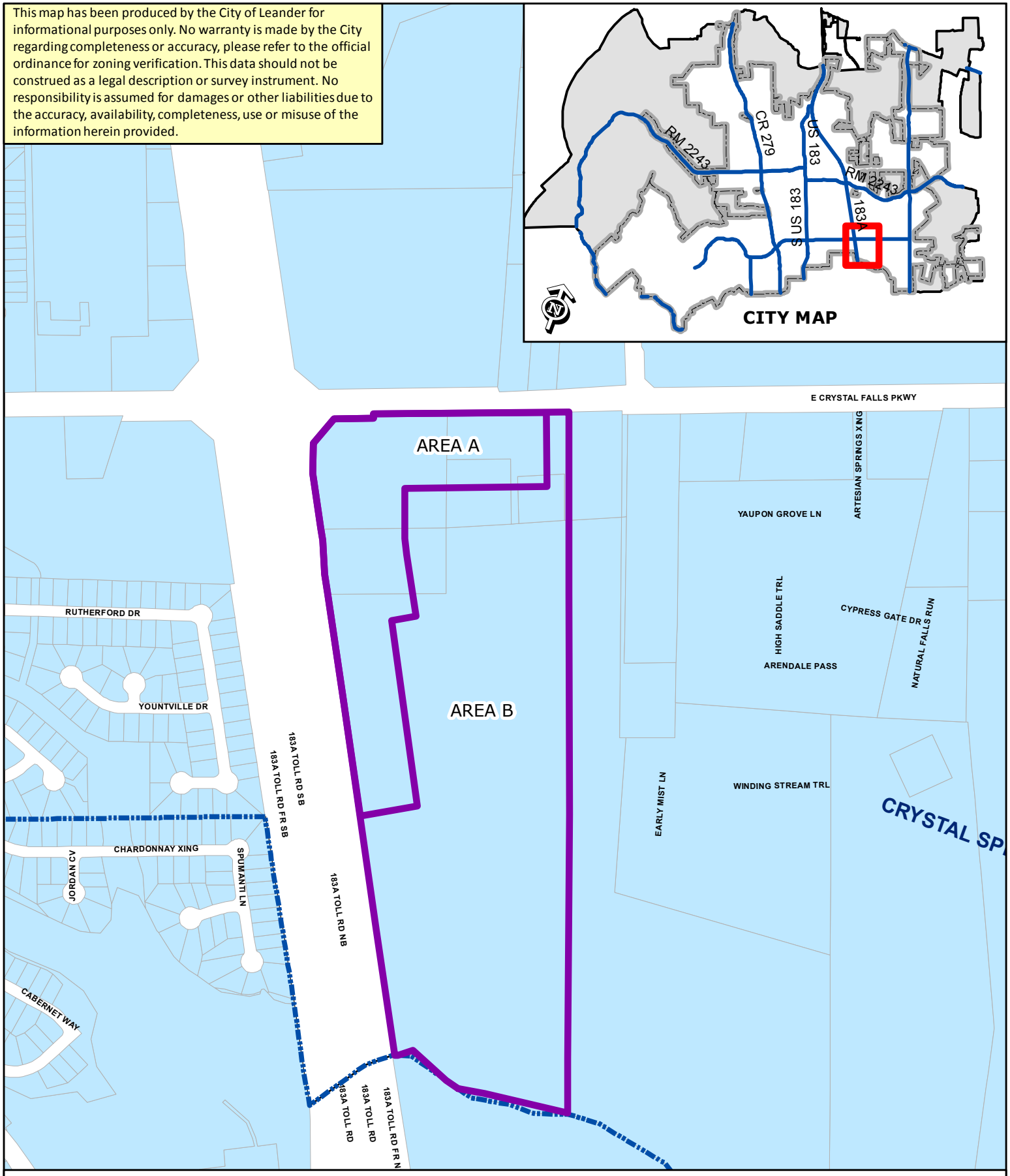
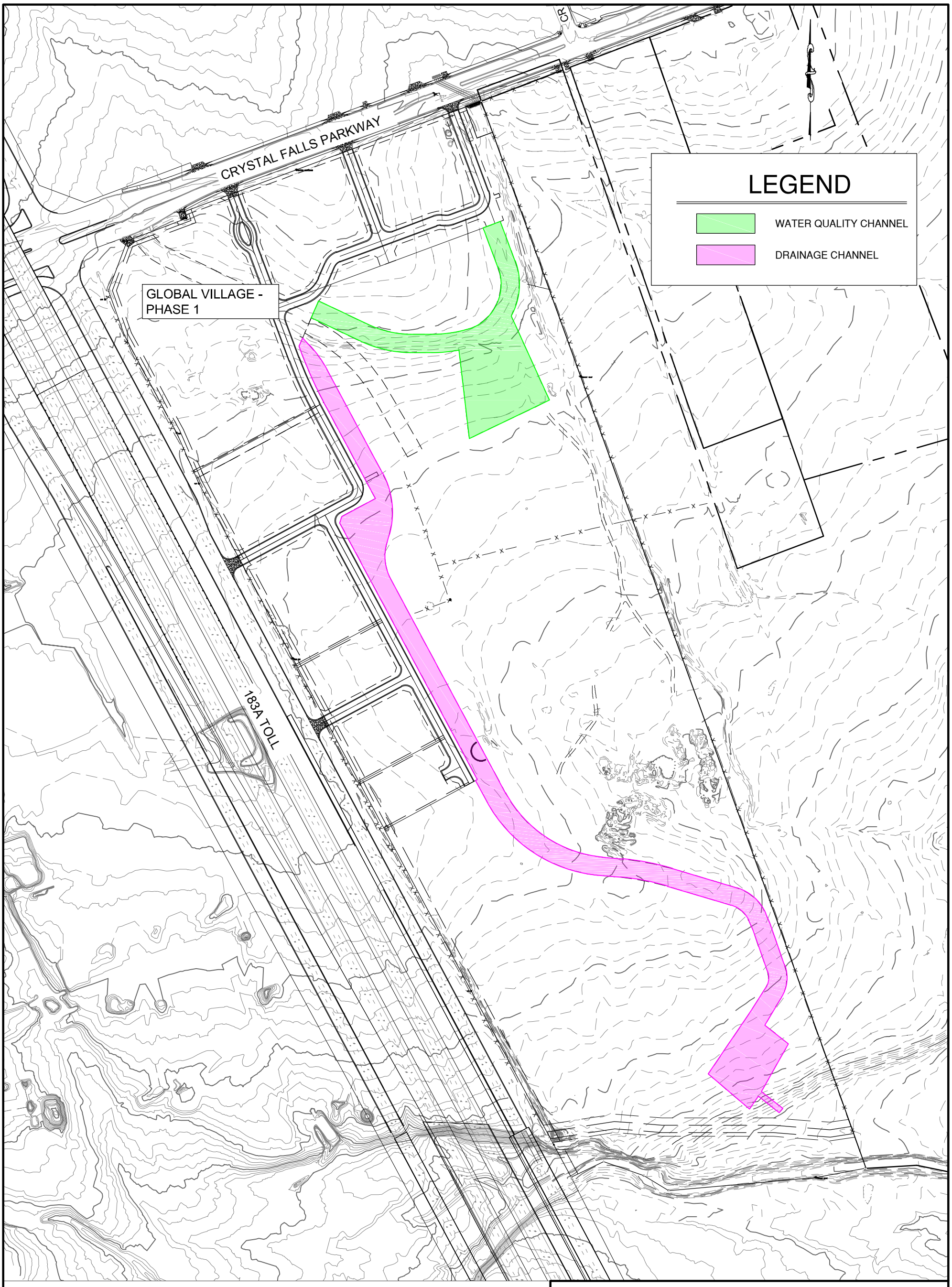


EXHIBIT C - Global Village

Subject Property

City Limits

EXHIBIT D



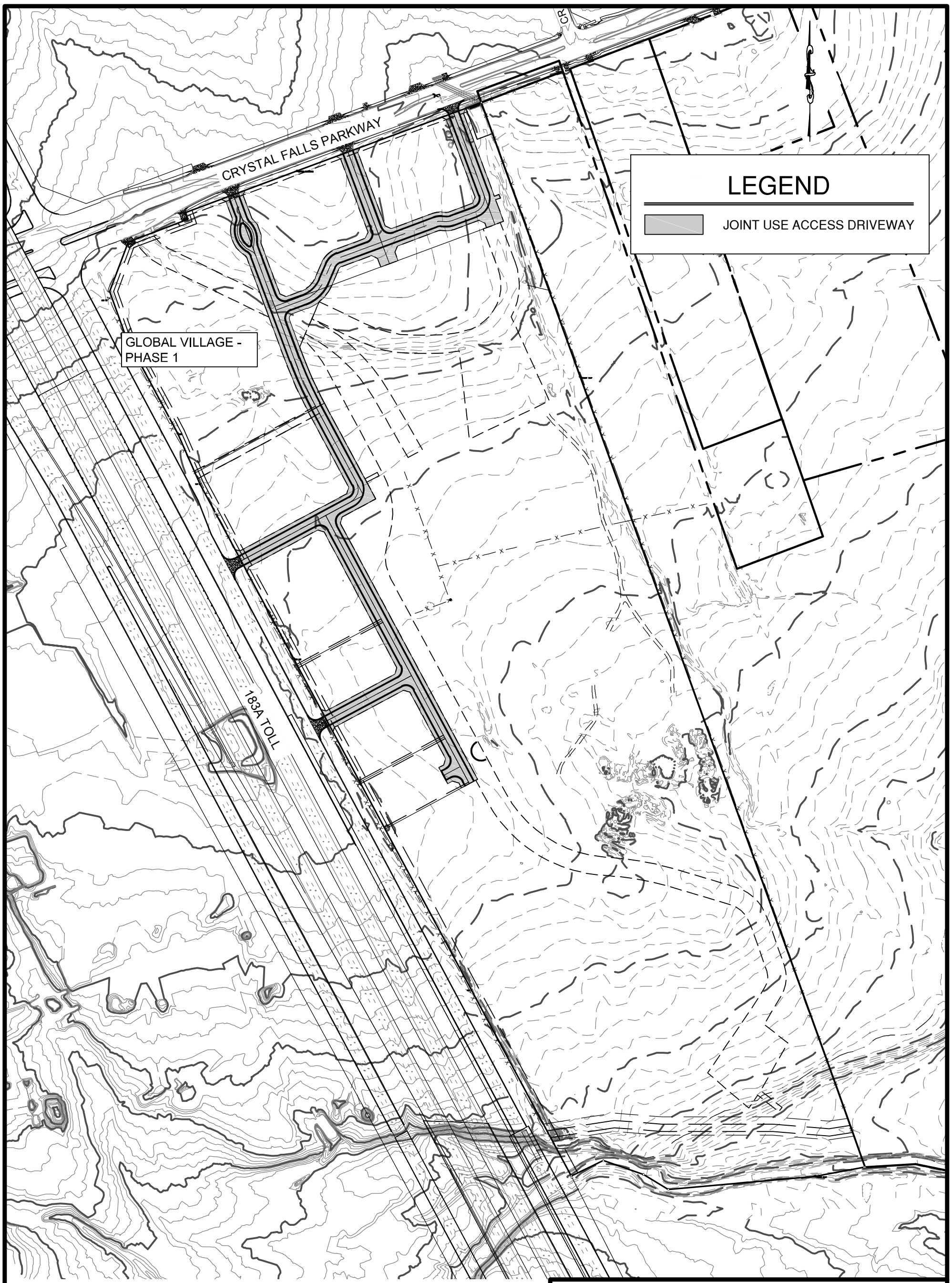
250' 0 250' 500'

SCALE: 1 INCH = 250' FT

GLOBAL VILLAGE PHASE ONE
WATER QUALITY EXHIBIT

Bowman CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

EXHIBIT E



250' 0 250' 500'

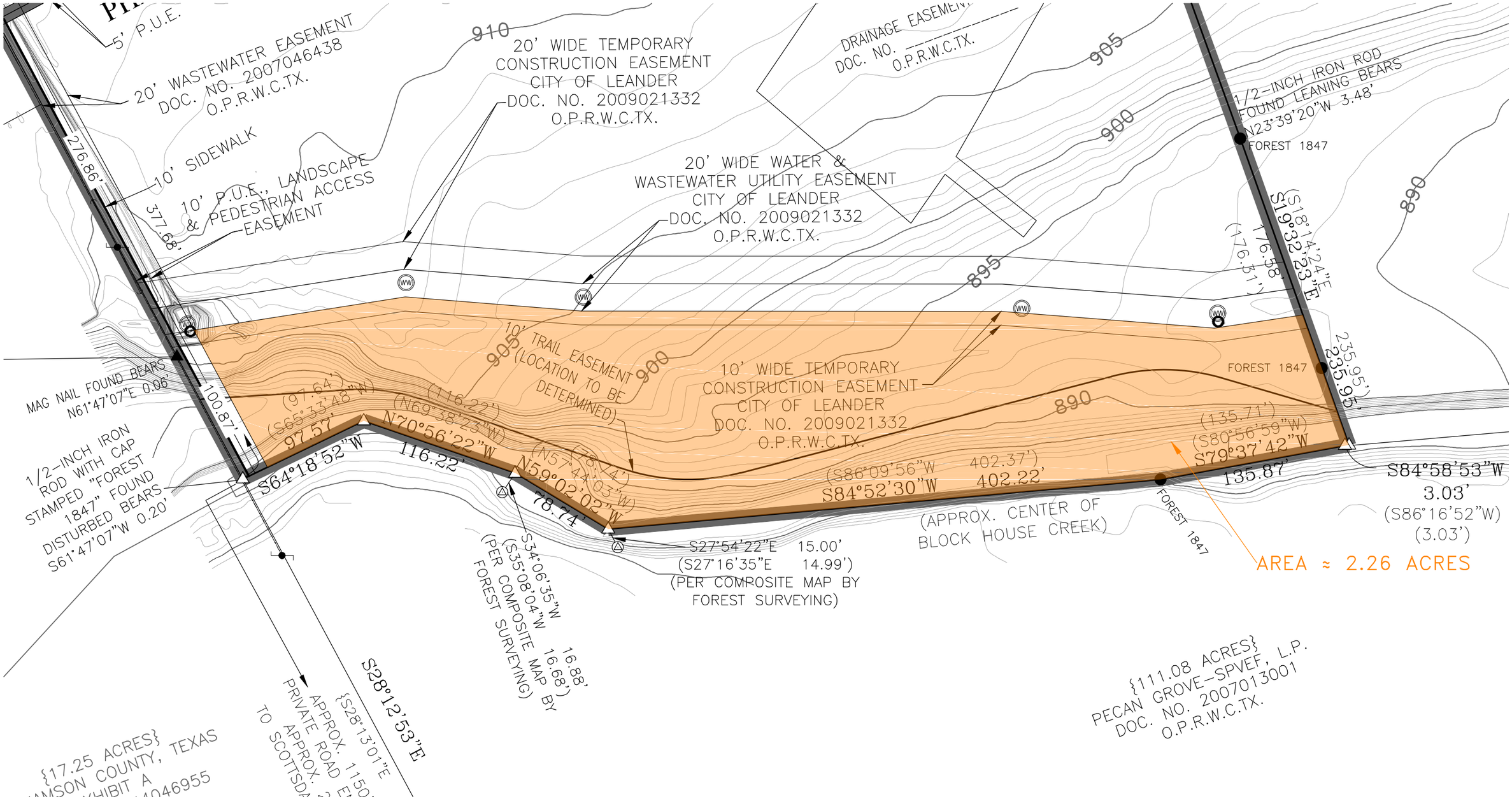
SCALE: 1 INCH = 250' FT

JOINT USE ACCESS
DRIVEWAY EXHIBIT

Bowman
CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

H:\Projects\Cantwell Tract\070812-Cantwell Tract_Ph 2 Engineering\Exhibits\JOINT USE ACCESS DRIVEWAY EXHIBIT.dwg, WATER QUALITY EXHIBIT, June 08, 2016, 7:59 AM, ahusejnovic

EXHIBIT F


5' P.U.E.
20' WASTEWATER EASEMENT
DOC. NO. 2007046438
O.P.R.W.C.TX.
10' SIDEWALK
10' P.U.E., LANDSCAPE & PEDESTRIAN ACCESS EASEMENT
276.86'
377.68'
910
20' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
DRAINAGE EASEMENT
DOC. NO. _____
O.P.R.W.C.TX.
905
900
895
890
20' WIDE WATER & WASTEWATER UTILITY EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
1/2-INCH IRON ROD FOUND LEANING BEARS N23°39'20"W 3.48'
FOREST 1847
S19°32'23"E
176.58'
(S18°14'24"E
(176.51')
235.95'
(235.95')
FOREST 1847
MAG NAIL FOUND BEARS N61°47'07"E 0.96'
100.87'
1/2-INCH IRON ROD WITH CAP STAMPED "FOREST 1847" FOUND DISTURBED BEARS S61°47'07"W 0.20'
10' TRAIL EASEMENT (LOCATION TO BE DETERMINED)
10' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
(97.64')
(S65°33'48"W)
97.57'
S64°18'52"W
(116.22')
(N69°38'23"W)
N70°56'22"W
116.22'
(78.74')
(N57°44'03"W)
N59°02'02"W
78.74'
(S86°09'56"W
S84°52'30"W
402.37')
402.22'
(135.71')
(S80°56'59"W)
S79°37'42"W
135.87'
S84°58'53"W
3.03'
(S86°16'52"W)
(3.03')
FOREST 1847
(APPROX. CENTER OF BLOCK HOUSE CREEK)
AREA ≈ 2.26 ACRES
S27°54'22"E 15.00'
(S27°16'35"E 14.99')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S34°06'35"W
(S35°08'04"W 16.88'
16.68')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S28°12'53"E
{S28°13'01"E
APPROX. 1150'
PRIVATE ROAD E
APPROX.
TO SCOTTSDA
{111.08 ACRES}
PECAN GROVE-SPVEF, L.P.
DOC. NO. 2007013001
O.P.R.W.C.TX.
{17.25 ACRES}
TEXAS
EXHIBIT A

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING SEVERAL PARCELS FROM GC-2-A (GENERAL COMMERCIAL), LC-2-A (LOCAL COMMERCIAL), LO-2-A (LOCAL OFFICE), AND SFT-2-A (SINGLE-FAMILY TOWNHOME) TO PUD (PLANNED UNIT DEVELOPMENT); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired; and

Whereas, the City Council determines that the PUD zoning will result in overall higher standards than what would be provided otherwise;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following tract of land, which is herein referred to as the "Property." That certain parcels of land being 65.25 acres, more or less, generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll, Williamson County, Texas, being more particularly described in Exhibit "A", legally described as 65.25 acres out of the Walter Campbell Survey, Abstract 3; identified by Williamson County tax identification numbers R031201, R080605, R432787, R031200, R328187, and R432786; more particularly described in document number 2009000970 recorded in the Williamson County Official Public Records.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from GC-2-A (General Commercial), LC-2-A (Local Commercial), LO-2-A (Local Office), and SFT-2-A (Single-Family Townhome) to PUD (Planned Unit

Development) known as the Global Village PUD. The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", "C", "D", "E", and "F" which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth in this Ordinance, this Ordinance shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 2nd day of June, 2016.
FINALLY PASSED AND APPROVED on this the 16th day of June, 2016.

THE CITY OF LEANDER, TEXAS **ATTEST:**

_____ _____

Christopher Fielder, Mayor Debbie Haile, City Secretary

EXHIBIT A
GLOBAL VILLAGE – PUD

A. **Purpose and Intent**

1. The Global Village PUD is composed of approximately 65.25 acres, as shown in Exhibit B (the "Property"). The development of this Property is comprised of commercial and multi-family uses.

B. **Applicability and Base Zoning**

1. All aspects regarding the development of this PUD shall comply the City of Leander Composite Zoning Ordinance in effect on September 02, 2010 (the "2010 Composite Zoning Ordinance"), except as established in this exhibit, titled Exhibit A.
2. For the purpose of establishing development standards for the PUD, except as modified herein, base zoning of GC-2-A (General Commercial) applies to the Property, except that for multi-family uses, MF-2-A shall apply.

C. **Conceptual Site Layout & Land Use Plan**

1. A Conceptual Site Layout and Land Use Plan described in Article III, Section 16(e) of the 2010 Composite Zoning Ordinance is not required for approval of this PUD or the development of the Property; provided that before the Property may be developed with any multifamily uses authorized in the MF-2-A zoning district, the property owner must apply for and obtain approval of a Conceptual Site Layout and Land Use Plan as an amendment to this PUD that includes architectural renderings of proposed buildings for the portion of the Property to be developed under the MF-2-A base zoning.

D. **Use Components**

1. The use shall comply with Article III, Section 13 (General Commercial) of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following uses shall be prohibited;
      i. Animal Hospital
      ii. Sexually oriented businesses
      iii. Wrecker impoundment, towing
      iv. Self-service storage
      v. Recreational vehicle park
      vi. Outdoor storage
      vii. Commercial laundry
      viii. Construction and building material storage
      ix. Crematory
      x. Funeral Homes
      xi. Manufactured housing sales and accessory building sales
      xii. Vehicle and major equipment sales, rental or leasing, repair, and body shop
   b. Not more than 15 acres of the Property may be developed, or used, for office warehouse.
   c. MF-2-A uses shall be limited to no more than 15 acres which must be located south of the extension of Raider Way.

E. **Site Components**

1. The site shall comply with Article V, Section 2 of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following site uses are permitted:

i. Outdoor fuel sales that comply with the following requirements:

(a) Washing of vehicles (including vacuum facilities) is not located within one hundred fifty (150') feet of a single family or two family residential district unless such district is utilized for non-residential purposes. The location is measured from the closest portion of the structure associated with the washing of vehicles to the residential district; and

(b) Commercial fueling is not located within one hundred (100') feet of a single family or two family residential district unless such district is utilized for non-residential purpose. The location is measured from the closest portion of the structure associated with the outdoor commercial fueling to the residential district; and

(c) No more than two outdoor commercial fueling and washing of vehicles facilities shall be located within six hundred (600') feet of any intersection separately or in combination with a convenience store or other use.

(d) Vehicle washing and fueling facility locations are reserved only by obtaining an approved building permit for such facility and keeping such permit active (see Article IX of the Composite Zoning Ordinance in effect on April 20, 2016).

(e) Gasoline pumps shall be located no closer to the street than the primary structure.

ii. Individual users may exceed 40,000 gross square feet of floor area.

iii. Overhead commercial services doors are permitted, provided that warehouse, mini-warehouse and overhead (commercial service) doors shall not be oriented so as to face a street(s) or residential property or shall be screened from view from the street(s) or residential property unless the Director of Planning determines that there is no other feasible alternative.

F. **Site Standards**

1. Site standards shall comply with Article VI of the 2010 Composite Zoning Ordinance except as amended below.

a. Tree protection and preservation:

i. Development of the portion of the Property identified as Area A on Exhibit C shall comply with the tree preservation and projection requirements set forth in the 2010 Composite Zoning Ordinance, except as amended in this Section F.1.a.i:

(a) Significant Trees 18 caliper inches and less may be removed at the sole discretion of the property owner; provided that mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(b) Significant Trees between 18 caliper inches and 30 caliper inches may be removed after obtaining the written approval of the Public Works Director; provided that the mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(c) The removal of trees that have a single trunk larger than 30 caliper inches measured at a height of four feet must be approved by the City Council. The mitigation ratio for such trees authorized to be removed shall be 2 to 1 caliper inches.

ii. The portion of the Property identified as Area B on Exhibit C shall comply with the tree preservation and protection requirements set forth in Article VI, Section 1(c) of the Composite Zoning Ordinance in effect on April 20, 2016, except as

amended in this subsection F.1.a.ii:

(a) No mitigation fee will be required for removal of Heritage Trees.

(b) The regulations governing critical root zones set forth in Article VI, Section 1(c)(5) of the 2010 Composite Zoning Ordinance shall apply.

b. Drainage and detention facilities shall comply with Article VI, Section 7 of the Composite Zoning Ordinance in effect on April 20, 2016 (the "Drainage and Detention Regulations"), except as provided in this Section F.1.b.

i. The Drainage and Detention Design Standards shall not apply to the grassy swale that is proposed to be located on the Property as shown in Exhibit D; provided that a landscape screen will be installed along portions of the grassy swale that abut and are visible from the proposed reciprocal use driveway. Such screening shall consist of hedges that are a minimum 30" at the time of planting, planted no farther than 48" apart when measured at the center of the hedge. The grassy swale will serve as temporary drainage for Area A, and such temporary drainage will be modified as necessary to comply with the drainage and detention regulations in effect as of April 20, 2016, at the time of site development of the lots or property abutting the grassy swale.

c. Article VI, Section 14 (d) of the Composite Zoning Ordinance in effect on April 20, 2016 shall be amended as follows:

(a) A six-foot masonry privacy wall is required to be constructed by any non-residential use that abuts property having single-family or two-family zoning.

(i) Such wall shall be constructed at the common property line between the uses, or if such location is not feasible because of floodplain, trees or other natural feature, at a location that will effectively screen the non-residential use from view from the single-family or two-family residence.

(ii) Such wall is required to be constructed of one or more of the following materials: textured pre-cast concrete (e.g. WoodCrete), brick, stone, cast stone, stucco, factory tinted or painted split-faced concrete masonry unit, granite, tile or other similar material approved by the Director of Planning.

(iii) An eight-foot wall may be utilized for security purposes.

(iv) Gates shall be provided in the wall as appropriate to connect to public sidewalks or other pedestrian connections unless such wall is also used as described above for security.

(v) The masonry privacy wall is not required for non-residential uses that are permitted by right in any Single-Family Districts.

d. Shared parking is allowed subject to (i) parking that has been constructed exceeds the parking requirements for the development on the lot; and (ii) the Planning Director's approval of a shared parking analysis that sufficient parking has been installed to serve completed portions of the development on the Property as construction and occupancy progress. Parking that has been previously planned and constructed in an adjoining phase or section that is sufficient to satisfy the parking requirements for the section or phase in which it has been located and a new or subsequent phase or section being developed, may be used to satisfy parking

requirements for the new phase or section; provided such rights are secured by a joint use agreement or covenants that run with the land.

G. **Site Development**

1. Riparian Corridor Setbacks. The riparian corridor regulations and setback set forth in Article III, Section 49 of the Subdivision Ordinance in effect on April 20, 2016 and Article IX, Section 3(a) of the Composite Zoning Ordinance in effect on April 20, 2016 shall apply to Blockhouse Creek and the land that falls within the riparian corridor setback from Blockhouse Creek. Excavation of Blockhouse Creek reservoir for storm water detention will be deemed in compliance with the riparian corridor regulations. No other riparian corridor will be deemed to exist on the Property. The land located within the riparian corridor setback for Blockhouse Creek shall further comply with the landscaping and screening requirements set forth in the Composite Zoning Ordinance in effect on April 20, 2016.
2. A master sign plan will be submitted for approval prior to the approval of the first building-related site development permit.
3. Sidewalks will be installed in conjunction with site development and completion of the sidewalks will be a condition of issuance of a certificate of completion.
4. The internal reciprocal use driveways shown on Exhibit E and any additional reciprocal use driveways shall be counted as public right-of-way when determining compliance with maximum block perimeter lengths. The proposed block perimeter length shown on Exhibit E complies with maximum block perimeter length requirements for commercial uses.
5. Landscaping may be planned for adjoining lots, phases and sections and landscaping previously installed in an adjoining lot, phase or section that exceeds the landscaping for that lot, phase or section may be credited to the requirements for an abutting lot; provided that a minimum of ten (10%) percent of each lot shall be landscaped. This Section G.1 only applies to the requirement in the 2010 Composite Zoning Ordinance (which is set forth in Article VI, Section 1(c)(1) governing the minimum percentage of the lot that must be landscaped and does not modify any other applicable landscaping requirements.
6. The property owner will construct a ten foot wide concrete trail, dedicate the Trail Tract, (being generally located on the portion of Area B shown in Exhibit F), and provide access to the Trail Tract, as provided in this section.
    (a) The property owner will construct a ten foot wide concrete trail along the route generally shown in the City's Transportation Plan in effect on April 20, 2016, in accordance with construction plans approved by the City (the "Trail") and will convey the Trail Tract, the Trail Easement and the TCE to the City as provided in Section G.6. The Trail will be built in conjunction with site development of the portion of Phase 3 south of Raider Way. It will not be a condition of issuance of a permit for the construction of the Trail that such portion of the Property upon which the Trail is located must be a legal lot. The property owner shall further provide for permanent improved access to the Trail along a route agreeable to the City and the property owner for the City, its employees, agents, contractors, and subcontractors to access the Trail Tract; provided that such access will not be used by the general public. It will be a condition of issuance of a certificate of completion for any site development application for the portion of Phase 3 south of Raider Way that the property owner has completed and obtained City acceptance of the Trail, has provided permanent improved access to the Trail, and has conveyed the Trail Tract to the City in fee simple, free of liens and encumbrances, in accordance with this Section G.6; provided that if the City has

constructed the Trail prior to the property owner being required to construct the Trail, the property owner will convey the Trail Tract and provide the permanent access to the Trail as a condition of issuance of the certificate of completion.

(b) The City may request that the Trail Easement, the TCE, and the temporary access to the Trial described in Section G.6.d be conveyed to the City prior to Area B being final platted. In such event, the Trail Easement, TCE, and temporary access will be dedicated to the City, with any liens and encumbrances subordinated to said easement, within 90 days written notice from the City.

(c) The Trail Tract may be conveyed by metes and bounds without the requirement that the Trail Tract be platted as a separate lot.

(d) At the time that Area B, or a portion thereof, is final platted, the property owner will dedicate to the City a twenty-five (25) foot wide trail/recreational easement over the portion of the Property where the Trail will be located (the "Trail Easement"), and a twenty-five foot wide temporary construction easement adjacent to the Trail Easement (the "TCE")in a form acceptable to the City. The property owner will provide for the City, its employees, agents, contractors, and subcontractors to have temporary access (by easement or by access to a the reciprocal use driveways or public right-of way) to the property upon which the Trail Easement and TCE are located by route agreeable to the City and the property owner at the time that the Area B is final platted; provided that such access may not be used by the general public.

(e) Dedication of the Trail Tract will count towards any parkland dedication or fee in lieu of parkland dedication requirements for the Project. Construction of the Trail will count towards any parkland improvement or fee in lieu of improvement requirements for the Project. The April 20, 2016 regulations related to dedication of parkland located in the floodplain will apply.

(f) The Developer may plant trees on the Trail Tract that are required for mitigation under the City's tree preservation requirements before and after conveyance of the Trail Tract to the City, subject to approval of the City as to the location of the trees.

7. Exhibits D, E, and F shall be used for showing the general location of the grassy swale, reciprocal use driveways, and Trail Tract, respectively. The final approved construction plans and approved metes and bounds, as applicable, will determine actual location.

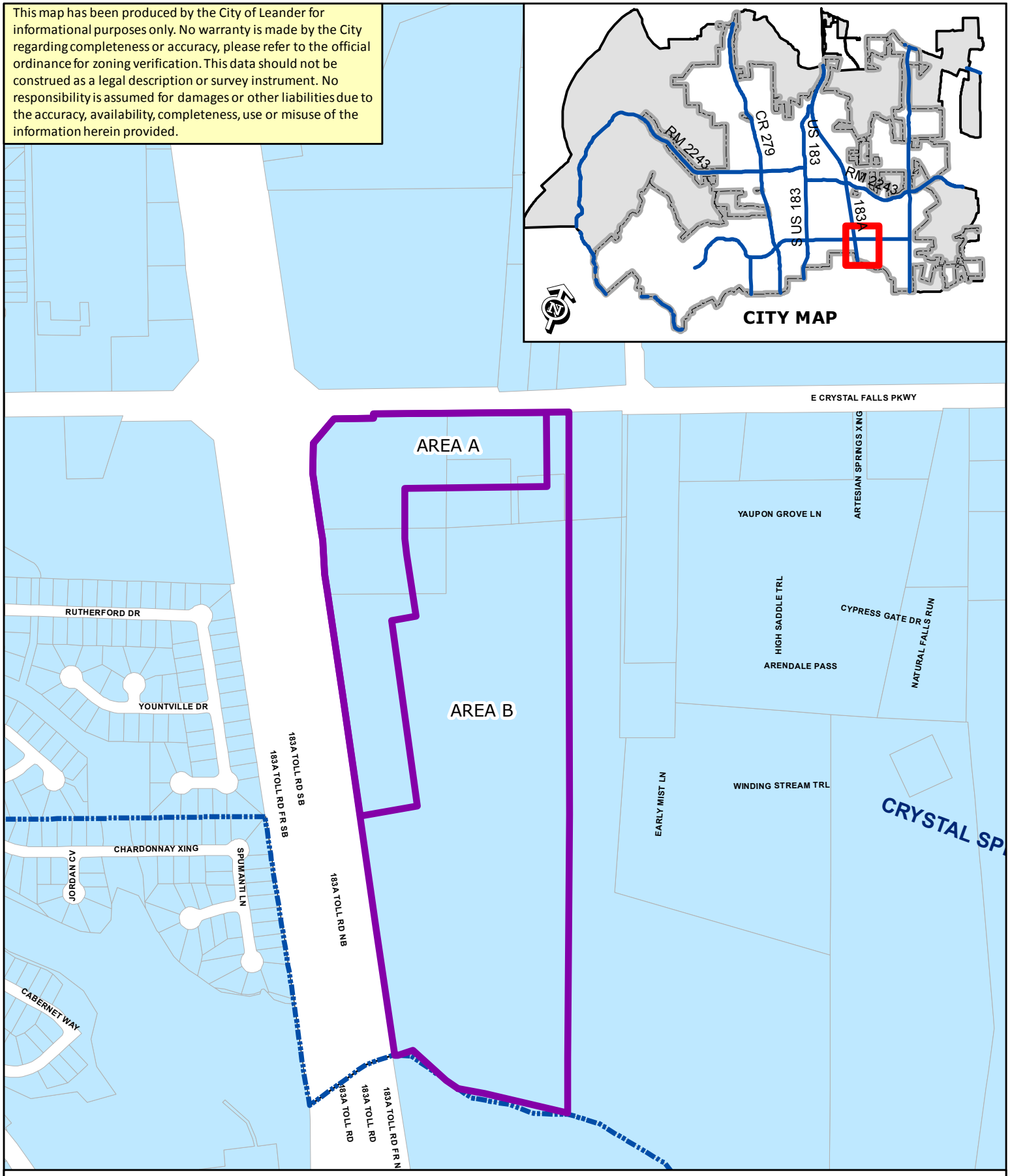
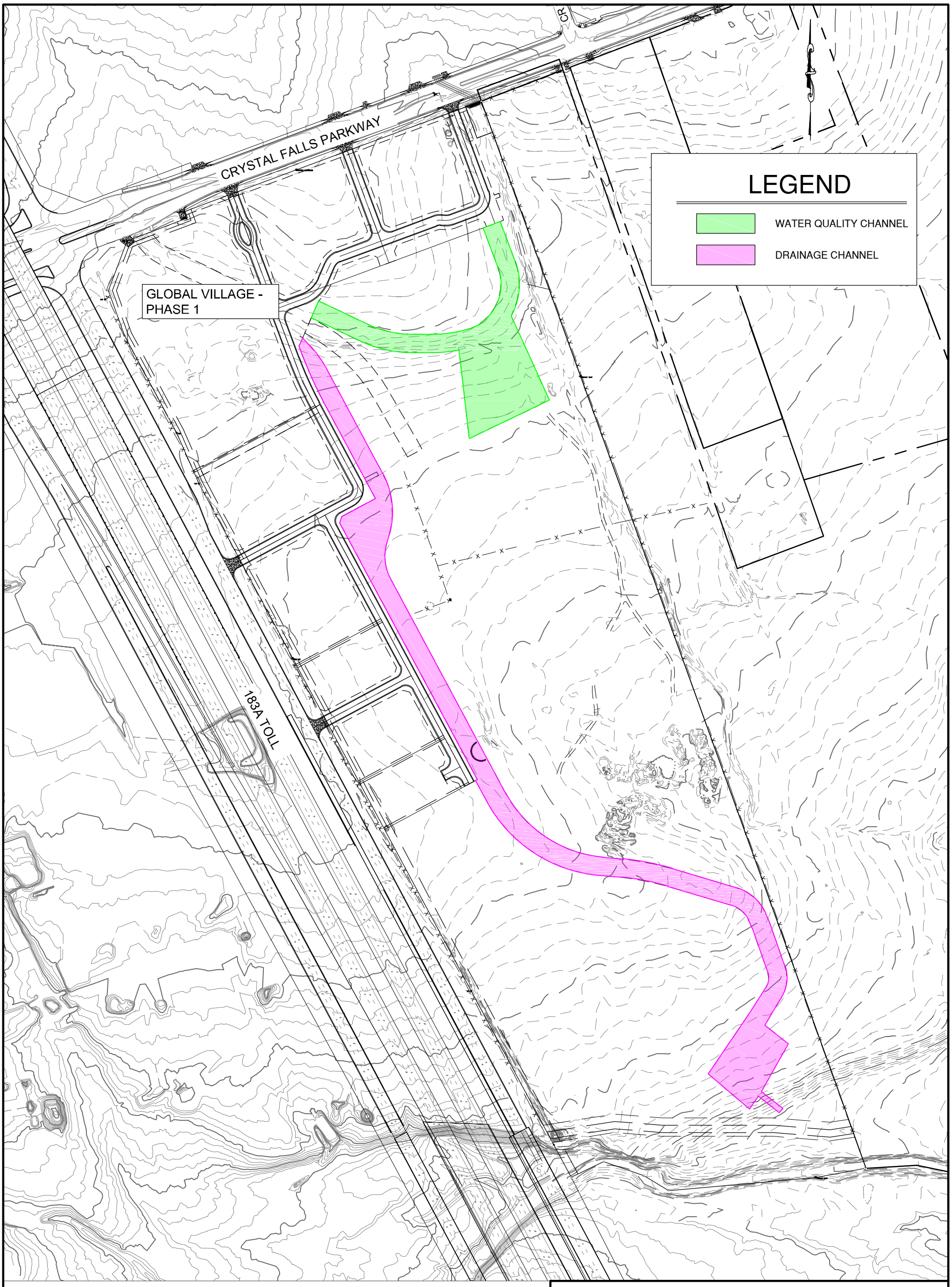


EXHIBIT C - Global Village

Subject Property

City Limits

EXHIBIT D



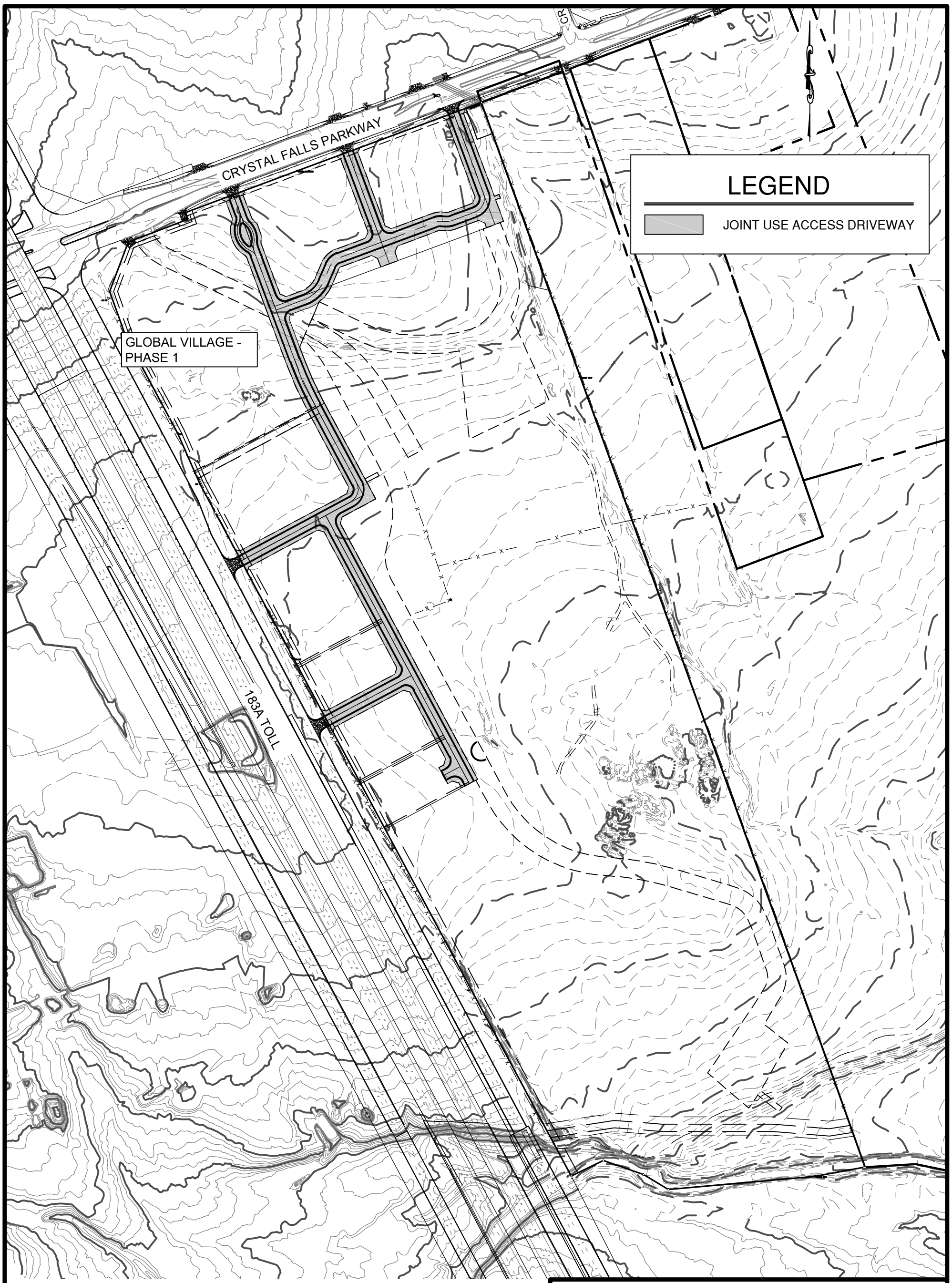
250' 0 250' 500'

SCALE: 1 INCH = 250' FT

GLOBAL VILLAGE PHASE ONE
WATER QUALITY EXHIBIT

Bowman CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

EXHIBIT E



250' 0 250' 500'

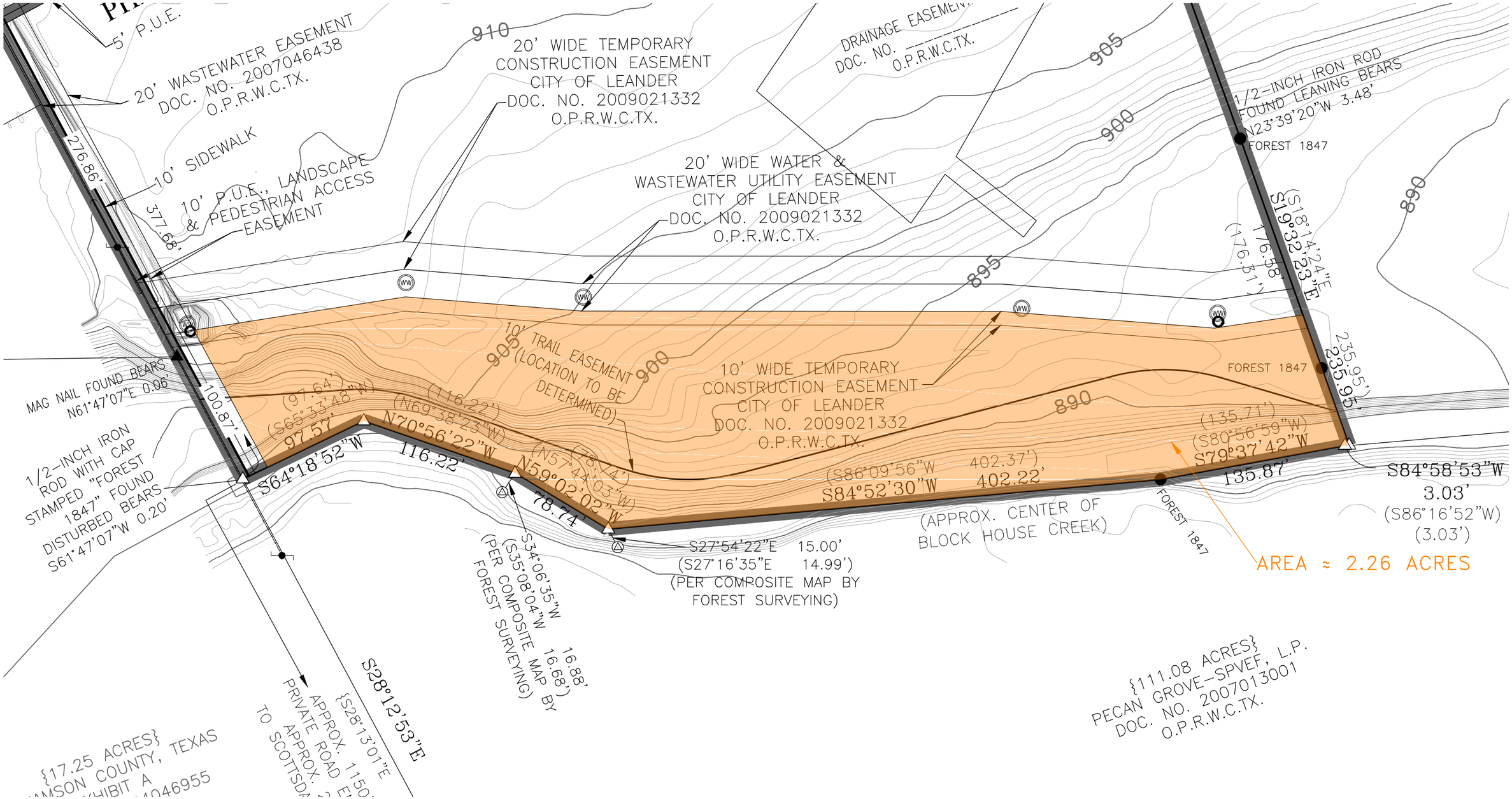
SCALE: 1 INCH = 250' FT

JOINT USE ACCESS
DRIVEWAY EXHIBIT

Bowman
CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

H:\Projects\Cantwell Tract\070812-Cantwell Tract_Ph 2 Engineering\Exhibits\JOINT USE ACCESS DRIVEWAY EXHIBIT.dwg, WATER QUALITY EXHIBIT, June 08, 2016, 7:59 AM, ahusejnovic

EXHIBIT F


5' P.U.E.
20' WASTEWATER EASEMENT
DOC. NO. 2007046438
O.P.R.W.C.TX.
10' SIDEWALK
10' P.U.E., LANDSCAPE & PEDESTRIAN ACCESS EASEMENT
276.86'
377.68'
910
20' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
DRAINAGE EASEMENT
DOC. NO. _____
O.P.R.W.C.TX.
905
900
895
890
20' WIDE WATER & WASTEWATER UTILITY EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
1/2-INCH IRON ROD FOUND LEANING BEARS N23°39'20"W 3.48'
FOREST 1847
S19°32'23"E
176.58'
(S18°14'24"E
(176.51')
235.95'
(235.95')
FOREST 1847
MAG NAIL FOUND BEARS N61°47'07"E 0.96'
100.87'
1/2-INCH IRON ROD WITH CAP STAMPED "FOREST 1847" FOUND DISTURBED BEARS S61°47'07"W 0.20'
10' TRAIL EASEMENT (LOCATION TO BE DETERMINED)
10' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
(97.64')
(S65°33'48"W)
97.57'
S64°18'52"W
(116.22')
(N69°38'23"W)
N70°56'22"W
116.22'
(78.74')
(N57°44'03"W)
N59°02'02"W
78.74'
(S86°09'56"W
S84°52'30"W
402.37')
402.22'
(135.71')
(S80°56'59"W)
S79°37'42"W
135.87'
S84°58'53"W
3.03'
(S86°16'52"W)
(3.03')
FOREST 1847
(APPROX. CENTER OF BLOCK HOUSE CREEK)
AREA ≈ 2.26 ACRES
S27°54'22"E 15.00'
(S27°16'35"E 14.99')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S34°06'35"W
(S35°08'04"W 16.88'
16.68')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S28°12'53"E
{S28°13'01"E
APPROX. 1150'
PRIVATE ROAD E
APPROX.
TO SCOTTSDA
{111.08 ACRES}
PECAN GROVE-SPVEF, L.P.
DOC. NO. 2007013001
O.P.R.W.C.TX.
{17.25 ACRES}
TEXAS
EXHIBIT A

Consent Agenda

7. Subdivision Case 15-SFP-017: Consider action on the Integrated Metal & Products Lot 1A, Block A, Short Form Final Plat, being a replat for 2.960 acres more or less; WCAD Parcel R457663; generally located 1,138 ft east from the southeast corner of the intersection of N. Bagdad Rd and Old 2243 W.; Leander, Williamson County, Texas. Applicant/Agent: Jason Horowitz on behalf of DADSBAGGS EAST LP.

8. Subdivision Case 16-FP-006: Consider action on the Carneros Ranch, Section 7 Final Plat for 17.851 acres more or less; WCAD Parcels R430194; generally located to the northwest of the intersection of Marsala Circle and Bagdad Road; Leander, Williamson County, Texas. Applicant/Agent: Jim Cook (CSF) on behalf of Emmet J. Hawkes & Sally Hawkes.

Commissioner Hines moved to approve the consent agenda with staff recommendations. Commissioner Allen seconded the motion. Motion passed unanimously.

Public Hearing

9. Zoning Case 16-Z-013: Hold a public hearing and consider action on the rezoning of 65.25 acres more or less out of the Walter Campbell Survey; generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll; WCAD ID R031201, R080605, R432787, R031200, R328187, and R432786. Currently, the property is zoned GC-2-A (General Commercial), LC-2-A (Local Commercial), LO-2-A (Local Office), and SFT-2-A (Single-Family Townhome). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district; Leander, Williamson County, Texas. Applicant: City of Leander on behalf of Premas Global Leander, LLC.

a) Staff & Applicant Presentation

Paige Saenz, City Attorney, spoke on the history of the project.
Robin Griffin, Senior Planner, explained the proposed zoning district.

b) Open Public Hearing

Chair Sokol opened the public hearing
No one wished to speak.

c) Close Public Hearing

Chair Sokol closed the public hearing.

d) Discussion

Discussion took place between P & Z Commissioners.
Robert Kleeman, Global Village representative, and Paige Saenz, City Attorney answered P & Z Commissioners' questions.

e) Consider Action

Commissioner Hines moved to deny the zoning request of PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district. Commissioner Cotton seconded the motion. Motion passed 4 to 2 with Commissioner Schwendenmann and Commissioner Allen opposing.

Commissioner Schwendenmann made an alternate motion to approve the zoning request with the current landscape ordinance requirements and the Multi-Family use component. The motion failed due to the lack of a second.

10. Zoning Case 16-Z-006: Hold a public hearing and consider action on the rezoning of 50.615 acres more or less out of the C. Ybarbo Survey, No. 420 and the C.C. Chafin Survey No. 78, generally located to the west of the intersection of Crystal Falls Pkwy and Lakeline Blvd, more specifically to the west of the Fairways at Crystal Falls, Section 5 Subdivision; TCAD ID 796313. Currently, the property is zoned SFS-2-B (Single-Family Suburban). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of MF-2-A (Multi-Family), Leander, Travis County, Texas. Applicant: Mike Siefert on behalf of Lookout Partners, LP.

a) Staff Presentation

Martin Siwek, Planner, discussed the purpose for the zoning request.

b) Applicant Presentation

Mike Siefert, explained the zoning request.

c) Open Public Hearing

Chair Sokol opened the public hearing.

Todd Madden – Spoke for
Brian McCurtis – Spoke against
Mike Meadows – Spoke against
Michael Dube – Spoke against
Suzy Pessia - Spoke against
Bob Kanade -Spoke against
Jim Wiggers – Spoke against
Steve Wiesenthal - poke against
Dave Abrons - Spoke against
Andy Pitts - Spoke against
Irene Cosley – Spoke against
Christine Turner – Spoke against
Philip Turner – Spoke against
Kenneth Ahrens – Spoke against
Phil Wright – Spoke against
Karen Hutton – Spoke against
Kurt Strauss – Spoke for
Kathryn Parker – Spoke for

d) Close Public Hearing

Chair Sokol closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Hines moved to deny the zoning request of PUD (Planned Unit Development) with base zoning district of MF-2-A (Multi-Family). The Commission requested that the applicant works with staff to address the following issues:

1. **Prohibit lighting from the interior of the project**
2. **Increase the minimum building size to 1,800 square feet**

Executive Summary

June 16, 2016

Agenda Subject: Zoning Case 16-Z-009: Consider action on the rezoning of 10.922 acres more or less out of the M.S. Hornsby Survey, generally located to the northwest corner of Crystal Falls Pkwy and Lakeline Blvd, WCAD ID R526317, R526318, & R514375. Currently, the property is zoned GC-3-B (General Commercial). The applicant is proposing to zone the property to PUD (Planned Unit Development) with base zoning districts of MF-2-A (Multi-Family) and GC-2-A (General Commercial), Leander, Williamson County, Texas.

Background: This request is the final step in the rezoning process.

Origination: Applicant: Adam Diskin on behalf of Bliss at Mason Hills, LLC.

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission recommended approval of the proposed PUD (Planned Unit Development) with base zoning districts of MF-2-A (Multi-Family) and LC-2-A (Local Commercial with the following conditions:

1. The sidewalk connecting Lakeline Blvd and Crystal Falls Pkwy shall be constructed of concrete and match the Lakeline Blvd sidewalk width. The intersections of the new sidewalk with the sidewalks on Lakeline and Crystal Falls shall be designed as "y" intersections instead of "t" intersections if feasible.
2. Update the masonry requirements for the residential buildings to include a limit of 35% stucco.

The motion passed 5 to 1 (Commissioner Means opposing) at the May 26, 2016 meeting. The City Council approved this request with the following conditions at the June 2, 2016 meeting:

1. The sidewalk connecting Lakeline Blvd and Crystal Falls Pkwy shall be constructed of concrete and match the Lakeline Blvd

sidewalk width. The intersections of the new sidewalk with the sidewalks on Lakeline and Crystal Falls shall be designed as "y" intersections instead of "t" intersections if feasible.

2. Update the masonry requirements for the residential buildings to include a limit of 35% stucco.
3. The developer shall work with the City to coordinate driveway access to the commercial portion of the site at an existing or new median break in N. Lakeline Blvd prior to the issuance of the site development permit.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Notification Map
5. Proposed Zoning Map
6. Aerial Map
7. PUD Notes and Conceptual Site Layout & Land Use Plan
8. Letter of Intent
9. Ordinance
10. Neighborhood Correspondence

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/07/2016

PLANNING ANALYSIS

ZONING CASE 16-Z-009

BLISS AT MASON HILLS PUD

GENERAL INFORMATION

Owner: Bliss at Mason Hills, LLC.

Current Zoning: GC-3-B (General Commercial)

Proposed Zoning: PUD (Planned Unit Development) with the following base zoning districts
MF-2-A (Multi-Family)
LC-2-A (Local Commercial)

Size and Location: The property is located at northwest corner of Crystal Falls Pkwy and Lakeline Blvd and is approximately 10.922 acres in size.

Staff Contact: Robin M. Griffin, AICP
Senior Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFU-2-B	Residential Under Construction (Mason Ranch Subdivision)
EAST	SFU/MH-2-B	Proposed & Existing Residential (Mason Ranch & The Boulders at Crystal Falls Subdivisions)
SOUTH	GC-3-C	Assisted Living Facility & Water Quality Pond
WEST	SFU-2-B GC-3-A	Fire Station Undeveloped Land Zoned for Commercial

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

PUD – PLANNED UNIT DEVELOPMENT:

The purpose and intent of the Planned Unit Development (PUD) district is to design unified standards for development in order to facilitate flexible, customized zoning and subdivision standards which encourage imaginative and innovative designs for the development of property within the City. The intent of this zoning request is to provide for the design of a development which permits a mixture of duplexes, triplexes and fourplexes. The intent of this zoning district is to cohesively regulate the development to assure compatibility with adjacent single-family residences, neighborhoods, and commercial properties within the region.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Create strong neighborhoods with a variety of housing choices.
- Encourage a range of housing types at a variety of price points.
- Community Centers provide the same uses and services offered by a Neighborhood Center. Additionally, Community Centers include uses that are demanded less frequently than daily, and are typically anchored by grocery stores. Community Centers should have an internal network of streets and promote walkability within the Center.
- The purpose of the Mixed Use Corridor Designation is to allow for areas along arterials to be developed to preserve the integrity of the corridor and maintain mobility. Typical uses include a variety of residential types, such as small-lot single-family, townhomes, duplexes and quadplexes, civic and institutional uses (schools and places of worship) and small professional offices that complement residential development. Limited neighborhood-serving commercial uses and higher-density residential are appropriate at intersections.

ANALYSIS:

The applicant is requesting the PUD (Planned Unit Development) district in order to allow for the development of duplexes, triplexes and fourplexes at this location. The properties to the north and east are part of the Mason Ranch Subdivision that is currently under construction. The property to the south is developed as an assisted living facility and the property to the west includes the Fire Station and undeveloped land zoned for commercial uses.

This request was heard by the Planning & Zoning Commission at the September 10, 2015 meeting. The original request included a PUD that would allow for apartments and duplexes. During the meeting, the applicant proposed to change the request to eliminate the apartments and only propose the duplexes. The Planning & Zoning Commission recommended approval of this request with conditions that included the following:

1. A reduction in the density from 186 units to 84 units
2. All dwellings will be single-story

The City Council denied the request at the September 17, 2015 meeting.

A portion of this property was annexed as part of the Mason Ranch Subdivision in 2001 and the remainder was annexed in 2007. The portion of the property closest to the intersection of Lakeline Blvd and Crystal Falls Pkwy was zoned C-2 in 2004 and this district later converted to the current GC-3-B district with the adoption of the Composite Zoning Ordinance. The remainder of the tract was rezoned to GC-3-B in 2008 as part of the Mason Ranch Subdivision zoning case.

A PUD district can be an appropriate district in this situation because it offers the applicant the opportunity to design a zoning district that will provide for a mixture of duplexes, triplexes, fourplexes as well as commercial uses while limiting the overall density and providing higher design standards..

The applicant is proposing the MF-2-A (Multi-Family) and LC-2-A (Local Commercial) base zoning districts to accommodate the proposed development. The proposal includes a total of 84 units, comprised of 17 duplexes, 2 triplexes, and 9 fourplexes, and local commercial uses closest to the intersection. The current zoning district would permit a range of commercial uses including office, retail, and service. There are no hours of operation limitations.

The proposed LC use component permits all uses allowed in the LO (Local Office) use component as well as retail sales and services, restaurants, banks, and convenience stores. The hours of operation: are limited to 5:00 a.m. to 10:00 p.m. Sunday through Thursday and 5:00 a.m. to 11:00 p.m. Friday and Saturday. The intent of the use component is to allow for uses that are limited in scale and offer services to neighboring residential neighborhoods. Access should be provided by a collector or higher classification street.

The current Type 3 site component does permit outdoor storage or display, outdoor entertainment, or outdoor fueling. The change to a Type 2 site component would prohibit these outdoor uses. The table below demonstrates the differences between the two site components.

SITE STANDARDS	TYPE 2	TYPE 3
Outdoor Display and Storage	Not Permitted	30% of gross floor area of primary structure
Use of Overhead Commercial Service Doors	Not Permitted	Permitted
Outdoor Fueling	Not Permitted	Permitted
Outdoor Container Storage	Not Permitted	20% of gross floor area of primary structure

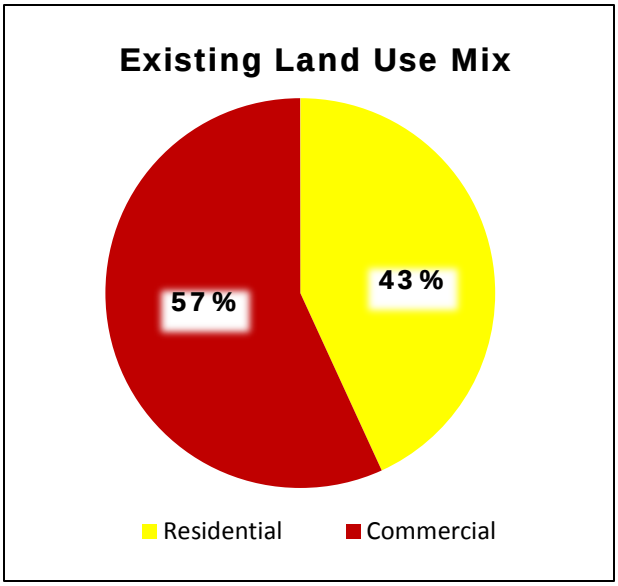
This application includes the following higher standards and waivers.

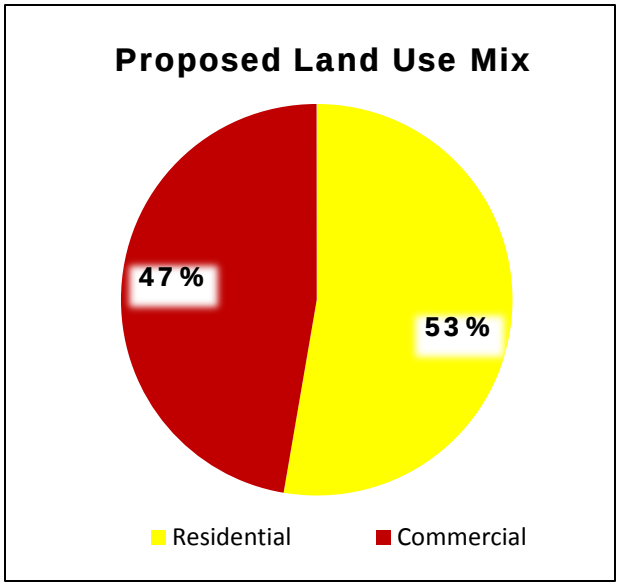
HIGHER STANDARDS	WAIVERS
COMPOSITE ZONING ORDINANCE	
Type A Architectural Component	-
Limitations on the amount of stucco	-
Increased Setbacks	-
Limitations on the retail building size	-
Building height restrictions	-
Masonry wall along Lakeline Blvd	-
Public Trail	-
Increase in the number of garages	-
-	Permitting multi-family uses
-	Parking reduction

The northern portion of this property is located within a Mixed Use Corridor. This corridor designation is located on land that is approximately 500 feet from the outer edge of the right-of-way and is typically one block deep. The typical uses include small-lot single-family, townhomes, duplexes and quadplexes, civic and institutional uses (schools and places of worship) and small professional offices that complement residential development. Limited neighborhood-serving commercial uses and higher-density residential are appropriate at intersections.

The southern portion of this property is also located within a Community Center as identified by the Future Land Use Map. Community Centers are intended to provide the same types of uses as services as a Neighborhood Center as well as uses that are demanded less frequently than daily and are typically anchored by grocery stores. These centers have a service area of up to one mile and can include up to 125,000 square feet of commercial space. Compatible uses include community-serving uses (grocery stores, restaurants and services); small professional offices; small-lot single-family, townhomes, duplexes, quadplexes; parks and public spaces. Development within these centers should be integrated through internal streets and should provide pedestrian and bicycle connections to adjacent residential neighborhoods. All centers designated by the Future Land Use Plan seek to have the most intense development closest to the center of the center, and to have reduction in intensity of development as it moves out from the center of those nodes. The target mix of land uses within the Community Center are 50% residential and 50% non-residential.

The existing land use mix does not meet the target mix shown in the Comprehensive Plan. Currently, the predominant land use is community commercial / retail. The land use mixes are shown in the graphs below.





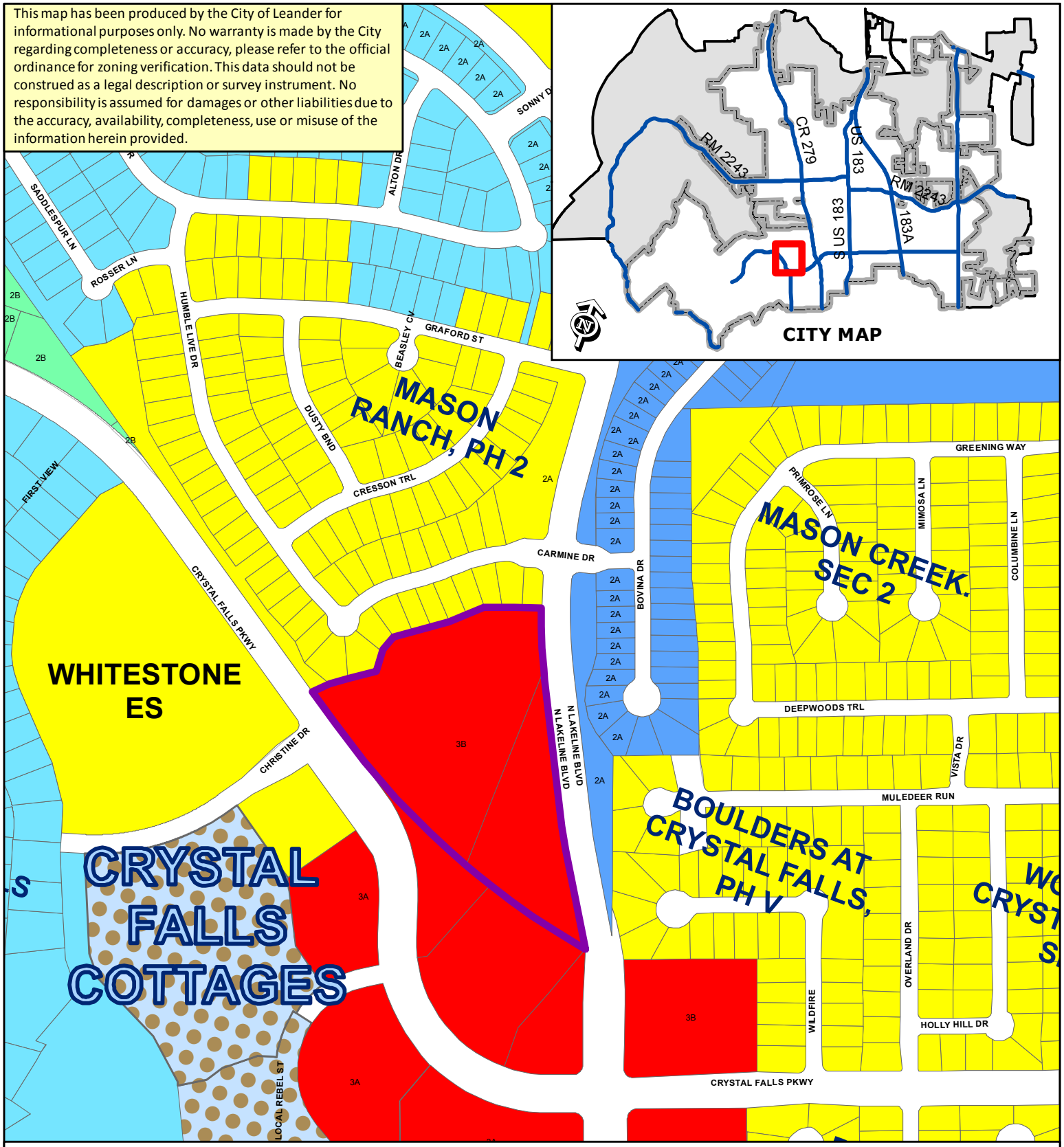
The proposed zoning change brings the land use mix closer to compliance with the Comprehensive Plan regarding the percentage of community commercial / retail and residential uses.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Bliss at Mason Hills PUD with the following conditions:

1. Garages associated with all homes shall comply with the Architectural Standards section of the Composite Zoning Ordinance. This section of the ordinance includes limits on the percentage of the ground floor street facing wall that can be comprised of garage doors.
2. Update the masonry requirements for the residential buildings to include a limit of 35% stucco.

This PUD provides a transition between the neighborhood to the north and the intersection of two major thoroughfares. The proposed PUD includes higher standards of development such as the Type A architectural component, adding additional setbacks, public trail system, and a masonry wall along Lakeline Blvd. The requested zoning district meets the intent statements of the Composite Zoning Ordinance and the goals of the Comprehensive Plan.

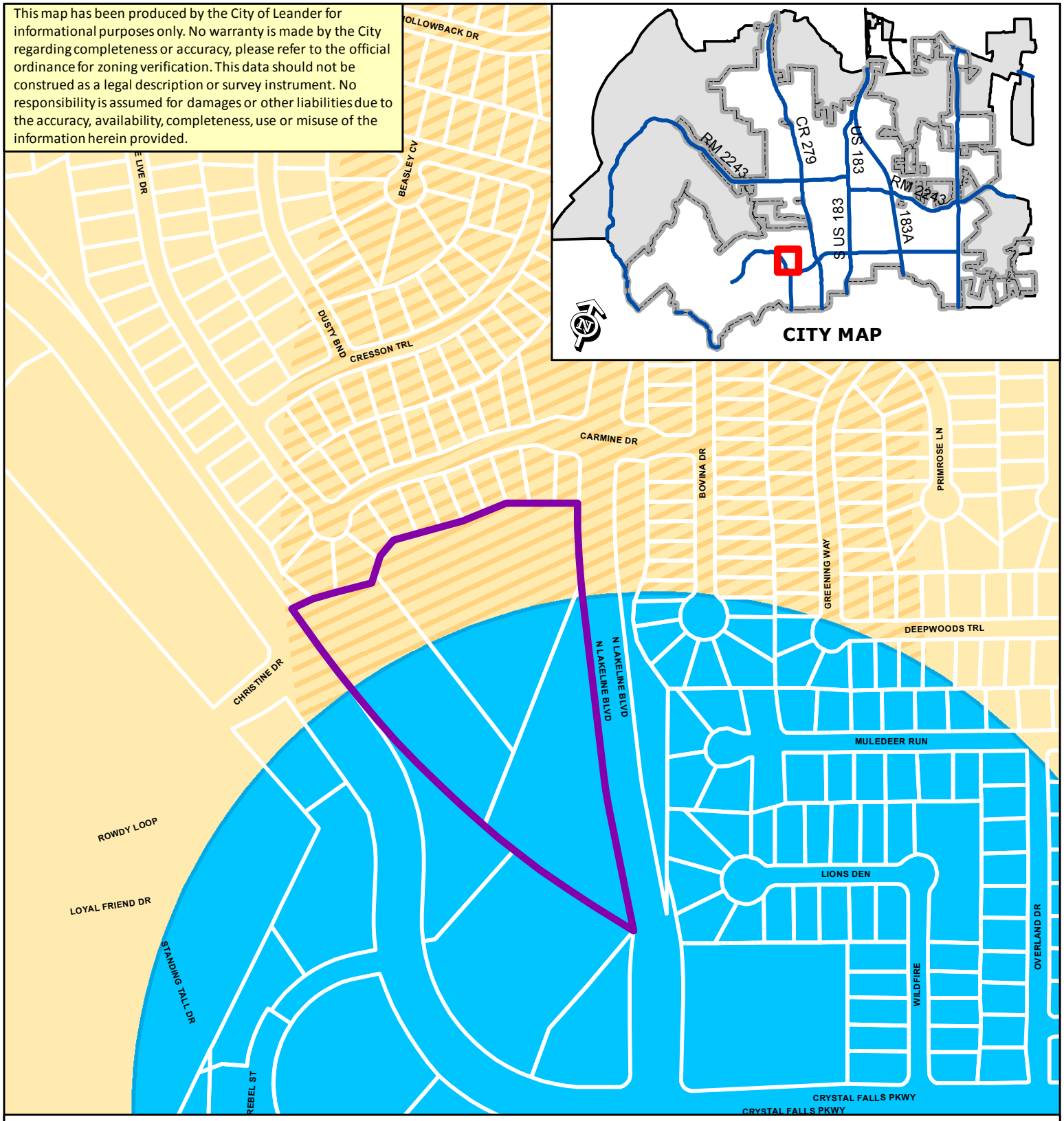


ZONING CASE 16-Z-009 Attachment #2 Current Zoning Map - Bliss at Mason Hills PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200
Feet



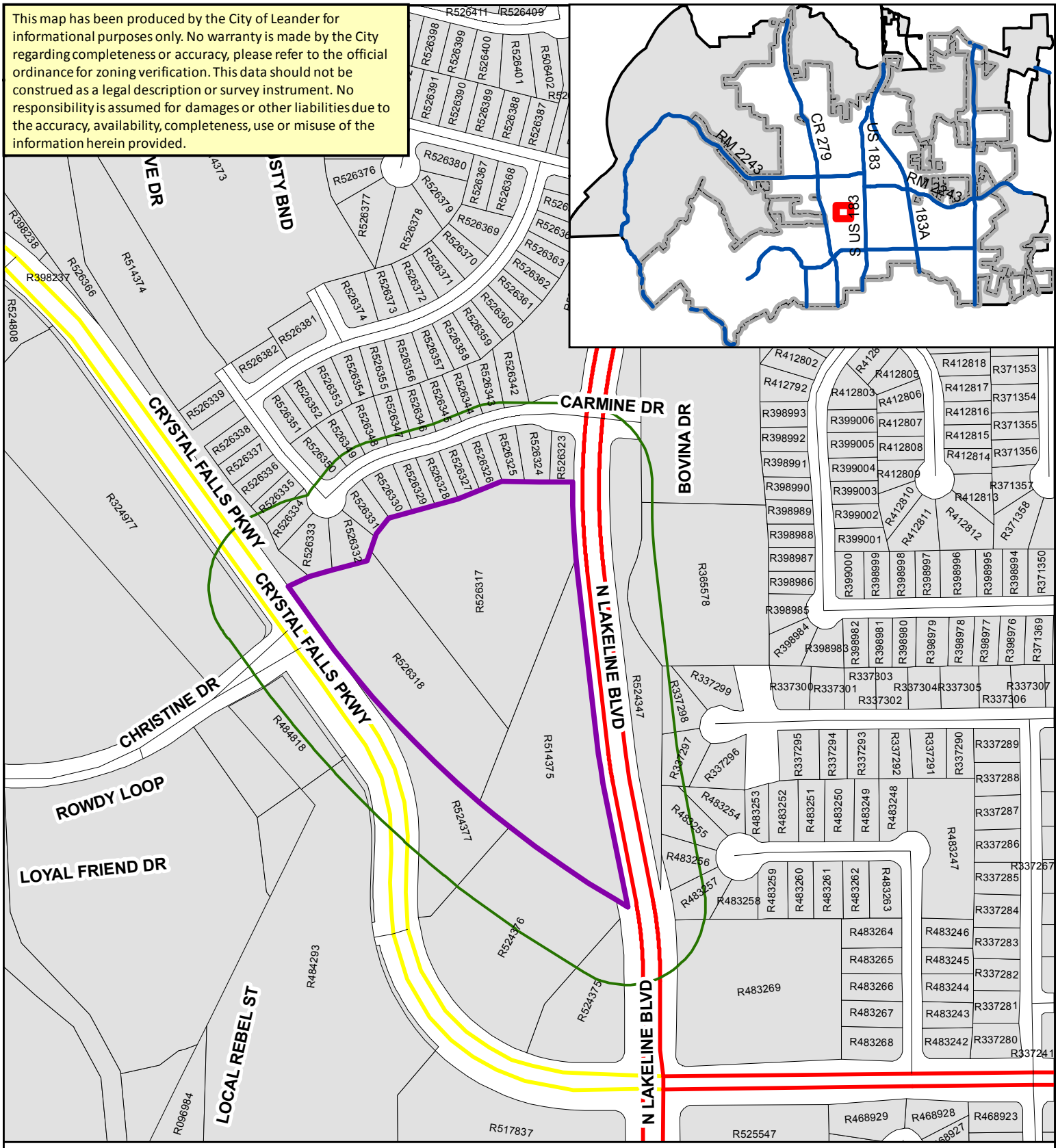
ZONING CASE 16-Z-009 Attachment #3 Future Land Use Map - Bliss at Mason Hills PUD

- Subject Property
- City Limits
- Open Space
- Mixed Use Corridor
- Commercial Corridor
- Neighborhood Center
- Community Center
- Activity Center
- Transit Supportive Mixed Use
- Station Area Mixed Use
- Old Town Mixed Use
- Employment Mixed Use
- Industrial District
- Neighborhood Residential

N

0 200

Feet



ZONING CASE 16-Z-009

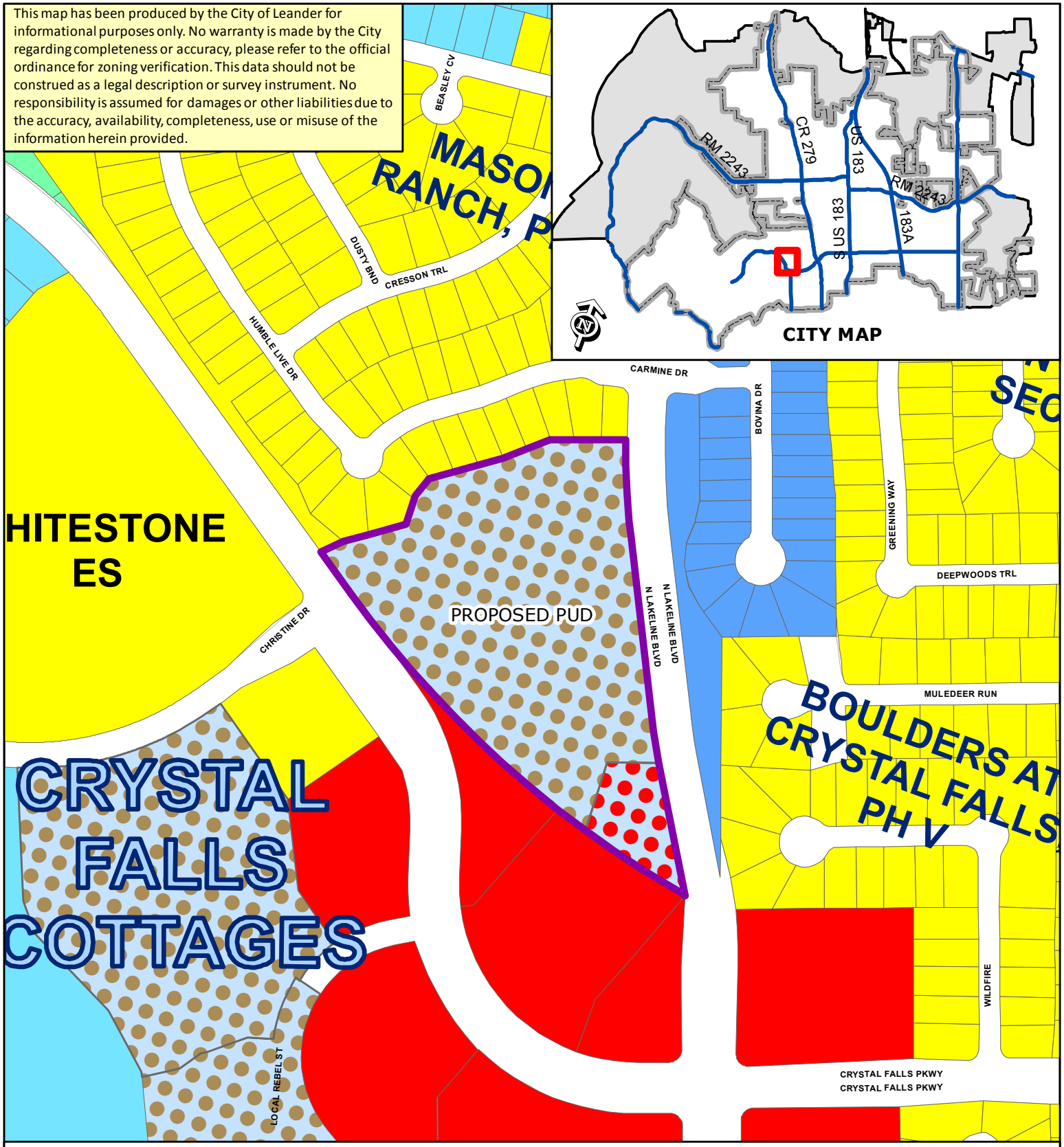
Attachment #4

Notification Map
Bliss at Mason Hills PUD

Subject Property
Public Notification Boundary
City Limits
WCAD Parcels
TCAD Parcels

N

0 140 280 560 Feet

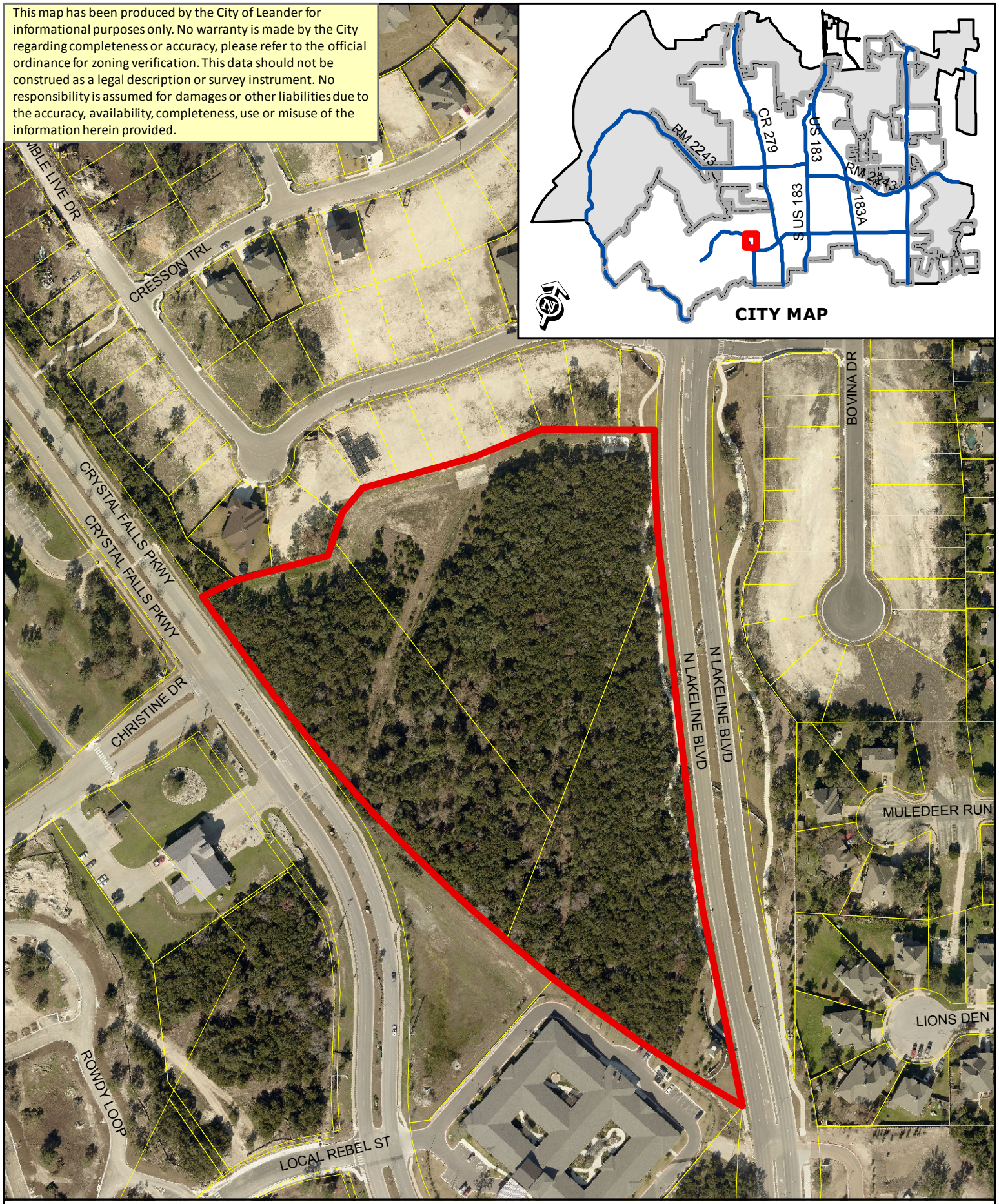


ZONING CASE 16-Z-009 Attachment #5 Proposed Zoning Map - Bliss at Mason Hills PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200
Feet



ZONING CASE 16-Z-009 Attachment #6

Aerial Exhibit - Approximate Boundaries
Bliss at Mason Hills PUD

0 200
Feet

Subject Property
City Limits

Exhibit A

Bliss Resort Living at Mason Hills
Planned Unit Development

A. Purpose and Intent

The property consists of 10.922 acres, as described in Exhibit B (Field Notes), located near the Northwest corner of the intersection of Lakeline Boulevard and Crystal Falls Boulevard, Leander, Texas. Bliss Resort Living at Mason Hills will be the premier multi-family community in Central Texas consisting of up to 84 units specifically designed with amenities comparable to higher-end luxury resorts. Scaling and massing of the buildings reflects the adjacent neighborhood and will be surrounded by tranquil gardens.

The contents of this PUD further explain and illustrate the overall appearance and function desired for this neighborhood. A Conceptual Site Layout and Land Use Plan has been attached to this PUD, Exhibit C, to illustrate the design intent for the property. The Conceptual Site Layout and Land Use Plan is intended to serve as a guide to illustrate the general neighborhood vision and design concept and is not intended to serve as a final site plan.

B. Applicability and Base Zoning

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

For the purpose of establishing development standards for the PUD, a base zoning district has been selected from the Leander Composite Zoning Ordinance.

- *Base Districts: MF-2-A (Multi-Family) and LC-2-A (Local Commercial)*

The neighborhood within the PUD shall comply with the modified development standards of this PUD. In the case that this PUD does not address a specific City requirement, the Leander Composite Zoning Ordinance shall apply. In the event of a conflict between this PUD and the base zoning district found in the Leander Composite Zoning Ordinance, this PUD shall control.

C. Conceptual Site Layout and Land Use Plan

Exhibit C attached is a conceptual development plan intended to visually convey the design intent for the Bliss Resort Living at Mason Hills project. The design of the community is not final, and is subject to refinement during the platting and site planning stages. This PUD zoning document does not constitute plat or site plan approval of the attached plan.

Bliss Resort Living at Mason Hills project is comprised of a gated multi-family rental and commercial development, which will consist of:

1. ATTACHED UNITS: at least 17 duplex style, 2 triplex style, and 9 four-plex style, single story buildings, with an average size of 1,165 square feet and one or two car garages or adjacent parking areas ("Attached Units").

2. MULTI-FAMILY CLUBHOUSE: Up to a 5,000 square foot clubhouse overlooking resort style pool and separate exercise and health facility that will be up to 2,000 square feet, for use by the multi-family residents (multi-family residents consists of the occupants of the Attached Units, their guests, potential residents, and guests invited by Bliss at Mason Hills management.

3. COMMERCIAL: The Commercial portion of the project is to be +/- 6,900 square feet of local commercial, retail, office, or restaurant space that would be suitable as affiliated uses to the project. This area is not part of the gated community.

D. <u>Allowable Use</u>

The use shall be single story Attached Homes in a multi-family residential development; as well as a mixed retail commercial building approximately 6,900 square feet in size. The maximum number of Attached Homes is 84.

E. <u>Lot Design Standards</u>

All building setbacks shall be twenty-five (25') feet from the property line. All other setbacks shall comply with the Composite Zoning Ordinance.

F. <u>Drive Design</u>

The Bliss Senior Living at Mason Hills community shall incorporate the following drive standards.

1. This project shall consist of private drives instead of public roadways. The pavement width shall be a minimum of 26 feet in width-face of curb to face of curb.

2. The access drive alignment, building pads and on street parking along the drives may vary to minimize disturbance to significant trees and natural topographic features. Private drives shall be maintained by the community association.

3. The Attached Homes shall be privately gated.

4. Drive lighting is required at the intersections between the internal drives and public streets. "Dark Sky" lighting shall be provided throughout the development in accordance with the Texas section of the International Dark-Sky Association.

5. Sidewalks shall be provided, and are already installed, along the property lines that are adjacent to N. Lakeline Blvd and Crystal Falls Pkwy.

6. A sidewalk shall be provided along the northern property line and adjacent to the single family zoned property to the north. This sidewalk shall be

constructed of concrete and match the N. Lakeline Blvd sidewalk. This sidewalk shall connect N. Lakeline Boulevard and Crystal Falls Parkway. If feasible, the new sidewalk shall intersect the existing sidewalks in a "y" configuration.

7. The developer shall work with the City to coordinate driveway access to the commercial portion of the site at an existing or new median break in N. Lakeline Blvd prior to the issuance of the site development permit.

G. <u>Architectural Criteria</u>

The site shall comply with the Type A Architectural Component and Type 2 Site Component of the Composite Zoning Ordinance. The project shall utilize the highest architectural standards defined by Type A. The project shall substantially comply with the renderings included as Exhibit D (Renderings) and shall utilize the following architectural standards.

<u>Attached Units</u>

Design Features:	5 different design features including: 1. Horizontal offsets – interior spaces are expressed as horizontal projections and varying roof plate heights. 2. Recessed entry – primary entrance is set in from building facade 3. Porches – each unit is provided with a covered porch. 4. Awnings – each unit features one decorative awning with a standing seam roof and architecturally expressed brackets. 5. Wing Wall – a low, stone wall ties into a wood gate and screen between the street and the courtyard adjacent to the unit entry.
Exterior Materials:	Exterior surface area of walls shall consist of 100% masonry, and only areas of the exterior surface area of walls that can't support the weight of stone or brick shall consist of painted or tinted stucco. No more than 35% of the exterior surface area of walls shall consist of painted or tinted stucco. ▪ Stone: native limestone in white and colors found in surrounding neighborhoods. The roof shall be a premium composition shingle at 4:12 slope, and standing seam metal roofing shall be used on decorative awnings.
Window and Door Openings:	A minimum of 15% of the front primary building façade shall consist of window or door openings. Glazing shall have a maximum exterior reflectivity of 20%.
Building Height:	Buildings shall not exceed a height of 35 feet.

<u>Commercial</u>

Design Features:	5 different design features including: 1. Breezeway – four of the storefront entrances on the front of the building are within a covered exterior space featuring tapered stone columns and expressed timber construction. 2. Porches – a deep, wide covered porch is provided on the south end of the building for a potential outdoor dining

	space. 3. Awnings – decorative awnings shade the storefront entrances on each side of the tower element. 4. Varied roof heights – the breezeway and tower element roofs have different roof heights than the main roof. 5. Premium roofing materials – all roofs and awnings shall be standing seam metal.
Exterior Materials:	At least 85% of the exterior surface area of walls shall consist of masonry and no more than 50% of the exterior surface area of walls shall consist of painted or tinted stucco. The remaining exterior wall surface shall be comprised of cementitious-fiber plank siding. ▪ Stone: native limestone in white and colors found in surrounding neighborhoods. ▪ Stucco: to be determined, likely in a palette of browns, golds, grays and greens to reference the colors used in the duplexes. ▪ Siding: used as an accent in a color to be determined, likely in a rich brown for a wood feel. ▪ The roof shall be standing seam metal at 4:12 slope.
Window and Door Openings:	A minimum of 15% of the front primary building façade shall consist of window or door openings. Glazing shall have a maximum exterior reflectivity of 20%.
Building Height:	Building shall not exceed a height of 35 feet.

Multi-Family Clubhouse

Design Features:	6 different design features including: 1. Porte-cochere – grand entrance at the front of the building where residents and visitors can meet their transportation out of the elements via a covered driveway drop-off area. The porte-cochere shall feature tapered stone columns and expressed timber construction. 2. Porches – a deep, wide covered porch is provided on the rear of the building for a potential outdoor living dining space. 3. Recessed entry – the main entry is tucked into the building façade and connects to the porte-cochere. 4. Architectural Details – decorative metal brackets and deep rooflines shall be used on the roof elements. 5. Varied roof heights – the porte-cochere has a different roof height than the main roof. All roofs and awnings shall be standing seam metal.
Exterior Materials:	At least 85% of the exterior surface area of walls shall consist of masonry and no more than 50% of the exterior surface area of walls shall consist of painted or tinted stucco. The remaining exterior wall surface shall be comprised of cementitious-fiber plank siding. ▪ Stone: native limestone in white and colors found in surrounding neighborhoods. ▪ Stucco: to be determined, likely in a palette of browns, golds, grays and greens to reference the colors used in the duplexes. ▪ Siding: used as an accent in a color to be determined, likely

	in a rich brown for a wood feel. ▪ The roof shall be standing seam metal at 4:12 slope.

Window and Door Openings:	A minimum of 15% of the front primary building façade shall consist of window or door openings. Glazing shall have a maximum exterior reflectivity of 20%.
Building Height:	Building shall not exceed a height of 35 feet.

Parking Requirements

1. Attached Units
   - Each duplex shall include one single car garage and one two-car garage.
   - Each triplex and fourplex shall include one single car garage and one two-car garage. Parking for the 1-bedroom units of the triplex and fourplex buildings shall have at least 1.25 spaces per unit.
   - Garage parking shall be provided for at least 60% of the Attached Units, exceeding the ordinance requirement of 35% of the Attached Units having garage parking.
   - As long as the units are rented to a head of household or spouse that is at least fifty-five (55) years of age, the off-street parking may be reduced as listed above. Should the property no longer be used for a senior project, then the off street parking requirements shall comply with the Composite Zoning Ordinance. An alternative parking plan shall be provided as part of the site development permit demonstrating that the parking requirements can be met should the use change. The owner of the property shall contact the City and notify the City of the property's change of use from a senior project.

2. Commercial
   - The commercial space shall have a parking ratio of 1 space per every 200 square feet.

3. Multi-family Clubhouse
   - The multi-family clubhouse is only for the use of residents, their guests, potential residents and invited guests of the Bliss at Mason Hills management. While the use does not require any additional parking, 4 visitor/potential resident spaces shall be provided.

H. <u>Walls, Fencing and Landscaping</u>

1. Bliss Resort Living at Mason Hills shall utilize a masonry wall that matches the existing walls already installed in the Mason Hills development along Lakeline Boulevard as described in Exhibit E (Lakeline Masonry Wall), and may utilize a combination of wrought iron or decorative tubular metal fencing, masonry posts and wrought iron or decorative tubular fencing, and landscape screening around the remaining multi-family portion of the site and where views into adjacent open space and buffers are desired. Full screening shall be provided where the remaining

multi-family portion of the site is adjacent to Crystal Falls Parkway, and the masonry wall along Lakeline Boulevard also provides full landscape screening.

2. Bliss Resort Living at Mason Hills shall comply with the applicable landscape standards for multi-family and local commercial districts as listed in Article VI of the Composite Zoning Ordinance.

<u>Exhibit B</u>

Field Notes

Exhibit C

Conceptual Site Layout

Exhibit D

Sample Renderings

Exhibit E

Lakeline Masonry Wall

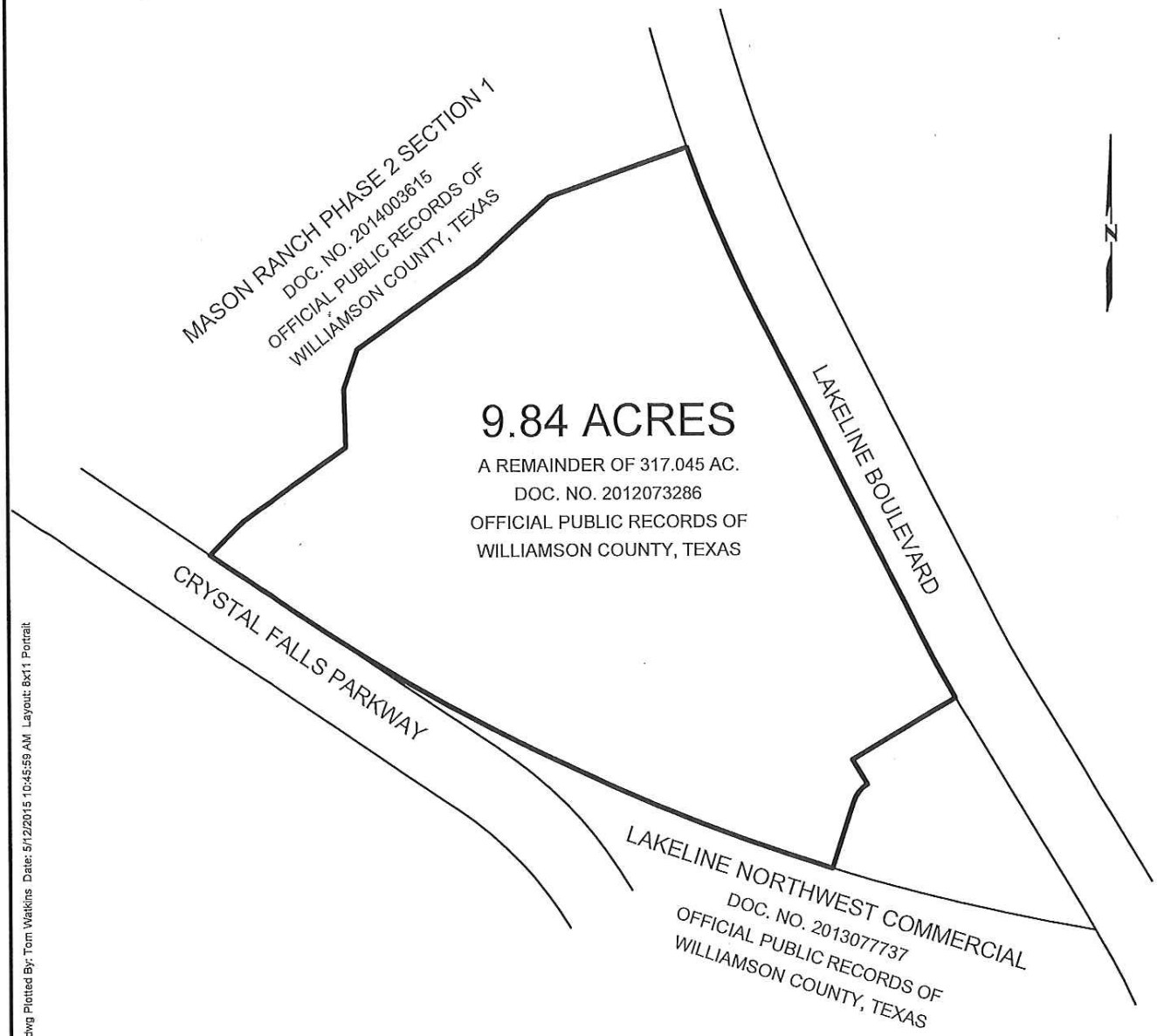
Single Width Limestone Screenwall Construction Details

Screenwall Design Details:
Limestone Screenwalls to match pattern and design already in Mason Hills . Limestone to be a blend of white, cream, tan, and caverock. Stone to be sawn at top and bottom. Stone pattern to consist of 4" and 8" tall stone placed in a random ashlar patter. Stone at wall face to be placed flush vertically. Stone at back of wall to vary vertically with thickness of wall. No formal cap to be placed at top of wall. Mortar joints to range between minimum 3/8" to maximum 5/8". Mortar to be raked back approximately 1/4" to 1/2" from face of stone. Total wall height to average 6' tall above grade.

Screenwall Installation Details:
Concrete footing to include #5 rebar reinforcing with #3 stirrups at 18" on center. Drilled piers to be placed in footing as required by site conditions. If solid rock is encountered the footing will be doweled into rock with #5 rebar.
Post tension system

Post Tension System to be placed at 4' on center. System to be composed of a 5/8"x 18" J-Bolt, a 5/8" coupler, a 5/8" galvanized rod, and a galvanized steel washer with nut.

ZONING EXHIBIT



Cunningham|Allen
Engineers • Surveyors
FIRM REG: TBPE F-284; TBPLS 10000900

3103 Bee Cave Road
Suite 202
Austin, Texas 78746
Tel.: (512) 327-2946
Fax: (512) 327-2973

Drawing Path: S:\6200101_Bliss at Manor Hills_Drawings\6200101_ZONING PARCEL.dwg Plotted By: Tom Watkins Date: 5/12/2015 10:45:59 AM Layout: 8x11 Portrait

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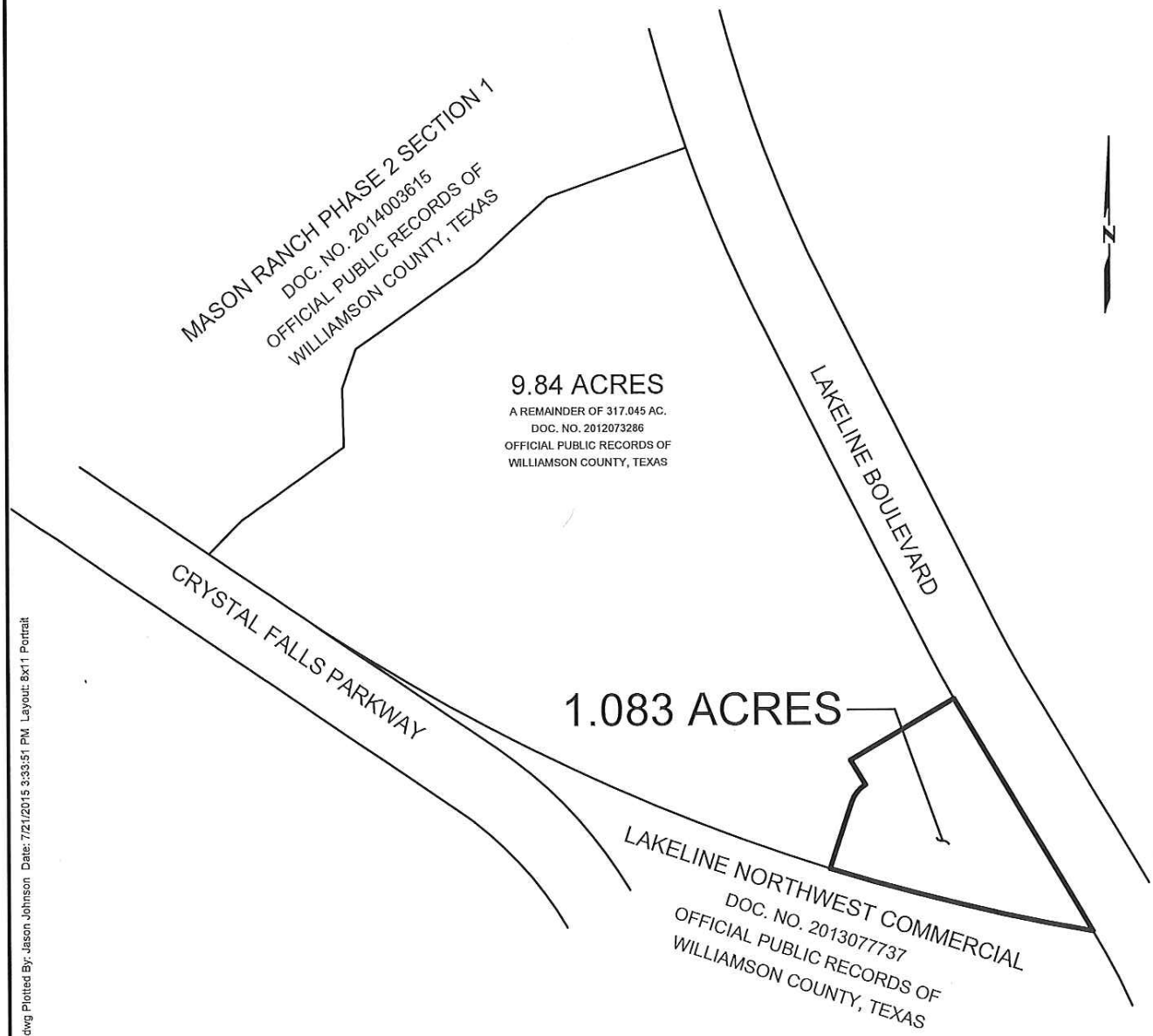
ZONING EXHIBIT



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Cunningham|Allen
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FIRM REG: TBPE F-284; TBPLS 10000900

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Fax: (512) 327-2973

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BLISS MASON HILLS

SCHEMATIC SITE PLAN 07 MARCH 2016

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

cornerstone architects

7000 BEE CAVES RD, SUITE 200 AUSTIN TX 78746 (512) 329 0007 WWW.CORNERSTONEARCHITECTSLLP.COM

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NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF ARCHITECT RODNEY PALMER

SCHEMATIC SITE DESIGN

BLISS MASON HILLS

A100

PROJECT NO. 15137
DRAWN BY:
DATE:
CHECKED BY:
PROJECT MGR: #CR

EXHIBIT C: CONCEPTUAL SITE LAYOUT & LAND USE PLAN

This document is conceptual and has not been reviewed for compliance with the Composite Zoning Ordinance, Subdivision Ordinance, or site development standards

The Casitas at Bliss Mason Hills

Street Elevation

cornerstone
architects

cornerstone
architects

BLISS MASON HILLS CLUBHOUSE

Retail Center at Bliss Mason Hills

Street Elevation

cornerstone
architects

March 10, 2016

Ms. Robin Griffin, AICP
Senior Planner
City of Leander
114 N. Brushy Street
Leander, Texas 78641

RE: Bliss at Mason Hills Resort Living
PUD Zoning Letter of Intent

Dear Ms. Griffin:

Please accept the following "Letter of Intent" to propose a Multi-family Senior Living Community development with adjustments to the Composite Zoning Ordinance, as required by the City of Leander's PUD zoning application.

The property consists of 10.88 acres located at the Northwest corner of the intersection of Lakeline Boulevard and Crystal Falls Boulevard, Leander, Texas. Bliss Resort Living at Mason Hills promises to be the premier age-restricted multifamily community in Central Texas consisting of up to 84 attached homes specifically designed for active single-household residents age 55 and better with amenities comparable to higher-end luxury resorts.

The gated multi-family portion of the site will consist of:

- At least 28 duplex, triplex, and fourplex single story casita buildings consisting of at least 18 one-bedroom units and 58 two-bedroom units averaging 1,165 square feet with one or two-car garages, spacious open-floor plans, personal outdoor living space, central heating and air conditioning, full sized washer and dryer hook-ups, and luxury finishes such as stainless steel appliances, granite and concrete countertops, wood grain and tile floors and home automation systems.

- Up to a 5,000 square foot clubhouse overlooking resort style pool and separate exercise and health facility. The grand entrance serves as the focal point for the property and provides a strong sense of community.

The commercial portion of the project is to be +/-6,900 square feet of local commercial, office, or restaurant space that would be suitable as affiliated uses to the project. This area is not part of the gated multi-family community.

The general configuration, as shown in the enclosed illustrations will meet or exceed existing ordinances for the requested base zoning. The following list outlines some of the ways the proposed PUD is unique and enhances the multi-family living environment within the proposed district.

- Downgrading from current zoning of GC-3-B to primarily MF-2-A with complimentary GC-2-A on the south side of the property. The site plan purposely provides large areas of transition from North to South: from adjacent single family properties to the north, to single story duplexes, to more dense multi-family to single story local commercial, which will be adjacent to the Seton Healthcare facility under development to the South of the property.

- Enhanced Type "A" architecture standards beyond the City's Type "B" requirements typical for this type of development.

- Hill Country architecture that matches the existing architecture of both the Mason Hills and Crystal Falls communities, and includes extensive stone siding, stone columns and metal roofs on the prominent portions of the buildings.

Rock masonry wall along the property line that is adjacent to Lakeline Blvd.

- Site Plan development with the intent to preserve as many existing trees as possible.

- Enhanced safety within the community by providing a security controlled gated community.

- Private drives will be maintained by the community association.

- Programming to allow the senior residents to partner with the local elementary school on mentoring activities and other plans that will enhance the Crystal Falls and Mason Hills neighborhoods.

- Enhanced landscaping and screening will be provided along Crystal Falls Parkway.

- Garage or off-street parking for 100% of the single story "casitas.

- "Dark Sky" lighting throughout development in accordance with the Texas section of the International Dark-Sky Association.

We respectfully request staff support for the proposed change of zoning from GC-3-B to PUD. Should you have any questions or require additional information, please feel free to contact me.

Sincerely,

BLISS AT MASON HILLS LLC

Adam Diskin
Managing Member

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING SEVERAL PARCELS OF LAND FROM GC-3-B (GENERAL COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following parcels of land, which is herein referred to as the "Property:" That certain parcels of land being 10.922 acres, more or less, located in Leander, Williamson County, Texas, being more particularly described in Exhibit "B", generally located to the northwest corner of Crystal Falls Pkwy and Lakeline Blvd; legally described as 10.922 acres more or less out of the Moses S. Hornsby Survey, Abstract 292, more particularly described in Document Number 2015093979 Official Public Records of Williamson County, Texas, and identified by tax identification numbers R526317, R526318 and R514375.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from GC-3-B (General Commercial) to PUD (Planned Unit Development) known as the Bliss at Mason Hills PUD. The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", "C", "D", and "E" which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth in this Ordinance, this Ordinance shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 2nd day of June, 2016.
FINALLY PASSED AND APPROVED on this the 16th day of June, 2016.

THE CITY OF LEANDER, TEXAS	**ATTEST:**
_____	_____
Christopher Fielder, Mayor	Debbie Haile, City Secretary

Exhibit A

Bliss Resort Living at Mason Hills
Planned Unit Development

A. Purpose and Intent

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The neighborhood within the PUD shall comply with the modified development standards of this PUD. In the case that this PUD does not address a specific City requirement, the Leander Composite Zoning Ordinance shall apply. In the event of a conflict between this PUD and the base zoning district found in the Leander Composite Zoning Ordinance, this PUD shall control.

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<u>Attached Units</u>

Design Features:	5 different design features including: 1. Horizontal offsets – interior spaces are expressed as horizontal projections and varying roof plate heights. 2. Recessed entry – primary entrance is set in from building facade 3. Porches – each unit is provided with a covered porch. 4. Awnings – each unit features one decorative awning with a standing seam roof and architecturally expressed brackets. 5. Wing Wall – a low, stone wall ties into a wood gate and screen between the street and the courtyard adjacent to the unit entry.
Exterior Materials:	Exterior surface area of walls shall consist of 100% masonry, and only areas of the exterior surface area of walls that can't support the weight of stone or brick shall consist of painted or tinted stucco. No more than 35% of the exterior surface area of walls shall consist of painted or tinted stucco. ▪ Stone: native limestone in white and colors found in surrounding neighborhoods. The roof shall be a premium composition shingle at 4:12 slope, and standing seam metal roofing shall be used on decorative awnings.
Window and Door Openings:	A minimum of 15% of the front primary building façade shall consist of window or door openings. Glazing shall have a maximum exterior reflectivity of 20%.
Building Height:	Buildings shall not exceed a height of 35 feet.

<u>Commercial</u>

Design Features:	5 different design features including: 1. Breezeway – four of the storefront entrances on the front of the building are within a covered exterior space featuring tapered stone columns and expressed timber construction. 2. Porches – a deep, wide covered porch is provided on the south end of the building for a potential outdoor dining

	space. 3. Awnings – decorative awnings shade the storefront entrances on each side of the tower element. 4. Varied roof heights – the breezeway and tower element roofs have different roof heights than the main roof. 5. Premium roofing materials – all roofs and awnings shall be standing seam metal.
Exterior Materials:	At least 85% of the exterior surface area of walls shall consist of masonry and no more than 50% of the exterior surface area of walls shall consist of painted or tinted stucco. The remaining exterior wall surface shall be comprised of cementitious-fiber plank siding. ▪ Stone: native limestone in white and colors found in surrounding neighborhoods. ▪ Stucco: to be determined, likely in a palette of browns, golds, grays and greens to reference the colors used in the duplexes. ▪ Siding: used as an accent in a color to be determined, likely in a rich brown for a wood feel. ▪ The roof shall be standing seam metal at 4:12 slope.
Window and Door Openings:	A minimum of 15% of the front primary building façade shall consist of window or door openings. Glazing shall have a maximum exterior reflectivity of 20%.
Building Height:	Building shall not exceed a height of 35 feet.

Multi-Family Clubhouse

Design Features:	6 different design features including: 1. Porte-cochere – grand entrance at the front of the building where residents and visitors can meet their transportation out of the elements via a covered driveway drop-off area. The porte-cochere shall feature tapered stone columns and expressed timber construction. 2. Porches – a deep, wide covered porch is provided on the rear of the building for a potential outdoor living dining space. 3. Recessed entry – the main entry is tucked into the building façade and connects to the porte-cochere. 4. Architectural Details – decorative metal brackets and deep rooflines shall be used on the roof elements. 5. Varied roof heights – the porte-cochere has a different roof height than the main roof. All roofs and awnings shall be standing seam metal.
Exterior Materials:	At least 85% of the exterior surface area of walls shall consist of masonry and no more than 50% of the exterior surface area of walls shall consist of painted or tinted stucco. The remaining exterior wall surface shall be comprised of cementitious-fiber plank siding. ▪ Stone: native limestone in white and colors found in surrounding neighborhoods. ▪ Stucco: to be determined, likely in a palette of browns, golds, grays and greens to reference the colors used in the duplexes. ▪ Siding: used as an accent in a color to be determined, likely

	in a rich brown for a wood feel. ▪ The roof shall be standing seam metal at 4:12 slope.

Window and Door Openings:	A minimum of 15% of the front primary building façade shall consist of window or door openings. Glazing shall have a maximum exterior reflectivity of 20%.
Building Height:	Building shall not exceed a height of 35 feet.

Parking Requirements

1. Attached Units
   - Each duplex shall include one single car garage and one two-car garage.
   - Each triplex and fourplex shall include one single car garage and one two-car garage. Parking for the 1-bedroom units of the triplex and fourplex buildings shall have at least 1.25 spaces per unit.
   - Garage parking shall be provided for at least 60% of the Attached Units, exceeding the ordinance requirement of 35% of the Attached Units having garage parking.
   - As long as the units are rented to a head of household or spouse that is at least fifty-five (55) years of age, the off-street parking may be reduced as listed above. Should the property no longer be used for a senior project, then the off street parking requirements shall comply with the Composite Zoning Ordinance. An alternative parking plan shall be provided as part of the site development permit demonstrating that the parking requirements can be met should the use change. The owner of the property shall contact the City and notify the City of the property's change of use from a senior project.
2. Commercial
   - The commercial space shall have a parking ratio of 1 space per every 200 square feet.
3. Multi-family Clubhouse
   - The multi-family clubhouse is only for the use of residents, their guests, potential residents and invited guests of the Bliss at Mason Hills management. While the use does not require any additional parking, 4 visitor/potential resident spaces shall be provided.

H. <u>Walls, Fencing and Landscaping</u>

1. Bliss Resort Living at Mason Hills shall utilize a masonry wall that matches the existing walls already installed in the Mason Hills development along Lakeline Boulevard as described in Exhibit E (Lakeline Masonry Wall), and may utilize a combination of wrought iron or decorative tubular metal fencing, masonry posts and wrought iron or decorative tubular fencing, and landscape screening around the remaining multi-family portion of the site and where views into adjacent open space and buffers are desired. Full screening shall be provided where the remaining

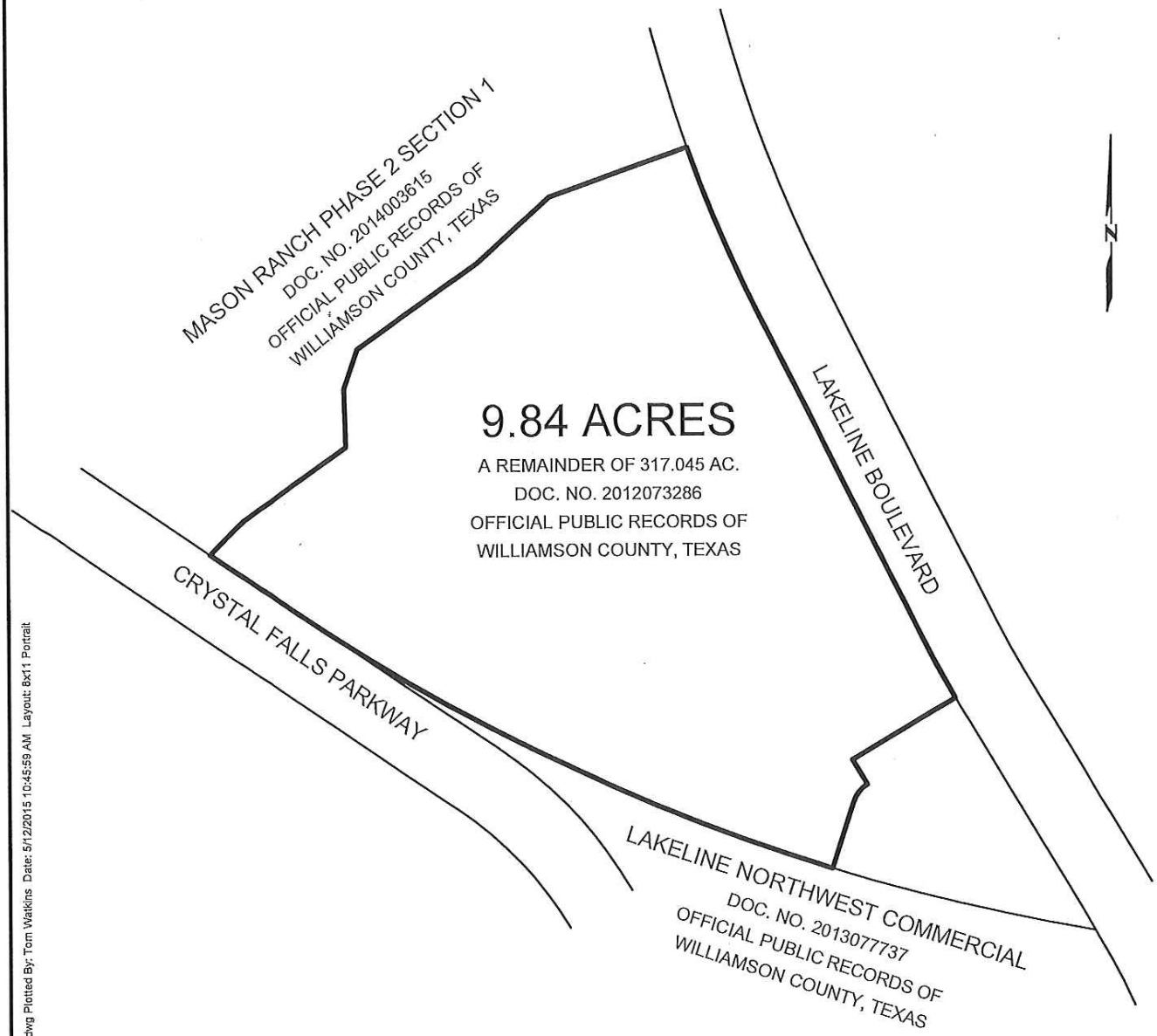
multi-family portion of the site is adjacent to Crystal Falls Parkway, and the masonry wall along Lakeline Boulevard also provides full landscape screening.

2. Bliss Resort Living at Mason Hills shall comply with the applicable landscape standards for multi-family and local commercial districts as listed in Article VI of the Composite Zoning Ordinance.

<u>Exhibit B</u>

Field Notes

ZONING EXHIBIT



Cunningham|Allen
Engineers • Surveyors
FIRM REG: TBPE F-284; TBPLS 10000900

3103 Bee Cave Road
Suite 202
Austin, Texas 78746
Tel.: (512) 327-2946
Fax: (512) 327-2973

Drawing Path: S:\6200101_Bliss at Manor Hills_Drawings\6200101_ZONING PARCEL.dwg Plotted By: Tom Watkins Date: 5/12/2015 10:45:59 AM Layout: 8x11 Portrait

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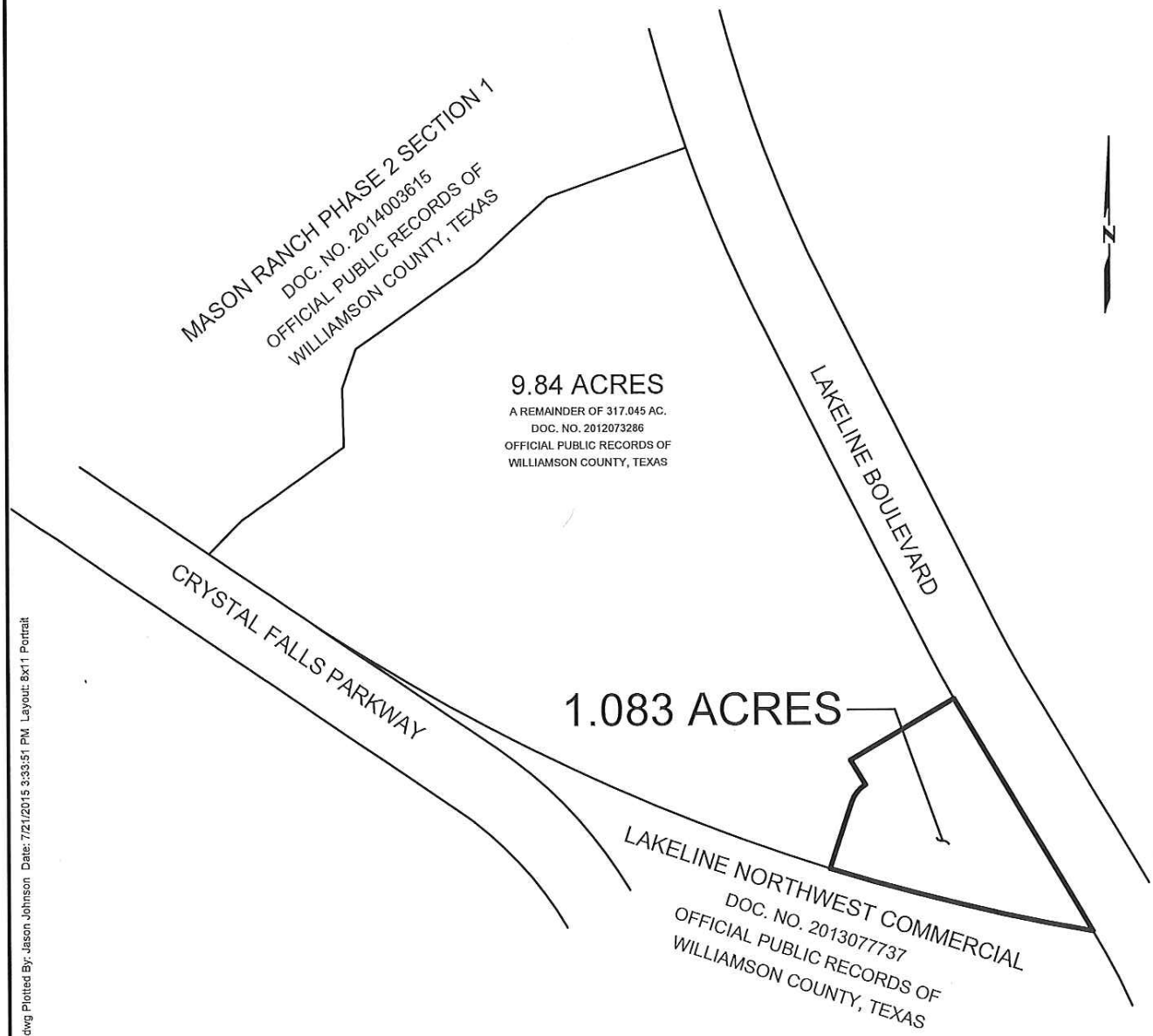
ZONING EXHIBIT



Drawing Path: S:\6200101_Bliss at Manor Hills_Drawings\6200101_ZONING PARCEL.dwg Plotted By: Jason Johnson Date: 7/21/2015 3:33:51 PM Layout: 8x11 Portrait

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Exhibit C

Conceptual Site Layout

BLISS MASON HILLS

SCHEMATIC SITE PLAN 07 MARCH 2016

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

cornerstone architects

7000 BEE CAVES RD, SUITE 200 AUSTIN TX 78746 (512) 329 0007 WWW.CORNERSTONEARCHITECTSLLP.COM

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NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF ARCHITECT RODNEY PALMER

SCHEMATIC SITE DESIGN

BLISS MASON HILLS

A100

PROJECT NO. 15137
DRAWN BY:
DATE:
CHECKED BY:
PROJECT MGR: #CR

EXHIBIT C: CONCEPTUAL SITE LAYOUT & LAND USE PLAN

This document is conceptual and has not been reviewed for compliance with the Composite Zoning Ordinance, Subdivision Ordinance, or site development standards

Exhibit D

Sample Renderings

The Casitas at Bliss Mason Hills

Street Elevation

cornerstone
architects

cornerstone
architects

BLISS MASON HILLS CLUBHOUSE

Retail Center at Bliss Mason Hills

Street Elevation

cornerstone
architects

Exhibit E

Lakeline Masonry Wall

Single Width Limestone Screenwall Construction Details

Screenwall Design Details:
Limestone Screenwalls to match pattern and design already in Mason Hills . Limestone to be a blend of white, cream, tan, and caverock. Stone to be sawn at top and bottom. Stone pattern to consist of 4" and 8" tall stone placed in a random ashlar patter. Stone at wall face to be placed flush vertically. Stone at back of wall to vary vertically with thickness of wall. No formal cap to be placed at top of wall. Mortar joints to range between minimum 3/8" to maximum 5/8". Mortar to be raked back approximately 1/4" to 1/2" from face of stone. Total wall height to average 6' tall above grade.

Screenwall Installation Details:
Concrete footing to include #5 rebar reinforcing with #3 stirrups at 18" on center. Drilled piers to be placed in footing as required by site conditions. If solid rock is encountered the footing will be doweled into rock with #5 rebar.
Post tension system

Post Tension System to be placed at 4' on center. System to be composed of a 5/8"x 18" J-Bolt, a 5/8" coupler, a 5/8" galvanized rod, and a galvanized steel washer with nut.

Robin Griffin

From: Francesca
Sent: Thursday, May 26, 2016 10:11 AM
To: Robin Griffin; Tom Yantis
Subject: Case No. 16-Z-009

Good afternoon:

I am writing to express my concerns with, and opposition to, case no. 16-Z-009 (regarding the Bliss Resort Living at Mason Hills). I have reviewed the materials in the packet containing the agenda for tonight's meeting. These concerns are similar to the ones previously voiced when this proposal came up last year. My reasons for opposing this project are as follows:

- There are already multiple senior living centers in the general area, including facilities on 2243 and North Lakeline Blvd. Why put in another one when that space could be used for something that would better benefit the residents of Mason Hills and the surrounding neighborhoods in Crystal Falls?
- The "senior living" designation is not a definitive in these documentations. The documents are not even consistent in the title of the proposed complex, going between "Bliss Senior Living" and "Bliss Resort Living." Requiring someone over the age of 55 to rent the properties does not seem to maintain a "senior" designation, as that only refers to the person signing the rental documents.
- To that end, the documents do not specify any recourse for resident parking should the use go beyond senior living. If Bliss sees an increase in vehicles at that time, what is to stop people from parking on the street, which is a very busy school zone? Saying that an alternative parking plan will be provided should that occur does little to lessen concerns about where people will go.
- The number of buildings and the mixed-use spaces are going to increase traffic in that area on Crystal Falls, which again, is a school zone. I saw nothing in the documentation that accounts for how this would be handled. With the amount of kids who walk to and from school, and the amount of people on the roads for drop-offs/pick-ups, a facility in that location would make it that much more difficult for everyone to navigate into Whitestone safely. This is even more of a concern now that the surrounding neighborhoods might have the bus routes removed, which will increase the amount of foot traffic in the area.
- There is already a new housing development being built right next to the school, along with the Randalls complex, and the Bluffs at Mason Hills is still being developed. With all of these residential areas going in this vicinity, I do not see a reason to add more. It does not make sense to cram over 80 residences into such a small area of land, and does nothing to benefit the surrounding neighborhoods.

I ask that the city council deny this rezoning case. The reasons they have presented are not good enough to change the zoning.

As I expressed via email to the P&Z Committee when this was proposed the first time, my family and I took a great deal of care in choosing our neighborhood, and choosing to live in Leander, for many reasons.
I understand that growth and change are inevitable, and that Leander is expanding rapidly, but I would hope that the City would do all in its power to avoid unnecessary development. As stated above, there is not a need for more residential in this area. Thank you very much for taking the time to review my concerns.

Sincerely,

Francesca Romans

Robin Griffin

From: Addiana Sassman
Sent: Thursday, May 26, 2016 1:23 PM
To: Robin Griffin; Tom Yantis
Subject: Zoning case 16-7-009

Hi,

Please include this email for P&Z tonight and for city council next week if this approved tonight.

As a resident of the Mason Hills subdivision, I oppose the current rezoning request from GD to PUD with secondary multi-family (MF-2-A) and commercial (GC-2-A). Rezoning this land from commercial to a PUD at this time is short-sighted.

As a new resident to Leander, I have been greatly disappointed with the lack of commercial overall here. There is no doubt that Leander is attracting new residents by the droves because of the housing market and options available. However, Leander is not and will not attract commercial business if commercial land is rezoned in favor or more residential.

This parcel location has always been zoned commercial. I have no doubt this land can and will be developed commercially given the proximity to the Randall's town center development. There is no need to put in another multi-family community in an already residentially dense.

I urge the planning and zoning committee to vote against this proposed zoning change. This is the wrong decision for Leander's current needs and futures needs.

Regards,
Addie Sassman
1424 Uhland Dr

Robin Griffin

From: John D. Becak
Sent: Thursday, May 26, 2016 4:36 PM
To: Robin Griffin
Subject: Zoning Case 16-Z-009

Good afternoon,

My name is John Becak and I am a property owner in the Mason Hills Subdivision here in Leander (1313 MacFarland St.). I am emailing you today in lieu of my attendance at today's planning and zoning meeting to discuss the rezoning of the +/- 10. acre plot of land at the entrance to our neighborhood.

Firstly, this piece of land has been zoned commercial for some time now. Rezoning this plot of land does not award the due diligence of the citizens who purchased property in the surrounding area who knew this piece of land to be commercial. I purchased a home in this neighborhood based on its proximity to new commercial growth here in Leander. Rezoning the piece of land to a multi-family PUD, in my opinion, is a slap in the face to Leander residents who have been promised more commercial growth in our city, a hot-button topic for many of our recently elected/reelected council members ensured us would happen. Changing this piece of property to a PUD is in direct conflict with the notion that our city leaders desire to increase commercial property and in so doing, working to reduce the extraordinary tax burden that leander homeowners face when compared to similar sized municipalities.

Secondly, rezoning this piece of property to a multi-family PUD drastically changes the face of our neighborhood and brings in multi-family living options in what was designed and marketed to be a single-family neighborhood. Our neighborhood is already flanked by apartments on Bagdad to the North, and many others in my neighborhood do not approve of the building of a multi-story apartment building at the entrance to our neighborhood. Additionally, the piece of property i have purchased is to be used as supplemental rental income for my wife and I, and we will not support inviting rental competition into our neighborhood in the form of apartments.

To conclude, the rezoning of this parcel of land is in direct contradiction to the statements made by city leaders to diversify Leander's tax base through the increase in commercial property. My family literally spends a minuscule amount of money in our hometown of Leander, and instead shop and eat out in neighboring Cedar Park. I would much rather have restaurant/service industry options located in our neighborhood than a multi-family apartment complex.

Thank you for your attention to this matter, and when considering it this evening I hope you will take my sentiments into consideration, while also understanding how rezoning this piece of land seems to be a "bait and switch" tactic. City leaders have promised more commercial growth, yet we are considering rezoning a piece of commercial property to make room for more apartments. Given the shockingly low amount of commercial property Leander currently has, it is with strong and vehement opposition that I encourage you to deny the rezoning of this parcel of land.

Best regards,
John D. Becak

AGENDA ITEM # 12

Executive Summary

June 16, 2016

Agenda Subject: Consider action on:
(a) Settlement Agreement with Premas Global Leander I, LLC and
(b) Development Agreement for Global Village; for 65.25 acres more or less out of the Walter Campbell Survey; generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll; WCAD ID R031201, R080605, R432787, R031200, R328187, and R432786; Leander, Williamson County, Texas.

Background: The Settlement Agreement and Development Agreement, in connection with the proposed PUD zoning for the Global Village Property, if approved, will implement a proposed resolution of the City's and Premas Global's dispute over the September 2, 2010 Development and Annexation Agreement for Global Village

Origination: Applicant:

Financial Consideration: None

Recommendation:

Attachments:
1. Settlement Agreement
2. Development Agreement for Global Village

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/10/2016

Executive Summary

June 16, 2016

Agenda Subject: Zoning Case 16-Z-013: Consider action on the rezoning of 65.25 acres more or less out of the Walter Campbell Survey; generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll; WCAD ID R031201, R080605, R432787, R031200, R328187, and R432786. Currently, the property is zoned GC-2-A (General Commercial), LC-2-A (Local Commercial), LO-2-A (Local Office), and SFT-2-A (Single-Family Townhome). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district; Leander, Williamson County, Texas.

Background: This request is the final step in the rezoning process.

Origination: Applicant: City of Leander on behalf of Premas Global Leander, LLC.

Financial Consideration: None

Recommendation: See Planning Analysis. The Planning & Zoning Commission denied the zoning request of PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district with a 4 to 2 (Schwendenmann and Allen opposing).

Commissioner Schwendenmann made an alternate motion to approve the zoning request with the current landscape ordinance requirements and the Multi-Family use component. Motion failed due to the lack of a second.

Attachments:

1. Planning Analysis
2. Current Zoning Map
3. Future Land Use Map
4. Notification Map
5. Proposed Zoning Map

6. Aerial Map
7. PUD Notes
8. Ordinance

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/10/2016

PLANNING ANALYSIS

ZONING CASE 16-Z-013
GLOBAL VILLAGE REZONING

GENERAL INFORMATION

Owner: Premas Global Leander, LLC

Current Zoning: GC-2-A (General Commercial)
LC-2-A (Local Commercial)
LO-2-A (Local Office)
SFT-2-A (Single-Family Townhome)

Proposed Zoning: PUD (Planned Unit Development) with the following base zoning districts:
GC-2-A (General Commercial)
MF-2-A (Multi-Family)

Size and Location: The property is generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll and includes approximately 65.25 acres.

Staff Contact: Robin M. Griffin, AICP
Senior Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	GC-3-B	Undeveloped Land Zoned for Commercial Use
EAST	GC-2-A LC-1-B Interim SFR-1-B	Undeveloped Land Zoned for Commercial, Local Commercial and Interim Single Family Uses
SOUTH	OCL	Undeveloped Land located outside of the City Limits & ETJ
WEST	GC-3-A LC-3-A LO-2-A SFU-2-B	Undeveloped Land Zoned for Commercial, Local Commercial and Local Office Uses Established Single-Family Subdivision (Ridgewood South)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

GC – GENERAL COMMERCIAL:

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

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

MF – MULTI-FAMILY:

Features: Apartments (25 un./ac. if Type A; 18 un./ac. if Type B)

Intent: Development of multi-family dwelling structures. Such components are generally intended to serve as a buffer between single-family neighborhoods and more intensive uses such as commercial uses or arterial roadways. Such components are also intended to create more variety in housing opportunities and in the fabric of the community but are intended to be utilized in small areas to avoid large tracts devoted to strictly multi-family residential development. The goal is to avoid more than twenty-five (25) acres of contiguous land having a Multi-Family component. Access should be provided by a collector or higher classification street.

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

(1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

(2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.

(3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.

(4) This component is generally not intended to be utilized with LI and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

TYPE A:

Features: 85% masonry; 5 or more architectural features.

Intent:

(1) The Type A architectural component is intended to be utilized for high quality developments or to provide variety as an additional option for portions of a residential development and may be utilized in or adjacent to single-family uses.

(2) This component is intended to be utilized for single-family development that backs up to, or sides to, a major thoroughfare.
(3) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions by applying this component to a less restrictive use or site component adjacent to a more restrictive use or site component. This standard may be utilized to help ensure compatibility for non-residential uses, multi-family, two-family, townhouse or small lot residential development with adjacent property that is more restricted.
(4) This component is intended to be utilized for buildings requiring heights greater than those provided in other architectural components.
(5) This component may be utilized for any high profile development, for any property in a prominent location or at an important gateway to the community.
(6) This component is not intended to become an involuntary standard for the majority of a single-family subdivision, especially with SFR, SFE, SFS, SFU and SFC components.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Plan for future development that is compatible with existing residential neighborhoods.
- The Community Center provides the same uses and services offered by a Neighborhood Center including small professional offices, small-lot single-family, townhouses, duplexes and quadplexes, churches, gyms, child care centers, and other civic uses, etc. Additionally, Community Centers include uses that are demanded less frequently than daily, and are typically anchored by grocery stores. Community Centers should have an internal network of streets and promote walkability within the Center.
- Mixed Use Corridors are areas along arterials between Centers that have available land and should be developed to preserve the integrity of the corridor and maintain mobility. These corridors include land within approximately 500 feet of the outer edge of the right-of-way (typically one block deep).

ANALYSIS:

The City has initiated a zoning case for this property in order to allow for the development of commercial and multi-family uses at this location. This property was rezoned on November 19, 2015 to the current zoning districts. The City previously approved a development agreement for this property which incorporated some of the proposed development criteria in the PUD.

The properties to the west currently include the Ridgewood South Subdivision and undeveloped commercial. The property to the south is not located within the City Limits or ETJ. The property to the east is zoned GC-2-A and LC-1-B and is currently undeveloped. The Crystal Springs Subdivision is also proposed to the east of the subject property. The property to the north is zoned GC-3-C and is undeveloped.

The City is proposing a PUD with the base zoning districts of GC-2-A (General Commercial) and MF-2-A (Multi-Family). The General Commercial use component permits the development of small to large scale commercial, retail, and commercial service uses located in high traffic areas. The Composite Zoning Ordinance states that access to this component should be provided by an arterial street and that the heaviest concentration of this component should be located at intersections of arterial streets.

The Multi-Family use component permits the development of multiple homes on a single lot. This component is generally intended to serve as a buffer between single-family neighborhoods and more intensive uses such as commercial uses or arterial roadways. In addition, this component is also intended to create more variety in housing opportunities and in the fabric of the community but are intended to be utilized in small areas to avoid large tracts devoted to strictly multi-family residential development.

The Type 2 site component is intended to be used with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity. This site component does allow for drive through service lanes and accessory buildings. This site component does not allow outdoor storage, display, overhead service doors, carwashes or fueling stations. This site component also includes requirements for multi-family projects. These projects would be required to construct garages for a minimum of thirty-five (35%) percent of the units.

The Type A Architectural Component requires that all structures are eight five (85%) percent masonry and have a minimum of five different design features.

This proposed PUD restricts the following uses:

- Animal Hospital
- Sexually oriented businesses
- Wrecker impoundment, towing
- Self-service storage
- Recreational vehicle park
- Outdoor storage
- Commercial laundry
- Construction and building material storage
- Crematory
- Funeral Homes
- Manufactured housing sales and accessory building sales
- Vehicle and major equipment sales, rental or leasing, repair, and body shop

In addition, no more than 15 acres of the property may be developed as office warehouse and the MF-2-A uses are limited to no more than fifteen (15) acres south of the extension of Raider Way. The following site uses are permitted:

- Outdoor fuel sales
- No building size prohibition
- Overhead commercial doors

The riparian corridor setbacks are proposed to be modified so that they only apply to the Blockhouse Creek. In addition, the tree protection and mitigation requirements are modified to incorporate some of the current ordinance standards with the standards listed in the previously approved development agreement for this property.

This application includes the following higher standards and waivers.

HIGHER STANDARDS	WAIVERS
COMPOSITE ZONING ORDINANCE	
Type A Architectural Component	-
Master Sign Plan	-
Use Restrictions	-
Trail System	-
-	Permitting fuel sales, overhead doors, and unlimited building size
-	Perimeter block length requirements waived
-	Modification of tree mitigation & preservation requirements

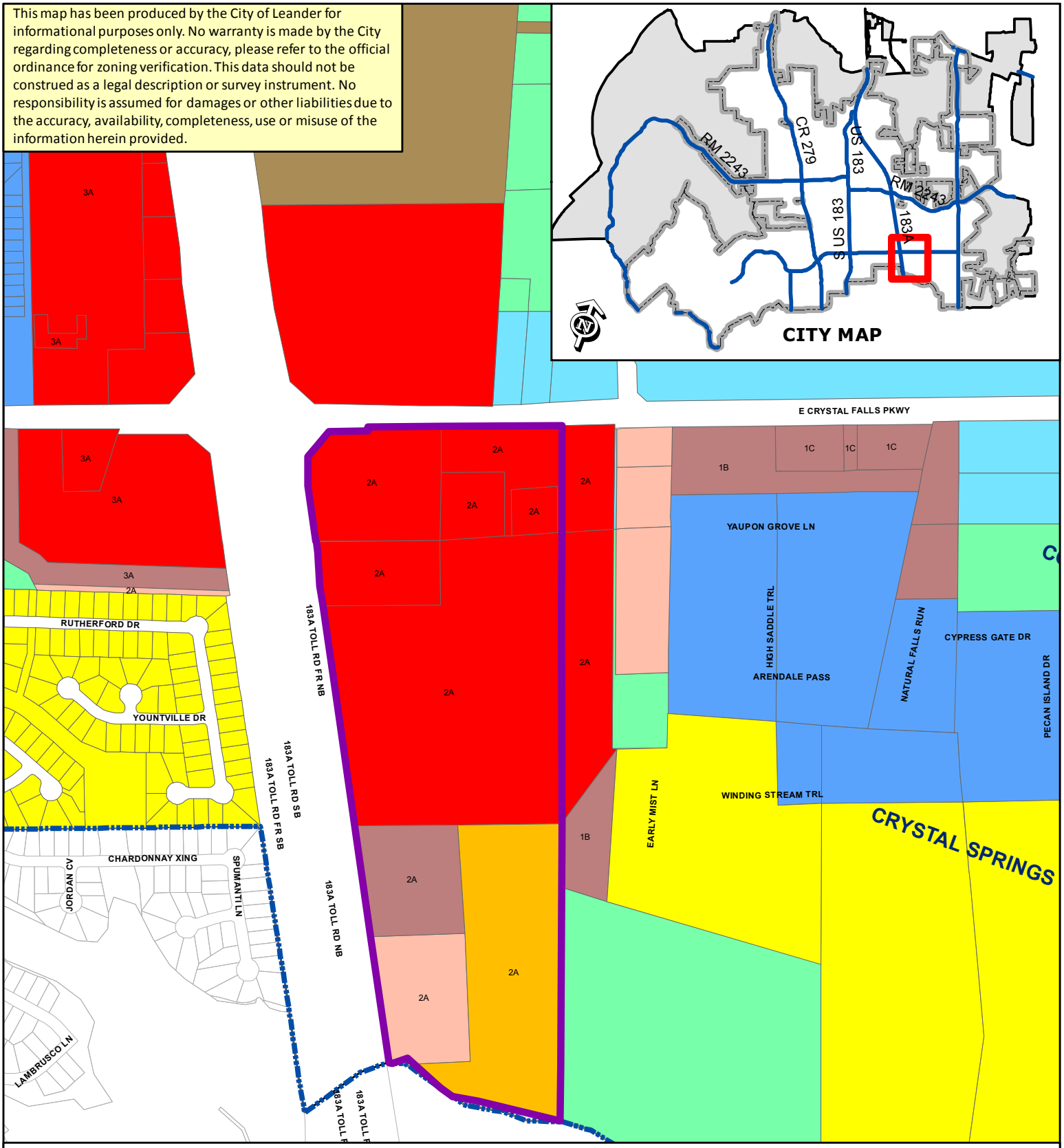
This property is located within a Community Center. The Community Center provides the same uses and services offered by a Neighborhood Center including small professional offices, small-lot single-family, townhouses, duplexes and quadplexes, churches, gyms, child care centers, and other civic uses, etcetera. Additionally, Community Centers include uses that are demanded less frequently than daily, and are typically anchored by grocery stores. Community Centers should have an internal network of streets and promote walkability within the Center. The target land use mix for a Community Center is 50% residential and 50% non-residential. Currently, this Community Center is zoned 32% residential and 68% non-residential.

This property is also located within a Mixed Use Corridor. Mixed Use Corridors are areas along arterials between Centers that have available land and should be developed to preserve the integrity of the corridor and maintain mobility. These corridors include land within approximately 500 feet of the outer edge of the right-of-way (typically one block deep). This corridor extends along 183A Toll Road to the south along the property.

STAFF RECOMMENDATION:

Staff recommends approval of the Global Village PUD. This PUD will provide for commercial uses at the intersection of two major thoroughfares as well as multi-family to the south of the future extension of Raider Way. The PUD provides for higher standards including the Type A architectural component and use restrictions that balance the proposed waivers. This request complies with the Comprehensive Plan and the intent statements of the Composite Zoning Ordinance.

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



ZONING CASE 16-Z-013 Attachment #2

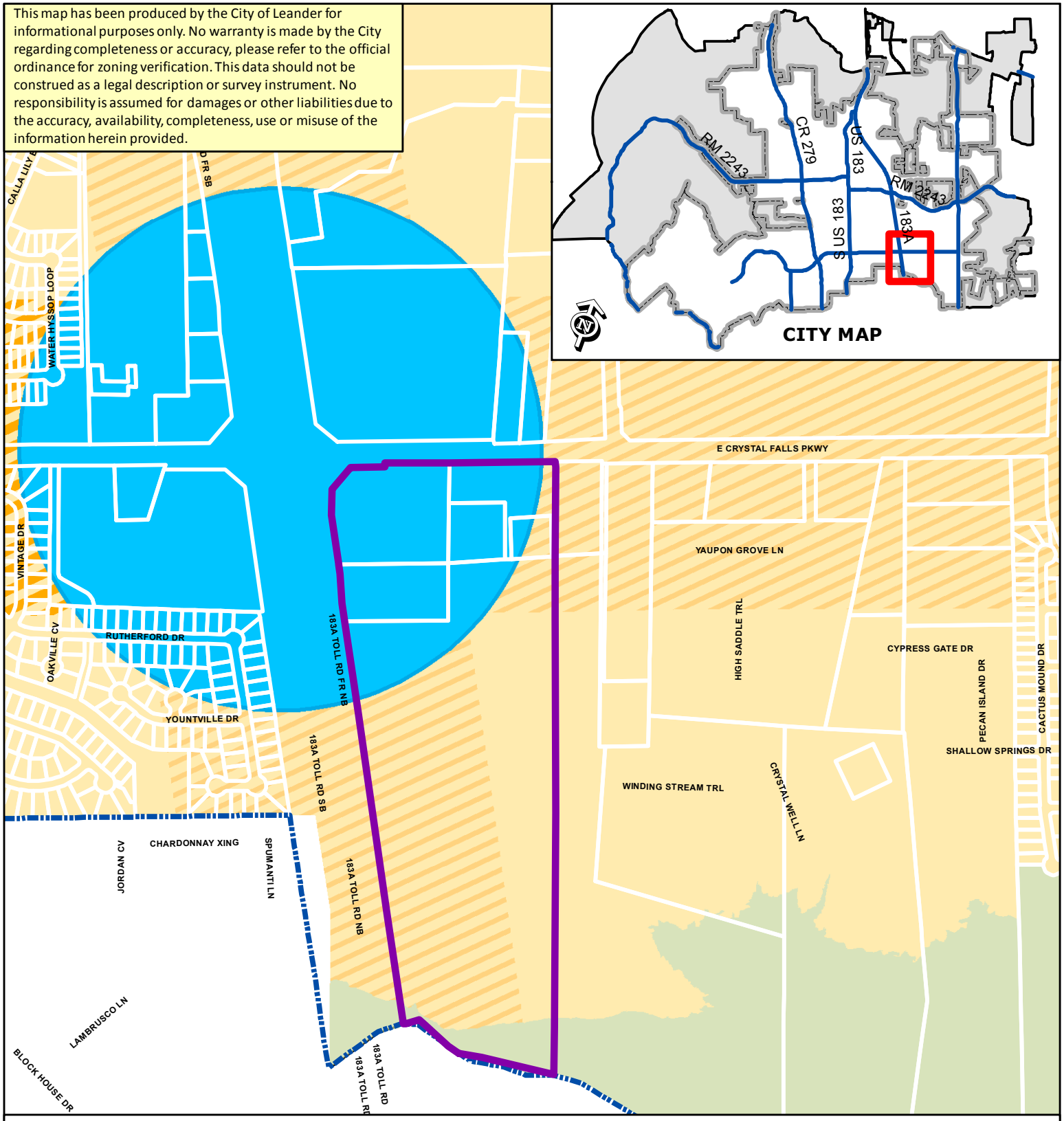
Current Zoning Map - Global Village PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-013 Attachment #3

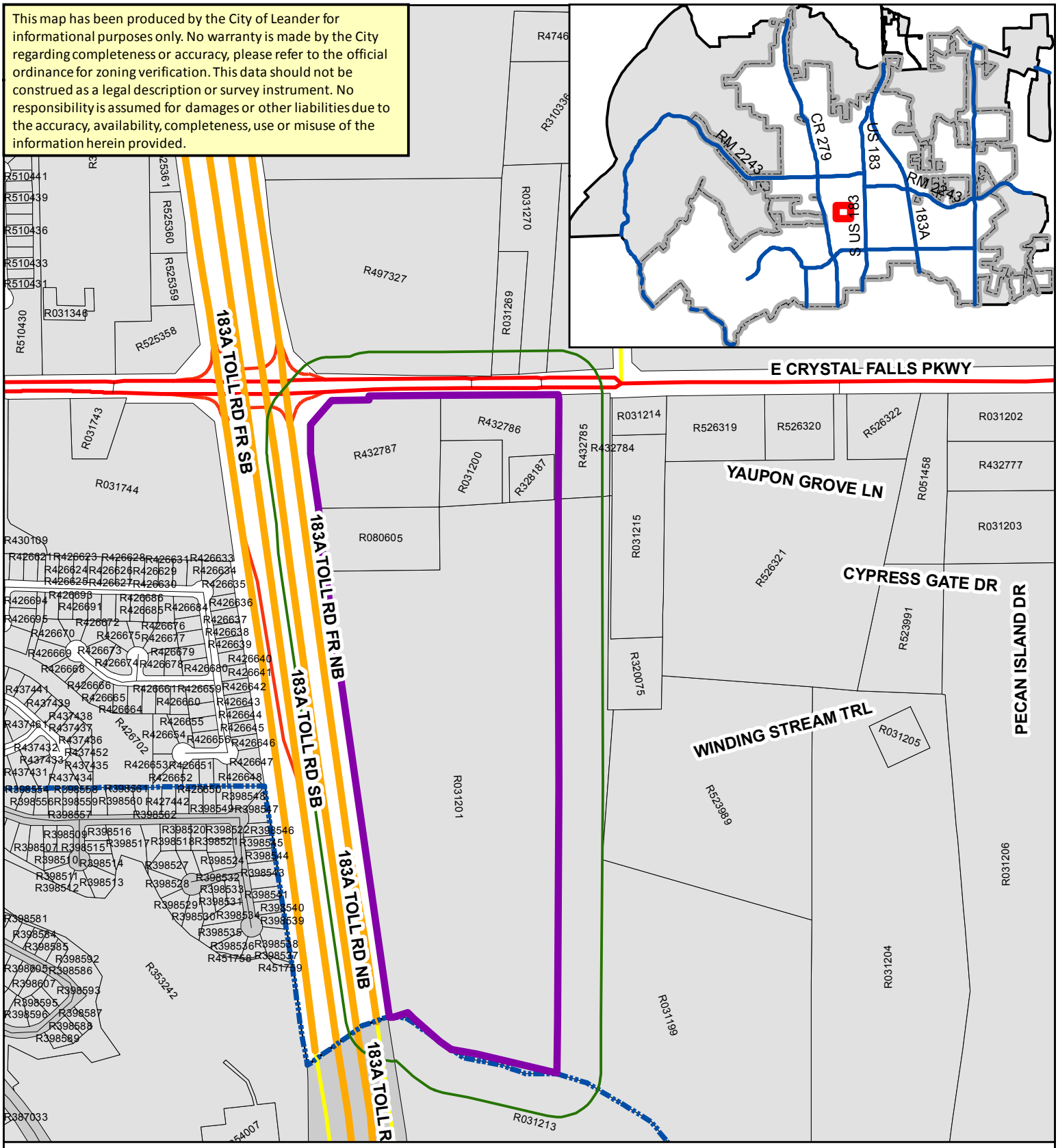
Future Land Use Map - Global Village PUD

- Subject Property
- City Limits
- Open Space
- Mixed Use Corridor
- Commercial Corridor
- Neighborhood Center
- Community Center
- Activity Center
- Transit Supportive Mixed Use
- Station Area Mixed Use
- Old Town Mixed Use
- Employment Mixed Use
- Industrial District
- Neighborhood Residential

N

0 200

Feet



ZONING CASE 16-Z-013

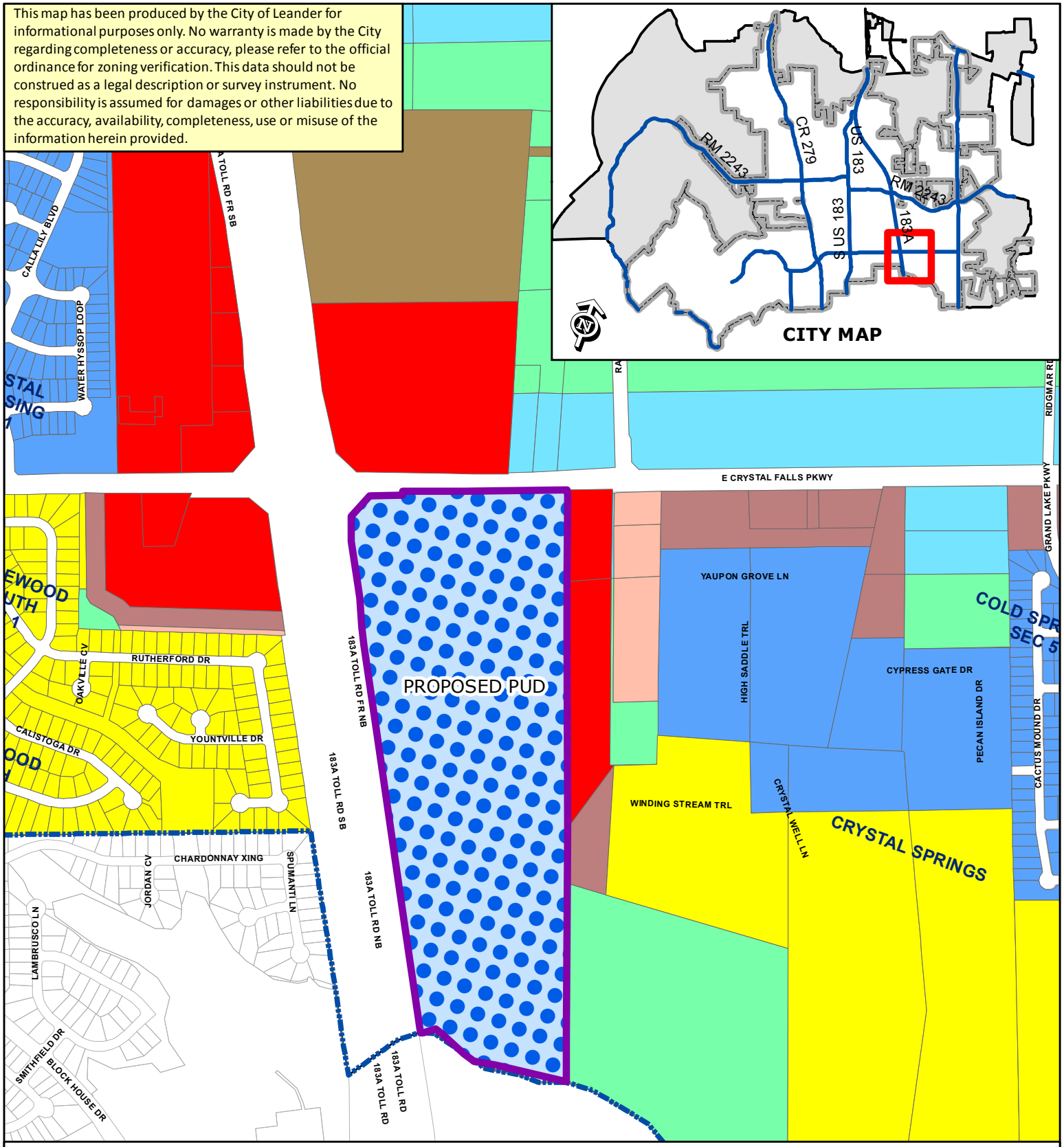
Attachment #4

Notification Map
Global Village PUD

Public Notification Boundary
Subject Property
City Limits
WCAD Parcels
TCAD Parcels

N

0 260 520 1,040 Feet



ZONING CASE 16-Z-013 Attachment #5

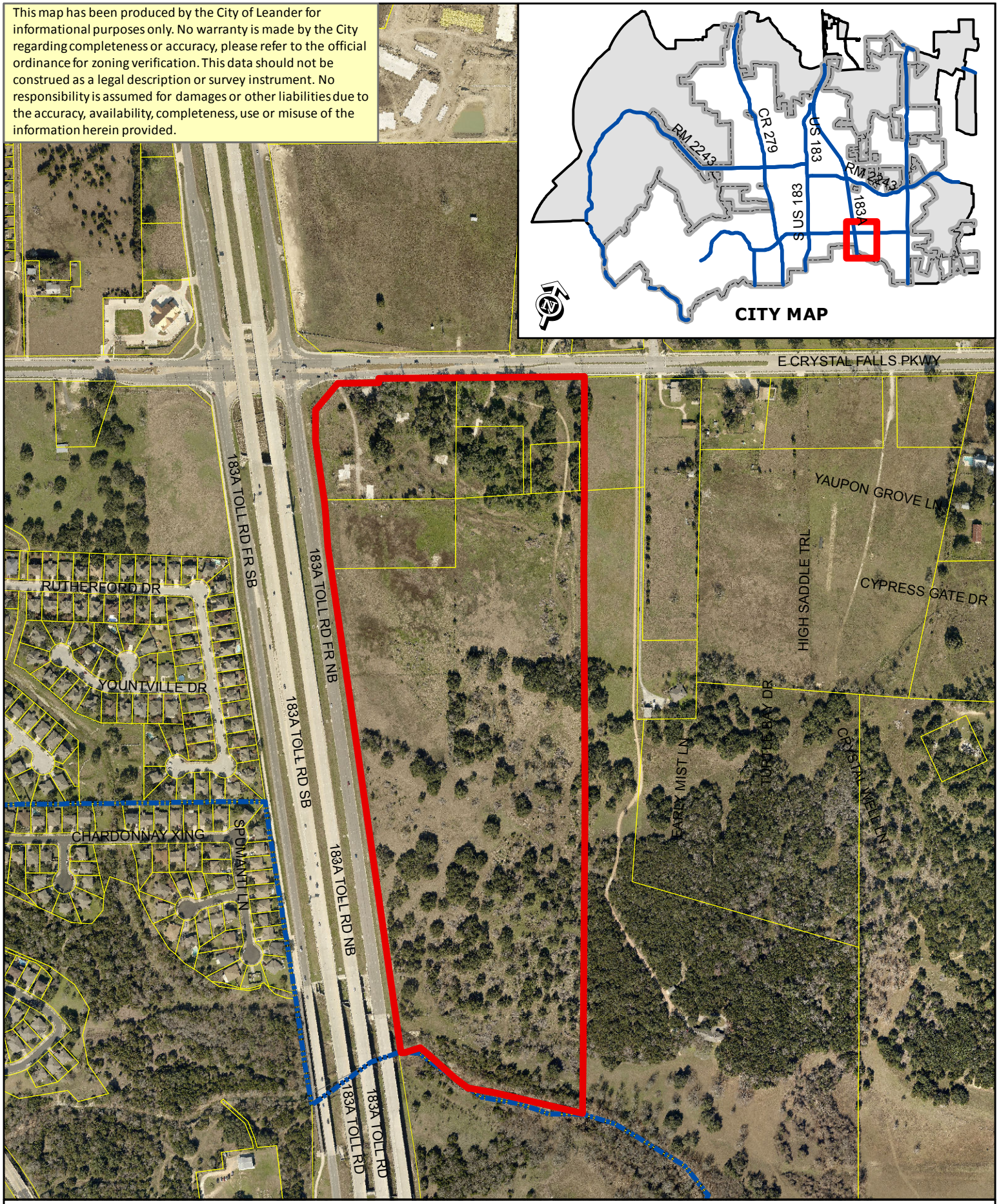
Proposed Zoning Map - Global Village PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family

N

0 200

Feet



ZONING CASE 16-Z-013 Attachment #6

Aerial Exhibit - Approximate Boundaries
Global Village PUD

0 200
Feet

Subject Property
City Limits

EXHIBIT A
GLOBAL VILLAGE – PUD

A. **Purpose and Intent**

1. The Global Village PUD is composed of approximately 65.25 acres, as shown in Exhibit B (the "Property"). The development of this Property is comprised of commercial and multi-family uses.

B. **Applicability and Base Zoning**

1. All aspects regarding the development of this PUD shall comply the City of Leander Composite Zoning Ordinance in effect on September 02, 2010 (the "2010 Composite Zoning Ordinance"), except as established in this exhibit, titled Exhibit A.
2. For the purpose of establishing development standards for the PUD, except as modified herein, base zoning of GC-2-A (General Commercial) applies to the Property, except that for multi-family uses, MF-2-A shall apply.

C. **Conceptual Site Layout & Land Use Plan**

1. A Conceptual Site Layout and Land Use Plan described in Article III, Section 16(e) of the 2010 Composite Zoning Ordinance is not required for approval of this PUD or the development of the Property; provided that before the Property may be developed with any multifamily uses authorized in the MF-2-A zoning district, the property owner must apply for and obtain approval of a Conceptual Site Layout and Land Use Plan as an amendment to this PUD that includes architectural renderings of proposed buildings for the portion of the Property to be developed under the MF-2-A base zoning.

D. **Use Components**

1. The use shall comply with Article III, Section 13 (General Commercial) of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following uses shall be prohibited;
      i. Animal Hospital
      ii. Sexually oriented businesses
      iii. Wrecker impoundment, towing
      iv. Self-service storage
      v. Recreational vehicle park
      vi. Outdoor storage
      vii. Commercial laundry
      viii. Construction and building material storage
      ix. Crematory
      x. Funeral Homes
      xi. Manufactured housing sales and accessory building sales
      xii. Vehicle and major equipment sales, rental or leasing, repair, and body shop
   b. Not more than 15 acres of the Property may be developed, or used, for office warehouse.
   c. MF-2-A uses shall be limited to no more than 15 acres which must be located south of the extension of Raider Way.

E. **Site Components**

1. The site shall comply with Article V, Section 2 of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following site uses are permitted:

i. Outdoor fuel sales that comply with the following requirements:

(a) Washing of vehicles (including vacuum facilities) is not located within one hundred fifty (150') feet of a single family or two family residential district unless such district is utilized for non-residential purposes. The location is measured from the closest portion of the structure associated with the washing of vehicles to the residential district; and

(b) Commercial fueling is not located within one hundred (100') feet of a single family or two family residential district unless such district is utilized for non-residential purpose. The location is measured from the closest portion of the structure associated with the outdoor commercial fueling to the residential district; and

(c) No more than two outdoor commercial fueling and washing of vehicles facilities shall be located within six hundred (600') feet of any intersection separately or in combination with a convenience store or other use.

(d) Vehicle washing and fueling facility locations are reserved only by obtaining an approved building permit for such facility and keeping such permit active (see Article IX of the Composite Zoning Ordinance in effect on April 20, 2016).

(e) Gasoline pumps shall be located no closer to the street than the primary structure.

ii. Individual users may exceed 40,000 gross square feet of floor area.

iii. Overhead commercial services doors are permitted, provided that warehouse, mini-warehouse and overhead (commercial service) doors shall not be oriented so as to face a street(s) or residential property or shall be screened from view from the street(s) or residential property unless the Director of Planning determines that there is no other feasible alternative.

F. **Site Standards**

1. Site standards shall comply with Article VI of the 2010 Composite Zoning Ordinance except as amended below.

a. Tree protection and preservation:

i. Development of the portion of the Property identified as Area A on Exhibit C shall comply with the tree preservation and projection requirements set forth in the 2010 Composite Zoning Ordinance, except as amended in this Section F.1.a.i:

(a) Significant Trees 18 caliper inches and less may be removed at the sole discretion of the property owner; provided that mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(b) Significant Trees between 18 caliper inches and 30 caliper inches may be removed after obtaining the written approval of the Public Works Director; provided that the mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(c) The removal of trees that have a single trunk larger than 30 caliper inches measured at a height of four feet must be approved by the City Council. The mitigation ratio for such trees authorized to be removed shall be 2 to 1 caliper inches.

ii. The portion of the Property identified as Area B on Exhibit C shall comply with the tree preservation and protection requirements set forth in Article VI, Section 1(c) of the Composite Zoning Ordinance in effect on April 20, 2016, except as

amended in this subsection F.1.a.ii:

(a) No mitigation fee will be required for removal of Heritage Trees.

(b) The regulations governing critical root zones set forth in Article VI, Section 1(c)(5) of the 2010 Composite Zoning Ordinance shall apply.

b. Drainage and detention facilities shall comply with Article VI, Section 7 of the Composite Zoning Ordinance in effect on April 20, 2016 (the "Drainage and Detention Regulations"), except as provided in this Section F.1.b.

i. The Drainage and Detention Design Standards shall not apply to the grassy swale that is proposed to be located on the Property as shown in Exhibit D; provided that a landscape screen will be installed along portions of the grassy swale that abut and are visible from the proposed reciprocal use driveway. Such screening shall consist of hedges that are a minimum 30" at the time of planting, planted no farther than 48" apart when measured at the center of the hedge. The grassy swale will serve as temporary drainage for Area A, and such temporary drainage will be modified as necessary to comply with the drainage and detention regulations in effect as of April 20, 2016, at the time of site development of the lots or property abutting the grassy swale.

c. Article VI, Section 14 (d) of the Composite Zoning Ordinance in effect on April 20, 2016 shall be amended as follows:

(a) A six-foot masonry privacy wall is required to be constructed by any non-residential use that abuts property having single-family or two-family zoning.

(i) Such wall shall be constructed at the common property line between the uses, or if such location is not feasible because of floodplain, trees or other natural feature, at a location that will effectively screen the non-residential use from view from the single-family or two-family residence.

(ii) Such wall is required to be constructed of one or more of the following materials: textured pre-cast concrete (e.g. WoodCrete), brick, stone, cast stone, stucco, factory tinted or painted split-faced concrete masonry unit, granite, tile or other similar material approved by the Director of Planning.

(iii) An eight-foot wall may be utilized for security purposes.

(iv) Gates shall be provided in the wall as appropriate to connect to public sidewalks or other pedestrian connections unless such wall is also used as described above for security.

(v) The masonry privacy wall is not required for non-residential uses that are permitted by right in any Single-Family Districts.

d. Shared parking is allowed subject to (i) parking that has been constructed exceeds the parking requirements for the development on the lot; and (ii) the Planning Director's approval of a shared parking analysis that sufficient parking has been installed to serve completed portions of the development on the Property as construction and occupancy progress. Parking that has been previously planned and constructed in an adjoining phase or section that is sufficient to satisfy the parking requirements for the section or phase in which it has been located and a new or subsequent phase or section being developed, may be used to satisfy parking

requirements for the new phase or section; provided such rights are secured by a joint use agreement or covenants that run with the land.

G. **Site Development**

1. Riparian Corridor Setbacks. The riparian corridor regulations and setback set forth in Article III, Section 49 of the Subdivision Ordinance in effect on April 20, 2016 and Article IX, Section 3(a) of the Composite Zoning Ordinance in effect on April 20, 2016 shall apply to Blockhouse Creek and the land that falls within the riparian corridor setback from Blockhouse Creek. Excavation of Blockhouse Creek reservoir for storm water detention will be deemed in compliance with the riparian corridor regulations. No other riparian corridor will be deemed to exist on the Property. The land located within the riparian corridor setback for Blockhouse Creek shall further comply with the landscaping and screening requirements set forth in the Composite Zoning Ordinance in effect on April 20, 2016.
2. A master sign plan will be submitted for approval prior to the approval of the first building-related site development permit.
3. Sidewalks will be installed in conjunction with site development and completion of the sidewalks will be a condition of issuance of a certificate of completion.
4. The internal reciprocal use driveways shown on Exhibit E and any additional reciprocal use driveways shall be counted as public right-of-way when determining compliance with maximum block perimeter lengths. The proposed block perimeter length shown on Exhibit E complies with maximum block perimeter length requirements for commercial uses.
5. Landscaping may be planned for adjoining lots, phases and sections and landscaping previously installed in an adjoining lot, phase or section that exceeds the landscaping for that lot, phase or section may be credited to the requirements for an abutting lot; provided that a minimum of ten (10%) percent of each lot shall be landscaped. This Section G.1 only applies to the requirement in the 2010 Composite Zoning Ordinance (which is set forth in Article VI, Section 1(c)(1) governing the minimum percentage of the lot that must be landscaped and does not modify any other applicable landscaping requirements.
6. The property owner will construct a ten foot wide concrete trail, dedicate the Trail Tract, (being generally located on the portion of Area B shown in Exhibit F), and provide access to the Trail Tract, as provided in this section.
    (a) The property owner will construct a ten foot wide concrete trail along the route generally shown in the City's Transportation Plan in effect on April 20, 2016, in accordance with construction plans approved by the City (the "Trail") and will convey the Trail Tract, the Trail Easement and the TCE to the City as provided in Section G.6. The Trail will be built in conjunction with site development of the portion of Phase 3 south of Raider Way. It will not be a condition of issuance of a permit for the construction of the Trail that such portion of the Property upon which the Trail is located must be a legal lot. The property owner shall further provide for permanent improved access to the Trail along a route agreeable to the City and the property owner for the City, its employees, agents, contractors, and subcontractors to access the Trail Tract; provided that such access will not be used by the general public. It will be a condition of issuance of a certificate of completion for any site development application for the portion of Phase 3 south of Raider Way that the property owner has completed and obtained City acceptance of the Trail, has provided permanent improved access to the Trail, and has conveyed the Trail Tract to the City in fee simple, free of liens and encumbrances, in accordance with this Section G.6; provided that if the City has

constructed the Trail prior to the property owner being required to construct the Trail, the property owner will convey the Trail Tract and provide the permanent access to the Trail as a condition of issuance of the certificate of completion.

(b) The City may request that the Trail Easement, the TCE, and the temporary access to the Trial described in Section G.6.d be conveyed to the City prior to Area B being final platted. In such event, the Trail Easement, TCE, and temporary access will be dedicated to the City, with any liens and encumbrances subordinated to said easement, within 90 days written notice from the City.

(c) The Trail Tract may be conveyed by metes and bounds without the requirement that the Trail Tract be platted as a separate lot.

(d) At the time that Area B, or a portion thereof, is final platted, the property owner will dedicate to the City a twenty-five (25) foot wide trail/recreational easement over the portion of the Property where the Trail will be located (the "Trail Easement"), and a twenty-five foot wide temporary construction easement adjacent to the Trail Easement (the "TCE")in a form acceptable to the City. The property owner will provide for the City, its employees, agents, contractors, and subcontractors to have temporary access (by easement or by access to a the reciprocal use driveways or public right-of way) to the property upon which the Trail Easement and TCE are located by route agreeable to the City and the property owner at the time that the Area B is final platted; provided that such access may not be used by the general public.

(e) Dedication of the Trail Tract will count towards any parkland dedication or fee in lieu of parkland dedication requirements for the Project. Construction of the Trail will count towards any parkland improvement or fee in lieu of improvement requirements for the Project. The April 20, 2016 regulations related to dedication of parkland located in the floodplain will apply.

(f) The Developer may plant trees on the Trail Tract that are required for mitigation under the City's tree preservation requirements before and after conveyance of the Trail Tract to the City, subject to approval of the City as to the location of the trees.

7. Exhibits D, E, and F shall be used for showing the general location of the grassy swale, reciprocal use driveways, and Trail Tract, respectively. The final approved construction plans and approved metes and bounds, as applicable, will determine actual location.

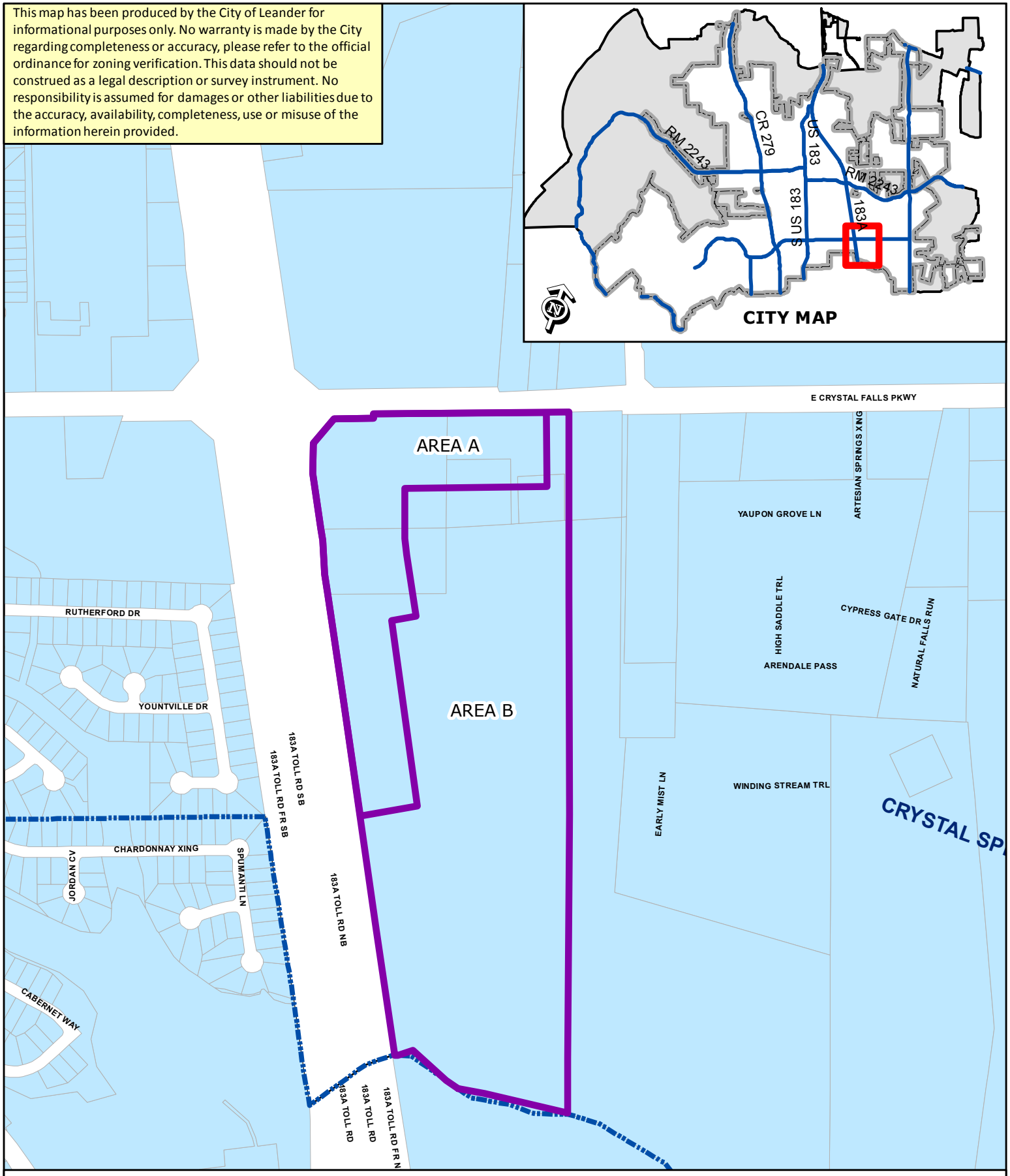
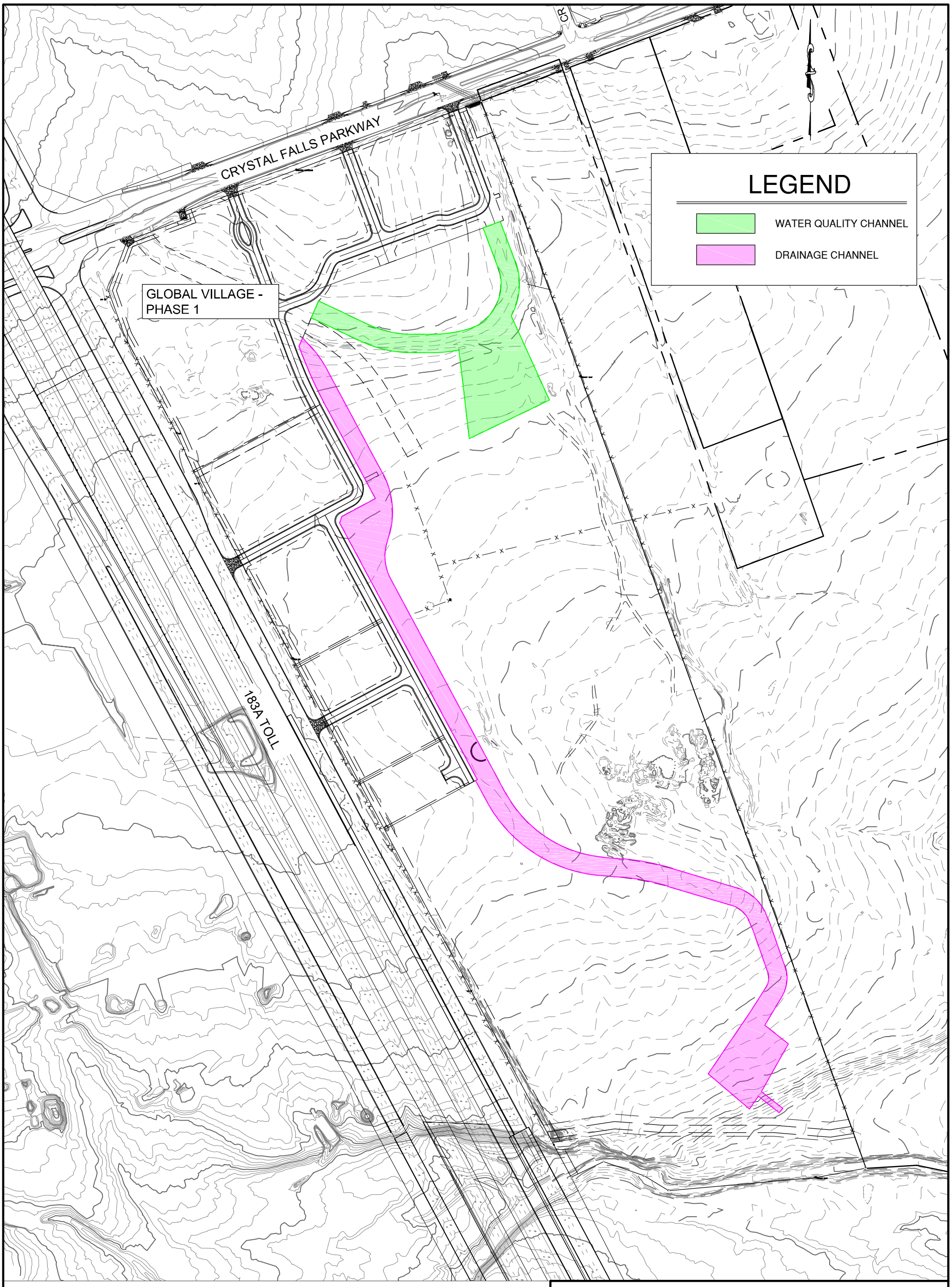


EXHIBIT C - Global Village

Subject Property

City Limits

EXHIBIT D



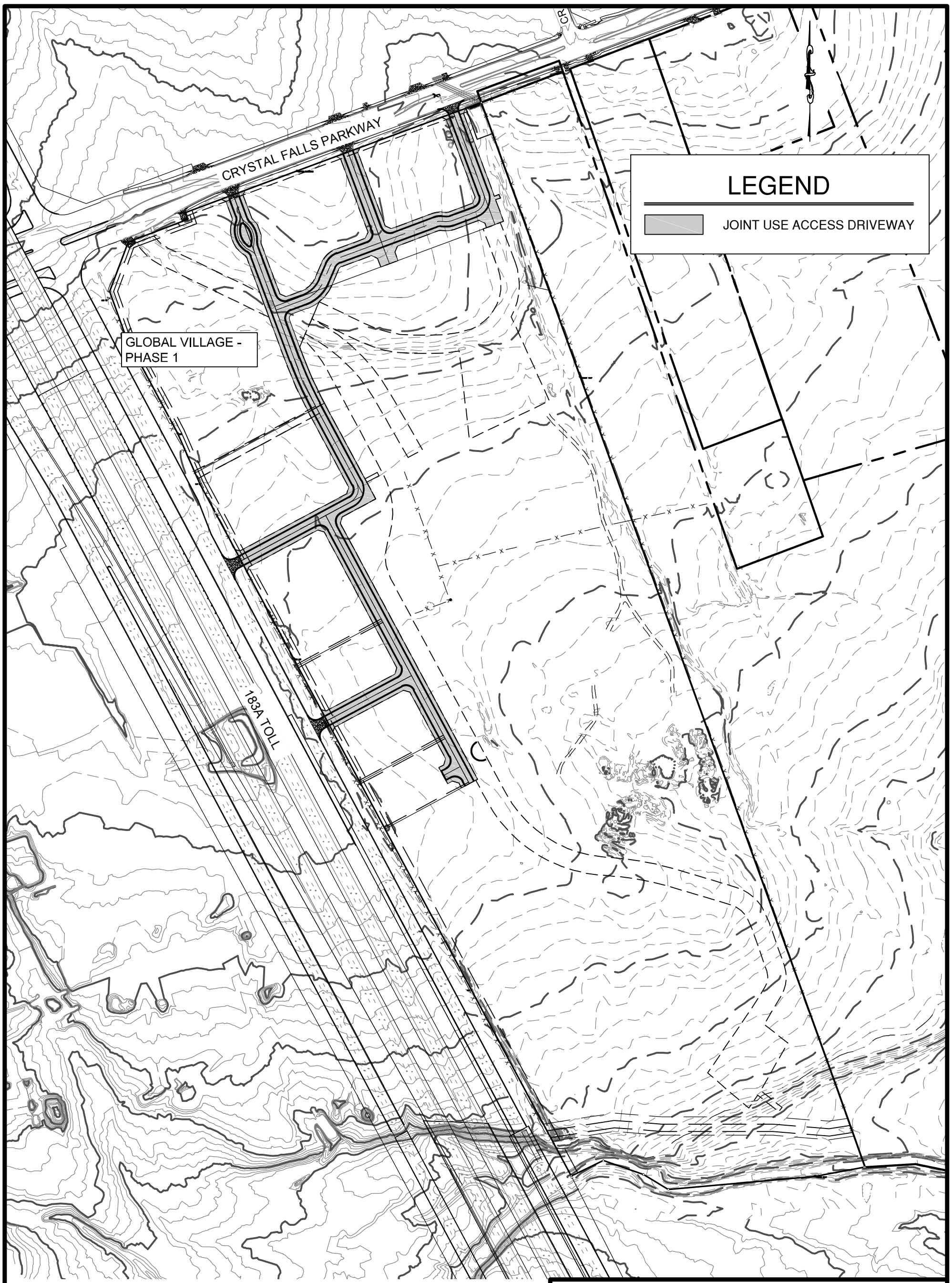
250' 0 250' 500'

SCALE: 1 INCH = 250' FT

GLOBAL VILLAGE PHASE ONE
WATER QUALITY EXHIBIT

Bowman CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

EXHIBIT E



250' 0 250' 500'

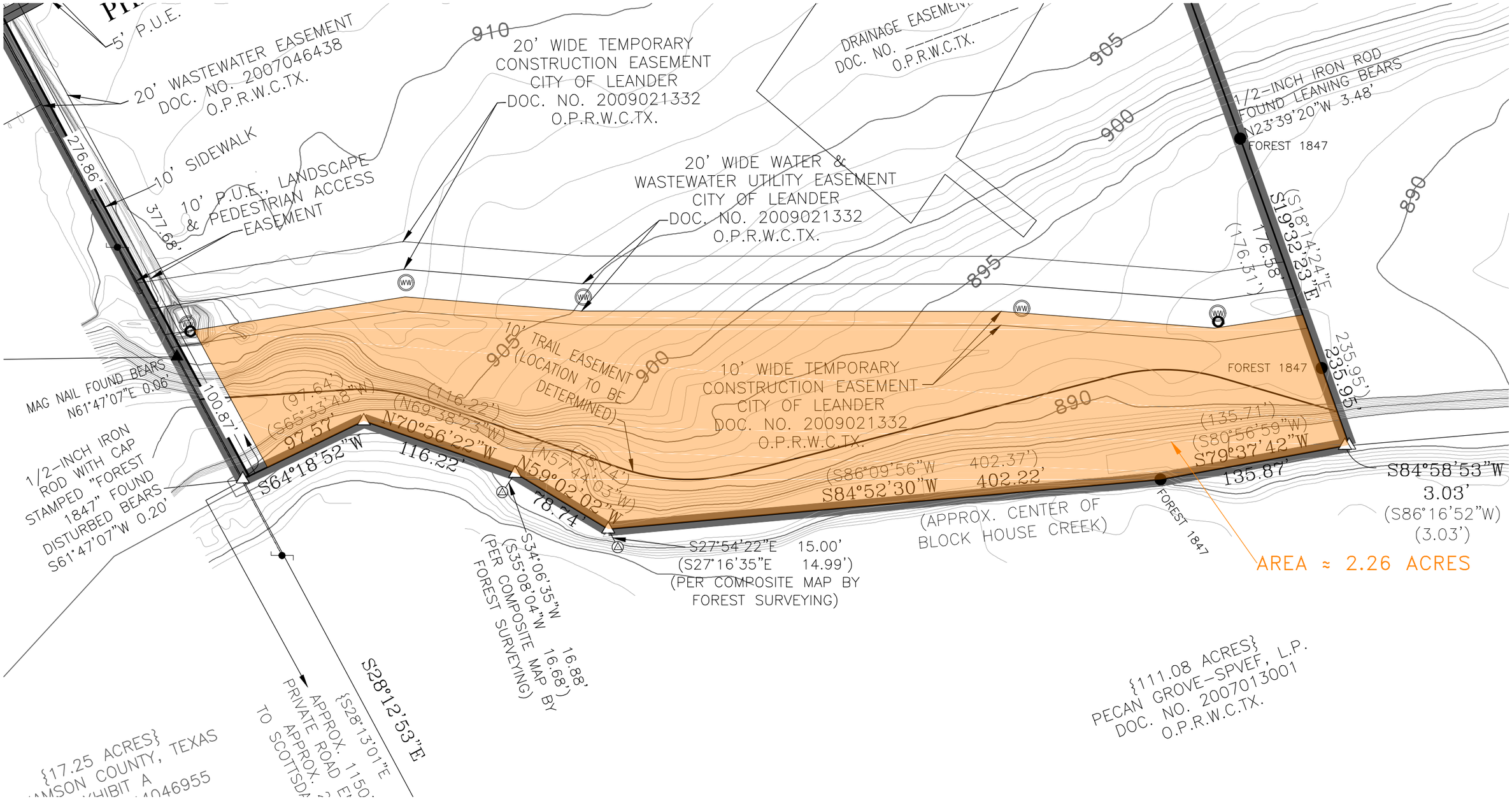
SCALE: 1 INCH = 250' FT

JOINT USE ACCESS
DRIVEWAY EXHIBIT

Bowman
CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

H:\Projects\Cantwell Tract\070812-Cantwell Tract_Ph 2 Engineering\Exhibits\JOINT USE ACCESS DRIVEWAY EXHIBIT.dwg, WATER QUALITY EXHIBIT, June 08, 2016, 7:59 AM, ahusejnovic

EXHIBIT F


5' P.U.E.
20' WASTEWATER EASEMENT
DOC. NO. 2007046438
O.P.R.W.C.TX.
10' SIDEWALK
10' P.U.E., LANDSCAPE & PEDESTRIAN ACCESS EASEMENT
276.86'
377.68'
910
20' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
DRAINAGE EASEMENT
DOC. NO. _____
O.P.R.W.C.TX.
905
900
895
890
20' WIDE WATER & WASTEWATER UTILITY EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
1/2-INCH IRON ROD FOUND LEANING BEARS N23°39'20"W 3.48'
FOREST 1847
S19°32'23"E
176.58'
(S18°14'24"E
(176.51')
235.95'
(235.95')
FOREST 1847
MAG NAIL FOUND BEARS N61°47'07"E 0.96'
100.87'
1/2-INCH IRON ROD WITH CAP STAMPED "FOREST 1847" FOUND DISTURBED BEARS S61°47'07"W 0.20'
10' TRAIL EASEMENT (LOCATION TO BE DETERMINED)
10' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
(97.64')
(S65°33'48"W)
97.57'
S64°18'52"W
(116.22')
(N69°38'23"W)
N70°56'22"W
116.22'
(78.74')
(N57°44'03"W)
N59°02'02"W
78.74'
(S86°09'56"W
S84°52'30"W
402.37')
402.22'
(135.71')
(S80°56'59"W)
S79°37'42"W
135.87'
S84°58'53"W
3.03'
(S86°16'52"W)
(3.03')
FOREST 1847
(APPROX. CENTER OF BLOCK HOUSE CREEK)
AREA ≈ 2.26 ACRES
S27°54'22"E 15.00'
(S27°16'35"E 14.99')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S34°06'35"W
(S35°08'04"W 16.88'
16.68')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S28°12'53"E
{S28°13'01"E
APPROX. 1150'
PRIVATE ROAD E
APPROX.
TO SCOTTSDA
{111.08 ACRES}
PECAN GROVE-SPVEF, L.P.
DOC. NO. 2007013001
O.P.R.W.C.TX.
{17.25 ACRES}
TEXAS
EXHIBIT A

ORDINANCE NO #

ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING SEVERAL PARCELS FROM GC-2-A (GENERAL COMMERCIAL), LC-2-A (LOCAL COMMERCIAL), LO-2-A (LOCAL OFFICE), AND SFT-2-A (SINGLE-FAMILY TOWNHOME) TO PUD (PLANNED UNIT DEVELOPMENT); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned;

Whereas, after giving at least ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired; and

Whereas, the City Council determines that the PUD zoning will result in overall higher standards than what would be provided otherwise;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 05-018, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Applicability. This ordinance applies to the following tract of land, which is herein referred to as the "Property." That certain parcels of land being 65.25 acres, more or less, generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll, Williamson County, Texas, being more particularly described in Exhibit "A", legally described as 65.25 acres out of the Walter Campbell Survey, Abstract 3; identified by Williamson County tax identification numbers R031201, R080605, R432787, R031200, R328187, and R432786; more particularly described in document number 2009000970 recorded in the Williamson County Official Public Records.

Section 4. Property Rezoned. The Zoning Ordinance is hereby amended by changing the zoning district for the Property from GC-2-A (General Commercial), LC-2-A (Local Commercial), LO-2-A (Local Office), and SFT-2-A (Single-Family Townhome) to PUD (Planned Unit

Development) known as the Global Village PUD. The PUD shall be developed and occupied in accordance with this Ordinance, the PUD plan attached as Exhibits "A", "B", "C", "D", "E", and "F" which are hereby adopted and incorporated herein for all purposes, and the Composite Zoning Ordinance to the extent not amended by this Ordinance. In the event of a conflict between the Composite Zoning Ordinance and the requirements for the Property set forth in this Ordinance, this Ordinance shall control.

Section 5. Recording Zoning Change. The City Council directs the City Secretary to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

Section 6. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 2nd day of June, 2016.
FINALLY PASSED AND APPROVED on this the 16th day of June, 2016.

THE CITY OF LEANDER, TEXAS **ATTEST:**

_____ _____

Christopher Fielder, Mayor Debbie Haile, City Secretary

EXHIBIT A
GLOBAL VILLAGE – PUD

A. **Purpose and Intent**

1. The Global Village PUD is composed of approximately 65.25 acres, as shown in Exhibit B (the "Property"). The development of this Property is comprised of commercial and multi-family uses.

B. **Applicability and Base Zoning**

1. All aspects regarding the development of this PUD shall comply the City of Leander Composite Zoning Ordinance in effect on September 02, 2010 (the "2010 Composite Zoning Ordinance"), except as established in this exhibit, titled Exhibit A.
2. For the purpose of establishing development standards for the PUD, except as modified herein, base zoning of GC-2-A (General Commercial) applies to the Property, except that for multi-family uses, MF-2-A shall apply.

C. **Conceptual Site Layout & Land Use Plan**

1. A Conceptual Site Layout and Land Use Plan described in Article III, Section 16(e) of the 2010 Composite Zoning Ordinance is not required for approval of this PUD or the development of the Property; provided that before the Property may be developed with any multifamily uses authorized in the MF-2-A zoning district, the property owner must apply for and obtain approval of a Conceptual Site Layout and Land Use Plan as an amendment to this PUD that includes architectural renderings of proposed buildings for the portion of the Property to be developed under the MF-2-A base zoning.

D. **Use Components**

1. The use shall comply with Article III, Section 13 (General Commercial) of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following uses shall be prohibited;
      i. Animal Hospital
      ii. Sexually oriented businesses
      iii. Wrecker impoundment, towing
      iv. Self-service storage
      v. Recreational vehicle park
      vi. Outdoor storage
      vii. Commercial laundry
      viii. Construction and building material storage
      ix. Crematory
      x. Funeral Homes
      xi. Manufactured housing sales and accessory building sales
      xii. Vehicle and major equipment sales, rental or leasing, repair, and body shop
   b. Not more than 15 acres of the Property may be developed, or used, for office warehouse.
   c. MF-2-A uses shall be limited to no more than 15 acres which must be located south of the extension of Raider Way.

E. **Site Components**

1. The site shall comply with Article V, Section 2 of the 2010 Composite Zoning Ordinance except as amended below.
   a. The following site uses are permitted:

i. Outdoor fuel sales that comply with the following requirements:

(a) Washing of vehicles (including vacuum facilities) is not located within one hundred fifty (150') feet of a single family or two family residential district unless such district is utilized for non-residential purposes. The location is measured from the closest portion of the structure associated with the washing of vehicles to the residential district; and

(b) Commercial fueling is not located within one hundred (100') feet of a single family or two family residential district unless such district is utilized for non-residential purpose. The location is measured from the closest portion of the structure associated with the outdoor commercial fueling to the residential district; and

(c) No more than two outdoor commercial fueling and washing of vehicles facilities shall be located within six hundred (600') feet of any intersection separately or in combination with a convenience store or other use.

(d) Vehicle washing and fueling facility locations are reserved only by obtaining an approved building permit for such facility and keeping such permit active (see Article IX of the Composite Zoning Ordinance in effect on April 20, 2016).

(e) Gasoline pumps shall be located no closer to the street than the primary structure.

ii. Individual users may exceed 40,000 gross square feet of floor area.

iii. Overhead commercial services doors are permitted, provided that warehouse, mini-warehouse and overhead (commercial service) doors shall not be oriented so as to face a street(s) or residential property or shall be screened from view from the street(s) or residential property unless the Director of Planning determines that there is no other feasible alternative.

F. **Site Standards**

1. Site standards shall comply with Article VI of the 2010 Composite Zoning Ordinance except as amended below.

a. Tree protection and preservation:

i. Development of the portion of the Property identified as Area A on Exhibit C shall comply with the tree preservation and projection requirements set forth in the 2010 Composite Zoning Ordinance, except as amended in this Section F.1.a.i:

(a) Significant Trees 18 caliper inches and less may be removed at the sole discretion of the property owner; provided that mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(b) Significant Trees between 18 caliper inches and 30 caliper inches may be removed after obtaining the written approval of the Public Works Director; provided that the mitigation requirements as provided in the 2010 Composite Zoning Ordinance are met.

(c) The removal of trees that have a single trunk larger than 30 caliper inches measured at a height of four feet must be approved by the City Council. The mitigation ratio for such trees authorized to be removed shall be 2 to 1 caliper inches.

ii. The portion of the Property identified as Area B on Exhibit C shall comply with the tree preservation and protection requirements set forth in Article VI, Section 1(c) of the Composite Zoning Ordinance in effect on April 20, 2016, except as

amended in this subsection F.1.a.ii:

(a) No mitigation fee will be required for removal of Heritage Trees.

(b) The regulations governing critical root zones set forth in Article VI, Section 1(c)(5) of the 2010 Composite Zoning Ordinance shall apply.

b. Drainage and detention facilities shall comply with Article VI, Section 7 of the Composite Zoning Ordinance in effect on April 20, 2016 (the "Drainage and Detention Regulations"), except as provided in this Section F.1.b.

i. The Drainage and Detention Design Standards shall not apply to the grassy swale that is proposed to be located on the Property as shown in Exhibit D; provided that a landscape screen will be installed along portions of the grassy swale that abut and are visible from the proposed reciprocal use driveway. Such screening shall consist of hedges that are a minimum 30" at the time of planting, planted no farther than 48" apart when measured at the center of the hedge. The grassy swale will serve as temporary drainage for Area A, and such temporary drainage will be modified as necessary to comply with the drainage and detention regulations in effect as of April 20, 2016, at the time of site development of the lots or property abutting the grassy swale.

c. Article VI, Section 14 (d) of the Composite Zoning Ordinance in effect on April 20, 2016 shall be amended as follows:

(a) A six-foot masonry privacy wall is required to be constructed by any non-residential use that abuts property having single-family or two-family zoning.

(i) Such wall shall be constructed at the common property line between the uses, or if such location is not feasible because of floodplain, trees or other natural feature, at a location that will effectively screen the non-residential use from view from the single-family or two-family residence.

(ii) Such wall is required to be constructed of one or more of the following materials: textured pre-cast concrete (e.g. WoodCrete), brick, stone, cast stone, stucco, factory tinted or painted split-faced concrete masonry unit, granite, tile or other similar material approved by the Director of Planning.

(iii) An eight-foot wall may be utilized for security purposes.

(iv) Gates shall be provided in the wall as appropriate to connect to public sidewalks or other pedestrian connections unless such wall is also used as described above for security.

(v) The masonry privacy wall is not required for non-residential uses that are permitted by right in any Single-Family Districts.

d. Shared parking is allowed subject to (i) parking that has been constructed exceeds the parking requirements for the development on the lot; and (ii) the Planning Director's approval of a shared parking analysis that sufficient parking has been installed to serve completed portions of the development on the Property as construction and occupancy progress. Parking that has been previously planned and constructed in an adjoining phase or section that is sufficient to satisfy the parking requirements for the section or phase in which it has been located and a new or subsequent phase or section being developed, may be used to satisfy parking

requirements for the new phase or section; provided such rights are secured by a joint use agreement or covenants that run with the land.

G. **Site Development**

1. Riparian Corridor Setbacks. The riparian corridor regulations and setback set forth in Article III, Section 49 of the Subdivision Ordinance in effect on April 20, 2016 and Article IX, Section 3(a) of the Composite Zoning Ordinance in effect on April 20, 2016 shall apply to Blockhouse Creek and the land that falls within the riparian corridor setback from Blockhouse Creek. Excavation of Blockhouse Creek reservoir for storm water detention will be deemed in compliance with the riparian corridor regulations. No other riparian corridor will be deemed to exist on the Property. The land located within the riparian corridor setback for Blockhouse Creek shall further comply with the landscaping and screening requirements set forth in the Composite Zoning Ordinance in effect on April 20, 2016.
2. A master sign plan will be submitted for approval prior to the approval of the first building-related site development permit.
3. Sidewalks will be installed in conjunction with site development and completion of the sidewalks will be a condition of issuance of a certificate of completion.
4. The internal reciprocal use driveways shown on Exhibit E and any additional reciprocal use driveways shall be counted as public right-of-way when determining compliance with maximum block perimeter lengths. The proposed block perimeter length shown on Exhibit E complies with maximum block perimeter length requirements for commercial uses.
5. Landscaping may be planned for adjoining lots, phases and sections and landscaping previously installed in an adjoining lot, phase or section that exceeds the landscaping for that lot, phase or section may be credited to the requirements for an abutting lot; provided that a minimum of ten (10%) percent of each lot shall be landscaped. This Section G.1 only applies to the requirement in the 2010 Composite Zoning Ordinance (which is set forth in Article VI, Section 1(c)(1) governing the minimum percentage of the lot that must be landscaped and does not modify any other applicable landscaping requirements.
6. The property owner will construct a ten foot wide concrete trail, dedicate the Trail Tract, (being generally located on the portion of Area B shown in Exhibit F), and provide access to the Trail Tract, as provided in this section.
    (a) The property owner will construct a ten foot wide concrete trail along the route generally shown in the City's Transportation Plan in effect on April 20, 2016, in accordance with construction plans approved by the City (the "Trail") and will convey the Trail Tract, the Trail Easement and the TCE to the City as provided in Section G.6. The Trail will be built in conjunction with site development of the portion of Phase 3 south of Raider Way. It will not be a condition of issuance of a permit for the construction of the Trail that such portion of the Property upon which the Trail is located must be a legal lot. The property owner shall further provide for permanent improved access to the Trail along a route agreeable to the City and the property owner for the City, its employees, agents, contractors, and subcontractors to access the Trail Tract; provided that such access will not be used by the general public. It will be a condition of issuance of a certificate of completion for any site development application for the portion of Phase 3 south of Raider Way that the property owner has completed and obtained City acceptance of the Trail, has provided permanent improved access to the Trail, and has conveyed the Trail Tract to the City in fee simple, free of liens and encumbrances, in accordance with this Section G.6; provided that if the City has

constructed the Trail prior to the property owner being required to construct the Trail, the property owner will convey the Trail Tract and provide the permanent access to the Trail as a condition of issuance of the certificate of completion.

(b) The City may request that the Trail Easement, the TCE, and the temporary access to the Trial described in Section G.6.d be conveyed to the City prior to Area B being final platted. In such event, the Trail Easement, TCE, and temporary access will be dedicated to the City, with any liens and encumbrances subordinated to said easement, within 90 days written notice from the City.

(c) The Trail Tract may be conveyed by metes and bounds without the requirement that the Trail Tract be platted as a separate lot.

(d) At the time that Area B, or a portion thereof, is final platted, the property owner will dedicate to the City a twenty-five (25) foot wide trail/recreational easement over the portion of the Property where the Trail will be located (the "Trail Easement"), and a twenty-five foot wide temporary construction easement adjacent to the Trail Easement (the "TCE")in a form acceptable to the City. The property owner will provide for the City, its employees, agents, contractors, and subcontractors to have temporary access (by easement or by access to a the reciprocal use driveways or public right-of way) to the property upon which the Trail Easement and TCE are located by route agreeable to the City and the property owner at the time that the Area B is final platted; provided that such access may not be used by the general public.

(e) Dedication of the Trail Tract will count towards any parkland dedication or fee in lieu of parkland dedication requirements for the Project. Construction of the Trail will count towards any parkland improvement or fee in lieu of improvement requirements for the Project. The April 20, 2016 regulations related to dedication of parkland located in the floodplain will apply.

(f) The Developer may plant trees on the Trail Tract that are required for mitigation under the City's tree preservation requirements before and after conveyance of the Trail Tract to the City, subject to approval of the City as to the location of the trees.

7. Exhibits D, E, and F shall be used for showing the general location of the grassy swale, reciprocal use driveways, and Trail Tract, respectively. The final approved construction plans and approved metes and bounds, as applicable, will determine actual location.

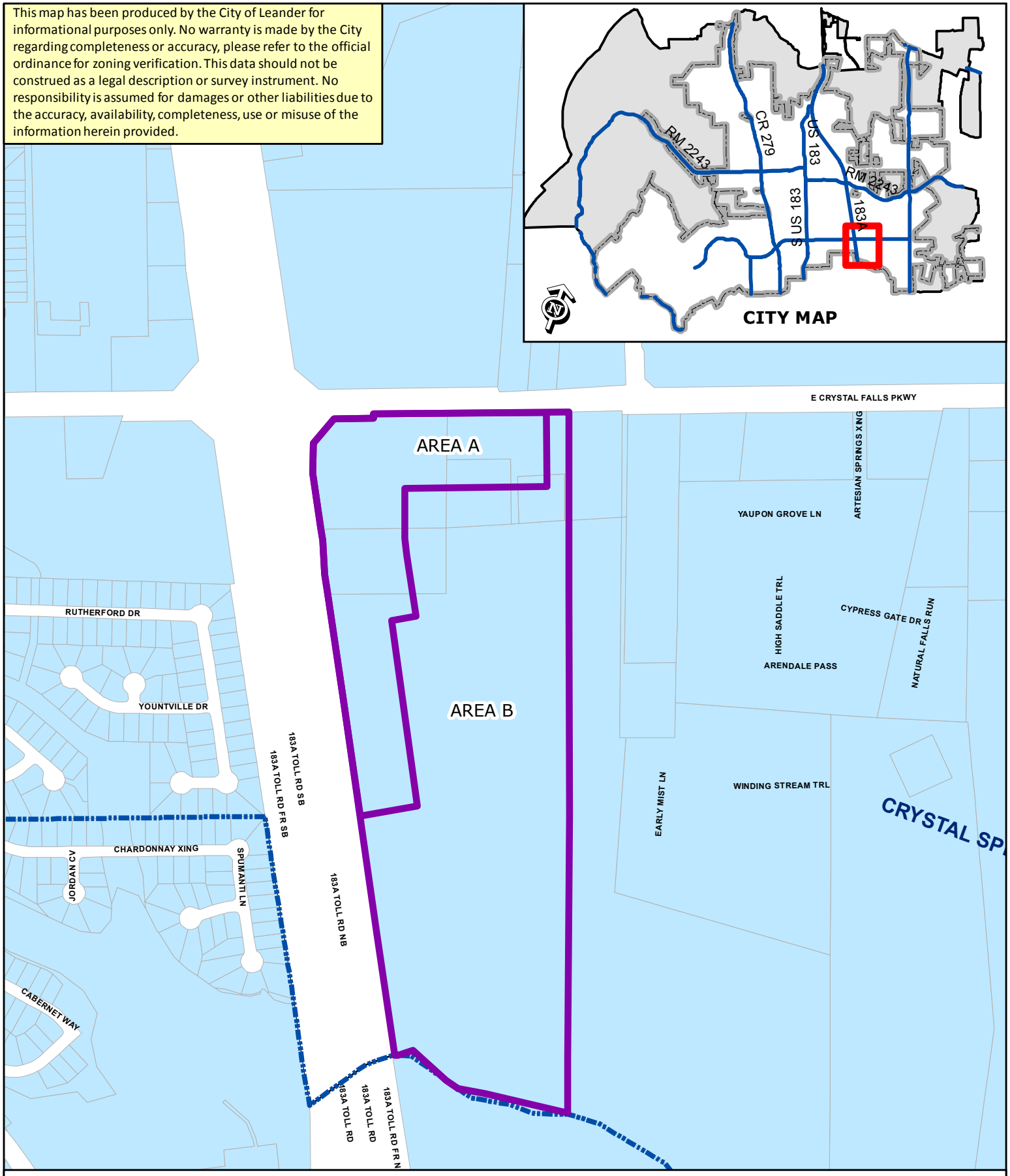
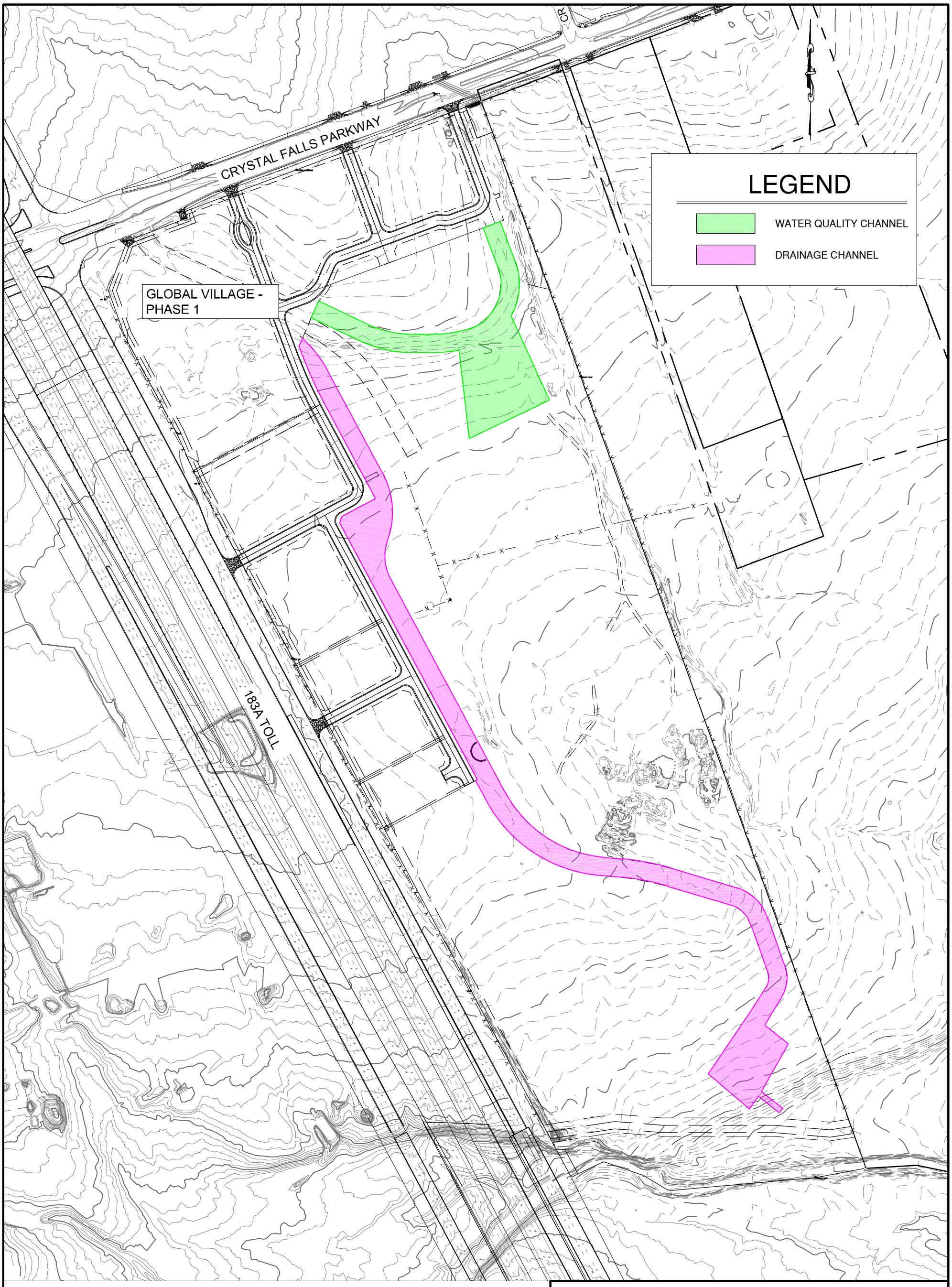


EXHIBIT C - Global Village

Subject Property

City Limits

EXHIBIT D



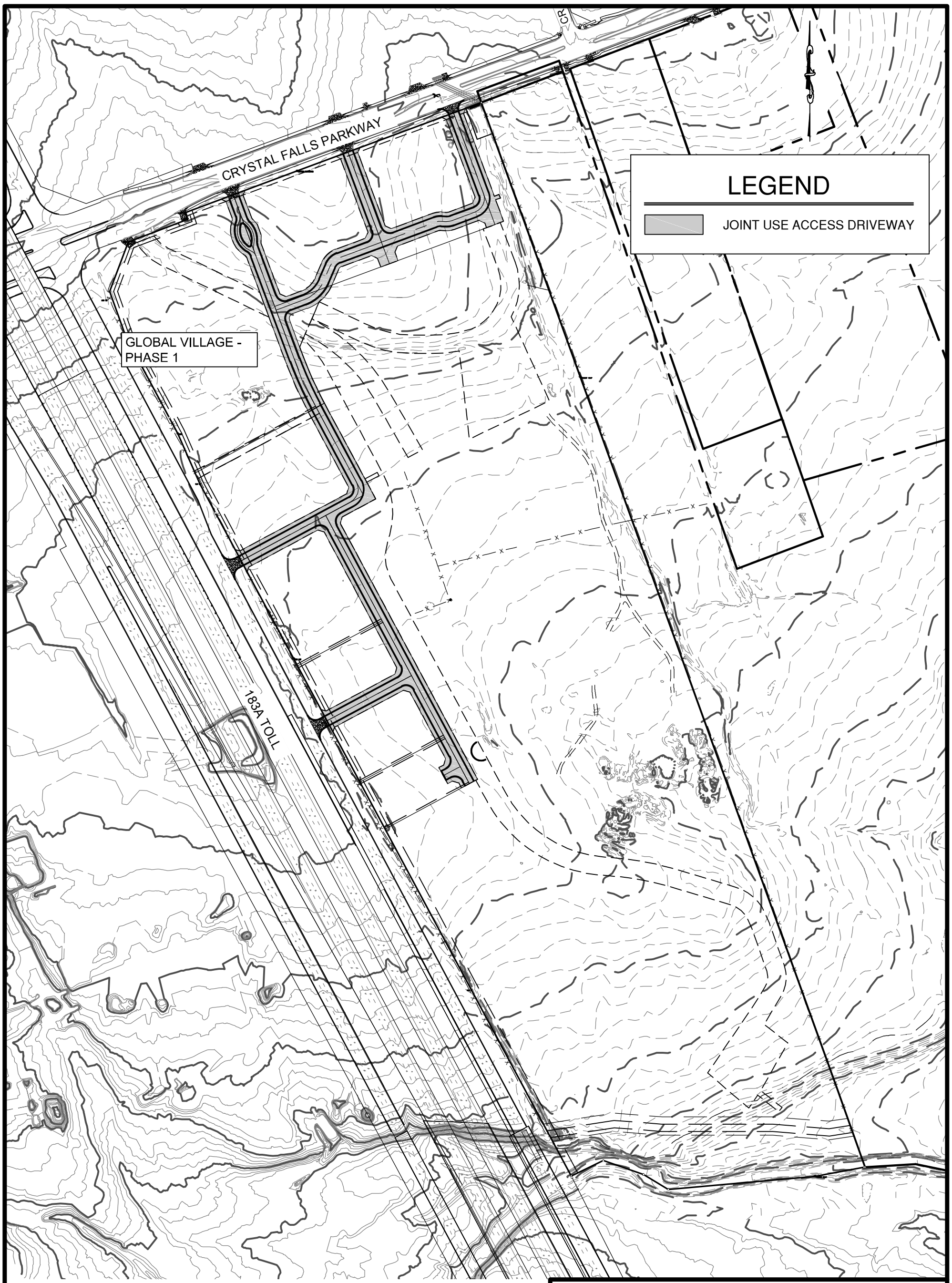
250' 0 250' 500'

SCALE: 1 INCH = 250' FT

GLOBAL VILLAGE PHASE ONE
WATER QUALITY EXHIBIT

Bowman CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

EXHIBIT E



250' 0 250' 500'

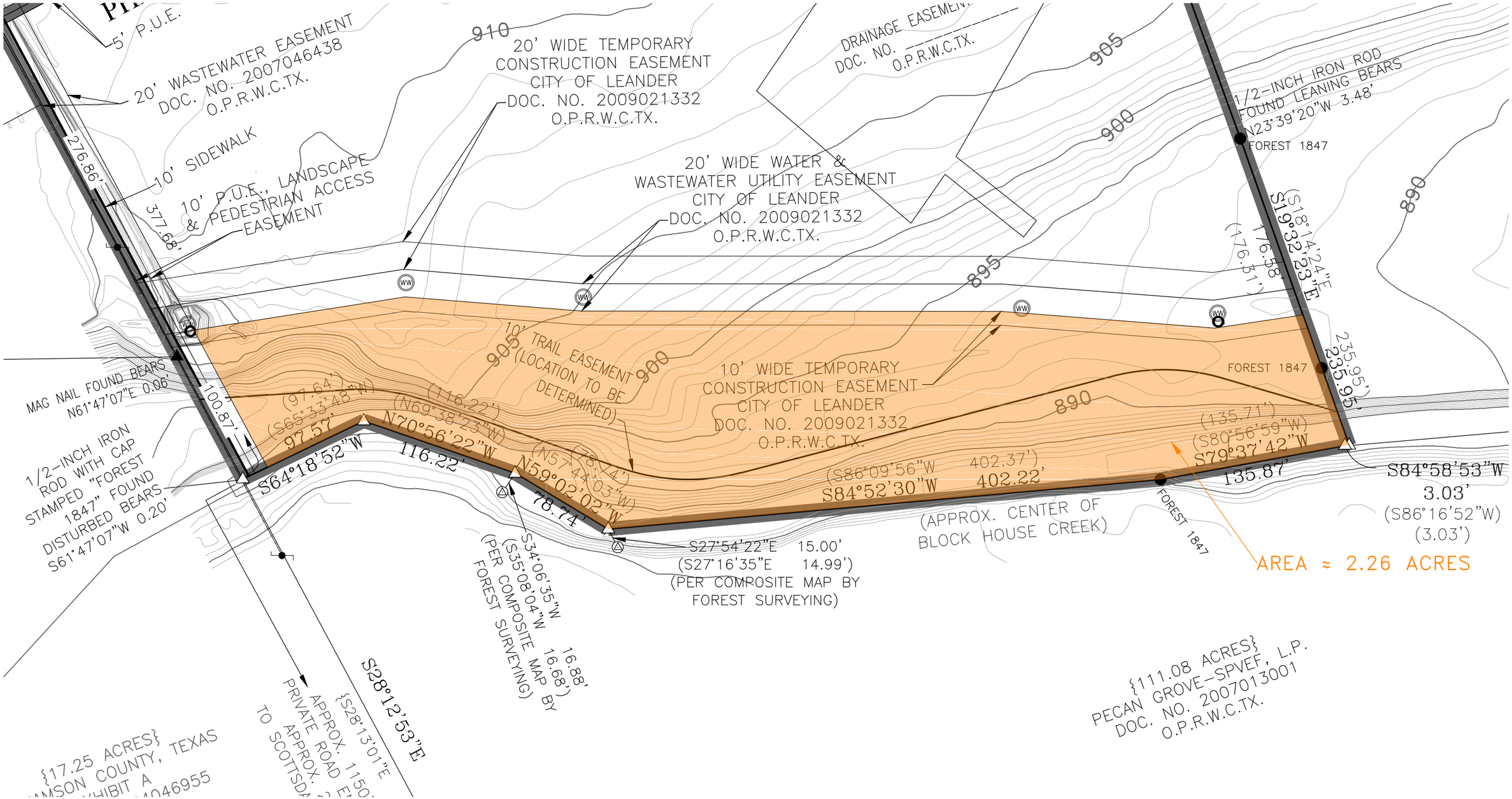
SCALE: 1 INCH = 250' FT

JOINT USE ACCESS
DRIVEWAY EXHIBIT

Bowman
CONSULTING
1120 S. Capital of Texas Hwy. ▪ Building 3, Suite 220 ▪ Austin, Texas 78746
Phone: (512) 327-1180 ▪ Fax: (512) 327-4062 ▪ www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.
TBPE Firm Registration No. F-14309

H:\Projects\Cantwell Tract\070812-Cantwell Tract_Ph 2 Engineering\Exhibits\JOINT USE ACCESS DRIVEWAY EXHIBIT.dwg, WATER QUALITY EXHIBIT, June 08, 2016, 7:59 AM, ahusejnovic

EXHIBIT F


5' P.U.E.
20' WASTEWATER EASEMENT
DOC. NO. 2007046438
O.P.R.W.C.TX.
10' SIDEWALK
10' P.U.E., LANDSCAPE & PEDESTRIAN ACCESS EASEMENT
276.86'
377.68'
910
20' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
DRAINAGE EASEMENT
DOC. NO. _____
O.P.R.W.C.TX.
905
900
895
890
20' WIDE WATER & WASTEWATER UTILITY EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
1/2-INCH IRON ROD FOUND LEANING BEARS N23°39'20"W 3.48'
FOREST 1847
S19°32'23"E
176.58'
(S18°14'24"E
(176.51')
235.95'
(235.95')
FOREST 1847
MAG NAIL FOUND BEARS N61°47'07"E 0.96'
100.87'
1/2-INCH IRON ROD WITH CAP STAMPED "FOREST 1847" FOUND DISTURBED BEARS S61°47'07"W 0.20'
10' TRAIL EASEMENT (LOCATION TO BE DETERMINED)
10' WIDE TEMPORARY CONSTRUCTION EASEMENT
CITY OF LEANDER
DOC. NO. 2009021332
O.P.R.W.C.TX.
(97.64')
(S65°33'48"W)
97.57'
S64°18'52"W
(116.22')
(N69°38'23"W)
N70°56'22"W
116.22'
(78.74')
(N57°44'03"W)
N59°02'02"W
78.74'
(S86°09'56"W
S84°52'30"W
402.37')
402.22'
(135.71')
(S80°56'59"W)
S79°37'42"W
135.87'
S84°58'53"W
3.03'
(S86°16'52"W)
(3.03')
FOREST 1847
(APPROX. CENTER OF BLOCK HOUSE CREEK)
AREA ≈ 2.26 ACRES
S27°54'22"E 15.00'
(S27°16'35"E 14.99')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S34°06'35"W
(S35°08'04"W 16.88'
16.68')
(PER COMPOSITE MAP BY FOREST SURVEYING)
S28°12'53"E
{S28°13'01"E
APPROX. 1150'
PRIVATE ROAD E
APPROX.
TO SCOTTSDA
{111.08 ACRES}
PECAN GROVE-SPVEF, L.P.
DOC. NO. 2007013001
O.P.R.W.C.TX.
{17.25 ACRES}
TEXAS
EXHIBIT A

AGENDA ITEM # 14

Executive Summary

June 16, 2016

Agenda Subject: Consider action on the proposed removal of a Heritage Tree located within the Deerbrooke Subdivision; Leander, Williamson County, Texas.

Background: The Deerbrooke Subdivision is currently under construction and the developer found that there was a typo in the tree survey during construction. There is a tree that is in the bath of construction that is 35 caliper inches in size.

Origination: Applicant: David Singleton on behalf of Deerbrooke Land Austin, LLC.

Financial Consideration: None

Recommendation: The staff recommendation will be available meeting.

Attachments:

1. Letter of Intent
2. Picture of the Tree
3. Updated Tree Survey

Prepared By: Tom Yantis, AICP
Assistant City Manager 06/09/2016

AGENDA ITEM # 15

Executive Summary

June 16, 2016

Agenda Subject: Authorize the City Manager to execute a professional services contract with Revenue Enhancement Services, LLC to conduct an audit of billing and collection services within the Utility Billing office.

Background: Periodically, the City has engaged outside firms to perform audits for such things as sales tax, cable or electric franchise fee payments. The proposed contract is similar, but would instead look internally at our customer billing data as well as perform field audits to look for meter reading issues that could affect proper billing. The proposed contract would compensate the vendor for a portion of increased revenue stream from accounts that are found to be incorrectly billed for water service. The vendor would receive a payment equal to 75% of the increased revenue over a twelve month period.

Origination: Robert G. Powers, Finance Director

Financial Consideration: n/a - vendor is compensated by a percentage of increased revenues.

Recommendation: Authorize City Manager to execute contract.

Attachments: Contract

Prepared by: Robert G. Powers, Finance Director

CONTRACT FOR PROFESSIONAL SERVICES

THIS CONTRACT FOR PROFESSIONAL SERVICES ("Contract") made on the date of the countersignature, hereinafter specified, by and between **City of Leander** a home rule municipality located in Williamson and Travis Counties, Texas (the "CITY"), acting by and through the City Manager pursuant to a Resolution of the City Council, which is its governing body, and **UTILITY OUTSOURCING SPECIALISTS, INC., (d.b.a. REVENUE ENHANCEMENT SERVICES, LLC**.), a Louisiana company, with its principal office in Denham Springs, Louisiana (the "Contractor"). The initial addresses of the parties are as follows:

CITY	***CONTRACTOR***
Mr. Kent Cagle City Manager City of Leander PO Box 319 Leander, TX 78646	Utility Outsourcing Specialists, Inc. D.B.A. Revenue Enhancement Services 10532 LA~~a~~ Hwy 1033 Denham Springs, LA ~~a~~ 70726

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W I T N E S S E T H:

WHEREAS, the City desires to secure the performance of professional services of the highest quality by trained, skilled personnel; and

WHEREAS, the Contractor desires to provide such services in exchange for the fees hereinafter specified;

NOW, THEREFORE, for and in consideration of the premises and mutual covenants herein contained, and other valuable consideration, the parties hereto agree as follows:

ARTICLE I.
DEFINITIONS

Section 1.01. **Meanings of Words and Terms.** As used in this Contract, the following words or terms shall have meanings:

"**Account"** means a particular water or sewer service of the City including all revenues based on water consumption and / or revenue derived from the water meter reading. This definition includes all unauthorized taps discovered by the Contractor that previously had not been given an Account number by the City.

"Base Revenue" means the average monthly billings on an Account based upon the twelve-month period immediately preceding the Contractor documenting the find. In

the event twelve (12) months billing history does not exist, then a minimum of nine (9) months must be available in order to be an "**Eligible Account**."

"Bonus Payment" means the fee to be paid by the City to the Contractor for the Contractor's performance of its duties under this contract, computed in accordance with Section 5.03 (A) hereof.

"Contractor" means the entity designated as such in the preamble of this contract and includes its successors and assigns.

"Customer Service Information Systems" or "CSIS" means the system used by the City to bill Accounts for water and wastewater service provided to its customers.

"Force Majeure", as used herein shall include, but not be limited to, acts of God, acts of public enemy, war blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, tornadoes, hurricanes, arrests and restraints of government and people, explosions, breakage or damage due to machinery or equipment and any other inabilities of either party, whether similar to those enumerated or otherwise, and not within reasonable control of the party claiming inability.

"Increased Revenues," means the amount of monthly income received by the City on an account, over and above the Base Revenue, subsequent to corrective action being taken on said account.

"Out-of-Pocket Expenses" means an amount equal to the actual costs and expenses for implementing changes accomplished by City personnel, including labor, or other personnel contracted by the City pursuant to Section 5.02 hereof.

"City" is defined in the preamble of this contract and includes its successors and assigns.

"Project" means the work to be done in connection with any account approved by the Project Manager.

"Project Manager" means the person designated by notice to the Contractor, to administer this Contract on behalf of the City. This individual shall have a working knowledge of City protocol, and the day-to day operating procedures of the City Water and Wastewater Department.

"Work" means the Contractor's efforts toward making changes or modifications to an Account in order for the particular water and wastewater service being provided to said account be properly and accurately billed.

"Work Order" means Contractor's work order submittal form set forth in the attached to the Contract to be used by Contractor in submitting recommendations for work to be done with regard to any of the Accounts.

Comment [r1]: Need to see this form

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Section 1.02. Miscellaneous Definitions. Words of the masculine gender shall be deemed and construed correlative words of the feminine neuter gender. Unless the context shall otherwise indicate, singular terms used herein shall include the plural number should the context require.

Section 1.03. Titles and Headings. The titles and headings of the articles and sections of this Contract have been inserted for convenience of reference only and are not to be considered a part hereof, and shall not in any way modify or restrict any of the terms or provisions hereof and shall never be considered or given any effect in construing this Contract or any provision hereof or in ascertaining intent, if any question or intent shall arise.

ARTICLE II.
SCOPE OF SERVICES

Section 2.01. Basic Service. The Contractor shall provide the investigations, work order, and field services necessary to maximize the billable revenues to all accounts for service provided by the City to said Accounts.

(A) Investigation and Field Work. Upon receiving the Account information described in Section 3.01 (A), the Contractor shall:

(1) Investigate said account and determine if there is a loss of revenue to the City associated with each said Account.

Comment [r2]: What about overcharges? We'd like to know if an account is being billed incorrectly, i.e., too high as well.

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(2) Submit work orders and recommendations for work to be done with regard to any of said Accounts in a monthly report.

(3) Upon receipt of the Project Manager's approval, the City shall at its sole discretion proceed to make (or cause to be made) all necessary changes to the physical or billing service to any of said accounts for which such approval has been given. The City shall not be obligated to perform any of the corrective actions identified by the Contractor.

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(B) Reports.

(1) The Contractor shall provide the Project Manager a monthly report with a complete list of all accounts and associated work orders researched by the Contractor for which the Contractor has identified potential increased revenues for the City. This report shall be submitted for the purpose of "Documenting the Find" and the Contractor shall be entitled to the agreed upon portion of the increased revenues on said account per Section 5.03(A) "Bonus Payments."

(2) The Contractor shall provide the Project Manager with a monthly status report. This report is to be inclusive of all accounts that are deemed by the Contractor to justify action and on which a work order has been generated in the prior month. This report shall be due no later than the 10th calendar day of each month.

Section 2.02. Services in General. The Contractor shall coordinate all of its activities herein described with the the Project Manager, or his/her designated representative.

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ARTICLE III.
CITY DUTIES, DATA RECORDS, WORK PRODUCTS, ETC.

Section 3.01. Certain Duties of the City.

(A) City to Provide Access to Accounts. In addition to its other duties under this Contract, the City shall, to the extent permitted by law, for each account, provide copies of any documents in its possession or control or available to it which are requested by the Contractor to perform its duties under this Contract.

Comment [r3]: Cannot provide access to customer records due to private/confidential information, such as SSN, email, etc. We can discuss other limited report access, but not the entire CIS system.

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(B) Post-Award Contract Meeting. Upon execution of this Contract by all parties, the City will coordinate a post-award contract meeting with the Contractor and all designated management personnel representing the City under this Contract in order to fully explain all the aspects of this contract.

(C) Review of Work Orders. The City shall review all work orders submitted in the monthly report by the Contractor under Section 2.01(A) as soon as reasonably practical to do so. The Project Manager's approval of said work order shall establish the estimated cost of the Project. The estimated cost of the Project may be amended by the Project Manager as described in Section 5.02 Within thirty (30) calendar days after receipt of the Contractor's monthly report, the Project Manager will advise the Contractor in writing of the status and/or disposition of the work orders contained in the monthly report.

(D) Replacement Water Meters. The Contractor will request replacement water meters and installation from the City. If approved by the City, City personnel, or other personnel contracted by the City, shall replace the meters so requested within a reasonable time.

(E) Project Manager's Assistance. The Project Manager shall assist the Contractor in its dealings with any department or division of the City.

(F) City Report Due Contractor. For each account for which the Contractor has documented the find and the City has collected billing revenues, the City shall issuea quarterly report to the Contractor listing the following information:

(1) Account Name;
(2) Account Number;
(3) Service Address;
(4) Billing Period;
(5) Amount Billed;
(6) Base Revenue in dollars;
(7) Amount Collected;
(8) Amount of monies owed the Contractor; and
(9) Contractor's work order number

City can opt to give contractor access to CSIS for the purpose of creating the monthly bonus payment report.

Comment [r4]: The monthly report is sufficient acknowledgement

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(G) Unspecified Areas. The Project Manager and the Contractor may establish mutually agreed upon written procedures to handle matters and areas not specifically covered by this Contract.

(H) Observance of Spirit of Contract. During all times that this Contract shall remain in effect, both the City and the Contractor shall observe and comply with the spirit of this Contract. The Contractor is rendering a service to the City by increasing the revenues of the City. The City has granted to the Contractor authorization to perform the defined duties in this Contract and the City will not unduly hinder, restrict, or delay the Contractor's performances of said duties.

Comment [r5]: City cannot give up its responsibility to provide accurate billing

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ARTICLE IV.
INDEMNIFICATION AND INSURANCE

Section 4.01. Indemnification. The Contractor hereby agrees at all times to defend, indemnify and hold the City harmless from and against any and all liability, losses, or

costs arising from claims for damages, or suits for loss or damage, including without limitation, reasonable attorney fees, which arise as a result of the performance of or the failure to properly reform its duties under this Contract, whether such claims are asserted before or after the termination of this contract.

Section 4.02. Insurance. During the term of this Contract, the Contractor shall carry and maintain the following insurance coverage with a company or companies satisfactory to the Director, under the policies of insurance that meet the requirements of the State of Texas. The City shall be named as an additional insured on all such policies pursuant to this Contract, and each of said policies shall provide that the Director shall be given at least ten (10) days prior notice to the cancellation thereof. Such insurance coverage shall have the minimum limits of liability in not less than the following amounts:

(A) Comprehensive General Liability Insurance, including contractual liability:

Bodily Injury: $1,000,000 per occurrence / $1,000,000 UMBRELLA

Property Damage: $1,000,000 per occurrence / $1,000,000 UMBRELLA

(B) Workers Compensation with Employees Liability, including Broad Form All States Endorsement: $100,000

ARTICLE V.
PAYMENT

Section 5.01. Limitation on Sources of Payment. Any and all fees due to the contractor for services rendered under this Contract shall be payable solely from Increased Revenues. The Contractor acknowledges and agrees that the City's liability for any and all payments hereunder shall be limited by this provision. No other funds are or will be appropriated for payment under this contract.

Section 5.02. Payment of Out-of-Pocket Expenses. All direct Out-of-Pocket expenses incurred by the City in changing meters in connection with rendering services under this Contract shall first be paid from the aggregate amount of Increased Revenue from all Accounts that Revenue Enhancement Services, LLC. has performed work on**.** All Out-of-Pocket expenses invoiced during a particular month will be compared against the total increased revenues received on all accounts for that month. The Out-of-Pocket expenses will be subtracted from the total increased revenues for that month and paid. The remaining increased revenues will be split on a 50-50 basis and distributed as per Section 5.03 hereof.

If the increased revenues for a particular month are insufficient to cover all out-of-pocket expenses for that month, the unreimbursed portion will be carried over to the next month for inclusion in that months out-of-pocket expenses reimbursement.

Section 5.03. Payment for Services.

(A) Bonus Payment to Contractor. "Bonus Payments" to the Contractor shall be seventy-five per cent (75%) of all increased revenues for a term of twelve (12) consecutive month periods after corrective action has been taken by the City as the result of an approved work order and shall be adjusted and paid quarterly. Increased revenues shall be calculated from the difference of the twelve (12) month average consumption after the completion of work with the twelve (12) month average (if twelve months is not available, see Base Revenue for Eligible Accounts) consumption measured before the work performed using the water rates in effect at the time of the work performed. On those accounts for which the City has determined the error of the meter which was replaced, annual bonus payments to the Contractor shall not exceed fifty (50%) percent of the increased revenues derived by applying the maximum error of the meter to the base revenue, unless an unmetered service was found on that account.

(B) When Bonus Payment Due. Bonus Payment is due to the Contractor quarterly within thirty (30) days of receipt of Increased Revenues by the City.

(C) Good Faith Estimate of Bonus Payment. If all of the data necessary to compute a Bonus Payment is not available in time to make such payment when due, the City may make a good faith estimate of such data and compute the Bonus Payment accordingly. Adjustments to such Bonus Payment shall be made in succeeding quarterly payments after the necessary data has become available.

ARTICLE VI.
TERM AND TERMINATION

Section 6.01. Term. This Contract shall be effective from _____, 20___ and shall continue for a primary term equal to eighteen (18) months. At the end of the primary term of this Contract, it may be renewed for a period of twelve (12) months at the discretion and by a majority vote of the City Council.

Section 6.02. Termination. Either party hereto may terminate this Contract at any time by giving thirty (30) days prior written notice to the other party of its intent to terminate this Contract.

Section 6.03. Termination of Contract Not To Affect Bonus Payments. The duties and obligations of the City to pay the Contractor any Bonus Payments earned prior to the termination of this Contract under the terms of Article V. hereof, shall continue in full force and effect as provided in said Article V. regardless of the termination of this Contract by either party.

ARTICLE VII.
MISCELLANEOUS PROVISIONS

Section 7.01. Independent Contractor. The relationship between the Contractor and the City shall be that of an independent contractor.

Section 7.02. Business Structure and Assignments. The Contractor may not delegate or assign any portion of this Contract without prior written consent of the Director. The Contractor may assign any portion of its earned Bonus Payments hereunder; provided, however, prior to any assignment thereof, the Contractor shall furnish reasonable proof of the assignment thereof by providing to the Director a written notice containing the following information: (1) the name, address, and telephone number of the Contractor with a clear reference to this Contract; (2) the name, address and telephone number of the assignee; and (3) the identify of the earned Bonus Payments to be assigned (such identify to be established by indicting the invoice number, task description and the amount of said Bonus Payment associated therewith being assigned). If reasonable proof, as described above, is not provided to the Director, the City may continue to pay the Contractor.

Section 7.03. Subcontracting. The Contractor may subcontract any part of its duties and obligations to be performed hereunder only with the prior approval to do so. All subcontractors and their employees shall be treated as if they were employees of the Contractor, except with regard to fees to be paid to said subcontractors.

Section 7.04. Parties in Interest. This Contract shall not bestow any rights upon any third parties, but rather, shall inure to the benefit of and bind the City and Contractor only.

Section 7.05. Non-Wavier. Failure of either party here to insist on the strict performance of any agreements contained herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a wavier of the right to insist on or to enforce any appropriate remedy and to strict compliance with any other obligation hereunder or to exercise any right or remedy occurring as a result of any future default or failure of performance.

Section 7.06. Applicable Laws. This Contract shall be construed in accordance with, and shall be subject to the laws of the State of Texas, any ordinances, resolutions, or other similar enactment's of the City, the laws of the United States of America and all

rules and regulations of any regulatory body or officer having Jurisdiction over matters which are the subject of this Contract.

Section 7.07. Notices. All notices required or permitted under this contract shall be in writing and shall be deemed delivered when actually received, or if earlier, on the third day following deposit in a United States Postal post office or receptacle with proper postage affixed (certified mail, return receipt requested) addressed to the respective other party at the address as the receiving party may have theretofore indicated by written notice to the sending party.

Section 7.08. Equal Employment Opportunities. The Contractor will comply with all laws, ordinances and policies set by the City with regard to equal employment opportunities.

Section 7.09. Force Majeure. In the event either party is rendered unable, wholly or in part, by Force Majeure to perform under this Contract, it is agreed that, upon such party's giving notice and full particulars of such Force Majeure in writing or by telegraph to the other party as soon as possible after the occurrence of the cause relied upon, the obligations of the party giving such notice, to the extent it is affected by Force Majeure and to the extent that due diligence is being used to resume performance at the continuance of any liability so caused as to the extent provided, but for no longer period. Such cause shall as far as possible be remedied with all reasonable dispatch.

Section 7.10. Approval; Authority. Approval by the Director, Project Manager or by any other Representative of the City, of any part of services rendered by the Contractor under this Contract other than in accordance with the terms and provisions of this Contract shall not be construed to be a wavier of Contractor's compliance with said terms and provisions or to establish a standard of performance other than required by this Contract or by law. Neither the Director nor the Project Manager is authorized to vary the terms and provisions of this Contract.

Section 7.11. Remedies Cumulative. The rights and remedies contained in this Contract shall not be exclusive, but shall be cumulative of all other rights and remedies, now or hereafter existing, whether by statue, at law, or in equity; provided, however, that none of the parties to this Contract shall terminate it except in accordance with the provisions hereof.

Section 7.12. Representatives. The Contractor represents that it and its employees, agents and subcontractors are fully competent and qualified to perform all the services required to be performed under this Contract. The Contractor represents that it has experience in performing all the services to be performed hereunder and these services shall be of the highest professional quality.

Section 7.13. Personnel of Contractor. The Contractor shall replace any personnel assigned to provide services under Contract who have been deemed to be unsuitable by the Director.

Section 7.14. Multiple Counterparts. This Contract may be executed in multiple counterparts, each of which shall be regarded for all purposes as an original; and such counterpart shall constitute but one and the same instrument.

Section 7.15. Entire Agreement. Contract contains all the agreements of the parties hereto relating to the subject matter hereof and is the full and final expression of the agreement between the parties hereto.

CONTRACTOR **CITY**

Revenue Enhancement Services, LLC. : _____ :

By: _____ By: _____

_____ _____ _____ _____ _____ _____

(print) _____ (print)

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Title: _____ Title: _____

Date: _____ Date: _____

Witness For Contractor:

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_____

_____

(print)

Attest for City:

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_____ _____

_____Debbie Haile, City Secretary

~~(print)~~

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AGENDA ITEM # 16

Executive Summary

June 16, 2016

Subject: Consider the Construction Manager at Risk method of delivery for the relocation of Fire Station #1.

Background: The City is ready to begin the design phase of the facility that will serve to relocate Fire Station #1. The preferred method of delivery for this type of a project is the Construction Manager at Risk (CMR) method.

The CMR method allows for the architect and construction company to work together on the front end to maximize design efficiencies. This method also provides a contractual structure that can foster a smooth and timely delivery.

Financial Consideration: None.

Recommendation: Staff respectfully recommends Council approve the Construction Manager at Risk method of solicitation delivery for the Relocation of Fire Station #1 project.

Prepared by: Joy Simonton, Purchasing Agent

AGENDA ITEM # 17

Executive Summary

June 16, 2016

Subject: Consider the Sealed Competitive Proposal method of solicitation for the Police Department Sally Port construction project.

Background: The City's architectural and engineering services are nearing completion for the Police Department Sally Port project. The architect on the project, Brinkley Sargent Wiginton, is recommending that the City issue a request for Competitive Sealed Proposal rather than a Competitive Sealed Bid.

The Competitive Sealed Proposal method allows the City to select a contractor based on best value, rather than low qualified bid. This is considered the best type of solicitation in this case, as this installation is a complex, public safety project.

The Purchasing Division concurs with this recommendation.

Financial Consideration: None.

Recommendation: Staff respectfully recommends Council approval the use of the Sealed Competitive Proposal method for the solicitation of construction services for the delivery of the Police Department Sally Port Project.

Prepared by: Joy Simonton, Purchasing Agent

AGENDA ITEM #18

Executive Summary

June 16, 2016

Council Agenda Subject: Consideration and possible action on the Termination and Release of a Water Line Easement located on the Hero Way Multifamily site, now known as The Standard at Leander Station.

Background: In 2015 Transit Village Investment LTD granted the City of Leander a Water Line Easement for a water line located within the site to serve the apartments. The alignment of the water line was adjusted during construction due to a conflict with a proposed building. The new location will ensure the waterline does not pass under the building, and the building does not encroach into the easement. The original easement is attached. Transit Village Investment LTD has proposed a replacement easement which is also attached. Staff recommends the vacation of the 0.498 acre water line easement as shown on the accompanying attachment, Termination and Release of Water Line Easement, with the condition that the approved replacement easement is recorded prior to the release of the original easement.

Suggested Motion Language: Authorize the City Manager to sign and record the Termination and Release of Water Line Easement following the recording of an approved replacement easement.

Origination: Terri A. Crauford, P.E., Assistant City Engineer

Financial Consideration: None

Recommendation: Staff requests approval of the Termination and Release of Water Line Easement with the condition that the approved replacement easement is recorded prior to the release of the original easement.

Attachments: (1) Water Line Easement, Instrument Number 2015013345, (2) Termination and Release of Water Line Easement, June, 2016, and (3) Replacement Water Line Easement

Prepared by: Terri A. Crauford, P.E., Assistant City Engineer

WATER UTILITY EASEMENT

DATE: **February 09, 2015**

GRANTOR: **TRANSIT VILLAGE INVESTMENT LTD**

GRANTOR'S MAILING ADDRESS (including County): **1301 S CAPITAL OF TEXAS HWY, SUITE 300A, WEST LAKE HILLS, TX 78746-6581**

GRANTEE: **CITY OF LEANDER**

GRANTEE'S MAILING ADDRESS (including County): **PO BOX 319, LEANDER, TX 78646**

LIENHOLDER: **N/A**

CONSIDERATION: Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

A water utility easement, containing **0.498** acres, more or less, located in **Williamson** County, Texas, said easement being more fully described in Exhibit "A" attached hereto and made a part hereof for all purposes.

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures, facilities, or improvements reasonably necessary and useful for water mains, lines and pipes, and the supplying of water in, upon, under and across the **PROPERTY** more fully described in Exhibit "A" attached hereto.

This Easement is subject to the following covenants:

1. Grantor reserves the right to use the Property for all purposes that do not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. Specifically, and without limiting the generality of the forgoing, Grantor has the right to place, construct, operate, repair, replace and maintain roadways, driveways, drainage, landscaping and signage on, in, under, over and across the Property, so long as such use does not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. But Grantor may not construct any buildings or similar improvements on the Property. Grantor shall be responsible for the cost of replacing such improvements in the event the Grantee removes or alters the improvement to exercise Grantee's rights hereunder.

2. This Easement is granted and accepted subject to any and all easements, covenants, rights-of-

way, conditions, restrictions, encumbrances, mineral reservations and royalty reservations, if any, relating to the Property to the extent and only to the extent, that the same may still be in force and effect, and either shown of record in the Office of the County Clerk of **Williamson** County, Texas, or apparent on the ground.

The covenants and terms of this Easement are covenants running with the land, and inure to the benefit of, and are binding upon, Grantor, Grantee, and their respective heirs, executors, administrators, legal representatives, successors and assigns.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto **GRANTEE**, and **GRANTEE's** successors and assigns forever; and **GRANTOR** does hereby bind himself, his heirs, successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, subject to the exceptions set forth above.

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

GRANTOR:

Manager of the General Partner

THE STATE OF TEXAS § Jeff Musgrove

COUNTY OF Travis §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared JEFF MUSGROVE, Grantor herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that [s]he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 9TH day of ~~200~~. 2015.

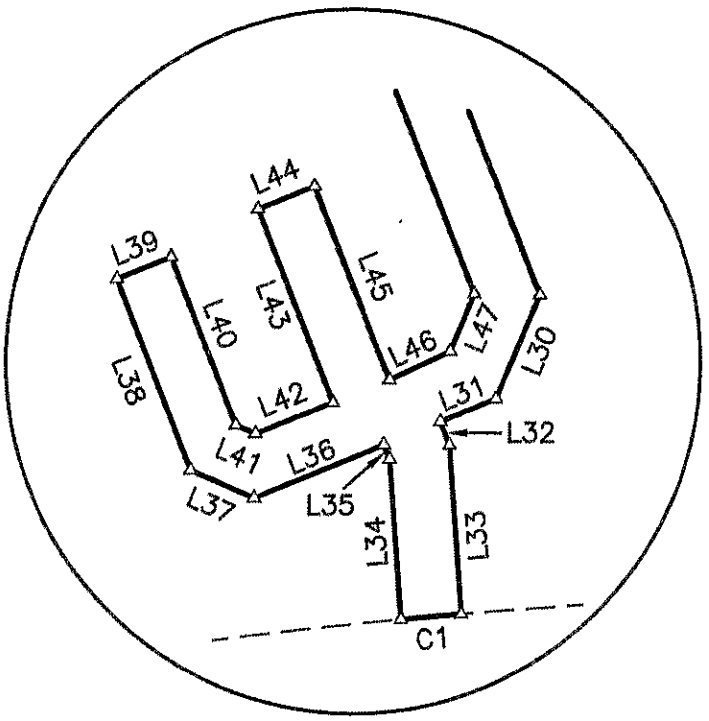
(SEAL)

Notary Public-State of Texas

AFTER RECORDING RETURN TO:
City of Leander
Attn: City Secretary
P.O. Box 319
Leander, TX 78646-0319

NOTARY PUBLIC STATE OF TEXAS
CLIFF REAGAN KENDALL
NOTARY PUBLIC
State of Texas
Comm. Exp. 05-03-2015

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.498 ACRES (APPROXIMATELY 21,713 SQ. FT.) IN THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 94.24 ACRE TRACT CONVEYED TO TRANSIT VILLAGE INVESTMENTS, LTD. IN A SPECIAL WARRANTY DEED DATED DECEMBER 28, 2006 AND RECORDED IN DOCUMENT NO. 2006112794 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.



DETAIL 'A'
NOT TO SCALE

LEGEND

●	1/2" REBAR FOUND (OR AS NOTED)
●CH	1/2" REBAR WITH "CHAPARRAL" CAP FND.
●PD	1/2" REBAR WITH "PAPE-DAWSON" CAP FND.
△	CALCULATED POINT

STATE OF TEXAS
REGISTERED
ROBERT C. WATTS, JR.
4995
PROFESSIONAL
LAND SURVEYOR

2-16-15

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 960-001-WE1

Chaparral

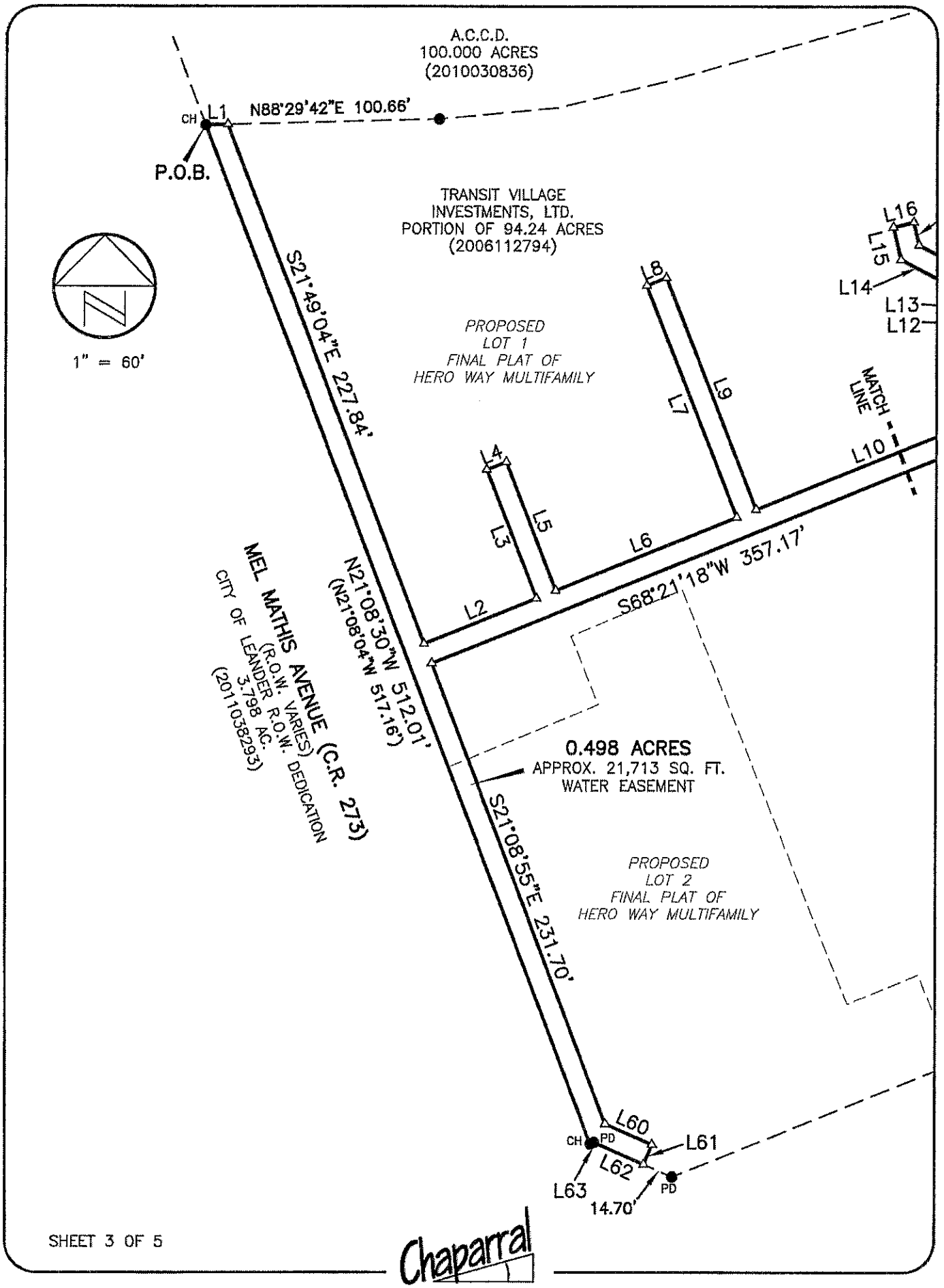
DATE OF SURVEY: MAY, 2013
PLOT DATE: 02/16/15
DRAWING NO.: 960-001-WE2
PROJECT NO.: 960-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: DC
SHEET 1 OF 5

LINE TABLE					
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N88°29'42"E	10.62'	L33	S04°09'44"E	27.41'
L2	N68°21'18"E	57.71'	L34	N04°09'44"W	25.98'
L3	N21°38'42"W	64.78'	L35	N22°12'28"W	2.49'
L4	N68°21'18"E	10.00'	L36	S68°06'56"W	23.05'
L5	S21°38'42"E	64.78'	L37	N66°38'42"W	11.41'
L6	N68°21'18"E	92.92'	L38	N21°38'41"W	33.36'
L7	N21°38'42"W	116.90'	L39	N68°21'17"E	9.66'
L8	N68°26'57"E	10.00'	L40	S21°38'43"E	29.33'
L9	S21°38'42"E	116.88'	L41	S66°21'43"E	3.50'
L10	N68°21'18"E	120.86'	L42	N68°21'18"E	13.71'
L11	N21°38'42"W	44.45'	L43	N21°38'42"W	33.67'
L12	N68°21'18"E	7.50'	L44	N68°21'18"E	10.00'
L13	N21°38'42"W	14.82'	L45	S21°38'42"E	33.67'
L14	N62°38'42"W	32.03'	L46	N64°58'54"E	11.02'
L15	N13°38'42"W	15.61'	L47	N23°04'25"E	10.10'
L16	N76°21'18"E	10.00'	L48	N66°38'42"W	10.00'
L17	S13°38'42"E	11.05'	L49	S68°21'18"W	12.05'
L18	S62°38'42"E	31.21'	L50	S21°38'42"E	8.64'
L19	S21°38'42"E	63.01'	L51	S68°21'18"W	10.00'
L20	S66°38'42"E	4.14'	L52	N21°38'42"W	8.64'
L21	N23°21'18"E	43.37'	L53	S68°21'18"W	31.91'
L22	N21°38'42"W	15.30'	L54	S21°38'42"E	28.01'
L23	N68°21'18"E	10.00'	L55	S68°26'57"W	10.00'
L24	S21°38'42"E	19.44'	L56	N21°38'42"W	27.99'
L25	S23°21'18"W	47.51'	L57	S21°38'42"E	28.00'
L26	S66°38'42"E	4.14'	L58	S68°21'18"W	10.00'
L27	N68°21'18"E	98.50'	L59	N21°38'42"W	28.00'
L28	S21°38'48"E	10.00'	L60	S66°32'39"E	24.48'
L29	S68°21'18"W	98.50'	L61	S23°27'21"W	9.99'
L30	S23°04'25"W	18.32'	L62	N66°38'40"W	26.01'
L31	S67°47'32"W	9.93'	L63	S70°18'35"W	1.93'
L32	S22°12'28"E	4.08'			

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	1060.00'	0°32'26"	10.00'	S84°54'32"W	10.00'
C2	1060.00'	7°43'55"	143.04'	N89°02'43"E	142.94'
C3	1060.00'	16°12'09"	299.75'	S76°32'15"W	298.76'

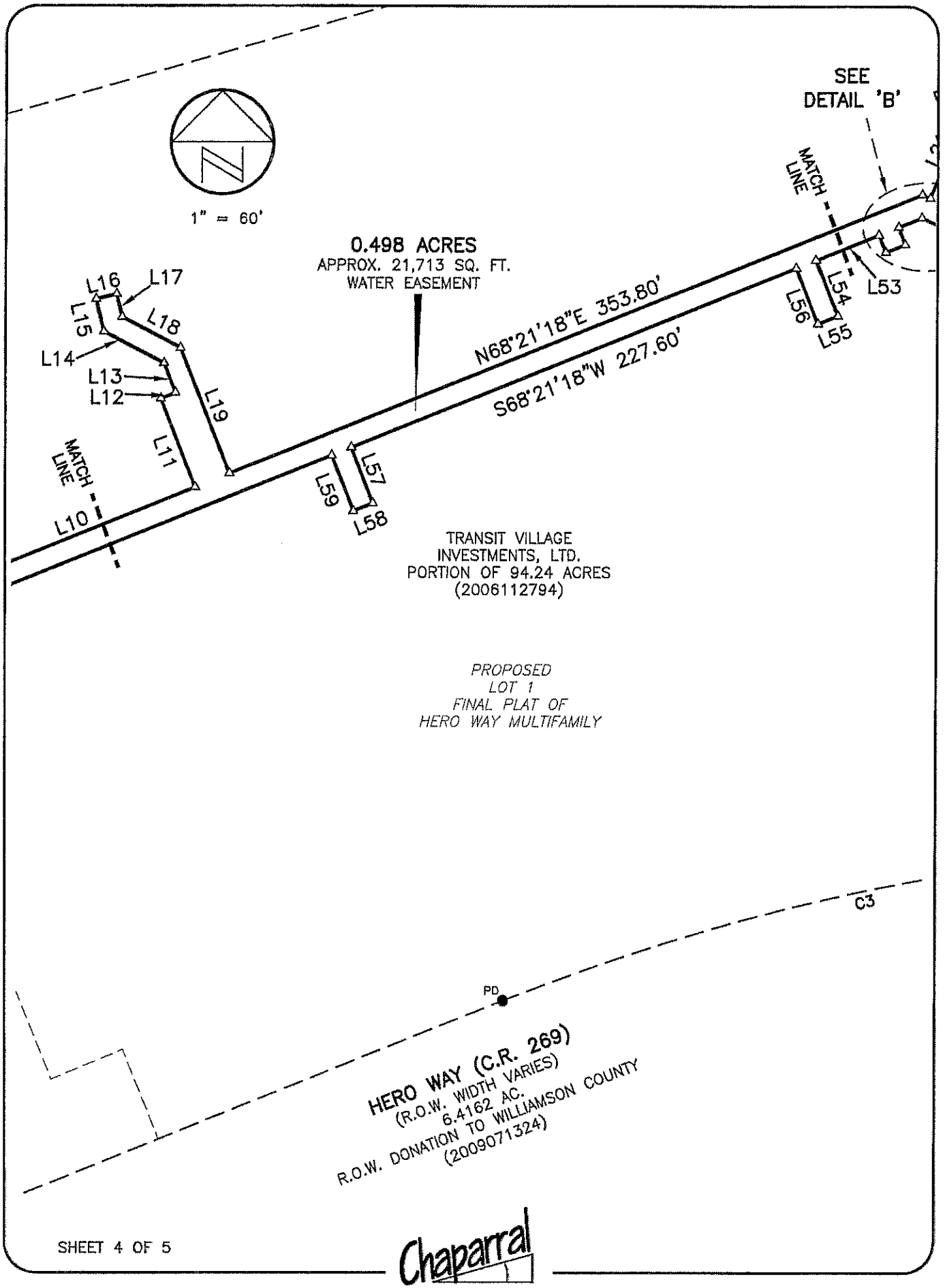
DATE OF SURVEY: MAY, 2013
PLOT DATE: 02/16/15
DRAWING NO.: 960-001-WE2
PROJECT NO.: 960-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: DC
SHEET 2 OF 5

Chaparral



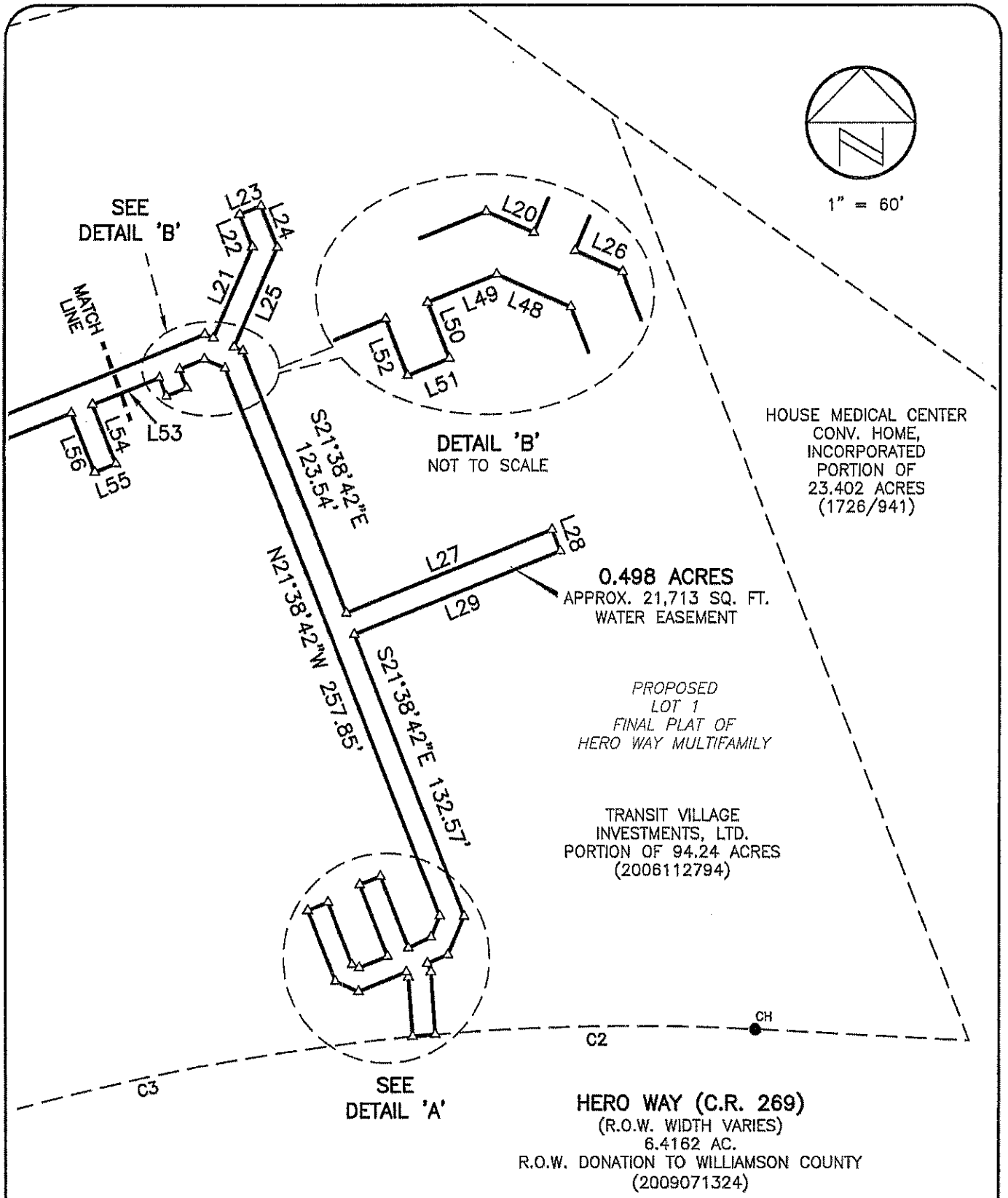
SHEET 3 OF 5

Chaparral



SHEET 4 OF 5

Chaparral


1" = 60'
SEE DETAIL 'B'
MATCH LINE
L23
L24
L22
L21
L25
L20
L26
L49
L48
L50
L52
L51
L53
L54
L56
L55
DETAIL 'B'
NOT TO SCALE
S21°38'42"E 123.54'
N21°38'42"W 257.85'
L27
L28
L29
0.498 ACRES
APPROX. 21,713 SQ. FT.
WATER EASEMENT
S21°38'42"E 132.57'
PROPOSED
LOT 1
FINAL PLAT OF
HERO WAY MULTIFAMILY
HOUSE MEDICAL CENTER
CONV. HOME,
INCORPORATED
PORTION OF
23.402 ACRES
(1726/941)
TRANSIT VILLAGE
INVESTMENTS, LTD.
PORTION OF 94.24 ACRES
(2006112794)
CH
C2
C3
SEE DETAIL 'A'
HERO WAY (C.R. 269)
(R.O.W. WIDTH VARIES)
6.4162 AC.
R.O.W. DONATION TO WILLIAMSON COUNTY
(2009071324)

Chaparral

TERMINATION AND RELEASE OF WATER LINE EASEMENT

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF WILLIAMSON §

WHEREAS, TRANSIT VILLAGE INVESTMENT, LTD, a Texas limited partnership executed and delivered that certain Water Line Easement recorded as Document No. 2015013345 in the Official Public Records of Williamson County, Texas (the "Easement") for the benefit of the City of Leander ("City"); and

WHEREAS, TRANSIT VILLAGE INVESTMENT, LTD and the City now desire to terminate and release the Easement:

NOW THEREFORE, for and in consideration of the premises herein stated and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the Easement is hereby terminated, and the City releases and relinquishes unto TRANSIT VILLAGE INVESTMENT, LTD all rights and claims of any kind or nature which the City had, has or may have with respect to the property previously encumbered by the Easement. The City hereby warrants and represents to TRANSIT VILLAGE INVESTMENT, LTD that it has not previously assigned the Easement or any rights, claims or interests arising under or in connection therewith to any third parties.

EXECUTED to be effective as of the 7 day of June, 2016.

TRANSIT VILLAGE INVESTMENT, LTD: TRANSIT VILLAGE INVESTMENT, LTD, a Texas Limited Partnership

By: _____
Printed Name: Jeff Musgrove
Title: Manager of the General Partner

CITY OF LEANDER: CITY OF LEANDER, TEXAS

By: _____
Printed Name: _____
Title: _____

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me this 7 day of June, 2016, by Jeff Musgrove, Manager of the General Partner of Transit Village Investment, LTD, a Texas limited partnership.

Edie A. Musgrove
Notary Public, State of Texas

(SEAL)

EDIE A. MUSGROVE
MY COMMISSION EXPIRES
September 17, 2016

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me this _____ day of _____, 2016, by _____.

_____
Notary Public, State of Texas

(SEAL)

WATER UTILITY EASEMENT

DATE: **_____ _____, 2016**

GRANTOR: **HERO WAY MF INVESTMENTS, LTD**

GRANTOR'S MAILING ADDRESS (including County): **1301 S CAPITAL OF TEXAS HWY, SUITE 300A, WEST LAKE HILLS, TX 78746-6581**

GRANTEE: **CITY OF LEANDER**

GRANTEE'S MAILING ADDRESS (including County): **PO BOX 319, LEANDER, TX 78646**

LIENHOLDER: **N/A**

CONSIDERATION: Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

A ten foot (10') wide water utility easement, containing 0.499 acres, more or less, located in Williamson County, Texas, said easement being more fully described in Exhibit "A" attached hereto and made a part hereof for all purposes.

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures, facilities, or improvements reasonably necessary and useful for water mains, lines and pipes, and the supplying of water in, upon, under and across the **PROPERTY** more fully described in Exhibit "A" attached hereto.

This Easement is subject to the following covenants:

1. Grantor reserves the right to use the Property for all purposes that do not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. Specifically, and without limiting the generality of the forgoing, Grantor has the right to place, construct, operate, repair, replace and maintain roadways, driveways, drainage, landscaping and signage on, in, under, over and across the Property, so long as such use does not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. But Grantor may not construct any buildings or similar improvements on the Property. Grantor shall be responsible for the cost of replacing such improvements in the event the Grantee removes or alters the improvement to exercise Grantee's rights hereunder.

2. This Easement is granted and accepted subject to any and all easements, covenants, rights-of-

way, conditions, restrictions, encumbrances, mineral reservations and royalty reservations, if any, relating to the Property to the extent and only to the extent, that the same may still be in force and effect, and either shown of record in the Office of the County Clerk of **Williamson** County, Texas, or apparent on the ground.

The covenants and terms of this Easement are covenants running with the land, and inure to the benefit of, and are binding upon, Grantor, Grantee, and their respective heirs, executors, administrators, legal representatives, successors and assigns.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto **GRANTEE**, and **GRANTEE's** successors and assigns forever; and **GRANTOR** does hereby bind himself, his heirs, successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, subject to the exceptions set forth above.

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

GRANTOR:

Manager of the General Partner

THE STATE OF TEXAS **§ Jeff Musgrove**

COUNTY OF Travis **§**

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Jeff Musgrove, Grantor herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that [s]he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 23rd day of 2016.

(SEAL) Monica Romero

Notary Public-State of Texas

MONICA ROMERO
Notary Public, State of Texas
Notary ID# 126437505
My Commission Expires
MARCH 22, 2020

AFTER RECORDING RETURN TO:
City of Leander
Attn: City Secretary
P.O. Box 319
Leander, TX 78646-0319

GRANTEE:

City of Leander, Texas

_____
Name
Title
Address
City, State Zip

THE STATE OF TEXAS **§**
COUNTY OF _____ **§**

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, Grantee herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that [s]he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

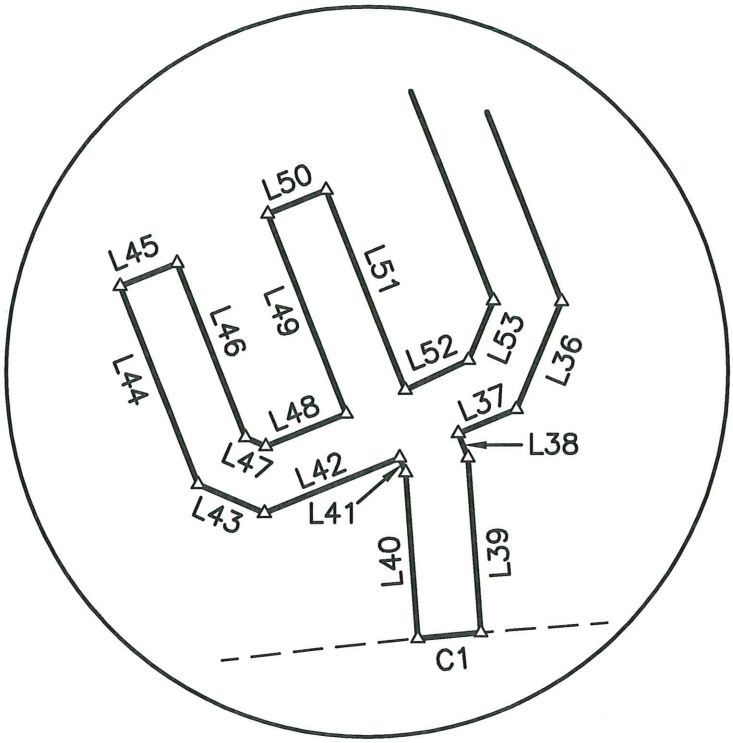
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ___ day of _____, 2016.

_____
Notary Public in and for the County of _____, Texas

My Commission Expires _____

AFTER RECORDING RETURN TO:
City of Leander
Attention: City Secretary
P.O. Box 319
Leander, Texas 78646

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.499 ACRES (APPROXIMATELY 21,740 SQ. FT.) IN THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOTS 1 AND 2, FINAL PLAT OF HERO WAY MULTIFAMILY, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2015015167 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.



DETAIL 'A'
NOT TO SCALE

LEGEND

●	1/2" REBAR FOUND (OR AS NOTED)
●CH	1/2" REBAR WITH "CHAPARRAL" CAP FND.
●PD	1/2" REBAR WITH "PAPE-DAWSON" CAP FND.
△	CALCULATED POINT

STATE OF TEXAS
REGISTERED
ROBERT C. WATTS, JR.
4995
PROFESSIONAL
LAND SURVEYOR

5-19-16

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 960-001-WE2

Chaparral

DATE OF SURVEY: 09/11/14
PLOT DATE: 05/19/16
DRAWING NO.: 960-001-WE2
PROJECT NO.: 960-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: DC
SHEET 1 OF 5

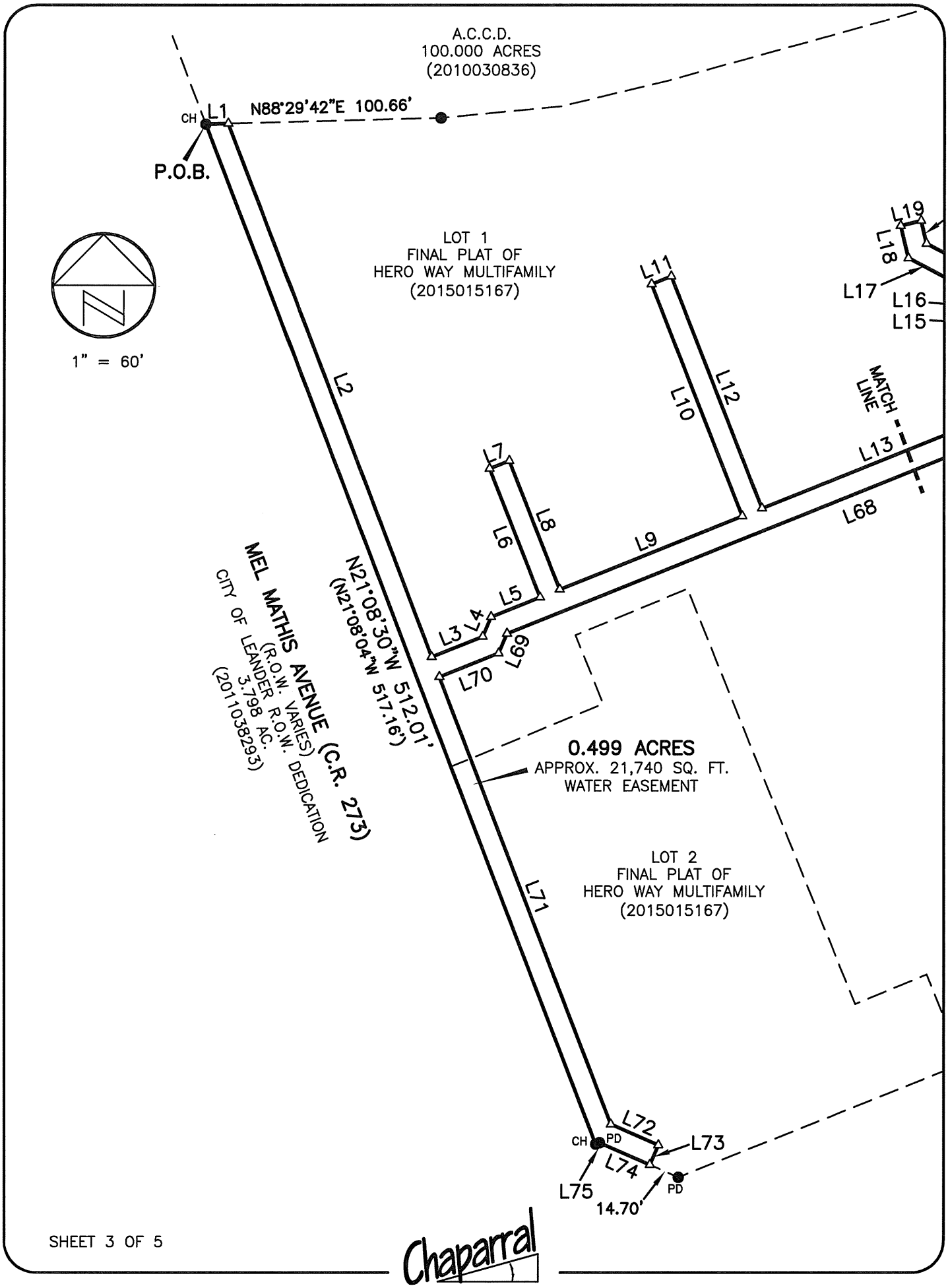
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N88°29'42"E	10.62'
L2	S21°08'55"E	267.77'
L3	N68°21'07"E	25.85'
L4	N23°21'06"E	9.98'
L5	N68°21'18"E	24.86'
L6	N21°38'42"W	64.78'
L7	N68°21'18"E	10.00'
L8	S21°38'42"E	64.78'
L9	N68°21'18"E	92.92'
L10	N21°38'42"W	116.90'
L11	N68°26'57"E	10.00'
L12	S21°38'42"E	116.88'
L13	N68°21'18"E	120.86'
L14	N21°38'42"W	44.45'
L15	N68°21'18"E	7.50'
L16	N21°38'42"W	14.82'
L17	N62°38'42"W	32.03'
L18	N13°38'42"W	15.61'
L19	N76°21'18"E	10.00'
L20	S13°38'42"E	11.05'
L21	S62°38'42"E	31.21'
L22	S21°38'42"E	63.01'
L23	N68°21'18"E	353.80'
L24	S66°38'42"E	4.14'
L25	N23°21'18"E	43.37'
L26	N21°38'42"W	15.30'
L27	N68°21'18"E	10.00'
L28	S21°38'42"E	19.44'
L29	S23°21'18"W	47.51'
L30	S66°38'42"E	4.14'
L31	S21°38'42"E	123.54'
L32	N68°21'18"E	98.50'
L33	S21°38'48"E	10.00'
L34	S68°21'18"W	98.50'
L35	S21°38'42"E	132.57'
L36	S23°04'25"W	18.32'
L37	S67°47'32"W	9.93'
L38	S22°12'28"E	4.08'

LINE TABLE		
LINE	BEARING	DISTANCE
L39	S04°09'44"E	27.41'
L40	N04°09'44"W	25.98'
L41	N22°12'28"W	2.49'
L42	S68°06'56"W	23.05'
L43	N66°38'42"W	11.41'
L44	N21°38'41"W	33.36'
L45	N68°21'17"E	9.66'
L46	S21°38'43"E	29.33'
L47	S66°21'43"E	3.50'
L48	N68°21'18"E	13.71'
L49	N21°38'42"W	33.67'
L50	N68°21'18"E	10.00'
L51	S21°38'42"E	33.67'
L52	N68°21'18"E	10.28'
L53	N23°21'18"E	11.06'
L54	N21°38'42"W	257.85'
L55	N66°38'42"W	10.00'
L56	S68°21'18"W	12.05'
L57	S21°38'42"E	8.64'
L58	S68°21'18"W	10.00'
L59	N21°38'42"W	8.64'
L60	S68°21'18"W	31.91'
L61	S21°38'42"E	28.01'
L62	S68°26'57"W	10.00'
L63	N21°38'42"W	27.99'
L64	S68°21'18"W	227.60'
L65	S21°38'42"E	28.00'
L66	S68°21'18"W	10.00'
L67	N21°38'42"W	28.00'
L68	S68°21'18"W	320.10'
L69	S23°21'06"W	9.98'
L70	S68°21'07"W	30.08'
L71	S21°08'55"E	224.64'
L72	S66°32'39"E	24.48'
L73	S23°27'21"W	9.99'
L74	N66°38'40"W	26.01'
L75	S70°18'35"W	1.93'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	1060.00'	0°32'26"	10.00'	S84°54'32"W	10.00'
C2	1060.00'	7°43'55"	143.04'	N89°02'43"E	142.94'
C3	1060.00'	16°12'09"	299.75'	S76°32'15"W	298.76'

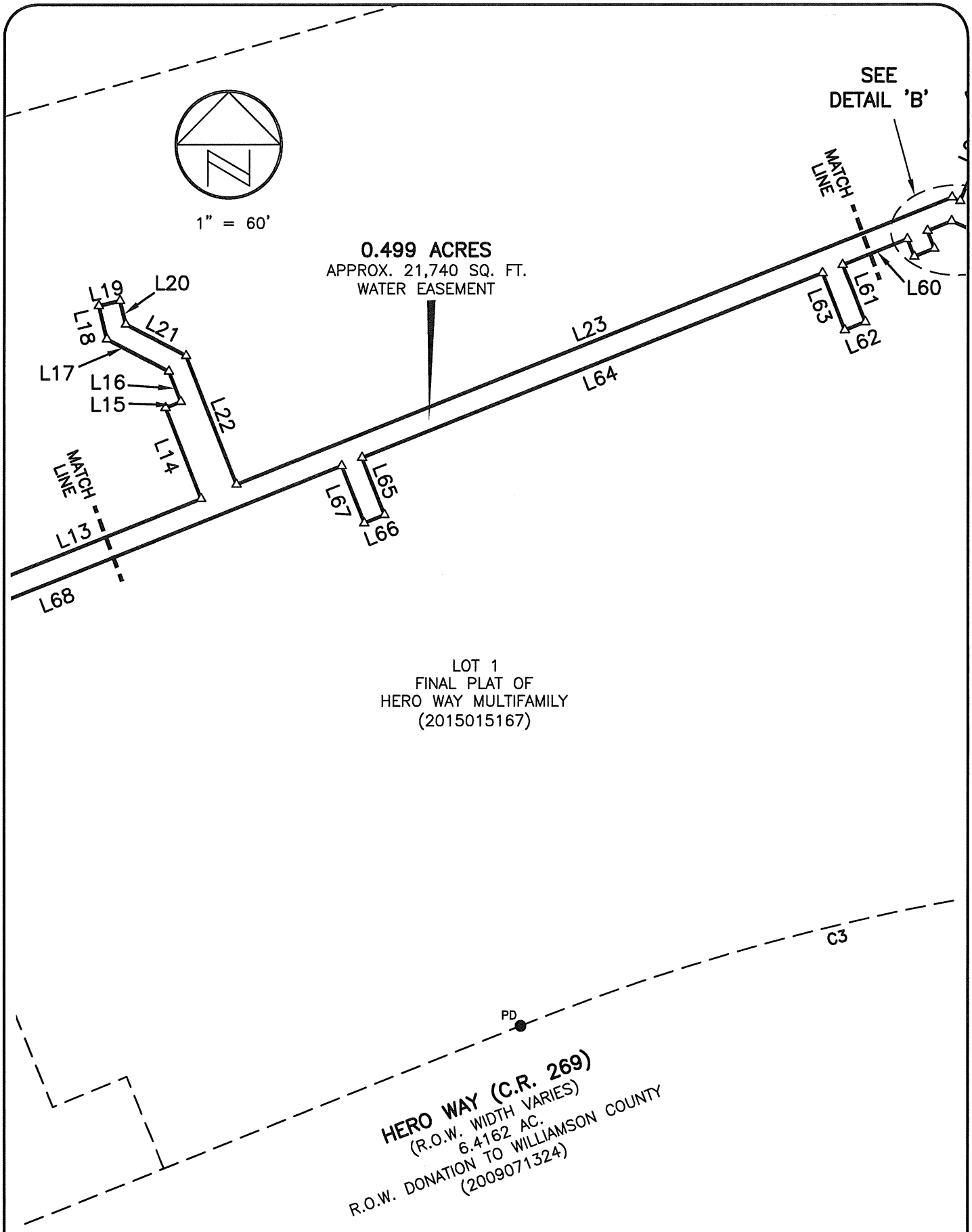
DATE OF SURVEY: 09/11/14
PLOT DATE: 05/19/16
DRAWING NO.: 960-001-WE2
PROJECT NO.: 960-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: DC
SHEET 2 OF 5

Chaparral



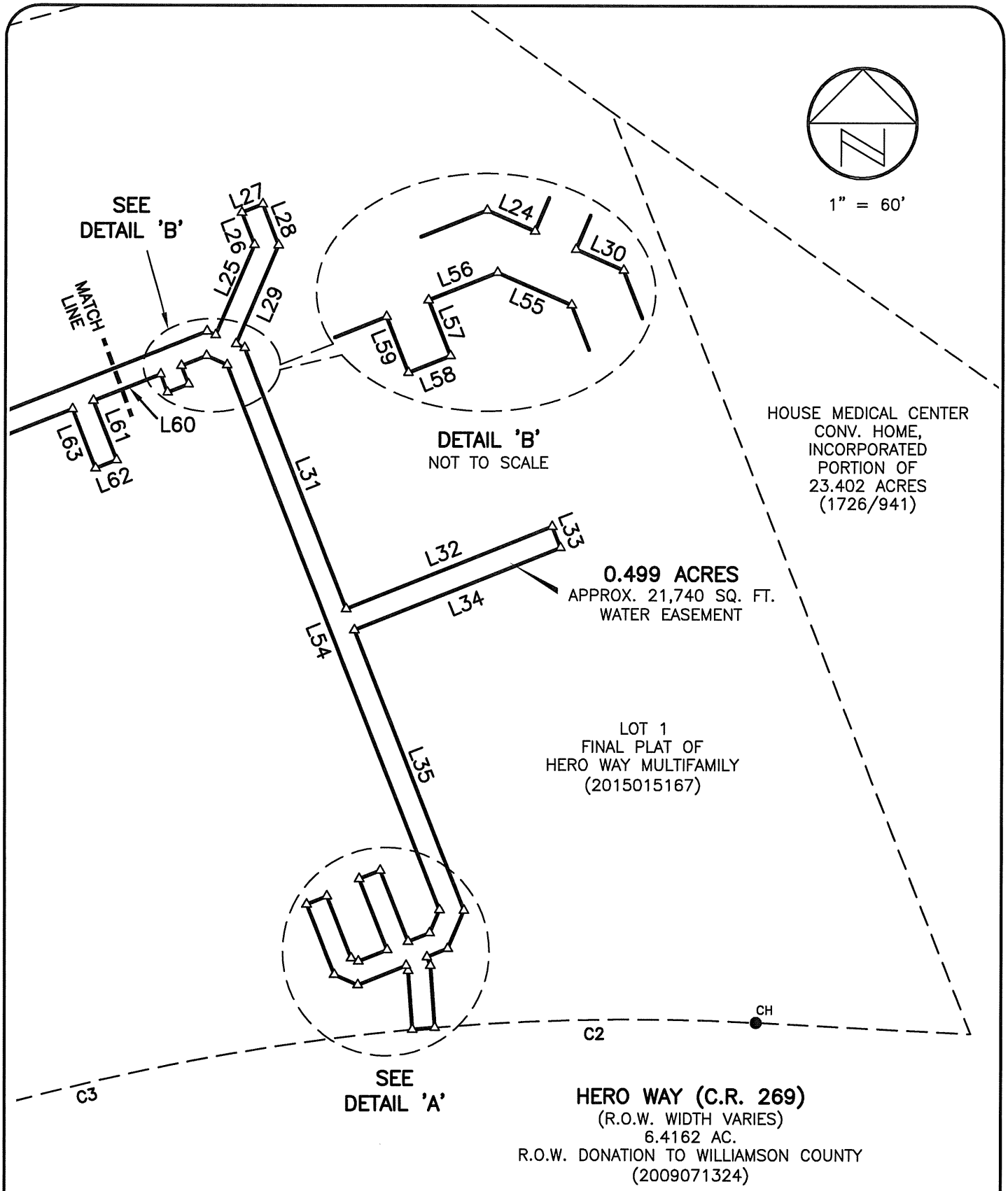
SHEET 3 OF 5

Chaparral



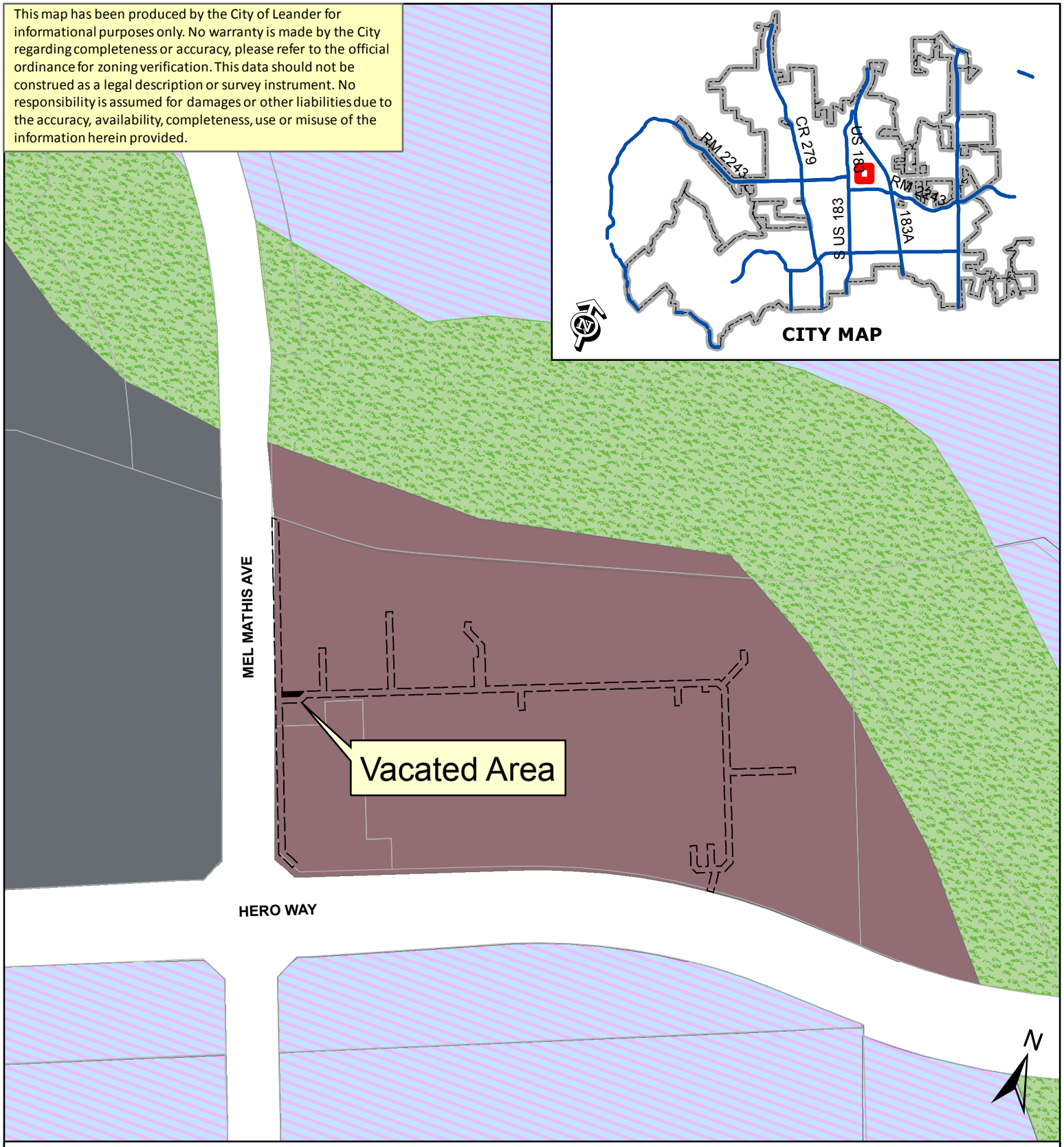
SHEET 4 OF 5

Chaparral



SHEET 5 OF 5

Chaparral



EASEMENT VACATION

Location Map - Hero Way Multi-family

- Current Easement
- Vacated Area
- City Limits

0 200 Feet

PUD LAND USE

- PUD - General Commercial
- PUD - Mixed Use
- PUD - Multi-Family
- PUD - Townhomes
- PUD - Single-Family

TRANSECTS

- Civic Building
- T4 - Genral Urban
- T5 - Urban Center
- T6 - Urban Core
- SD - Special District

SECTORS

- OS - Open Space
- CD - Conventional Sector
- S1 - General Sector
- S2 - Station Sector

AGENDA ITEM # 19

Executive Summary

June 16 2016

Agenda Subject: Consider appointment of 2 council members to serve on the Old Town Christmas Festival Committee

Background: The Greater Leander Chamber of Commerce is partnering with the Parks Department to hold the Old Town Christmas Festival in conjunction with the Parade. Bridget wants to form a committee to help. She has asked for members of the city council to join the committee.

Origination: Bridget Brandt & Mayor Fielder

Recommendation: N/A

Attachments: N/A

Prepared by: Debbie Haile TRMC, City Secretary

AGENDA ITEM # 20

Executive Summary

June 16, 2016

Council Agenda Subject: Water Use and Supply Update

Background: As of May 31, 2016, Combined Water Storage in both Lakes Travis and Buchanan increased to 2,038,873 Acre-feet (over 100% Full) and continues to increase. Combined Storage on April 29, 2016 was 1,995,681 Acre-feet (99% Full). The Combined Storage on February 27, 2015 was 717,105 Acre-feet. The attached Table and Graph compare recent water use in April 2016 to April 2015.

Origination: Patrick A. Womack, P.E. Public Works Director

Financial Consideration: None

Recommendation: None

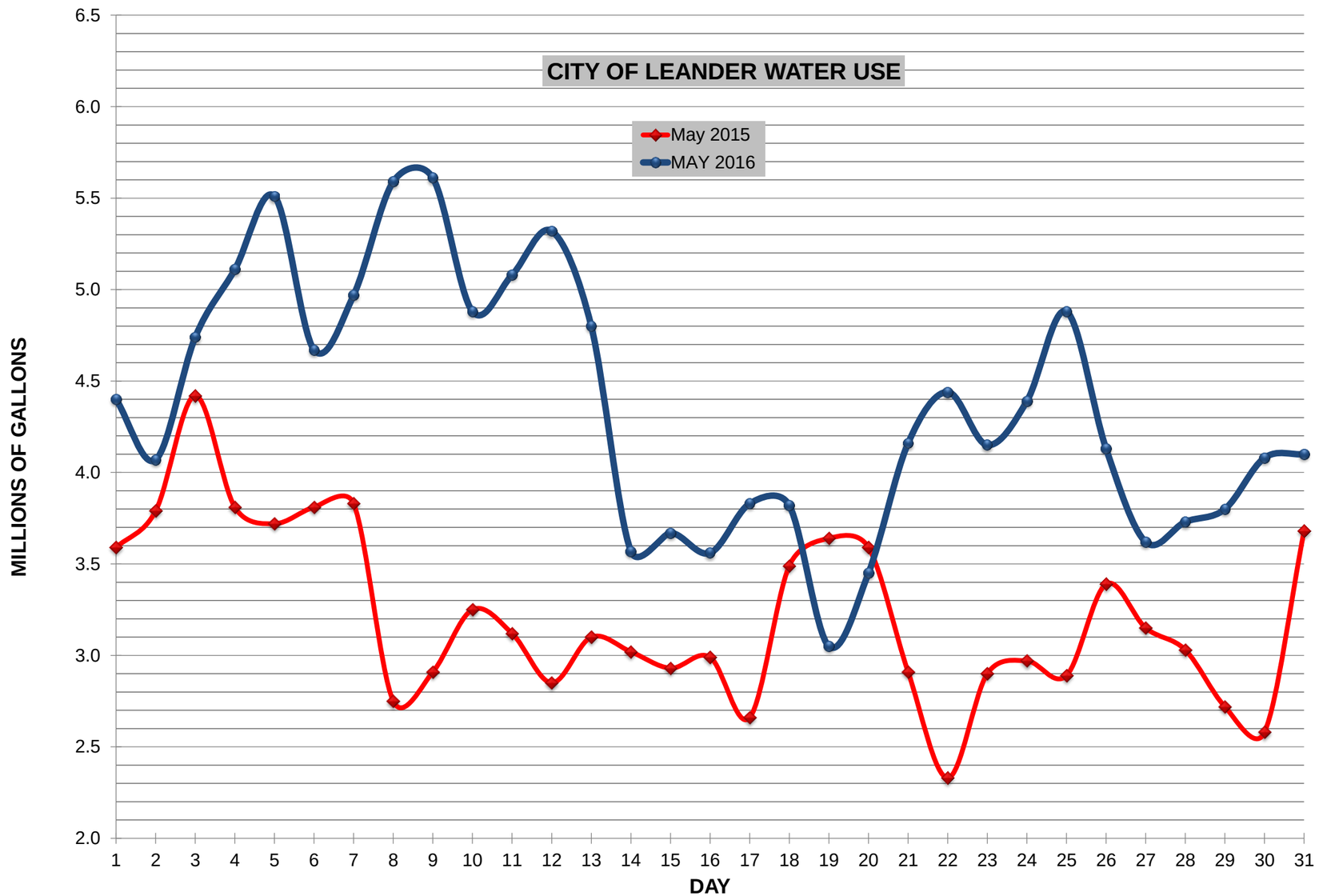
Attachments: City of Leander Water Use Table & Graph

Prepared by: Patrick A. Womack, P.E. Public Works Director

City of Leander Water Use (MG)

Day	2016 April	**2016 May**	2015 May
1	4.10	**4.40**	3.59
2	3.80	**4.07**	3.79
3	4.90	**4.74**	**4.42**
4	4.58	**5.11**	3.81
5	5.08	**5.51**	3.72
6	**6.02**	**4.67**	3.81
7	5.42	**4.97**	3.83
8	5.50	**5.59**	2.75
9	4.90	**5.61**	2.91
10	5.39	**4.88**	3.25
11	5.31	**5.08**	3.12
12	4.69	**5.32**	2.85
13	3.79	**4.80**	3.10
14	3.99	**3.57**	3.02
15	4.19	**3.67**	2.93
16	3.50	**3.56**	2.99
17	3.92	**3.83**	*2.66*
18	3.14	**3.82**	3.49
19	*3.12*	**3.05**	3.64
20	3.36	**3.45**	3.59
21	3.46	**4.16**	2.91
22	3.25	**4.44**	*2.33*
23	3.65	**4.15**	2.90
24	5.08	**4.39**	2.97
25	4.54	**4.88**	2.89
26	3.76	**4.13**	3.39
27	4.42	**3.62**	3.15
28	4.02	**3.73**	3.03
29	4.12	**3.80**	2.72
30	4.02	**4.08**	2.58
31		**4.10**	3.68

(MG)	2016 April	**2016 May**	2015 May
Total	129.02	**131.08**	99.8
Average	4.31	**4.38**	3.38
Peak Day	6.02	**5.61**	4.42
Min. Day	*3.12*	***3.05***	*2.33*
Total Connections:	13,585	**13,686**	12,504
SF Residential Connections:	12,831	**12,930**	11,830

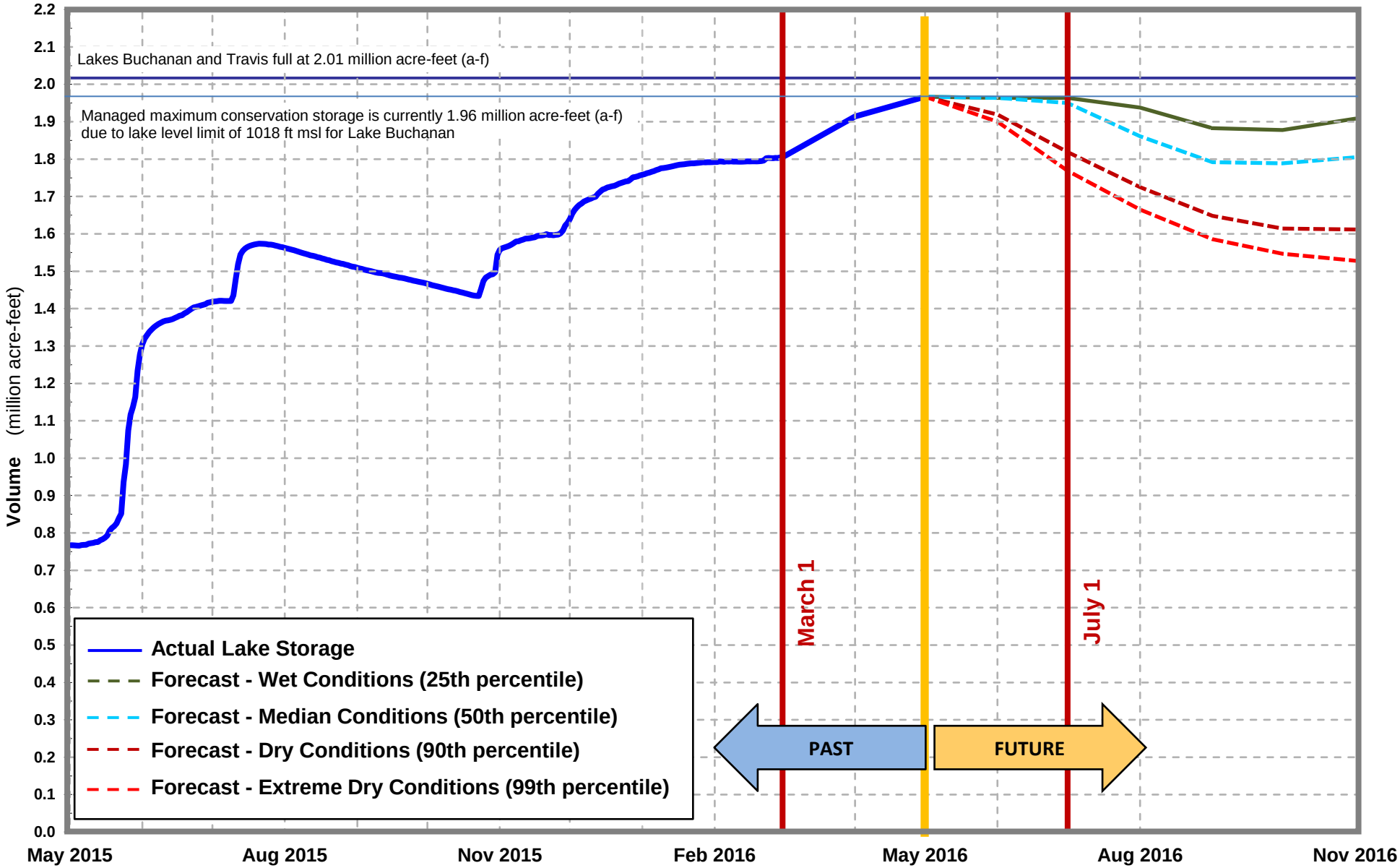


Historical Water Use

Year	2008	2009	2010	2011	2012	2013	2014	2015	**2016**
Month/Day	8/8	8/3	8/7	8/13	8/9	5/7	9/10	8/12	4/6
Peak Day (MG)	**9.18**	**7.79**	**6.75**	**7.44**	**8.38**	**8.86**	**9.10**	**11.90**	**6.02**
Avg Day (MG)	3.72	3.21	3.18	4.21	3.78	3.85	4.14	4.71	4.21
Annual (MG)	1,359	1,171	1,160	1,535	1,380	1,404	1,512	1,719	639.8

(As of 5/31/2016)

Lakes Buchanan and Travis
Total Combined Storage Projections *



Note: One acre-foot equals 325,851 gallons. **Date: May 1, 2016**

* Based on results from the draft stochastic model under development to reflect provisions of the 2015 Water Management Plan.