



**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
DECEMBER 12, 2024 AT 6:00 PM**

Link For Meeting: <https://councilmtg.cedarparktexas.gov/>
Event Password: CedarPark2024
United States Toll Free: 1-844-992-4726
Access Code: 2559 044 0946
Phone Password: 23327728

Jim Penniman-Morin, Mayor
 Bobbi Hutchinson, Council Place One
 Mel Kirkland, Council Place Two
 Anne Duffy, Council Place Three

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

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

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

AGENDA

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

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

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

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

- B.1 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:
 - a. Legal Issues Concerning The City's Water And Wastewater Certificates Of Convenience And Necessity ("CCNs").
 - b. Legal Issues Concerning Maintenance And Operation Of Private Improvements Within Public Rights-Of-Way In Town Center.
- B.2 Section § 551.074 Deliberate The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, Or Dismissal Of A Public Officer Or Employee.
 - a. City Manager.
 - b. City Attorney.
- B.3 Section § 551.087 Deliberation Regarding Economic Development Negotiations.
 - a. Update Regarding Negotiations With Economic Development Prospects.

The Council Reconvenes into Open Meeting.

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

- C.1 Invocation. (Mayor)
- C.2 Pledges Of Allegiance (U.S. and Texas).
- C.3 Presentation: Review Of Non-Profit Malls - Tiesa Hollaway, Hill County Community Ministries, And Kerrie Stannel, Williamson County Children's Advocacy Center. (Jefts)
- C.4 Public Communications. (Regarding items not listed on this Agenda. Three Minutes each. No deliberations with the Council. The Council may respond only with factual statements, recitation of existing policy, and requests for an item to be placed on a future Agenda.)
- C.5 City Manager Report: Employee Recognition For Service With The City Of Cedar Park
 - a. Stephen Hanuscin, Asst. Director Of Public Works, Ten Years Of Service.

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

- C.6 City Manager Report: Update On The Capital Improvement Program Projects - Randy Lueders, Director Of Engineering And Capital Projects.

Consent Agenda

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

- D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of October 24, 2024.
- E.1 (2024-5-FLU) (Related To 2024-13-Z And 2024-14-SUP) Second Reading and Approval Of An Ordinance For A Future Land Use Plan Amendment From Industrial/Manufacturing (I/M) To Regional Office/Retail/Commercial (REG) For Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval of The Request.***
- E.2 (2024-13-Z) (Related To 2024-5-FLU And 2024-14-SUP) Second Reading And Approval Of An Ordinance To Rezone Approximately 3.75 Acres From Heavy Commercial (HC) To General Business (GB) Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***
- E.3 (2024-14-SUP) (Related To 2024-5-FLU And 2024-13-Z) Second Reading And Approval Of An Ordinance For A Special Use Permit (SUP) To Allow An Outdoor Commercial Amusement, Minor Use On Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***
- E.4 Second Reading And Approval Of An Ordinance Amending Traffic Control Device Inventory – Schedule V Established At Cedar Park Code Of Ordinances Chapter 17 Traffic And Vehicles, Section 17.02.12 School Zones And Speed Limits; To Amend And Establish School Zone Speed Limits On Cypress Creek Road.
- F.1 A Resolution Authorizing Issuance Of A Special Use In Parks Permit To Hitendra Patel At Lakeline Park On January 4, 2025.
- F.2 A Resolution Authorizing A Fire Protection Agreement Between The City of Cedar Park And Ranch At Cypress Creek Municipal Utility District No. 1.
- F.3 A Resolution Authorizing A Change Order With J.E. Dunn Construction Company, Inc. For Construction Of The New Cedar Park Library Project In An Amount Not To Exceed \$219,000.
- F.4 A Resolution Authorizing The Execution Of A Professional Services Agreement Amendment For Professional Architectural Services With Lake | Flato Architects, Inc. For The Design Of The New Cedar Park Public Library In An Amount Not To Exceed \$98,500.
- F.5 A Resolution Authorizing A Purchase & Sale Agreement And Related Documents To Exchange Portions Of Properties Located On Adjacent Properties Known As Lots 17 And 18 Of Cardinal Estates Located At 105 And 107 Cardinal Lane.

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

- [F.6](#) A Resolution Authorizing An Agreement With TK Elevator Corporation For The Modernization Of The Police Department Elevator, In An Amount Not To Exceed \$120,000.
- [F.7](#) A Resolution Authorizing An Amendment To An Existing Professional Services Agreement With Terracon Consultants, Inc. To Conduct An Enhanced ADA Evaluation For City Facilities In An Amount Not To Exceed \$66,723.
- [F.8](#) A Resolution Authorizing A Professional Services Agreement For Engineering Project Management Staff Augmentation Services With WSB, LLC In An Amount Not To Exceed \$242,880.
- [F.9](#) A Resolution Approving An Annual Rate Adjustment Pursuant To The Collection, Hauling, Recycling And Disposal Of Household Hazardous Waste Agreement Between The City Of Cedar Park And Doliver Enterprises, LLC.
- [F.10](#) A Resolution Approving An Annual Rate Adjustment Pursuant To The Residential Services And City Services Agreement Between The City Of Cedar Park And Republic Services.
- [F.11](#) A Resolution Authorizing A Contract For Public Affairs Consulting Services With Hillco Partners.
- [F.12](#) A Resolution Approving The City Of Cedar Park 2025 Legislative Agenda For The State of Texas 89th Legislative Session.
- [F.13](#) A Resolution Authorizing An Amendment To The Possession And Use Agreement For Roadway Construction Purposes With Northland Developments Cedar Park, Inc. For The New Hope Drive Roadway Expansion Project.
- F.14 Authorization To Excuse The Absence Of Councilmember Kirkland From The Regular Scheduled City Council Meeting On December 5, 2024.

Public Hearings

- G.1 First Reading And Public Hearing Of An Ordinance: No Items For Consideration.

Regular Agenda (Non-Consent)

- [H.1](#) Consideration For Appointment Of Christian von Wupperfeld To Place Four On The Economic Development (Type A) Sales Tax Corporation.
- [H.2](#) (2024-7-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 7.79 Acres Generally Located At The Southwest Corner Of East Whitestone Boulevard And Arrow Point Drive.
- [H.3](#) Consideration Of A Resolution Authorizing The Purchase Of Vehicles And Equipment Funded In The Approved FY 2025 Vehicle And Equipment Services Fund ("VES") And Operational Budget

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

In An Amount Not To Exceed \$4,108,000, And To Authorize The Auction, Sale, Or Trade-In Of Existing Vehicles And Equipment To Be Retired Or Salvaged.

H.4 Consideration Of A Resolution Authorizing The Commissioning Of A Mural To Be Installed In The Cedar Park Recreation Center.

H.5 Consideration Of Appointments To The Capital Area Council Of Governments (“CAPCOG”) General Assembly.

H.6 Consider Action, If Any, On Items Discussed In Executive Session.

H.7 Mayor And Council Closing Comments.

H.8 Adjournment.

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

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

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

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

CERTIFICATION

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

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

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

LeAnn M. Quinn, TRMC
City Secretary

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

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

CITY OF CEDAR PARK

2024-2026 Strategic Goals



Livability & Sense of Place

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

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



Safe Community

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

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



Economic Vitality

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

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



Service & Fiscal Excellence

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

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



Mobility & Connectivity

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

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



Infrastructure & Environment

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

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



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

File Attachments for Item:

D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of October 24, 2024.

MINUTES

**CITY OF CEDAR PARK
REGULAR SCHEDULED CITY COUNCIL MEETING
CEDAR PARK CITY HALL - COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR
OCTOBER 24, 2024 AT 6:30 PM**

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

Event Password: CedarPark2024

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

Access Code: 2552 817 1111

Phone Password: 23327728

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

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

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

Mayor Penniman-Morin called the meeting to order at 6:30 P.M.

Councilmember Jefts absent from meeting, all other Council present.

I. EXECUTIVE SESSION

To Commence At 6:30 p.m.

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

Council convened into Executive Session at 6:31 p.m.

- B.1 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:**
- a. Legal Issues Concerning The Proposed Annexation Of The Kincaid Tract Located Near The Southeast Corner Of W. Whitestone Blvd. And Power Lane.
 - b. Legal Issues Concerning Public Protest Regulations And The 1st Amendment To The US Constitution.
- B.2 Section § 551.072 Deliberation Concerning The Purchase, Exchange, Lease Or Value Of Real Property.**

- a. Acquisition Of Property For The New Hope Drive Roadway Expansion Project.

The Council Reconvenes into Open Meeting.

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

Council reconvened from Executive Session into Open Meeting at 7:09 p.m.

- C.1 Invocation. (Duffy)
- C.2 Pledges Of Allegiance (U.S. and Texas).
- C.3 Presentation: A Proclamation Recognizing October 31, 2024 As Diwali, The Festival Of Lights.

Mayor Penniman-Morin read and presented a Proclamation to representatives of the Sri Shirdi Sai Baba Temple Of Austin and members of the community.

- C.4 Public Communications. (Regarding items not listed on this Agenda. Three Minutes each. No deliberations with the Council. The Council may respond only with factual statements, recitation of existing policy, and requests for an item to be placed on a future Agenda.)

Dr. Steve Foster, Cedar Park, commented on the Bell District project and his adjacent business.

- C.5 City Manager Report: An Update On The 2024 City Photography Contest - Jacob Worth, Asst. To The City Manager.

Jacob Worth, Asst. to the City Manager, provided the background and selection process for photo categories that included Recreation and Community Connection, Landscape and Wildlife, and Events. The winning photos submitted for each category were shown in addition to Best Of Show.

Consent Agenda

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

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

Movant: Mayor Pro Tem Duffy

Second: Councilmember Hutchinson

Vote: 6-0 with Councilmember Jefts absent from meeting.

- D.1 Approval Of Minutes From The Regular Scheduled City Council Meeting Of August 8, 2024.

Approved under the Consent Agenda.

- D.2 Approval Of Minutes From The Regular Scheduled City Council Meeting Of August 22, 2024.

Approved under the Consent Agenda.

- D.3 Approval Of Minutes From The Special Called City Council Meeting Of September 5, 2024.

Approved under the Consent Agenda.

- E.1 Second Reading And Approval Of An Ordinance Amending Chapter 17 Traffic And Vehicles, Article 17.03 Speed Limits, Section 17.03.004 Speed Limits Established For Certain Described Streets; To Amend And Establish Speed Limits On Anderson Mill Road, Whitestone Boulevard, Bell Boulevard, Parmer Lane And Ronald Reagan Boulevard.

Approved under the Consent Agenda.**Ordinance Number CO04.24.10.24.E1**

- F.1 A Resolution Authorizing A Professional Services Agreement With Freese And Nichols, Inc. For The Water And Wastewater Impact Fee Study Update Project In An Amount Not To Exceed \$86,050.

Approved under the Consent Agenda.**Resolution Number R006.24.10.24.F1**

- F.2 A Resolution Authorizing An Agreement For 3rd Party Engineering Services With EDGE Engineering On Development Projects In An Amount Not To Exceed \$60,000 For A One (1) Year Term With Four (4) Optional Annual Renewals.

Approved under the Consent Agenda.**Resolution Number R007.24.10.24.F2**

- F.3 A Resolution Authorizing An Agreement For Construction Inspection Services With Dial Development Services, Ltd. On Development And Franchise Utility Projects Within The Right-Of-Way In An Amount Not To Exceed \$255,000 For A One (1) Year Term With Four (4) Optional Annual Renewals.

Approved under the Consent Agenda.**Resolution Number R008.24.10.24.F3**

- F.4 A Resolution Authorizing A Change Order #2 With Trimbuilt Construction, Inc. For The Public Works Building 2 & 4 Expansion Project In An Amount Not To Exceed \$192,903.72.

Approved under the Consent Agenda.**Resolution Number R009.24.10.24.F4**

- F.5 A Resolution Authorizing An Amendment To The Janitorial Services Contract With Austin Professional Cleaning Services, LLC In An Amount Not To Exceed \$112,000.

Approved under the Consent Agenda.

Resolution Number R010.24.10.24.F5

- F.6 A Resolution Authorizing An Access Easement To Be Established On City Owned Property At 451 Cypress Creek Road Providing For Access To Property At 501 Cypress Creek Road.

Approved under the Consent Agenda.

Resolution Number R011.24.10.24.F6

- F.7 A Resolution Authorizing An Agreement With Alchemy Technology Group. For Rapid7 Managed Security Services In An Amount Not To Exceed \$135,421.61 Per Year For A Thirty-Six (36) Month Term.

Approved under the Consent Agenda.

Resolution Number R012.24.10.24.F7

- F.8 A Resolution Authorizing A License Agreement With Williamson-Travis Counties Municipal Utility District No. 1 For District Improvements In Anderson Mill Road Right-of-Way.

Approved under the Consent Agenda.

Resolution Number R013.24.10.24.F8

- F.9 A Resolution Authorizing A License Agreement With Ranch At Cypress Creek Municipal Utility District For District Improvements In Anderson Mill Road Right-of-Way.

Approved under the Consent Agenda.

Resolution Number R014.24.10.24.F9

Public Hearings

- G.1 First Reading And Public Hearing Of An Ordinance: No Items For Consideration.

Regular Agenda (Non-Consent)

- H.1 (2024-4-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Regional Office/Retail/Commercial (REG) To Low Density Residential (LDR) For Approximately 6.0 Acres Generally Located South And East Of West Whitestone Boulevard And Power Lane.

Andreina Dávila-Quintero, Dvlp. Srvc. Asst. Director, reviewed the request to amend the Future Land Use Plan to LDR for approximately 6 acres. The subject property is part of a larger 46.97-acre tract that is currently designated for Regional Office/Retail/Commercial (REG) and Low Density Residential (LDR) uses. The Applicant wishes to reduce the REG portion and increase the LDR portion, for a total of 6.0 acres, to develop additional single-

family residential lots while maintaining commercial-designated property along the W Whitestone Blvd frontage.

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

General discussion followed regarding previous requests, reduction of commercial and implications for development, and intent of the realignment of 1431.

Motion to table Agenda Item H.1

Movant: Councilmember Kirkland

Motions dies due to lack of a second.

No action taken.

- H.2 (2024-5-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Industrial/Manufacturing (I/M) To Regional Office/Retail/Commercial (REG) For Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard.

Andreina Dávila-Quintero, Dvlp. Srvc. Asst. Director, reviewed the request to amend the Future Land Use Plan for 3.75 acres located at 1401 Toro Grande Blvd to REG. The applicant is seeking to construct two additional sand volley ball courts and associated walkways on the rear of the property.

Mahoney Engineering addressed the Council regarding the request.

General discussion followed regarding the request and outdoor lighting.

Motion to approve Agenda Item H.2 as presented.

“A Future Land Use Plan Amendment Petition Requesting An Amendment From Industrial/Manufacturing (I/M) To Regional Office/Retail/Commercial (REG) For Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard”.

Movant: Councilmember Hutchinson

Second: Councilmember Boyce

Vote:6-0 with Councilmember Jefts absent from meeting.

- H.3 Consideration Of A Resolution Authorizing The Purchase Of Technology Replacement Equipment Approved In The FY 2025 Vehicle And Equipment Services Fund (VES) Budget In An Amount Not To Exceed \$1,685,718, And To Authorize The Auction Or Sale Of Equipment To Be Retired Or Salvaged.

Ilija Preocanin, Asst. Dir. Information Services, reviewed the Vehicle and Equipment Services Funds and the replacement of technology equipment.

Motion to approve Agenda Item H.3 as presented.

“A Resolution Authorizing The Purchase Of Technology Replacement Equipment Approved In The FY 2025 Vehicle And Equipment Services Fund (VES) Budget In An Amount Not To Exceed \$1,685,718, And To Authorize The Auction Or Sale Of Equipment To Be Retired Or Salvaged”.

Movant: Councilmember Kirkland

Second: Mayor Pro Tem Duffy

Vote: 6-0

Resolution Number R015.24.10.24.H3

H.4 Discussion And Possible Action On Microtransit Scenarios and Procurement Considerations For A Potential Pilot Program.

Randy Skinner, Asst. Director – Transportation, stated this item is for the Microtransit Potential Pilot Program as addressed in the Mobility Master Plan and the 2024-2026 Council Strategic Goals.

At the Council Retreat held in July, Council directed Staff to analyze three scenarios:

Scenario 1: TNC with Access for All Users (TNC All)

Scenario 2: TNC with Access for Select Users (TNC Partial)

Select Users = 65+, 0-car households, and persons with disabilities

Scenario 3: Turnkey Microtransit Service (Turnkey Microtransit)

** Transportation Network Company (“TNC”) is a business model for connecting riders with drivers.*

Jake Gutekunst, The Goodman Corporation, reviewed the three scenarios and summarized the financial impact, highlights, and challenges for each scenario. The next step in the process is to develop a Request For Proposal (RFP) that would allow for either of the preferred scenario delivery models.

General discussion followed regarding the proposed scenario analysis, parameters, ridership, proposed costs, community engagement, and the need for statistical data.

Brenda Eivens, City Manager, reiterated the purpose of this item was to show Council at what stage the project is at. The next step would be to issue an RFP and not necessarily decide at this point on which scenario should be used.

Discussion continued regarding the scenarios to include in the proposed RFP.

Public Comment:

Darron Jurajda, Cedar Park, registered a comment in support and the need for microtransit in the community.

Karin Wind, Cedar Park commented on moving forward with the RFP and stated TNC options are better.

Motion to proceed with drafting a Request For Proposal (RFP) exploring options one and two and an yearly option with annual renewals.

Movant: Mayor Penniman-Morin

Second: Councilmember Harris

Vote: 4-0-2 with Councilmember Jefts absent from meeting and Councilmember Hutchinson and Councilmember Kirkland abstaining from vote.

H.5 Discussion And Possible Action On The Development Of A Cedar Park Transportation Criteria Manual.

Randy Skinner, Asst. Director – Transportation, addressed Council regarding Phase One for the development of a Transportation Criteria Manual (TCM) for Cedar Park. The TCM is a set of guidelines for designing and maintaining city transportation infrastructure. Currently, the City relies on the Austin TCM for design guidance. A Cedar Park TCM would allow the City to clearly define appropriate transportation design standards, reduce confusion related to the current practice of using multiple reference sources, and consolidate applicable rules and regulations into one clear guidance document.

Jake Gutekunst, The Goodman Corporation, reviewed the development of the Cedar Park TCM. The outline for the structure of the TCM was presented.

General discussion followed regarding the proposed TCM for Cedar Park.

Public Comment:

Darron Jurajda, registered a comment regarding public input and keeping portions of the Austin TCM.

Thomas Schwerdt, Cedar Park, commented on the Austin TCM and using additional guidelines by other entities.

No action taken.

H.6 Consider Action, If Any, On Items Discussed In Executive Session.

Agenda Item B.2a

Motion to authorize the City Manager to make offers, negotiate, and execute all required documents to effectuate the acquisition of land rights for the properties owned by SLK Dutch Brothers, LLC, for the New Hope Drive Roadway Expansion Project on the terms discussed in Executive Session. Subject to approval of the City Attorney.

Movant: Councilmember Kirkland

Second: Councilmember Harris

Vote: 6-0 with Councilmember Jefts absent from meeting.

H.7 Mayor And Council Closing Comments.

Council commented on the meeting, City events and acknowledgements, and upcoming events in the Community.

H.8 Adjournment.

Mayor Penniman-Morin adjourned the meeting at 10:35p.m.

PASSED AND APPROVED THIS 12th DAY OF DECEMBER, 2024.

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

File Attachments for Item:

E.1 (2024-5-FLU) (Related To 2024-13-Z And 2024-14-SUP) Second Reading and Approval Of An Ordinance For A Future Land Use Plan Amendment From Industrial/Manufacturing (I/M) To Regional Office/Retail/Commercial (REG) For Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard.
The Planning And Zoning Commission Voted 7-0 To Recommend Approval of The Request.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: (2024-5-FLU) (Related to 2024-13-Z and 2024-14-SUP) Second Reading And Approval Of An Ordinance For A Future Land Use Plan Amendment From Industrial/Manufacturing (I/M) To Regional Office/Retail/Commercial (REG) For Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard. ***The Planning and Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***

Final Report

Staff	Cindy Schlanger, AICP, 512-401-5082, cindy.schlanger@cedarparktexas.gov
Owner	The Junior Volleyball Association of Austin, c/o Glen Lietzke
Agent	Mahoney Engineering, c/o Daniel Mahoney, P.E.
Current Zoning	Heavy Commercial (HC)
Proposed Zoning (2024-13-Z)	General Business (GB)
Existing Future Land Use Plan	Industrial/Manufacturing (I/M)
Proposed Future Land Use Plan	Regional Office/Retail/Commercial (REG)
Summary of Applicant's Request	Amend the Future Land Use Plan designation from Industrial/Manufacturing (I/M) to Regional Office/Retail/Commercial (REG) for approximately 3.75 acres. The City Council accepted the Future Land Use Plan Amendment Petition on October 24, 2024.

Planning and Zoning Commission Recommendation to the City Council:

On November 19, 2024, the Planning and Zoning commission recommended approval (7-0) of the request for the Future Land Use Plan (FLUP) designation of Regional office/Retail/Commercial (REG).

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

Opposed: None

Planning & Zoning Commission Public Hearing:

The Planning and Zoning Commission held a public hearing on November 19, 2024. No public testimony was presented.

City Council Public Hearing:

The City Council held a public hearing on December 5, 2024. No public testimony was provided.

COMMENTARY

The Applicant requests to amend the Future Land Use Plan (FLUP) to Regional Office/Retail/Commercial to support a related request to rezone the subject property to General Business (GB). The subject property is developed as an Outdoor Sports and Recreation use consisting of four sand volleyball courts, which are permitted by a Conditional Use Permit (CUP-13-001) approved in August 2013.

The 2024 Comprehensive Plan includes a FLUP that designates the subject property and surrounding area as Industrial/Manufacturing (I/M), as shown on Exhibit A. Below is a summary of how the FLUP percentages will change if amended from I/M to REG as proposed:

FLUP DESIGNATION	CURRENT FLUP ACRES	PERCENT OF TOTAL ACRES	PROPOSED FLUP ACRES	PROPOSED PERCENT OF TOTAL ACRES
Industrial/ Manufacturing (I/M)	706.26	3.31%	702.51	3.29%
Regional Office/Retail/Commercial (REG)	1,959.45	9.18%	1963.20	9.19%

Although the subject property is within an area envisioned for manufacturing, processing, and warehouse uses, most of the developed properties along Toro Grande Boulevard consist of personal retail and service uses, such as sports facilities, clinics, and shops that serve the local community. Further to the east and north of the subject property are areas envisioned to be developed with regional commercial uses such as retail, personal services, and recreational uses that aim to meet the needs of residents within a three-to-five-mile radius or more.

The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Industrial/Manufacturing (I/M)	ETJ	Vacant
South	Industrial/Manufacturing (I/M)	Heavy Commercial-Conditional Overlay (HC-CO)	Indoor Commercial Amusement/Gym
East	Industrial/Manufacturing (I/M)	Heavy Commercial (HC)	Indoor Commercial Amusement
West	Industrial/Manufacturing (I/M)	ETJ, Light Industrial (LI)	Residential, Single Family, Indoor Commercial Amusement/Gym (under construction)

The Applicant intends to construct two additional sand volleyball courts and associated walkways on the rear portion of the subject property. However, the developable site area is limited due to topographic and vegetative constraints, as well as the development standards of the current Heavy Commercial (HC) zoning district. This zoning district imposes significant larger setbacks that serve to protect adjacent uses from the nature and purpose of this zoning district.

To increase the developable area, the Applicant seeks to rezone the subject property to the General Business (GB) district, which requires smaller rear property setbacks and therefore, greater flexibility for any future expansion. The requested FLUP amendment to Regional Office/Retail/Commercial supports the requested General Business (GB) zoning.

History

The following chart outlines the FLUP History for this property.

YEAR	FLUP DESIGNATION	FLUP DESCRIPTION
1998 Comprehensive Plan	High Intensity	Industrial parks, Employment centers, Light manufacturing
2006 Comprehensive Plan	Industrial	Supports a broad range of highly intense uses including regional commercial, industrial and manufacturing uses that serve the greater region.
2014 Comprehensive Plan	Heavy Commercial, which later converted to Industrial/Manufacturing (I/M) in 2024	Supports manufacturing processing, and assembly, with a wide range of commercial uses that serve the local and regional markets.

Future Land Use Description

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

Industrial/ Manufacturing

This land use designation is suitable for manufacturing, processing, assembling, packaging and fabricating previously prepared materials, as well as warehousing. This category is typically auto oriented with large parking lots and a wide range of commercial uses that serve the local and regional markets. Large tracts of land with easy access to roadway transportation are becoming increasingly hard to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base.

Regional Office, Retail, and Commercial (REG)

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

FLUP Approval Consideration:

The adopted Comprehensive Plan advises that a zoning map and zoning decisions should reflect the goals of the FLUP. The Comprehensive Plan acknowledges that, at times, the City will likely encounter development proposals for a rezoning that do not directly reflect the purpose and intent of the Future Land Use Map. A review of such development proposals should include the following considerations:

- Will the proposed change enhance the site and the surrounding area?
- Is the necessary infrastructure already in place?
- Does the proposed change reflect the vision identified by the Future Land Use Plan?
- Is the location compliant with the requested zoning district’s purpose statement?
- Will the proposed use impact adjacent areas in a negative manner? Or will the proposed use be compatible with, and/or enhance, adjacent areas?
- Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?
- Does the proposed use present a significant benefit to the public health, safety and welfare of the community?
- Would it contribute to the City’s long-term economic well-being?

Development proposals that are inconsistent with the FLUP should be reviewed based upon the above questions and should be evaluated on their own merit. It is the responsibility of the applicant

to provide evidence that the proposal meets the considerations and supports community goals and objectives as established in this Plan.

The applicant provided evidence that the proposal meets these considerations and supports the goals and objectives of the Comprehensive Plan at the time the petition was submitted. The Commission may review these materials to help determine whether the proposal reflects the goals of the Plan, or otherwise offers an improvement over what is depicted in the Plan.

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

Exhibit A: Current Future Land Use Plan

Exhibit B: Proposed Future Land Use Plan

Exhibit C: Applicant's Materials in Support of FLUP Amendment Request

- Letter of Request
- Statement of Relevant Goals and Objectives, Identification of Unique Characteristics
- Concept Plan

Exhibit A
Existing Future Land Use Plan

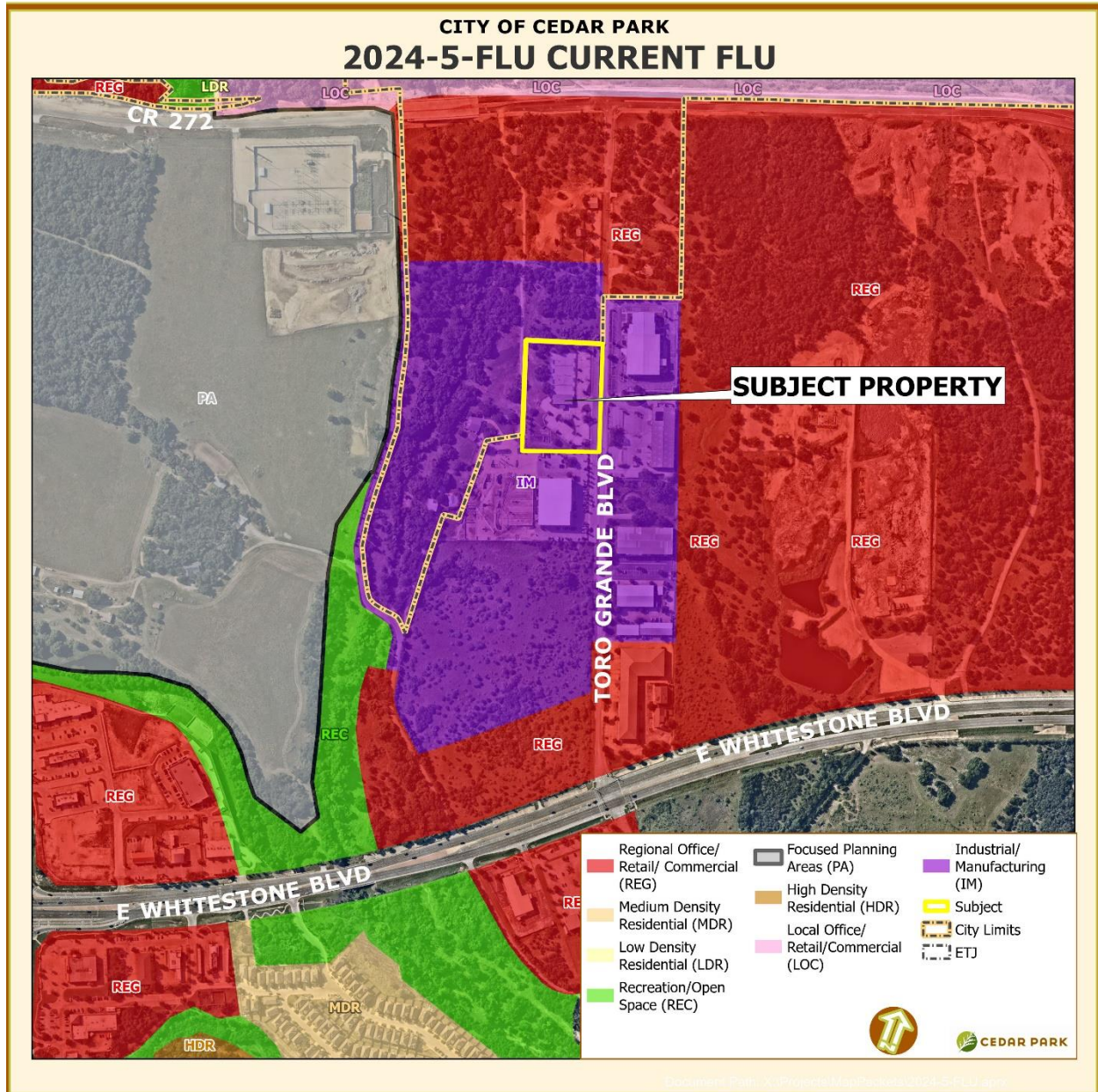


Exhibit B
Proposed Future Land Use Plan

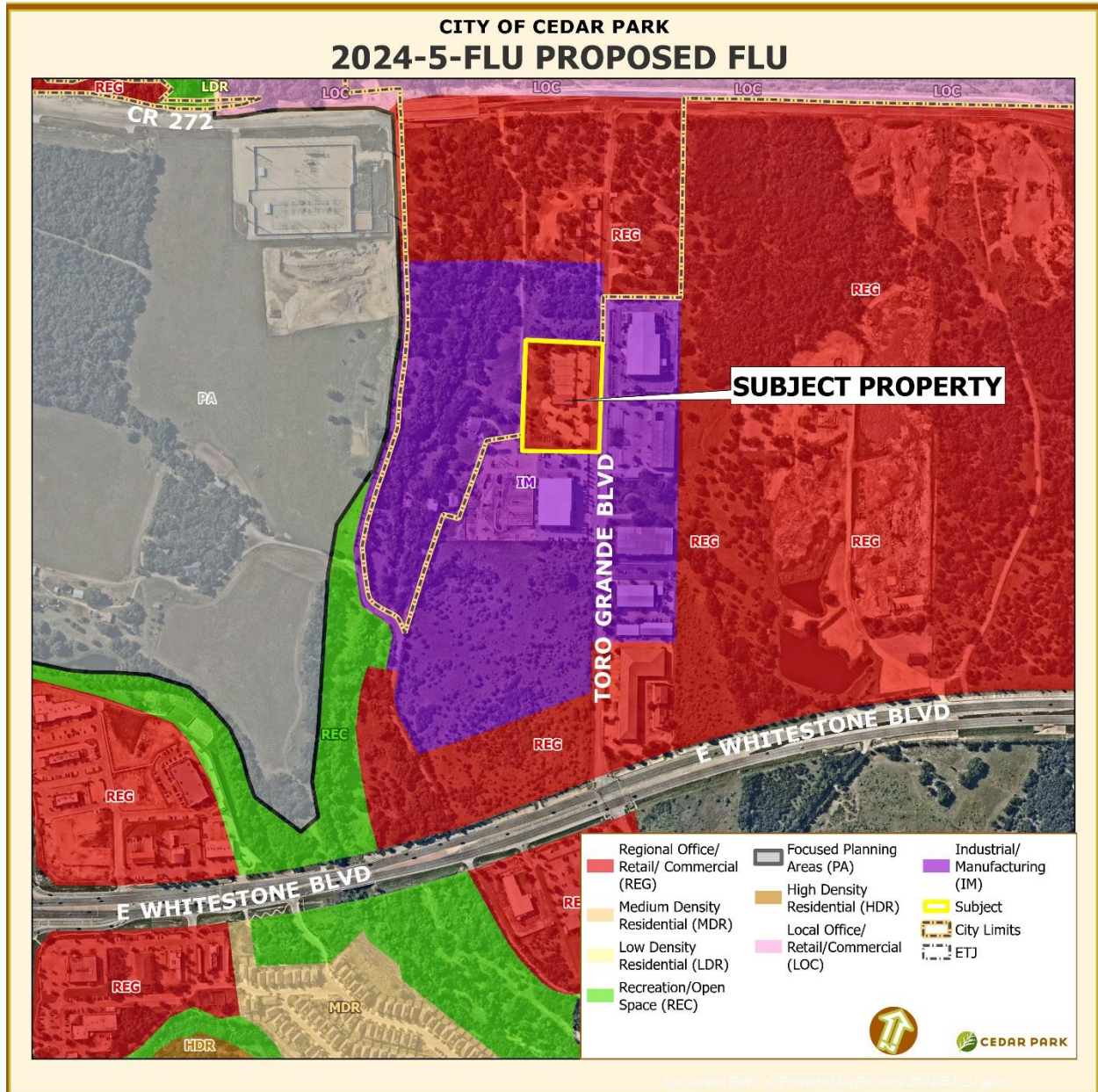


Exhibit C: Applicant's Materials

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

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING THE FUTURE LAND USE PLAN FROM INDUSTRIAL/MANUFACTURING (I/M) TO REGIONAL OFFICE/RETAIL/COMMERCIAL (REG) FOR APPROXIMATELY 3.75 ACRES LOCATED AT 1401 TORO GRANDE BOULEVARD (2024-5-FLU); PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Texas Local Government Code Chapter 213 authorizes the City to adopt a comprehensive plan for the long-range development of the City, and the comprehensive plan may include provisions on land use; and

WHEREAS, the City Council adopted the 2014 Comprehensive Plan under Ordinance No. CO06.14.11.20.F1 on November 20, 2014, that included a Future Land Use Plan with a variety of land use designations and regulations, as amended; and

WHEREAS, City of Cedar Park Code of Ordinances Chapter 11 governs land use within the City of Cedar Park and, pursuant to Section 11.01.004, the regulations pertaining to the division of land with different land use districts are designed in accordance with the Comprehensive Plan; and

WHEREAS, the City Council accepted the petition to amend the Future Land Use Plan on October 24, 2024; and

WHEREAS, on November 19, 2024, the City of Cedar Park Planning and Zoning Commission voted 7-0 to recommend approval of the proposed Future Land Use Plan amendment for Regional Office/Retail/Commercial (REG); and

WHEREAS, the City Council finds that the change in designation of approximately 3.75 acres from Industrial/Manufacturing to Regional Office/Retail/Commercial (REG) located at 1401 Toro Grande Boulevard is compatible with the surrounding zoning districts, will promote sound development and will promote the public health, safety and welfare of the City.

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

SECTION 1. That the Future Land Use Plan is hereby revised and adopted to change the Future Land Use designation of approximately 3.75 acres to Regional Office/Retail/Commercial (REG) otherwise set forth in the legal description labeled Exhibit “A” and the property location map labeled Exhibit “B”.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

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

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 5th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 12th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

EXHIBIT A

3.750 ACRES
AUSTIN SPORTS CENTER
Page 1 of 2

FN. NO. 10-177(KWA)
AUGUST 30, 2010
BPI JOB NO. 108724-002

DESCRIPTION

OF 3.750 ACRES OF LAND OUT OF THE WASHINGTON ANDERSON SURVEY, ABSTRACT NO. 15, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED TO NANCY BRASSFIELD, BY DEED OF RECORD IN VOLUME 2271, PAGE 925 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.750 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the westerly right-of-way line of Toro Grande Boulevard (40' R.O.W.), being the northeasterly corner of that certain Tract 5E - 3.250 acre tract of land conveyed to Milton Crumley, by Deed of Record in Volume 2271, Page 930 of said Official Records, for the southeasterly corner hereof;

THENCE, S69°06'11"W, leaving said westerly right-of-way line of Toro Grande Boulevard, along the northerly line of said Tract 5E, being the southerly line of said 3.720 acre tract and hereof, a distance of 346.13 feet to a 1/2 inch iron rod found in the easterly line of that certain 25.24 acre tract of land conveyed to Sealy Timber Ridge Investments, L.L.C., by Deed of Record in Document No. 2007054356 of the Official Public Records of Williamson County, Texas, being the northwesterly corner of said Tract 5E, for the southwesterly corner hereof;

THENCE, N20°52'33"W, along the easterly line of said 25.24 acre tract, being the easterly line of that certain 3.067 acre tract of land conveyed to Robert L. Moore, by Deed of Record in Volume 1698, Page 445 of said Official Records, and the easterly line of that certain 4.00 acre tract of land conveyed to Tom W. Moore, by Deed of Record in Volume 1698, Page 432 of said Official Records, for the westerly line of said 3.750 acre tract and hereof, a distance of 471.69 feet to a 1/2 inch iron rod found at the southwesterly corner of that certain Tract 5C - 3.000 acre tract of land conveyed to Judy Williams, by Deed of Record in Volume 2271, Page 920 of said Official Records, for the northwesterly corner of said 3.750 acre tract and hereof;

THENCE, N69°06'11"E, leaving the easterly line of said 4.00 acre tract, along the southerly line of said Tract 5C, being the northerly line of said 3.750 acre tract and hereof, a distance of 346.45 feet to a 1/2 inch iron rod with cap set in the westerly right-of-way line of said Toro Grande Boulevard, being the southeasterly corner of said Tract 5C, for the northeasterly corner of said 3.750 acre tract and hereof;

FN 10-177(KWA)
AUGUST 30, 2010
PAGE 2 OF 2

THENCE, S20°50'13"E, along said westerly right-of-way line of said Toro Grande Boulevard, being the easterly line of said 3.750 acre tract and hereof, a distance of 471.69 feet to the **POINT OF BEGINNING**, containing an area of 3.750 acres (163,343 SQ. FT.) of land, more or less, within these metes and bounds.

BEARING BASIS: THE BASIS OF BEARINGS OF THIS SURVEY SHOWN HEREON IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA GPS CONTROL MONUMENT NOS. A314, A731, A315 AND T034.

I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND BY BURY+PARTNERS, INC., DURING THE MONTH OF AUGUST 2010.

BURY & PARTNERS, INC.
ENGINEERING-SOLUTIONS
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701


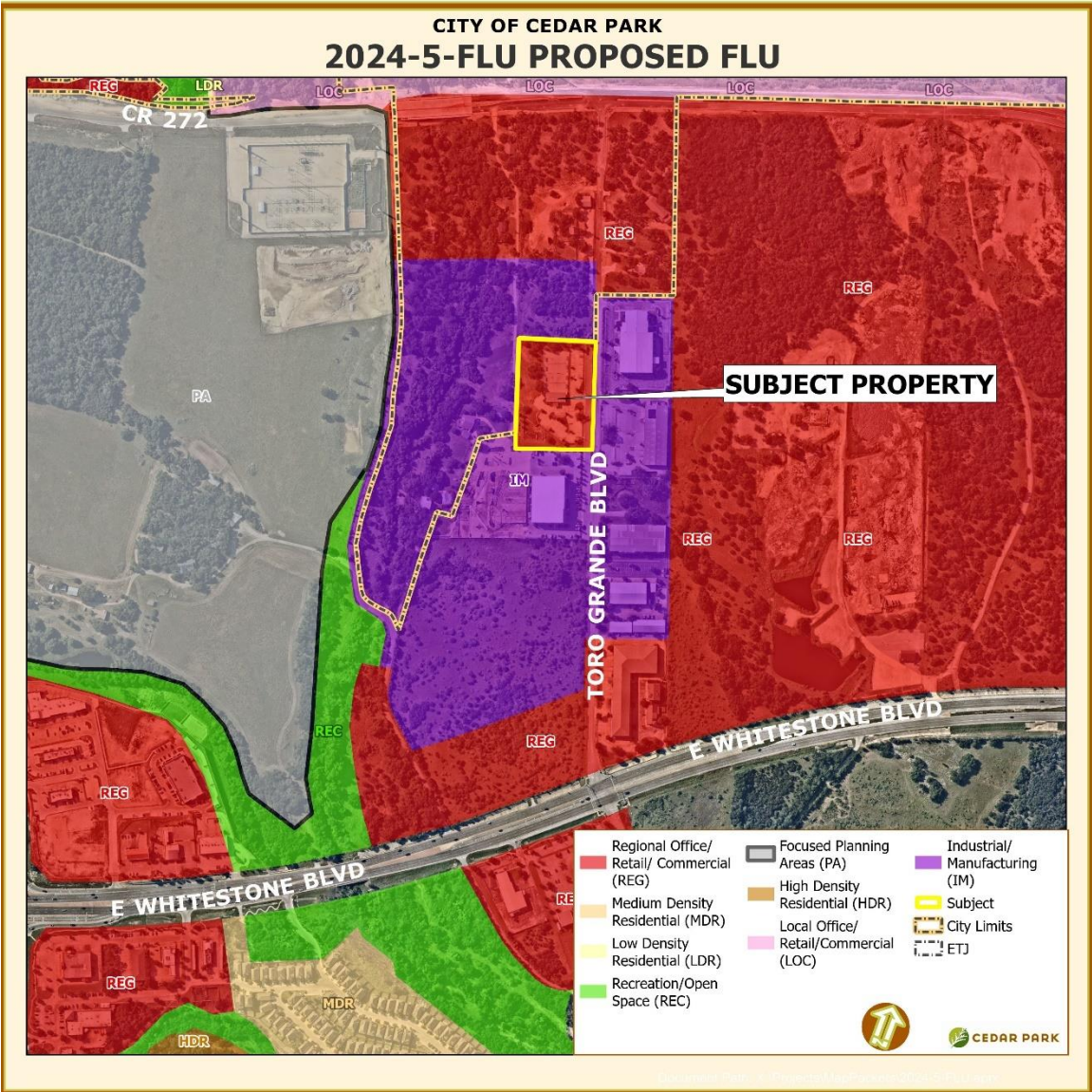
 8-30-10
ABRAM C. DASHNER, R.P.L.S.
NO. 4998
STATE OF TEXAS



EXHIBIT B



AUSTIN SPORTS CENTER SAND COMPLEX**Letter of Request****September 27, 2024**

Attention: **City of Cedar Park Development Services Intake**
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613

Reference: **Austin Sports Center Sand Complex – Additional Sand Courts**
1401 Toro Grande Boulevard
Cedar Park, TX 78613



Dear City of Cedar Park Development Services Intake,

On behalf of Austin Sports Center, Mahoney Engineering submits this Letter of Request for a Future Land Use Petition regarding a proposed change in the Future Land Use designation for the 1401 Toro Grande property. The petition seeks to amend the Future Land Use Plan (FLUP) to change the future land use of the property from Industrial/Manufacturing (I/M) to Regional Office/Retail/Commercial (REG).

This proposed change will enhance the site by aligning it with the surrounding land uses, as the property is in the vicinity of multiple properties in the REG designation. The amendment will update zoning regulations, including setbacks and permitted land uses, to enable Austin Sports Center to fully optimize the space and better serve the community. This change, in conjunction with Planning Area "F," which is in the vicinity of the subject property, will help establish a recreational sports district for Cedar Park, offering a variety of activities and public spaces for residents to enjoy.

The necessary infrastructure to support the proposed REG Future Land Use Category is already in place, as the site currently hosts a pre-existing sports complex. The addition of sand courts to the facility will not require significant new infrastructure, ensuring a seamless transition with minimal disruption.

The proposed amendment reflects the core values of the Future Land Use Plan, particularly the value of "Community." The plan strives to "link neighbors, neighborhoods, organizations, businesses, government, and faith-based groups into a cohesive community of caring, involved, and dedicated citizens." This proposal also aligns with Objective 3 of the plan: "Plan for central gathering areas in the community that are interesting, vibrant, and encourage social interaction." The amendment will facilitate collaboration between Austin Sports Center, the regional sports facility in Planning Area "F," and the surrounding commercial and entertainment uses to create a vibrant hub for social and recreational activity.

The proposed change will allow Austin Sports Center to maximize the use of its space and better promote the health, safety, and welfare of Cedar Park's residents. In line with Objective 16 of the Future Land Use Plan, which seeks to "meet the community's demand for amenities, such as libraries, recreational facilities, and cultural facilities," the amendment will help meet local demand for recreational facilities. This will provide residents with more opportunities to improve their health and wellbeing.



AUSTIN SPORTS CENTER SAND COMPLEX

The proposed land use is highly compatible with the properties in its vicinity, which are already designated as REG and currently host similar recreational uses, including gyms, gymnastics centers, an art academy, and a performing arts school. This creates a cohesive, multi-use environment that will attract residents seeking recreational activities. As Planning Area "F" continues to develop, this region will transform into a social and recreational hub, benefiting from complementary retail, restaurant, and entertainment offerings.

The proposed land use change is expected to enhance the surrounding areas rather than detract from them. By aligning the site's future land use with the properties in its vicinity, the amendment will generate increased traffic and visibility for nearby businesses, fostering economic growth in Cedar Park. The area will benefit from additional foot traffic, which will drive business to local athletic facilities and commercial establishments.

The compliance of the proposed land use with surrounding designations supports the city's long-term economic well-being, creating a positive economic ripple effect across the region. This will provide Cedar Park with a destination that encourages residents and visitors to spend both time and money locally, contributing to the city's continued growth and prosperity.

We kindly request that you review this petition and the accompanying information. Should you have any questions or require further clarification, we would be happy to discuss any details or provide additional context as needed. Thank you for your time and consideration.

Sincerely,

MAHONEY ENGINEERING



Daniel Mahoney, P.E.
President & CEO | Principal
Phone: (512) 596-2579
dmahoney@mahoneyeng.com



Max Stoffel, E.I.T.
Engineer Associate I
Phone: (512) 481-4042
mstoffel@mahoneyeng.com





CEDAR PARK

Development Services Intake

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

Project Name: ASC Sand Complex

Submittal Date: 9/30/2023

SFP Permit #: _____

(City will assign)



FUTURE LAND USE PETITION

APPLICATION & CHECKLIST

ABOUT FUTURE LAND USE PLAN AMENDMENT PETITIONS

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

INSTRUCTIONS

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

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



CEDAR PARK

Development Services Intake

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

PROJECT INFORMATION

Project Name: Austin Sports Center Sand Complex - Additional Sand Courts

Proposed Amendment: From: Industrial/Manufacturing (I/M) To: Regional Commercial (REG)

Project Location/Address: 1401 Toro Grande Boulevard, Cedar Park, TX 78613

Project Legal Description: 3.750 Acres of land, more or less out of the Washington Anderson Survey, Abstract No. 15, in Williamson County, Texas, that certain tract of land conveyed by Deed of Record 2010081902 of the official records of Williamson County, TX.

REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION

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

CEDAR PARK**Development Services Intake**

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

OWNER'S ACKNOWLEDGMENT & DESIGNATION OF AGENT

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

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

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

☒ I will represent my petition before the City Council.

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

Owner's Name (Printed): Junior Volleyball Association of Austin

Owner's Address: 425 Woodward Street, Austin, Texas 78704

Owner's Phone: (512) 479-8776 Cell: N/A Email: ajv@austinsportscenter.com

Owner's Signature: Glen Lietzke Digitally signed by Glen Lietzke
Date: 2024.09.30 10:33:56 -05'00' Date: 10/10/2024

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

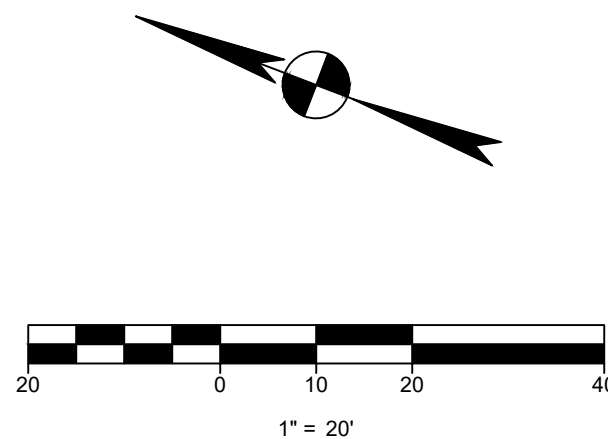
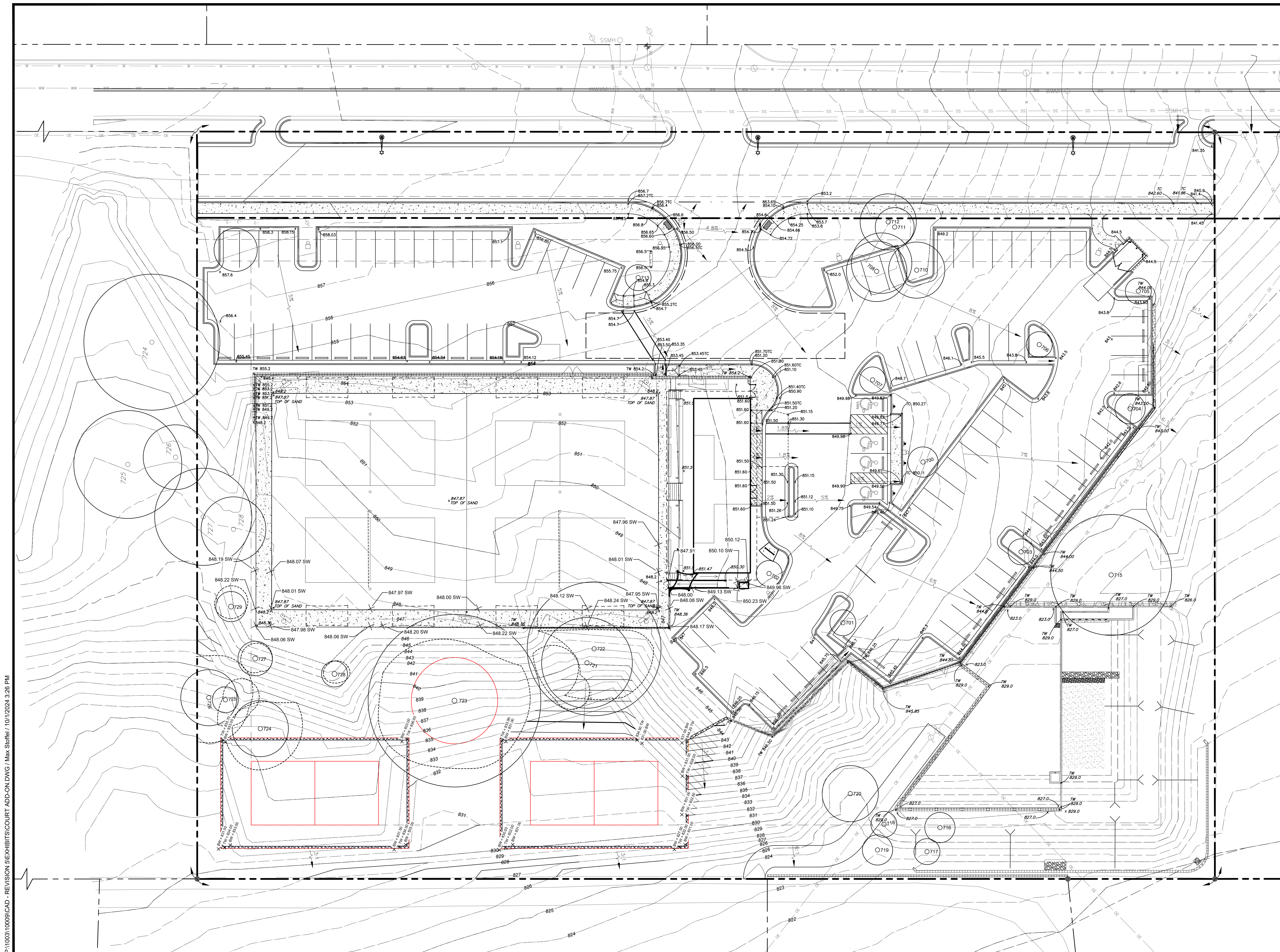
Agent's Name (Printed): Glen Lietzke, Executive Director of Junior Volleyball Association of Austin

Agent's Address: 425 Woodward Street, Austin, Texas 78704

Agent's Phone: (512) 479-8776 Cell: (512) 797-0567 Email: glen@austinsportscenter.com

Agent's Signature: Glen Lietzke Digitally signed by Glen Lietzke
Date: 2024.09.30 10:33:56 -05'00' Date: 10/10/2024

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.



ASC BRASSFIELD COURT ADDITION



MAHONEY ENGINEERING
9501 Manchaca Road, Suite B200
Austin, Texas 78748
(512) 910-3874
info@mahoneyeng.com
TBP# Registration Number F-21222
Mahoney Engineering LLC ©Copyright 2019

AUSTIN SPORTS CENTER SAND COMPLEX**Statement of Relevant Goals and Objectives****September 27, 2024**

Attention: **City of Cedar Park Development Services Intake**
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613

Reference: **Austin Sports Center Sand Complex – Additional Sand Courts**
1401 Toro Grande Boulevard
Cedar Park, TX 78613



Dear City of Cedar Park Development Services Intake,

This amendment to the Future Land Use Plan aligns with its vision statement, particularly the core value of "Community", as it describes, "We strive to link neighbors, neighborhoods, organizations, businesses, government, and our faith based groups into a cohesive community of caring, involved, and dedicated citizens to address and provide for critical needs, services, and the quality of our city." Specifically, the proposed change reflects Objective 3 of the Future Land Use Plan: "Plan for central gathering areas in the community that are interesting, vibrant, and promote social interaction."

This amendment not only fulfills the objectives outlined in the Future Land Use Plan but also supports the broader growth and development strategy of Cedar Park. By creating a well-integrated area of recreation, commerce, and social activity, the proposed changes will enhance the city's attractiveness as a destination for residents and visitors alike. The Austin Sports Center, working in conjunction with nearby facilities and businesses, will serve as a cornerstone for community engagement and development, providing opportunities for both economic growth and social cohesion. The synergy between sports, entertainment, and commercial enterprises in this area will create an environment that supports diverse interests while contributing to Cedar Park's overall vision of a thriving, connected, and vibrant city. The result will be a well-rounded, engaging space that benefits all who live, work, and play in the area.

After review of this information, let us know if there are any items you would like to discuss further. We would be happy to provide additional clarification on any questions as they relate to the referenced property.

Sincerely,

MAHONEY ENGINEERING

Daniel Mahoney, P.E.
President & CEO | Principal
Phone: (512) 596-2579
dmahoney@mahoneyeng.com

Max Stoffel, E.I.T.
Engineer Associate I
Phone: (512) 481-4042
mstoffel@mahoneyeng.com



AUSTIN SPORTS CENTER SAND COMPLEX**Identification of Unique Characteristics**

Attention: **City of Cedar Park Development Services Intake**
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613

Reference: **Austin Sports Center Sand Complex – Additional Sand Courts**
1401 Toro Grande Boulevard
Cedar Park, TX 78613



Dear City of Cedar Park Development Services Intake,

On behalf of Austin Sports Center, Mahoney Engineering provides this letter highlighting the unique characteristics of the 1401 Toro Grande property and its surrounding area that support the proposed amendment to the Future Land Use Plan. This amendment seeks to change the land use designation from Industrial/Manufacturing (I/M) to Regional Office/Retail/Commercial (REG).

The 1401 Toro Grande property creates a natural alignment with the proposed amendment through the REG-designated properties in the vicinity. The existing land uses in the area include recreational facilities such as gyms, gymnastics centers, art academies, and a performing arts school. This clustering of recreational and community-focused spaces makes the proposed change to REG a cohesive continuation of the area's existing character. Additionally, Planning Area "F," a planned area in the vicinity of the subject property, is undergoing development to feature a sports complex accompanied by retail, restaurant, and entertainment venues, establishing it as a vibrant destination for both residents and visitors. The proposed amendment would enable Austin Sports Center to integrate seamlessly with this developing area, enhancing its recreational offerings and supporting the vision of a socially engaging and economically dynamic district.

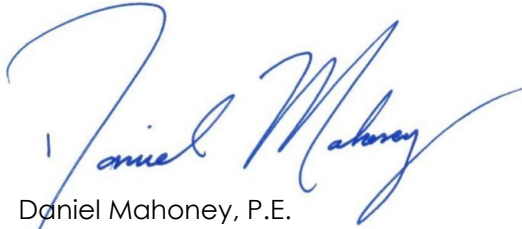
The concentration of existing recreational and sports-related facilities in this part of Cedar Park creates an opportunity to establish a specialized recreational sports district, with the potential to attract a wide variety of sports, fitness, and recreational activities. This would further strengthen the area's identity as a community hub for active lifestyles. Cedar Park's continued growth has increased the demand for recreational and social spaces where residents can gather and engage in physical activity. The proposed amendment supports this need by allowing Austin Sports Center to expand its offerings, reflecting the city's vision for creating spaces that enhance public well-being and provide long-term value to the community.

We trust this information provides a clear rationale for the proposed amendment. Please feel free to contact us with any questions or if additional details are needed.



AUSTIN SPORTS CENTER SAND COMPLEX

Sincerely,
MAHONEY ENGINEERING



Daniel Mahoney, P.E.
President & CEO | Principal
Phone: (512) 596-2579
dmahoney@mahoneyeng.com



Max Stoffel, E.I.T.
Engineer Associate I
Phone: (512) 481-4042
mstoffel@mahoneyeng.com



File Attachments for Item:

E.2 (2024-13-Z) (Related To 2024-5-FLU And 2024-14-SUP) Second Reading And Approval Of An Ordinance To Rezone Approximately 3.75 Acres From Heavy Commercial (HC) To General Business (GB) Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: (2024-13-Z) (Related To 2024-5-FLU And 2024-14-SUP) Second Reading And Approval Of An Ordinance To Rezone Approximately 3.75 Acres From Heavy Commercial (HC) To General Business (GB) Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***

Final Report

Staff	Cindy Schlanger, AICP, 512-401-5082, cindy.schlanger@cedarparktexas.gov
Owner	The Junior Volleyball Association of Austin c/o Glen Lietzke
Applicant	Mahoney Engineering, c/o Maxwell Stoffel, EIT
Existing Future Land Use Plan	Industrial/Manufacturing (I/M)
Proposed Future Land Use (2024-5-FLU)	Regional Office/Retail/Commercial (REG)
Current Zoning	Heavy Commercial (HC)
Proposed Zoning	General Business (GB)
Summary of Applicant's Request	Request to rezone approximately 3.75 acres to General Business (GB).
Staff's Recommendation	Approve the request to rezone approximately 3.75 acres to General Business (GB) should the FLUP Amendment to Regional Office/Retail/Commercial (REG) be approved.

Staff Recommendation:

Should the associated Future Land Use Plan Amendment to Regional Office/Retail/Commercial (REG) be approved, staff recommends approval of the Applicant's request to rezone the property to General Business (GB).

Reason for Staff Recommendation:

The proposed zoning change will provide an appropriate zoning designation that is compliant with the Comprehensive Plan, to include the FLUP should the amendment be approved, and is compatible with surrounding land uses.

Planning & Zoning Commission Recommendation to the City Council:

On November 19, 2024, the Planning and Zoning Commission recommended approval (7-0) of the request for General Business (GB).

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

Stated Reasons for P&Z Recommendation:

The Commission supported staff's recommendation.

Planning & Zoning Commission Public Hearing:

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

City Council Public Hearing:

The City Council held a public hearing on December 5, 2024. No public testimony was provided.

Applicant's Neighborhood Communication Summary and Public Input:

The Applicant sent a letter notice to the surrounding neighborhood and property owners on October 30, 2024, informing them of the rezoning request and information about the public hearing schedules. See attached Neighborhood Communication Summary and letter.

The Applicant has indicated that they have not received any feedback from neighboring residents, and to date staff has not received any correspondence.

COMMENTARY**Existing Site and Surrounding Land Uses:**

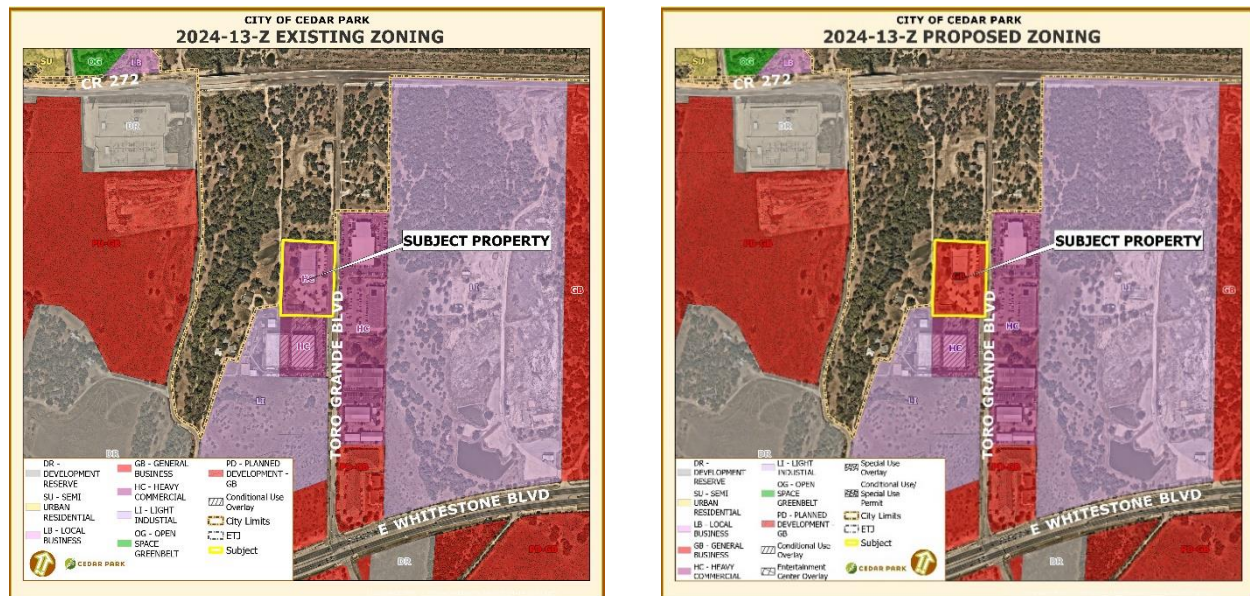
The 3.75-acre subject property is developed as an Outdoor Sports and Recreation use consisting of four sand volleyball courts, which were permitted by a Conditional Use Permit (CUP) in August 2013.

Although the subject property is within an area envisioned for manufacturing, processing, and warehouse uses, most of the developed properties along Toro Grande Boulevard consist of personal retail and service uses, such as athletic facilities, clinics, and shops that serve the local community. Further to the east and north of the subject property are areas envisioned to be developed with regional commercial uses such as retail, personal services, and recreational uses that aim to meet the needs of residents within a three-to-five-mile radius or more.

The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Industrial/Manufacturing (I/M)	ETJ	Vacant
South	Industrial/Manufacturing (I/M)	Heavy Commercial-Conditional Overlay (HC-CO)	Indoor Commercial Amusement/Gym
East	Industrial/Manufacturing (I/M)	Heavy Commercial (HC)	Indoor Commercial Amusement
West	Industrial/Manufacturing (I/M)	ETJ, Light Industrial (LI)	Residential, Single Family, Indoor Commercial Amusement/Gym (under construction)

The following maps depict the current and proposed zoning classifications.



Purpose of Requested Zoning District:

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

Future Land Use Plan:

The Future Land Use Plan (FLUP) designates the subject property as Industrial/Manufacturing (I/M). In conjunction with this rezoning request, the Applicant has submitted a request to amend the FLUP designation to Regional Office/Retail/Commercial (REG). The requested General Business (GB) zoning district is compatible with the requested Regional Office/Retail/Commercial (REG) FLUP designation.

Comprehensive Plan:

The request for the General Business (GB) district follows these goals of the Comprehensive Plan:

Future Land Use

- Establish Cedar Park as a regional destination for family-oriented activities.
- Plan for central gathering area in the community that are interesting, vibrant, and encourage social interaction.
- Ensure an appropriate mix of land use types within the City.

Livability

- Ensure that Cedar Park is a desirable place to live, work, worship, and raise a family

Site Information:

Zoning Case History:

The City of Cedar Park annexed the subject property in 2010 by Ordinance No. A11-10-12-16-C1 (ANX-10-001). The following zoning case resulted in the current Heavy Commercial (HC) district for the subject property.

YEAR	CASE NUMBER	REQUEST	P&Z RECOMMENDATION	CITY COUNCIL ACTION
2010	Z-10-009 Ord No Z12-11-01-13-C1	Original zoning of Commercial Services (CS) to Approximately 3.75 Acres	Approval (4-0) 11-16-2010	Approved (7-0) 1-13-2011

Major Corridor:

The subject property is not located within a major corridor.

Transportation:

The subject property fronts and has access to Toro Grande Boulevard and is located equidistant between East Whitestone Boulevard and New Hope Drive.

Subdivision:

A subdivision plat will be required prior to issuance of a Site Development Permit as the subject property has not been platted.

Land uses:

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

Building Setback and Height Requirements:

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

Staff Commentary:

The Applicant intends to construct two additional sand volleyball courts and associated walkways on the rear portion of the subject property. However, the developable site area is limited due to topographic and vegetative constraints, as well as the development standards of the current Heavy Commercial (HC) district. This district imposes significantly larger setbacks that serve to protect adjacent uses due to the nature and purpose of this zoning district. To increase the developable area, the Applicant seeks to rezone the subject property to the General Business (GB) district, which requires smaller rear property setbacks and therefore, greater flexibility for any future expansion. In addition, the requested General Business (GB) zoning district will establish a zoning district that is more in line with the existing uses on the subject property and vicinity.

In conjunction with this rezoning request, the Applicant submitted a Special Use Permit (SUP) (2024-14-SUP) to allow the Outdoor Commercial Amusement, Minor use on the subject property for the proposed expansion.

Public Information Plan:

November 6, 2024: Public notice of the Planning and Zoning Commission and City Council public hearings published in the Austin American Statesman

November 8, 2024: Ten (10) letter notices for the Planning and Zoning Commission and City Council public hearings were sent to property owners within 300 feet of the subject tract

November 19, 2024: Planning and Zoning Commission public hearing

December 5, 2024: City Council 1st reading and public hearing

December 12, 2024: City Council 2nd reading

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐

Yes

☐

No **City Attorney**

Associated Information:

Ordinance with Exhibits

Attachments:

General Business (GB) Uses and Setbacks

Letter of Intent

Neighborhood Communication Summary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO REZONE APPROXIMATELY 3.75 ACRES FROM HEAVY COMMERCIAL (HC) TO GENERAL BUSINESS (GB) LOCATED AT 1401 TORO GRANDE BOULEVARD (2024-13-Z); AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

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

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

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

WHEREAS, on November 19, 2024 the Planning and Zoning Commission voted 7-0 to recommend approval of the proposed zoning of General Business (GB); and

WHEREAS, the City Council finds the proposed zoning to be in accordance with the City's Comprehensive Plan, existing use of land and structures within the affected area, and uses

surrounding the affected area, and are for the purpose of promoting the public health, safety, morals, and general welfare of the City.

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

SECTION 1. City of Cedar Park Ordinance No. 75-2: Comprehensive Zoning Ordinance is hereby amended to rezone approximately 3.75 acres from Heavy Commercial (HC) to General Business (GB) located at 1401 Toro Grande Boulevard., otherwise set forth in the legal description labeled Exhibit “A” and the property location map labeled Exhibit “B.”

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

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

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

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

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 5th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 12th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

EXHIBIT A

3.750 ACRES
AUSTIN SPORTS CENTER
Page 1 of 2

FN. NO. 10-177(KWA)
AUGUST 30, 2010
BPI JOB NO. 108724-002

DESCRIPTION

OF 3.750 ACRES OF LAND OUT OF THE WASHINGTON ANDERSON SURVEY, ABSTRACT NO. 15, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED TO NANCY BRASSFIELD, BY DEED OF RECORD IN VOLUME 2271, PAGE 925 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.750 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the westerly right-of-way line of Toro Grande Boulevard (40' R.O.W.), being the northeasterly corner of that certain Tract 5E - 3.250 acre tract of land conveyed to Milton Crumley, by Deed of Record in Volume 2271, Page 930 of said Official Records, for the southeasterly corner hereof;

THENCE, S69°06'11"W, leaving said westerly right-of-way line of Toro Grande Boulevard, along the northerly line of said Tract 5E, being the southerly line of said 3.720 acre tract and hereof, a distance of 346.13 feet to a 1/2 inch iron rod found in the easterly line of that certain 25.24 acre tract of land conveyed to Sealy Timber Ridge Investments, L.L.C., by Deed of Record in Document No. 2007054356 of the Official Public Records of Williamson County, Texas, being the northwesterly corner of said Tract 5E, for the southwesterly corner hereof;

THENCE, N20°52'33"W, along the easterly line of said 25.24 acre tract, being the easterly line of that certain 3.067 acre tract of land conveyed to Robert L. Moore, by Deed of Record in Volume 1698, Page 445 of said Official Records, and the easterly line of that certain 4.00 acre tract of land conveyed to Tom W. Moore, by Deed of Record in Volume 1698, Page 432 of said Official Records, for the westerly line of said 3.750 acre tract and hereof, a distance of 471.69 feet to a 1/2 inch iron rod found at the southwesterly corner of that certain Tract 5C - 3.000 acre tract of land conveyed to Judy Williams, by Deed of Record in Volume 2271, Page 920 of said Official Records, for the northwesterly corner of said 3.750 acre tract and hereof;

THENCE, N69°06'11"E, leaving the easterly line of said 4.00 acre tract, along the southerly line of said Tract 5C, being the northerly line of said 3.750 acre tract and hereof, a distance of 346.45 feet to a 1/2 inch iron rod with cap set in the westerly right-of-way line of said Toro Grande Boulevard, being the southeasterly corner of said Tract 5C, for the northeasterly corner of said 3.750 acre tract and hereof;

FN 10-177(KWA)
AUGUST 30, 2010
PAGE 2 OF 2

THENCE, S20°50'13"E, along said westerly right-of-way line of said Toro Grande Boulevard, being the easterly line of said 3.750 acre tract and hereof, a distance of 471.69 feet to the **POINT OF BEGINNING**, containing an area of 3.750 acres (163,343 SQ. FT.) of land, more or less, within these metes and bounds.

BEARING BASIS: THE BASIS OF BEARINGS OF THIS SURVEY SHOWN HEREON IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA GPS CONTROL MONUMENT NOS. A314, A731, A315 AND T034.

I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND BY BURY+PARTNERS, INC., DURING THE MONTH OF AUGUST 2010.

BURY & PARTNERS, INC.
ENGINEERING-SOLUTIONS
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701


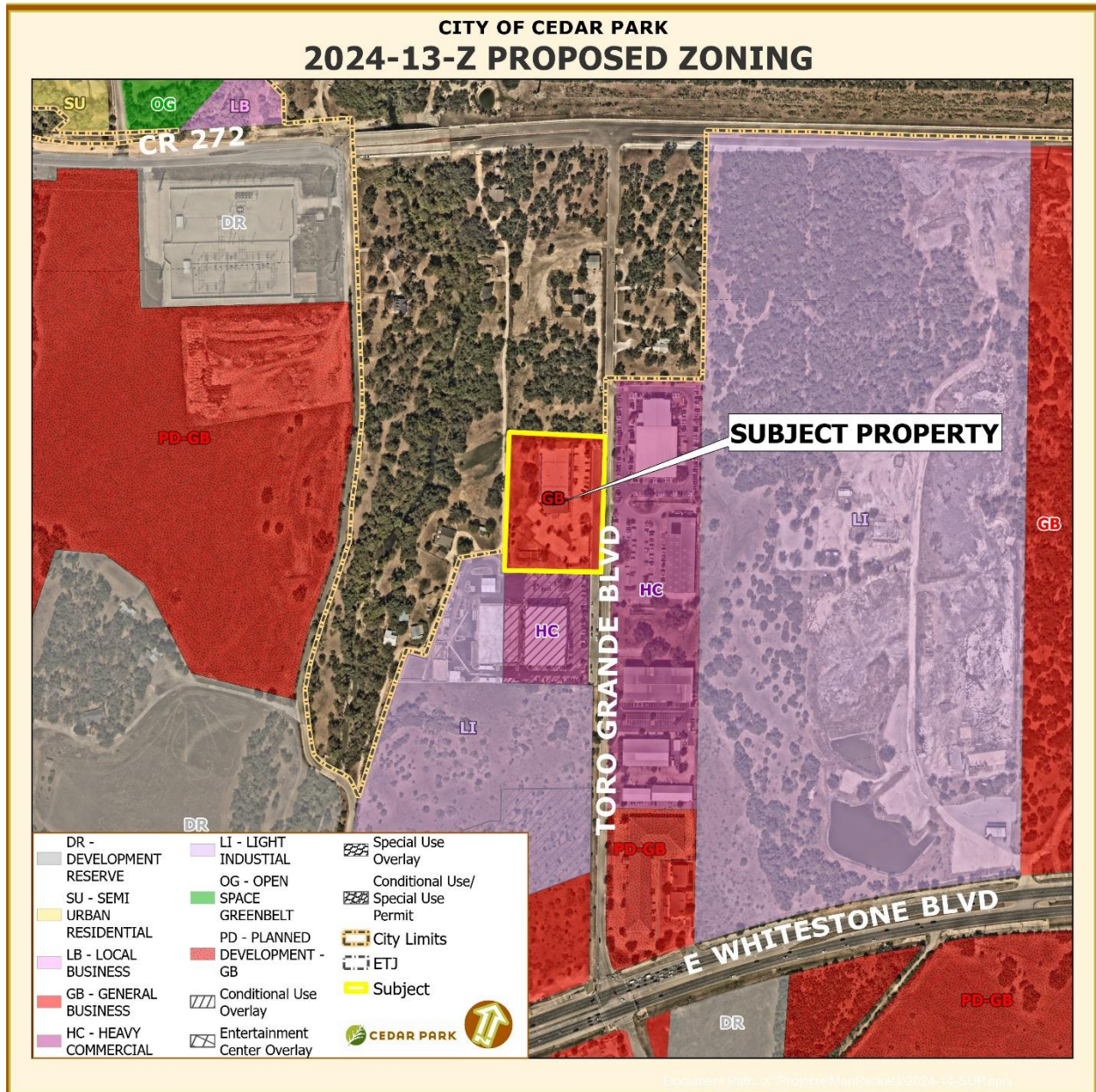

8-30-10
ABRAM C. DASHNER, R.P.L.S.
NO. 4998
STATE OF TEXAS



EXHIBIT B



AUSTIN SPORTS CENTER SAND COMPLEX**Statement of Intent and Purpose of Rezoning****November 4, 2024**

Attention: **City of Cedar Park Development Services Intake**
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613

Reference: **Austin Sports Center Sand Complex – Additional Sand Courts**
1401 Toro Grande Boulevard
Cedar Park, TX 78613



Dear City of Cedar Park Development Services Intake,

On behalf of Austin Sports Center, Mahoney Engineering submits this Statement of Intent and Purpose in support of our rezoning application for the 3.75-acre property located at 1401 Toro Grande Blvd. Our request is to rezone the property from Heavy Commercial (HC) to General Business (GB), a classification that aligns with the vision of expanding accessible recreational facilities within our community. The shift to GB zoning will enable Austin Sports Center to better serve Cedar Park residents by allowing for the construction of new sand courts and improved recreational amenities.

The proposed rezoning provides an opportunity to enhance community engagement through recreational spaces that prioritize active lifestyles and social interaction. Additionally, the transition from HC to GB zoning will facilitate the preservation of a heritage tree located at the rear of the property. This is made possible by the reduced rear setback in the GB zoning (from 25 feet to 5 feet), which allows us to protect this important natural feature while accommodating site improvements.

By rezoning to General Business, we aim to create a destination that complements Cedar Park's growth objectives. The Austin Sports Center Sand Complex will attract both residents and visitors, enhancing economic activity by drawing additional foot traffic that supports surrounding businesses. This increase in recreational offerings contributes to Cedar Park's appeal as a vibrant, family-friendly community, fostering an environment of health, wellness, and social connection.

Our development team is committed to maintaining harmonious interactions with the surrounding neighborhood, ensuring that operational aspects of the new facilities will be managed to respect neighboring properties. We look forward to collaborating with city officials and stakeholders to ensure that our plans meet Cedar Park's standards for growth, sustainability, and community impact.

We respectfully request the City of Cedar Park's approval of this rezoning application to advance our plans for the Austin Sports Center Sand Complex. We are confident that this rezoning will allow us to preserve Cedar Park's natural beauty, promote economic vitality, and contribute positively to the quality of life for all residents.

Thank you for considering our application. We are eager to provide any further information or clarification needed to support this proposal.

Sincerely,

MAHONEY ENGINEERING

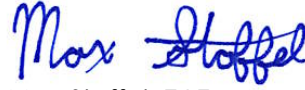


Daniel Mahoney, P.E.

President & CEO | Principal

Phone: (512) 596-2579

dmahoney@mahoneyeng.com



Max Stoffel, E.I.T.

Engineer Associate I

Phone: (512) 481-4042

mstoffel@mahoneyeng.com





APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

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

The surrounding neighborhood and property owners were notified through letters sent in the mail on 10/30. These letters included information describing the project and provided details on the meetings at which the project would be on the agenda, so residents could attend and learn more if they chose to do so.

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

Property owners withing 500 feet of the property boundary of 1401 Toro Grande Blvd were notified. See attached scanned list of letters.

3. What concerns were raised during these communications?

No concerns have been raised at this time. We have not received any feedback from property owners regarding the proposal.

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

Not applicable; no concerns have been raised.

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

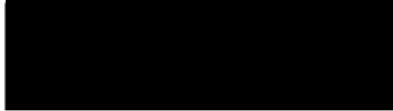
Signature: Max Stoffel

Date 11/4/2024

Letter of Notice

October 30, 2024

Attention:



Reference: Austin Sports Center Sand Complex – Additional Sand Courts
1401 Toro Grande Boulevard
Cedar Park, TX 78613

Dear Resident

This letter serves to inform you about a proposed zoning change for the property located at **1401 Toro Grande Blvd.** The proposal seeks to rezone this property from Heavy Commercial (HC) to General Business (GB) to better align with the intended future use and meet community needs.

This zoning change would allow for a broader range of uses, including expanded recreational amenities.

Details of the upcoming meeting regarding this project are as follows:

City of Cedar Park Planning and Zoning Commission Meeting: Nov. 19, 2024, 6:30 p.m.

City of Cedar Park City Council Meeting: December 5, 2024, 7:00 p.m.

City of Cedar Park City Council Meeting: December 12, 2024, 7:00 p.m.

All meetings are held in Cedar Park City Hall Council Chambers, 450 Cypress Creek Rd., Bldg. 4, Cedar Park, TX 78613

This information is provided for your awareness, and residents may attend if they wish to learn more about the project or express any questions or concerns.

Thank you for your attention to this matter.

Sincerely,

MAHONEY ENGINEERING

Daniel Mahoney, P.E.
President & CEO | Principal
Phone: (512) 596-2579
dmahoney@mahoneyeng.com

Max Stoffel, E.I.T.
Engineer Associate I
Phone: (512) 481-4042
mstoffel@mahoneyeng.com



General Business (GB) Zoning Standards and Permitted Uses

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

* Subject to additional requirements and standards outlined in Table 11.03.091

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

** Subject to additional conditions outlined in Sec 11.02.092

File Attachments for Item:

E.3 (2024-14-SUP) (Related To 2024-5-FLU And 2024-13-Z) Second Reading And Approval Of An Ordinance For A Special Use Permit (SUP) To Allow An Outdoor Commercial Amusement, Minor Use On Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: (2024-14-SUP) (Related To 2024-5-FLU And 2024-13-Z) Second Reading And Approval Of An Ordinance For A Special Use Permit To Allow An Outdoor Commercial Amusement, Minor Use On Approximately 3.75 Acres Located At 1401 Toro Grande Boulevard. ***The Planning And Zoning Commission Voted 7-0 To Recommend Approval Of The Request As Presented.***

Final Report

Staff	Cindy Schlanger, AICP, 512-401-5082, cindy.schlanger@cedarparktexas.gov
Owner	The Junior Volleyball Association Of Austin, C/O Glen Lietzke
Applicant	Mahoney Engineering, c/o Maxwell Stoffel, EIT
Existing Future Land Use Plan	Industrial/ Manufacturing (I/M)
Proposed Future Land Use (2024-5-FLU)	Regional Office/Retail/Commercial (REG)
Current Zoning	Heavy Commercial (HC)
Proposed Zoning (2024-13-Z)	General Business (GB)
Summary of Applicant's Request	Request for a Special Use Permit (SUP) to allow an Outdoor Commercial Amusement, Minor use on approximately 3.75 acres.
Staff's Recommendation	Approve the SUP to allow an Outdoor Commercial Amusement, Minor use as requested.

Staff Recommendation:

Staff recommends approval of the SUP to allow an Outdoor Commercial Amusement, Minor use as requested.

Reason for Staff Recommendation:

The Outdoor Commercial Amusement, Minor use and concept plan comply with the criteria of the Cedar Park Code. The proposed use is compatible with existing development as well as the type of development envisioned by the REG Future Land Use Plan designation. The existing infrastructure and City services are also adequate to support the proposed Outdoor Commercial Amusement, Minor use on the subject property.

Planning & Zoning Commission Recommendation to the City Council:

On November 19, 2024, the Planning and Zoning Commission recommended approval (7-0) of the request for a Special Use Permit (SUP) to allow an Outdoor Commercial Amusement, Minor use.

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

Stated Reasons for P&Z Recommendation:

The Commission supported staff recommendation.

Planning & Zoning Commission Public Hearing:

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

City Council Public Hearing:

The City Council held a public hearing on December 5, 2024. No public testimony was provided.

Applicant's Neighborhood Communication Summary and Public Input:

The Applicant sent a letter notice to the surrounding neighborhood and property owners on October 30, 2024, informing them of the rezoning and Special Use Permit requests and information about the public hearing schedules. See attached Neighborhood Communication Summary and letter.

The Applicant has indicated that they received an inquiry about whether the volleyball courts would be constructed onsite or located on another property. Staff has not received any feedback from neighboring residents, and to date Staff has not received any correspondence.

COMMENTARY

Existing Site and Surrounding Land Uses:

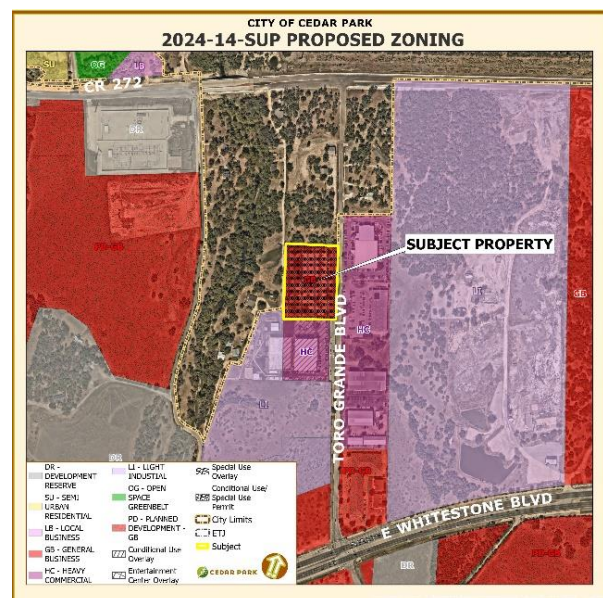
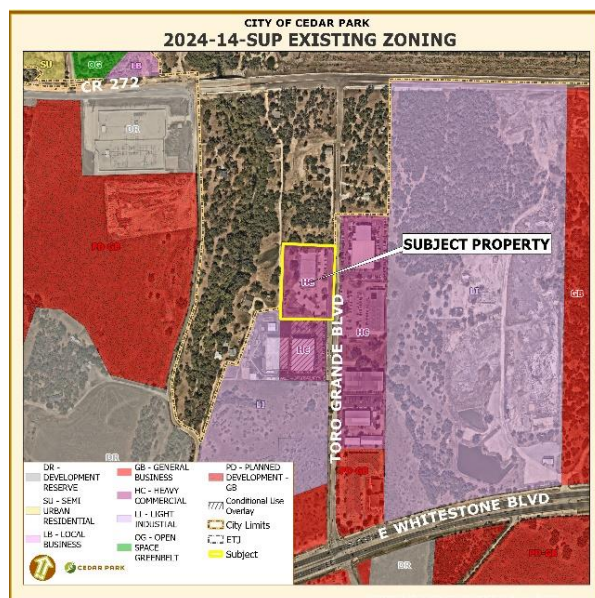
The 3.75-acre subject property is developed as an Outdoor Sports and Recreation use consisting of four sand volleyball courts, which were permitted by a Conditional Use Permit (CUP) in August 2013.

Although the subject property is within an area envisioned for manufacturing, processing, and warehouse uses, most of the developed properties along Toro Grande Boulevard consist of personal retail and service uses, such as sports facilities, clinics, and shops that serve the local community. Further to the east and north of the subject property are areas envisioned to be developed with regional commercial uses such as retail, personal services, and recreational uses that aim to meet the needs of residents within a three-to-five-mile radius or more.

The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Industrial/Manufacturing (I/M)	ETJ	Vacant
South	Industrial/Manufacturing (I/M)	Heavy Commercial-Conditional Overlay (HC-CO)	Indoor Commercial Amusement/Gym
East	Industrial/Manufacturing (I/M)	Heavy Commercial (HC)	Indoor Commercial Amusement
West	Industrial/Manufacturing (I/M)	ETJ, Light Industrial (LI)	Residential, Single Family, Indoor Commercial Amusement/Gym (under construction)

The following maps depict the current and proposed zoning classifications.



Purpose of Special Use Permit:

A special use is a use that is allowed within a district, but which is subject to specific standards and a public hearing process to reduce the potential for incompatibility with other uses within or adjacent to the district. The designation of a special use means that it is only allowed in a proposed location if all the conditions applicable to the use are met. A special use may or may not be appropriate in a particular location depending on the value of the public need and benefit versus the impacts of the use.

Future Land Use Plan:

The Future Land Use Plan (FLUP) designates the subject property as Industrial/Manufacturing (IM). In conjunction with this SUP request, the Applicant has submitted a request to amend the FLUP designation to Regional Office/Retail/Commercial (REG). This designation supports the Outdoor Commercial Amusement, Minor use with approval of a Special Use Permit (SUP).

Comprehensive Plan:

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

Future Land Use

- Establish Cedar Park as a regional destination for family-oriented activities.
- Plan for central gathering area in the community that are interesting, vibrant, and encourage social interaction.
- Ensure an appropriate mix of land use types within the City.

Livability

- Ensure that Cedar Park is a desirable place to live, work, worship, and raise a family

Site Information:

Zoning Case History:

The City of Cedar Park annexed the subject property in 2010 by Ordinance No. A11-10-12-16-C1 (ANX-10-001). The following case resulted in the current Heavy Commercial (HC) zoning district for the subject property.

YEAR	CASE NUMBER	REQUEST	P&Z RECOMMENDATION	CITY COUNCIL ACTION
2010	Z-10-009 Ord No Z12-11-01-13- C1	Original zoning of Commercial Services (CS) to Approximately 3.75 Acres	Approval (4-0) 11-16-2010	Approved (7-0) 1-13-2011

Major Corridor:

The subject property is not located within a major corridor.

Transportation:

The subject property fronts and has access to Toro Grande Boulevard and is located equidistant between East Whitestone Boulevard and New Hope Drive.

Subdivision:

A subdivision plat will be required prior to issuance of a Site Development Permit as the subject property has not been platted.

Land uses:

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

Building Setback and Height Requirements:

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

Staff Commentary:

The Applicant wishes to add two sand volleyball courts and associated walkways to the 3.75-acre subject property. Sand volleyball courts fall under the definition of Outdoor Commercial Amusement, Minor use, which may only be permitted with approval of a Special Use Permit (SUP) by the City Council.

Outdoor commercial amusement, minor uses are defined in the Zoning Ordinance as “Uses that provide commercial amusement outdoors, on a local, neighborhood scale, as defined herein, including, but not limited to:

- A. Miniature golf establishments;
- B. Sports fields;
- C. Golf driving ranges; and
- D. Batting cages”.

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

1. The proposed Special Use Permit conforms to adopted plans and all other applicable provisions of this Ordinance;
2. Adequate public facilities and services are available without the reduction of services for any existing uses;
3. All proposed accessory uses demonstrate that they are necessary and desirable;
4. The proposed Special Use has incorporated features sufficient to protect adjacent uses including but not limited to: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing and site building placement;
5. The proposed special use is compatible with adjacent existing uses and other allowed uses in the zoning districts, for which such compatibility is expressed in terms of appearance, architectural scale and features, site design, landscaping, as well as the control of adverse impacts; and
6. The maximum density is no greater than that permitted in the applicable zoning district.

A Site Development Permit revision will be required for any new or modified improvements showing compliance with applicable site development standards.

Public Information Plan:

November 6, 2024: Public notice of the Planning and Zoning Commission and City Council public hearings published in the Austin American Statesman
November 8, 2024 Ten (10) letter notices for the Planning and Zoning Commission and City Council public hearings were sent to property owners within 300 feet of the subject tract
November 19, 2024: Planning and Zoning Commission public hearing
December 5, 2024: City Council 1st reading and public hearing
December 12, 2024: City Council 2nd reading

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

Ordinance with Exhibits

Attachments:

General Business (GB) Uses and Setbacks
 Concept Plan
 Statement of Intent
 Neighbor Communication Summary

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING ORDINANCE NO. 75-2 (ZONING) OF THE CITY OF CEDAR PARK, TEXAS TO APPROVE A SPECIAL USE PERMIT TO ALLOW AN OUTDOOR COMMERCIAL AMUSEMENT, MINOR USE ON APPROXIMATELY 3.75 ACRES LOCATED AT 1401 TORO GRANDE BOULEVARD (2024-14-SUP); AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF CEDAR PARK SO AS TO REFLECT THIS CHANGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BYLAW.

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

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

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

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

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

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

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

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

WHEREAS, on November 19, 2024, the Planning and Zoning Commission voted 7-0 to recommend approval of the proposed Special Use Permit; and

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

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

SECTION 1. That the zoning district map of the City of Cedar Park adopted in ordinance no. 75-2 be and the same is hereby amended to grant a Special Use Permit for an Outdoor Commercial Amusement, Minor Use on approximately 3.75 acres, otherwise set forth in the legal description labeled Exhibit "A", the property location map labeled Exhibit "B", and the Concept Plan labeled Exhibit "C."

SECTION 2. That the Director of Development Services is hereby authorized and directed to officially designate the tract of land zoned herein as such on the official zoning district map of the City of Cedar Park and by proper endorsement indicating the authority for said notation and to update the official zoning map to remove such designation from the map if the special use has been discontinued for a year or longer or if the use is replaced by another use pursuant to Cedar Park Code of Ordinances § 11.06.085(1), as amended.

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

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

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

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 5th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 12th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

JP LeCompte, City Attorney

EXHIBIT A

3.750 ACRES
AUSTIN SPORTS CENTER
Page 1 of 2

FN. NO. 10-177(KWA)
AUGUST 30, 2010
BPI JOB NO. 108724-002

DESCRIPTION

OF 3.750 ACRES OF LAND OUT OF THE WASHINGTON ANDERSON SURVEY, ABSTRACT NO. 15, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED TO NANCY BRASSFIELD, BY DEED OF RECORD IN VOLUME 2271, PAGE 925 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.750 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the westerly right-of-way line of Toro Grande Boulevard (40' R.O.W.), being the northeasterly corner of that certain Tract 5E - 3.250 acre tract of land conveyed to Milton Crumley, by Deed of Record in Volume 2271, Page 930 of said Official Records, for the southeasterly corner hereof;

THENCE, S69°06'11"W, leaving said westerly right-of-way line of Toro Grande Boulevard, along the northerly line of said Tract 5E, being the southerly line of said 3.720 acre tract and hereof, a distance of 346.13 feet to a 1/2 inch iron rod found in the easterly line of that certain 25.24 acre tract of land conveyed to Sealy Timber Ridge Investments, L.L.C., by Deed of Record in Document No. 2007054356 of the Official Public Records of Williamson County, Texas, being the northwesterly corner of said Tract 5E, for the southwesterly corner hereof;

THENCE, N20°52'33"W, along the easterly line of said 25.24 acre tract, being the easterly line of that certain 3.067 acre tract of land conveyed to Robert L. Moore, by Deed of Record in Volume 1698, Page 445 of said Official Records, and the easterly line of that certain 4.00 acre tract of land conveyed to Tom W. Moore, by Deed of Record in Volume 1698, Page 432 of said Official Records, for the westerly line of said 3.750 acre tract and hereof, a distance of 471.69 feet to a 1/2 inch iron rod found at the southwesterly corner of that certain Tract 5C - 3.000 acre tract of land conveyed to Judy Williams, by Deed of Record in Volume 2271, Page 920 of said Official Records, for the northwesterly corner of said 3.750 acre tract and hereof;

THENCE, N69°06'11"E, leaving the easterly line of said 4.00 acre tract, along the southerly line of said Tract 5C, being the northerly line of said 3.750 acre tract and hereof, a distance of 346.45 feet to a 1/2 inch iron rod with cap set in the westerly right-of-way line of said Toro Grande Boulevard, being the southeasterly corner of said Tract 5C, for the northeasterly corner of said 3.750 acre tract and hereof;

FN 10-177(KWA)
AUGUST 30, 2010
PAGE 2 OF 2

THENCE, S20°50'13"E, along said westerly right-of-way line of said Toro Grande Boulevard, being the easterly line of said 3.750 acre tract and hereof, a distance of 471.69 feet to the **POINT OF BEGINNING**, containing an area of 3.750 acres (163,343 SQ. FT.) of land, more or less, within these metes and bounds.

BEARING BASIS: THE BASIS OF BEARINGS OF THIS SURVEY SHOWN HEREON IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA GPS CONTROL MONUMENT NOS. A314, A731, A315 AND T034.

I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND BY BURY+PARTNERS, INC., DURING THE MONTH OF AUGUST 2010.

BURY & PARTNERS, INC.
ENGINEERING-SOLUTIONS
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701

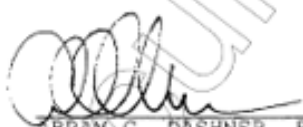

8-30-10
ABRAM C. DASHNER, R.P.L.S.
NO. 4998
STATE OF TEXAS



EXHIBIT B

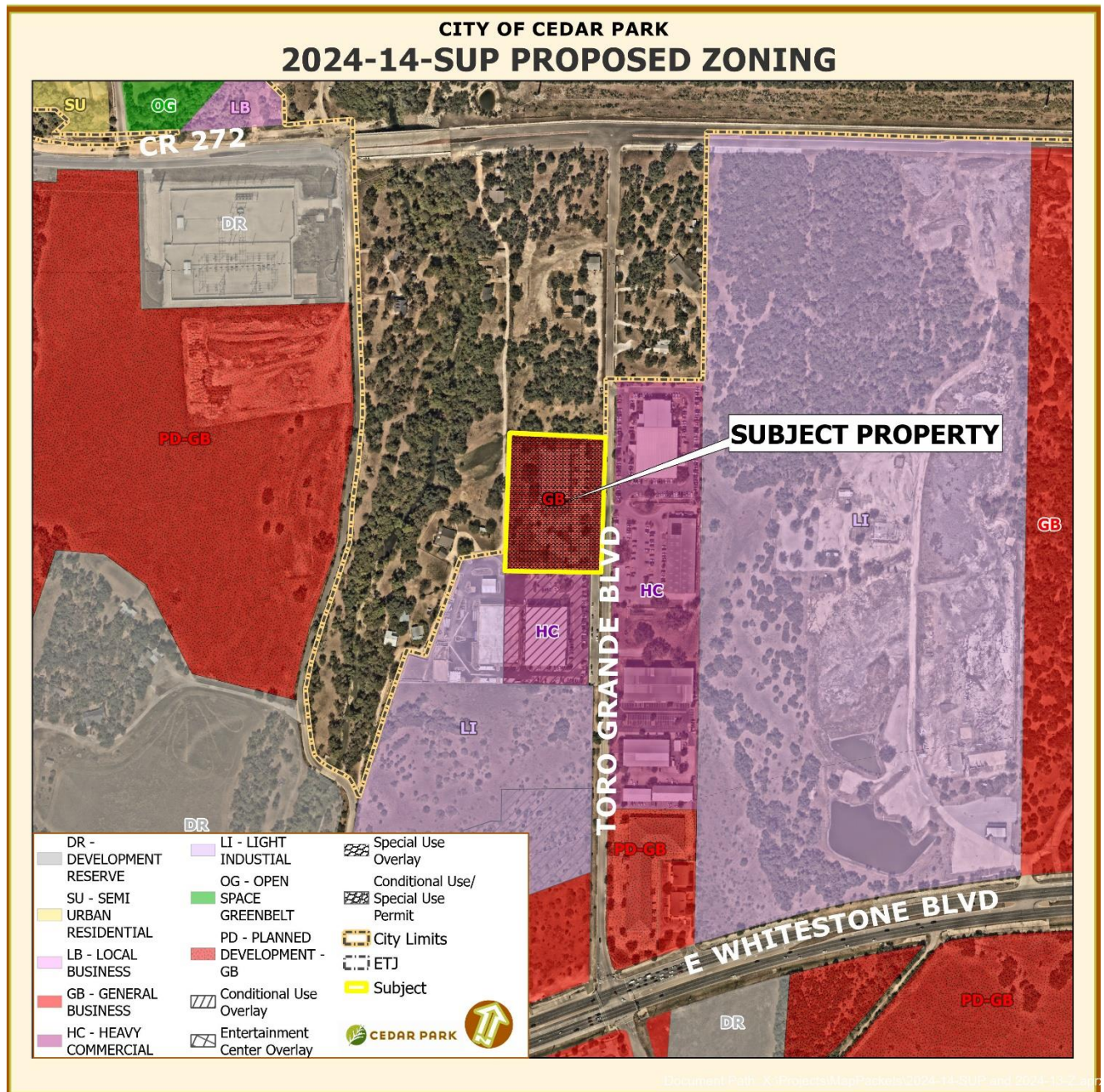
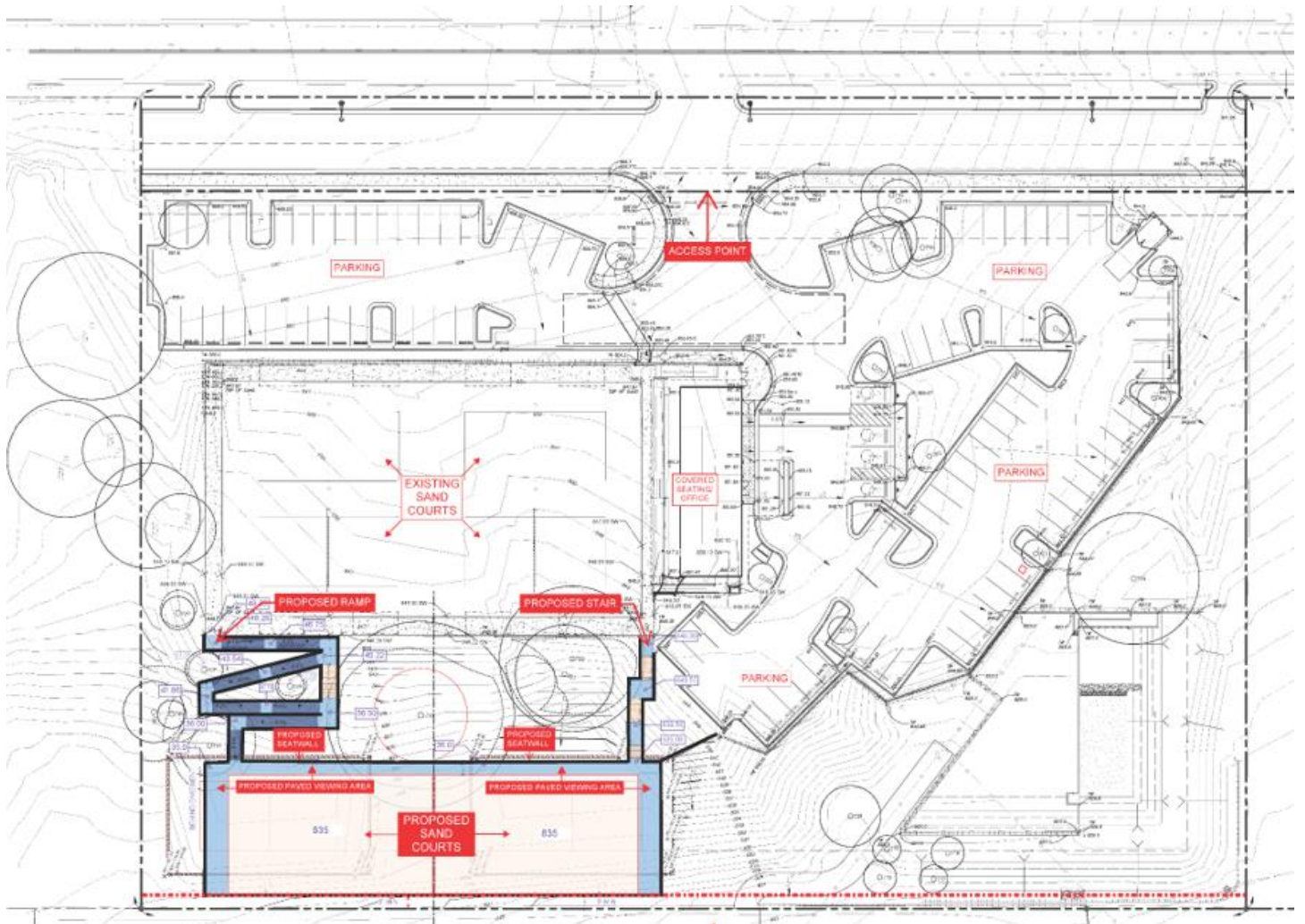


EXHIBIT C



AUSTIN SPORTS CENTER SAND COMPLEX**Statement of Intent and Purpose of the SUP****October 28, 2024**

Attention: **City of Cedar Park Development Services Intake**
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613

Reference: **Austin Sports Center Sand Complex – Additional Sand Courts**
1401 Toro Grande Boulevard
Cedar Park, TX 78613



Dear City of Cedar Park Development Services Intake,

On behalf of Austin Sports Center, Mahoney Engineering submits this Statement of Intent and Purpose in support of our Special Use Permit application for the 3.75-acre property located at 1401 Toro Grande Blvd. This application is a crucial next step following our recent approval request to petition an Amendment to the Future Land Use Plan, which redesignates the property from Industrial Manufacturing (I/M) to Regional Office/Retail/Commercial (REG) use.

The purpose of this Special Use Permit is to facilitate the expansion of recreational facilities at Austin Sports Center Sand Complex, specifically the addition of sand courts and other amenities that encourage active lifestyles and community engagement. This development aims to create a central gathering place for residents, fostering social interaction and promoting health and wellness in alignment with the city's objectives.

The proposed use of the site will generate increased activity that benefits both the local community and surrounding businesses. By enhancing the recreational offerings at Austin Sports Center, we will attract more visitors and residents, fostering increased traffic that supports nearby commercial establishments. This economic synergy is vital for Cedar Park's continued growth, creating a self-sustaining environment that promotes businesses while enhancing the quality of life for residents.

We have carefully considered the impact of our proposal on the surrounding community and are committed to ensuring that it remains a positive addition to the area. Our plan includes strategies for mitigation of bothersome factors to neighboring properties and effective community engagement to ensure that the new facilities operate harmoniously with neighboring uses.

We respectfully request the City of Cedar Park's approval of this Special Use Permit to move forward with our plans to expand and improve the Austin Sports Center. We believe that this development will significantly contribute to the recreational landscape of Cedar Park and offer residents valuable opportunities for health, wellness, and community connection.

Thank you for considering our application. We are eager to provide any further information or clarification needed to support this proposal.

Sincerely,

MAHONEY ENGINEERING



Daniel Mahoney, P.E.

President & CEO | Principal

Phone: (512) 596-2579

dmahoney@mahoneyeng.com



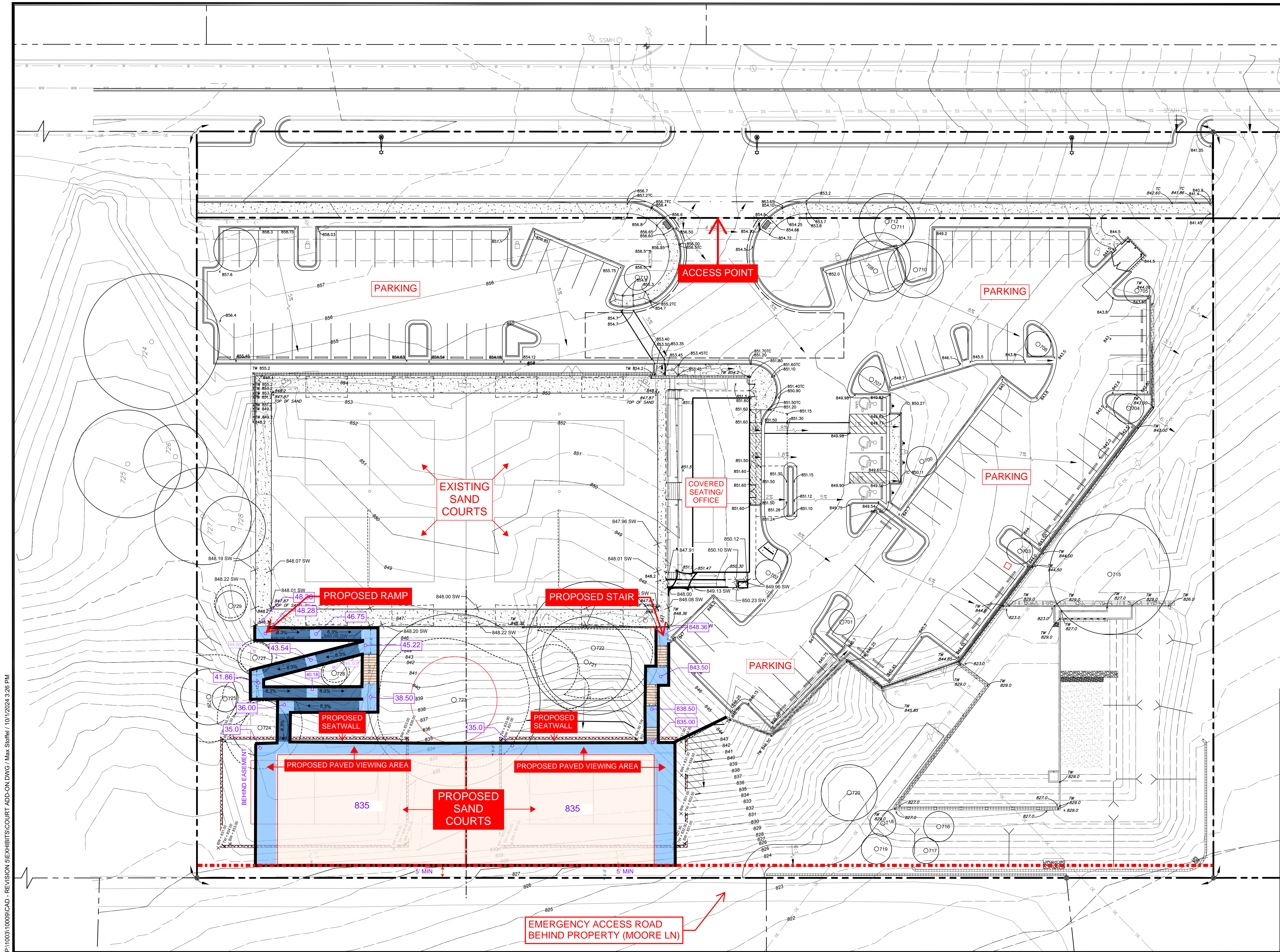
Max Stoffel, E.I.T.

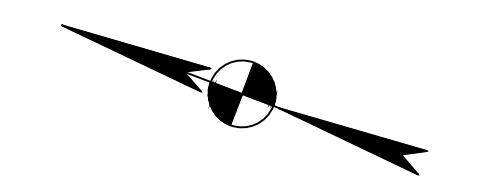
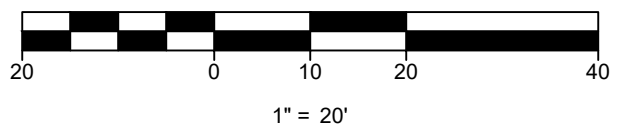
Engineer Associate I


Phone: (512) 481-4042

mstoffel@mahoneyeng.com







**ASC BRASSFIELD
COURT ADDITION**

**MAHONEY
ENGINEERING**

MAHONEY ENGINEERING
9501 Menchaca Road, Suite B200
Austin, Texas 78748
(512) 910-3874
info@mahoneyeng.com
TBP# Registration Number F-21222
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AUSTIN SPORTS CENTER SAND COMPLEX

Concept Plan Information

October 28, 2024

Attention: City of Cedar Park Development Services Intake
450 Cypress Creek Road, Building 2
Cedar Park, TX 78613

Reference: Austin Sports Center Sand Complex – Additional Sand Courts
1401 Toro Grande Boulevard
Cedar Park, TX 78613



A. Site Access, Proposed Structures, Traffic Flow, Emergency Access, and Parking

The primary access point to the property is located at the east end off Toro Grande Blvd, providing efficient entry and exit to and from the site. There are no new structures planned beyond a proposed stairway and ADA-accessible ramp that will connect the existing sand courts with the new courts, prioritizing pedestrian safety and ensuring a convenient, clear pathway for movement between courts. Changes to traffic flow or control are not anticipated; current circulation patterns will remain in place without disruption. Emergency access to the courts is assured through Moore Ln, a road situated behind the property, providing quick and easy access for emergency services if necessary. The existing off-street parking arrangement will remain unchanged, as it sufficiently meets the needs of the facility, and no new loading or service areas are required as part of this proposal.

B. Compatibility and Appropriateness with Nearby Properties and Uses

Mahoney Engineering, on behalf of Austin Sports Center, emphasizes the compatibility of the proposed SUP, aligning naturally with the surrounding area's existing recreational and community-centered spaces. The surrounding facilities include an indoor swimming facility, a gymnastics facility, and a performing arts school, all of which complement the expansion of Austin Sports Center's sand courts and create a cohesive recreational community. This integration will further establish the area as a destination for both residents and visitors, contributing to a community district centered on active lifestyles.

The courts will primarily be used during daylight hours, so no new lighting is required. Existing lighting on-site has not caused disturbances in the past and will continue to support safe use without impacting neighboring properties. No changes are proposed to existing signage or hours of operation, ensuring continuity for both patrons and nearby businesses. The property's natural layout and existing features provide adequate screening or buffering measures and landscaping, thus no further measures regarding either are proposed.

Noise and odors are not expected to impact nearby properties, as the proposed courts are located away from noise-sensitive areas, blending naturally into existing activity patterns within this recreational zone. Measures will be implemented to ensure sand containment, including a seat wall around the courts to provide seating for viewers and to minimize sand spread into grassy areas, as well as a net wall surrounding the courts to contain balls and prevent them from entering neighboring properties.

C. Compliance with the Comprehensive Plan

The proposed expansion at 1401 Toro Grande Blvd. aligns strongly with the goals outlined in the City of Cedar Park Comprehensive Plan, which emphasizes creating a vibrant, connected, and diverse community. This project advances key objectives within the Comprehensive Plan, particularly by enhancing recreational opportunities that promote physical activity, social interaction, and community identity. With the addition of sand courts, Austin Sports Center supports Cedar Park's goal of fostering quality-of-life improvements and creating spaces that invite community members to gather, exercise, and enjoy recreational amenities.

By supporting the recreational sports district envisioned in this part of Cedar Park, Austin Sports Center's expansion will contribute to the city's growth as an attractive and active destination. This project's synergy with nearby sports, entertainment, and commercial venues will help Cedar Park realize its long-term development goals, creating a lively, well-rounded area for the benefit of residents and visitors alike.

Thank you for considering our application. We are eager to provide any further information or clarification needed to support this proposal.

Sincerely,

MAHONEY ENGINEERING



Daniel Mahoney, P.E.
President & CEO | Principal
Phone: (512) 596-2579
dmahoney@mahoneyeng.com



Max Stoffel, E.I.T.
Engineer Associate I
Phone: (512) 481-4042
mstoffel@mahoneyeng.com





APPLICANT'S SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

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

The surrounding neighborhood and property owners were notified through letters sent in the mail on 11/5. These letters included information describing the project and provided details on the meetings at which the project would be on the agenda, so residents could attend and learn more if they chose to do so.

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

Property owners within 500 feet of the property boundary of 1401 Toro Grande Blvd were notified. See attached scanned list of letters.

3. What concerns were raised during these communications?

One resident reached out about whether the additional sand courts would remain on the same property. This inquiry was confirmed that no additional properties would be used. No other concerns were raised at the time of this Applicant's Summary submittal.

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

Not applicable; no concerns have been raised.

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

Signature: Max Hoffer

Date: 11/5/2024

Letter of Notice

November 5, 2024

Attention:



Reference: Austin Sports Center Sand Complex – Additional Sand Courts
1401 Toro Grande Boulevard
Cedar Park, TX 78613



Dear Resident,

This letter serves to inform you about a proposed **Special Use Permit (SUP)** for the property located at **1401 Toro Grande Blvd.** The permit request is intended to facilitate the addition of recreational amenities that align with the community's desires and complement the area's current use.

The proposed SUP would allow for the installation of two additional sand courts on the property. No new lighting will be added as part of this project.

Details of the upcoming meeting regarding this project are as follows:

City of Cedar Park Planning and Zoning Commission Meeting: Nov. 19, 2024, 6:30 p.m.

City of Cedar Park City Council Meeting: December 5, 2024, 7:00 p.m.

City of Cedar Park City Council Meeting: December 12, 2024, 7:00 p.m.

All meetings are held in Cedar Park City Hall Council Chambers, 450 Cypress Creek Rd., Bldg. 4, Cedar Park, TX 78613

This information is provided for your awareness, and residents may attend if they wish to learn more about the project or express any questions or concerns.

Thank you for your attention to this matter.

Sincerely,

MAHONEY ENGINEERING

Daniel Mahoney, P.E.
President & CEO | Principal
Phone: (512) 596-2579
dmahoney@mahoneyeng.com

Max Stoffel, E.I.T.
Engineer Associate I
Phone: (512) 481-4042
mstoffel@mahoneyeng.com



General Business (GB) Zoning Standards and Permitted Uses

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

* Subject to additional requirements and standards outlined in Table 11.03.091

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

** Subject to additional conditions outlined in Sec 11.02.092

File Attachments for Item:

E.4 Second Reading And Approval Of An Ordinance Amending Traffic Control Device Inventory – Schedule V Established At Cedar Park Code Of Ordinances Chapter 17 Traffic And Vehicles, Section 17.02.12 School Zones And Speed Limits; To Amend And Establish School Zone Speed Limits On Cypress Creek Road.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: Second Reading And Approval Of An Ordinance Amending Traffic Control Device Inventory – Schedule V Established At Cedar Park Code Of Ordinances Chapter 17 Traffic And Vehicles, Section 17.02.12 School Zones And Speed Limits; To Amend And Establish School Zone Speed Limits On Cypress Creek Road.

Commentary

This item is a Second Reading of an Ordinance amending and establishing school zone speed limits on Cypress Creek Rd. near Cedar Park High School (“CPHS”). The Cedar Park Code of Ordinances Section 17.03.004 establishes a 45 miles per hour (mph) speed limit on Cypress Creek Rd. between Lakeline Boulevard and the west city limit at El Sol Dr., except between the marked school zones of Cedar Park Middle School (“CPMS”) and CPHS” which the prima facie maximum speed limit Monday through Friday shall be 30 miles per hour during the effective hours as posted. This existing 30 mph school zone extends from approximately 340 feet west of El Salido Pkwy. to approximately 300 feet east of El Sol Dr. and encompasses two CPHS access driveways and the intersection of Simbrah Dr. at Cypress Creek Rd.

Speed limits are revised from time to time to address new roadway construction, adjacent development, or even just changes in driver behavior. Section 545.356 of the Texas Transportation Code gives municipalities authority to alter speed limits based on engineering and traffic investigations. The Texas Department of Transportation Procedures for Establishing Speed Zones recommends a school speed limit with a speed reduction of no more than 15 miles per hour (MPH) below the posted speed limit. Recent changes to the Leander Independent School District (“LISD”) attendance zones have impacted attendance rates at both CPMS and CPHS. As a result, both Anderson Mill Road and Cypress Creek Rd. have experienced increases in traffic volumes during school hours since the original school zone was established. For this reason, and to ensure the safety of

students walking or biking to the CPMS and CPHS campuses, staff recommends establishing a school zone speed limit of 30 mph for the section of Cypress Creek Rd. from approximately 300 feet east of Anderson Mill Rd. to approximately 340 west of El Salido Pkwy. The proposed amendment, as depicted below, will effectively extend the existing school zone to include the intersection of El Sol Dr. at Cypress Creek Rd. LISD staff has indicated support for the proposed amendment as described.



Upon ordinance adoption and publication, appropriate speed limit signs will be installed in compliance with the requirements of the Texas Manual of Uniform Traffic Control Devices.

Initiating Dept: Engineering & Capital Projects

Fiscal Impact

Fund: N/A

Budget

Budget: N/A

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐

Yes

☐

No

City Attorney

Associated Information:

2024-2026 Strategic Plan

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

- Goal: 2. Safe Community
 - o Objective: B. Neighborhoods: Invest in Programs that improve neighborhood safety.
 - i. Monitor traffic patterns and behaviors and consider enhancements for mobility and safety as appropriate.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AMENDING TRAFFIC CONTROL DEVICE INVENTORY – SCHEDULE V, ESTABLISHED AT CEDAR PARK CODE OF ORDINANCES CHAPTER 17 TRAFFIC AND VEHICLES, ARTICLE 17.02 TRAFFIC CONTROL DEVICES, SECTION 17.02.012, SCHOOL ZONES AND SPEED LIMITS, ESTABLISHING AND AMENDING SPEED LIMITS FOR CYPRESS CREEK ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Texas Transportation Code Section 545.356 gives municipalities the authority to alter the prima facie speed limit based on the changes to land use and driving behavior based on an engineering and traffic investigation; and

WHEREAS, the Texas Department of Transportation Procedures for Establishing Speed Zones supports speed limits to be based primarily on the 85th percentile speed;

WHEREAS, the City Council previously established a lowered speed limit of 30 miles per hour on Cypress Creek Road within the marked school zones of Cedar Park Middle School and Cedar Park High School (the “School Zone”) during the effective hours of said school zone as posted; and

WHEREAS, recent changes to the Leander Independent School District attendance zones have impacted attendance rates at both Cedar Park Middle and Cedar Park High Schools, and as a result, both Anderson Mill Road and Cypress Creek Road have experienced increases in traffic volumes during school hours since the original School Zone was established; and

WHEREAS, the City annexed a portion of Cypress Creek Road west of the existing School Zone to the intersection with Anderson Mill Road, effective September 26, 2024; and

WHEREAS, the City Council now desires to extend the School Zone to include a portion of newly annexed Cypress Creek Road and to establish a lowered speed limit of 30 miles per hour during the posted effective hours of said School Zone, in accordance with traffic engineering studies and the Texas Transportation Code.

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

SECTION 1. That the Traffic Control Device Inventory – Schedule V described in the Cedar Park Code of Ordinances, Section 17.02.012, School Zones and Speed Limits is hereby amended as further described below:

Amend the existing Cypress Creek Rd. school zone by establishing a school zone speed limit of 30 mph from approximately 300 feet east of Anderson Mill Rd. to approximately 340 west of El Salido Pkwy.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

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

SECTION 4. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 5th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 12th day of December, 2024, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.1 A Resolution Authorizing Issuance Of A Special Use In Parks Permit To Hitendra Patel At Lakeline Park On January 4, 2025.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: A Resolution Authorizing Issuance Of A Special Use In Parks Permit To Hitendra Patel At Lakeline Park On January 4, 2025.

Commentary

Hitendra Patel is requesting a special use permit to allow an Indian Kite Festival on Saturday, January 4, 2025. The event will utilize the Grand Pavilion and Great Lawn, to include set up and take down, from 9 a.m. until 7 p.m. Hitendra has rented the pavilion for their use on that day and approximately 1,400 participants are expected for the event.

Article 8.03 of the Cedar Park Code of Ordinances pertaining to conduct in parks and playgrounds requires a special permit for this type of activity. Staff respectfully requests Council authorization for the issuance of a special use permit for this event.

The permit application is attached.

Initiating Dept: Parks

Fiscal Impact

Fund: N/A

Budget

Amount: N/A

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal: Livability and Sense of Place
 - Objective: Recreation & Cultural Opportunities

RESOLUTION NO. R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING ISSUANCE OF A SPECIAL USE PERMIT TO HITENDRA PATEL FOR A KITE FESTIVAL AT LAKELINE PARK ON JANUARY 4, 2025; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, pursuant to the Code of Ordinances Chapter 8, Article 8.03, Section 8.03.004 special permits for activities not permitted in City parks or recreation areas shall be obtained by making application to the Director of Parks and Recreation and approved by the City Council; and

WHEREAS, an application for a special use permit was submitted by Hitendra Patel for use of Lakeline Park Grand Pavilion on January 4, 2025; and

WHEREAS, in accordance with the applicable standards for issuance, the proposed activity or use will not unreasonably interfere with or detract from the general public's enjoyment; and

WHEREAS, the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation; and

WHEREAS, the proposed activity or use is not anticipated to include violence, crime or disorderly conduct; and

WHEREAS, the proposed activity or use will not entail extraordinary or burdensome expense or police operation by the City; and

WHEREAS, the proposed activity or use is not in conflict with another scheduled activity; and

WHEREAS, the Director of Parks and Recreation has recommended issuance of the special permit.

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

SECTION 1. The special use permit requested by Hitendra Patel for a Kite Festival at Lakeline Park on January 4, 2025, or an alternate date approved by the Director of Parks and Recreation, is hereby approved.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney



Application for Special Use in Parks
City of Cedar Park – Parks & Recreation Department
1435 Main Street ♦ Cedar Park, TX 78613
(512) 401-5500 ♦ Fax (512)260-1661

APPLICANT INFORMATION

Applicant's Name Hitendra Patel
 Address 1907 Luarel Field City & Zip San Antonio TX 78260
 Home Phone 7147269533 Work Phone _____ E-mail Address indiansinaustin@gmail
 Organization's Name (if applicable) NA Phone Number NA
 Organization's Address NA City & Zip NA

EVENT INFORMATION

Type of Event Kite Festival Date of Event 01/04/2025
 Name of Park Lakeline Park Location in Park Pavellion
 Time Event Begins 9am Time Event Ends 7pm Number of Participants 1400

Will participants be charged? ☐ Yes ☒ No If so, how much? _____

Describe in detail all activities planned (please attach another sheet of paper, if necessary). _____
Kite Festival like what we did last year on 6th Jan 2023, and there will be a
couple of food vendors in this event

Will any type of sound amplifying equipment be used at the event (other than small, portable speakers)? ☒ Yes ☐ No
 If so, please explain what type of equipment will be used. A couple of portable speakers will be at the event and will be some music playing

Will the event include live musical entertainment? ☒ Yes ☐ No If yes, please explain what type of live music. _____
It might have some sort of live music

List any variances required from Park Rules & Regulations that have not been addressed on this application. _____
NA

Will the event interfere with or detract from the general public's enjoyment? ☐ Yes ☒ No

Will the event interfere with or detract from the promotion of public health, welfare, safety and recreation? ☐ Yes ☒ No

Is violence, crime or disorderly conduct anticipated as part of the event? ☐ Yes ☒ No

Will the event entail extraordinary or burdensome expense or police operation by the City? ☐ Yes ☒ No

Is there a conflict with another scheduled activity? ☐ Yes ☒ No

* If you replied "Yes" to any of the above questions, please explain. _____

Applicant's Signature Hitendra Patel

Date 11/04/2024

File Attachments for Item:

F.2 A Resolution Authorizing A Fire Protection Agreement Between The City of Cedar Park And Ranch At Cypress Creek Municipal Utility District No. 1.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Authorizing A Fire Protection Agreement Between The City of Cedar Park And Ranch At Cypress Creek Municipal Utility District No. 1.

Commentary

The City currently provides fire protection and other emergency services to areas of the Ranch At Cypress Creek Municipal Utility District No. 1. (“the District”) pursuant to a Fire Protection Agreement that expires on December 31, 2024.

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

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

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

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

RESOLUTION NO. _____

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

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

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

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

WHEREAS, the City and the District have agreed upon the terms of a new agreement that will extend from December 31, 2024, through December 31, 2029.

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

SECTION 1. Council hereby authorizes and directs the City Manager to execute the Fire Protection Agreement between the City of Cedar Park and Ranch At Cypress Creek Municipal Utility District No. 1, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.3 A Resolution Authorizing A Change Order With J.E. Dunn Construction Company, Inc. For Construction Of The New Cedar Park Library Project In An Amount Not To Exceed \$219,000.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: A Resolution Authorizing A Change Order With J.E. Dunn Construction Company, Inc. For Construction Of The New Cedar Park Library Project In An Amount Not To Exceed \$219,000.

Commentary

The purpose of this resolution is to authorize a change order to the existing Construction Manager-At-Risk ("CMAR") Agreement ("Agreement") with J.E. Dunn Construction Company (JE Dunn) for construction of the New Cedar Park Library Project ("Project"). Guaranteed Maximum Price ("GMP") Amendments were executed on November 17, 2022 and March 9, 2023 to establish contract amount for Project. This will be the second change order to the Project.

The scope of this change order includes various enhancements to the Project requested by City staff. These improvements include but are not limited to the installation of motorized sunshades in the lobby, additional fire suppression sprinklers in the youth exhibit area, revised door hardware, additional traffic bollards, electric and concrete modifications at the water table location, additional film on interior windows, additional light fixtures and electrical hardware, additional signage, and door revisions in the makerspace. This change order also includes labor from the Contractor necessary to construct the requested changes post substantial completion. Finally, this change order includes funding to compensate the Contractor for a portion of incurred general condition expenses assumed at the beginning of the Project. This change order does not require an increase of contract days for the additional work.

Funding for this change order is available in the Project budget and does not require additional funding. Staff has reviewed the proposed scope and determined the proposed costs are fair, reasonable, and recommends authorization to execute a change order with J.E. Dunn Construction Company, Inc. in an amount not to exceed \$219,000.

Initiating Dept: Engineering and Capital Projects

Fiscal Impact

Fund: F55

Budget

Amount: \$219,000

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal 1. *Livability and Sense of Place*
 - Objective B. Bell District
 - Strategy i. Complete construction of new Library and open facility to the public, enhancing learning opportunities and providing community gathering space

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH J.E. DUNN CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION OF THE NEW LIBRARY PROJECT IN AN AMOUNT NOT TO EXCEED \$219,000; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, in accordance with Texas Government Code Chapter 2269, City Council authorized the execution of the Construction Manager-At-Risk ("CMAR") agreement with J.E. Dunn Construction Company ("Contractor") for construction of the new Library Project ("Project") on April 22, 2021 and the agreement was executed on May 5, 2021; and

WHEREAS, City Council authorized the first GMP amendment for an amount not to exceed \$18,196,150 on November 17, 2022, and the first amendment was executed on November 28, 2022; and

WHEREAS, City Council authorized the second GMP amendment for an amount not to exceed \$12,819,102 on March 9, 2023, and the second amendment was executed on March 20, 2023; and

WHEREAS, City staff proposes a change order which includes various enhancements to the Project requested by City staff, additional labor from the Contractor necessary to complete the Project, and additional general conditions expenses incurred during the Project; and

WHEREAS, the change order does not require an increase of contract days for the additional work; and

WHEREAS, funding for this change order is available in the Project budget and does not require additional funding; and

WHEREAS, Staff has reviewed the proposed scope and determined the proposed costs are fair, reasonable, and recommends authorization to execute a change order with J.E. Dunn Construction Company, Inc. in an amount not to exceed \$219,000.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute a change order with J.E. Dunn Construction Company, Inc. for construction of the New Library Project in an amount not to exceed \$219,000, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.4 A Resolution Authorizing The Execution Of A Professional Services Agreement Amendment For Professional Architectural Services With Lake | Flato Architects, Inc. For The Design Of The New Cedar Park Public Library In An Amount Not To Exceed \$98,500.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: A Resolution Authorizing The Execution Of A Professional Services Agreement Amendment For Professional Architectural Services With Lake | Flato Architects, Inc. For The Design Of The New Cedar Park Public Library In An Amount Not To Exceed \$98,500.

Commentary

The purpose of this resolution is to authorize the City Manager to execute a professional services agreement ("PSA") amendment to the original agreement for professional architectural services with Lake | Flato Architects, Inc. for the new Cedar Park Public Library ("Project") in an amount not to exceed \$98,500.

The need for additional design fee relates to various enhancements to the Project requested by City staff throughout the Project that required additional design effort not covered by the initial agreement. These improvements included: public art coordination, increased youth area graphic design ("Be A Tree" graphics), custom millwork design, custom lobby light fixture design, interior and exterior signage coordination, and increased lighting control operations. Additionally, the construction phase required an additional three (3) months of construction phase services that were not included in the original agreement. Finally, City staff requested changes during construction that were outside of the standard construction phase services. These improvements included value engineering of the light fixture package, high-tech maker space HVAC modifications, site grading revisions to incorporate floodplain requirements and as-built Bell District infrastructure, landscape enhancements, and other miscellaneous mechanical, electrical and plumbing improvements.

Staff negotiated the proposed services and associated fees and has determined them to be fair, reasonable, and within the Project budget. Staff now recommends execution of a

professional services amendment to the original agreement for professional architectural services with Lake | Flato Architects in an amount not to exceed \$98,500.

Initiating Dept: Engineering and Capital Projects

Fiscal Impact

Fund: F55

Budget

Amount: \$98,500

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐

Yes

☐

No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal 1. *Livability and Sense of Place*
 - Objective B. Bell District
 - Strategy i. Complete construction of new Library and open facility to the public, enhancing learning opportunities and providing community gathering space

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR PROFESSIONAL ARCHITECTURAL SERVICES WITH LAKE | FLATO ARCHITECTS, INC. FOR THE DESIGN OF THE NEW CEDAR PARK PUBLIC LIBRARY IN AN AMOUNT NOT TO EXCEED \$98,500; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the new Cedar Park Public Library is a general obligation and certificate of obligation bond funded Capital Improvement Project (“Project”); and

WHEREAS, City Council procured services and authorized City Staff to execute an agreement for professional architectural services with Lake | Flato Architects, Inc. on December 17, 2020, and in accordance with Government Code Chapter 2254; and

WHEREAS, the City of Cedar Park and Lake | Flato Architects, Inc. executed an agreement for professional architectural services on December 22, 2020 in an amount not to exceed \$3,110,000; and

WHEREAS, the need for additional design fees relates to various enhancements to the Project requested by City staff throughout the Project that required additional design effort not covered by the initial agreement.; and

WHEREAS, City staff has negotiated a professional services agreement amendment that includes the scope and fee necessary to address these items and has determined them to be fair, reasonable, and within the Project budget; and

WHEREAS, City staff recommends execution of a professional services agreement amendment for professional architectural services with Lake | Flato Architects, Inc. for the Project in an amount not to exceed \$98,500.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute an amendment to the professional services agreement for professional architectural services with Lake | Flato Architects, Inc. for the new Cedar Park Public Library in an amount not to exceed \$98,500, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.5 A Resolution Authorizing A Purchase & Sale Agreement And Related Documents To Exchange Portions Of Properties Located On Adjacent Properties Known As Lots 17 And 18 Of Cardinal Estates Located At 105 And 107 Cardinal Lane.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: A Resolution Authorizing A Purchase & Sale Agreement And Related Documents To Exchange Portions Of Properties Located On Adjacent Properties Known As Lots 17 And 18 Of Cardinal Estates Located At 105 And 107 Cardinal Lane.

Commentary

The purpose of this Resolution is to authorize the execution of a Purchase & Sale Agreement (“PSA”) and related documents to effectuate the exchange of land located on adjacent properties: Lots 17 and 18 of Cardinal Estates known as 105 and 107 Cardinal Lane. Cedar Park Ranchettes 2 & 3 Central Drainage area is listed as a high priority project in the Stormwater Master Plan. The City recently completed the Ranchettes 2 & 3 Central Drainage Project Phase 1 (“Drainage Project”), which includes drainage and channel improvements between Cedar Park Drive and Park Street to mitigate localized flooding. Olivo and Araceli Castillo are the owners of Lot 18/105 Cardinal Lane and the City is the owner of Lot 17/107 Cardinal Lane. In 2022, the City acquired Lot 17/107 Cardinal Lane as part of the Drainage Project. The City has now identified that a portion of Lot 18 located at the northwest corner of Lot 18 shown further below in Figure 2 (“Lot 18 Corner”) is encumbered by the floodway and necessary for the Drainage Project. The City also has available a portion of property located on the southeast side of Lot 17, and as shown further below Figure 1 (“Lot 17 Corner”). The land exchange will reduce the amount of construction costs incurred by the City by eliminating the need to relocate an existing fence.

Staff recommends execution of the PSA and related documents whereby the City conveys to the Castillo’s the Lot 17 Corner in exchange for the Castillos conveyance of the Lot 18 Corner and other considerations, including the reduction of construction costs incurred by the City to mobilize, obtain materials, and hire labor to relocate the fence line.



FIGURE 1. LOT 17 CORNER (FROM EXHIBIT A)



FIGURE 2. LOT 18 CORNER (FROM EXHIBIT B)

Initiating Dept: Engineering and Capital Projects

Fiscal Impact

Fund:

Budget

Amount: No Cost Associated

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal: Infrastructure and Environment: Preserve and enhance the tools and resources necessary to support critical infrastructure and sustainability initiatives.
 - Objective: Infrastructure: Continue to prioritize investments that support the quality and reliability of critical infrastructure.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PURCHASE & SALE AGREEMENT AND RELATED DOCUMENTS TO EFFECTUATE THE EXCHANGE OF LAND LOCATED ON ADJACENT PROPERTIES: LOTS 17 AND 18 OF CARDINAL ESTATES KNOWN AS 105 AND 107 CARDINAL LANE.; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park, Texas (the “City”) is a home-rule municipality; and

WHEREAS, the Cedar Park Ranchettes 2 & 3 Central Drainage area is listed as a high priority project in the Stormwater Master Plan; and

WHEREAS, the City recently completed the Ranchettes 2 & 3 Central Drainage Project Phase 1 (“Drainage Project”), which includes drainage and channel improvements between Cedar Park Drive and Park Street to mitigate localized flooding; and

WHEREAS, both 107 Cardinal Lane and 105 Cardinal Lane are properties located within the boundaries of the Drainage Project; and

WHEREAS, Olivo and Araceli Castillo (“Castillo’s”) are the owners of the 0.4987 acre parcel located at 105 Cardinal Lane and described as lot 18, Cardinal Estates, a subdivision in Williamson County, Texas, as recorded in Cabinet B, Slide 207 of the Plat Records of Williamson County, Texas (“Lot 18”); and

WHEREAS, the City is the owner of the 0.5012 acre tract of land located at 107 Cardinal Lane and described as Lot 17, Cardinal Estates, a subdivision in Williamson County, Texas as recorded in Cabinet B, Slide 207 of the Plat Records of Williamson County, Texas (“Lot 17”); and

WHEREAS, in 2022, the City acquired Lot 17 as part of the Drainage Project; and

WHEREAS, the City has now identified that a portion of Lot 18 located at the northwest corner of Lot 18, and as shown on Exhibit A, attached hereto (“Lot 18 Corner”) is encumbered by the floodway and necessary for the Drainage Project; and

WHEREAS, the City also has available a portion of property located on the southeast side of Lot 17, and as shown on Exhibit B, attached hereto (“Lot 17 Corner”); and

WHEREAS, the parties desire to exchange ownership of the Lot 17 Corner and the Lot 18 Corner; and

WHEREAS, pursuant to Texas Local Government Code Chapter 272, because the Lot 17 Corner is land that because of its small area cannot be used independently under its current zoning or under applicable subdivision or other development controls, the City is not required to publish notice of the offer of the land for exchange; and

WHEREAS, pursuant to the City of Cedar Park Charter Section 10.01, not right of control or use of public property of the City may be transferred except by resolution; and

WHEREAS, such land exchange will reduce the amount of construction costs incurred by the City to mobilize, obtain materials, and labor to relocate the fence line; and

WHEREAS, the Castillo's and the City desire to enter into an agreement whereby the City conveys to the Castillo's the Lot 17 Corner in exchange for the Castillos conveyance of the Lot 18 Corner and other considerations as outlined in the Agreement.

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

SECTION 1. That the City Manager is hereby authorized and directed to execute a Purchase & Sale Agreement and any and all documents to effectuate the conveyance of the Lot 17 Corner in exchange for the Lot 18 Corner, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney



EXHIBIT A

3100 Alvin Devane Blvd, Suite 150
Austin, Texas 78745
Tel: 512.441.9493
www.quiddity.com

LEGAL DESCRIPTION

BEING a 0.0363 acre (1,580 sq. ft.) tract of land situated in the M. P. Anderson Survey, Abstract No. 27, Williamson County, Texas and being a portion of Lot 17, Cardinal Estates as recorded in Cabinet B, Slide 207 of the Plat Records of Williamson County, Texas, being the same property as described in a General Warranty Deed to the City of Cedar Park in Document No. 2022075270 of the Official Public Records of Williamson County, Texas; said 0.0363 acre tract being more particularly described as follows with bearings based on the Texas Coordinate System of 1983, Central Zone:

BEGINNING: at a mag nail found in the center of Cardinal Lane (50' right-of-way) for the southeastern corner of the said Lot 17, the southwestern corner of Lot 4 of the said Cardinal Estates, the northwestern corner of Lot 3 of the said Cardinal Estates, the northeastern corner of Lot 18 of the said Cardinal Estates, for the POINT OF BEGINNING and the southeastern corner of this herein described tract, from which a mag nail found for the southeastern corner of the said Lot 18, the southwestern corner of the said Lot 3, the northwestern corner of Lot 2 of the said Cardinal Estates, the northeastern corner of Lot 19 of the said Cardinal Estates bears South 20°44'14" East a distance of 103.70 feet;

THENCE: South 69°15'05" West a distance of 145.81 feet along the southern line of the said Lot 17, the northern line of the said Lot 18 to a cotton gin spindle set for the southwestern corner of this herein described tract, from which a 5/8-inch iron rod with cap stamped "Quiddity Eng" set on the eastern line of Lot 4 of the West Park Oaks Phase II subdivision recorded in Cabinet O, Slide 159 of the Plat Records of Williamson County, Texas for the southwestern corner of the said Lot 17, the northwestern corner of the said Lot 18 bears South 69°15'05" West a distance of 64.20 feet;

THENCE: across the said Lot 17 the following courses and distances:

1. North 46°01'01" East a distance of 14.14 feet to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set at chain link fence corner;
2. North 63°44'19" East a distance of 102.69 feet to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set at chain link fence corner;
3. North 69°35'19" East a distance of 30.61 feet to a chiseled "X" set on the eastern line of the said Lot 17, the western line of the said Lot 4 for the northeastern corner of this herein described tract;

THENCE: South 20°44'14" East a distance of 15.26 feet along the eastern line of the said Lot 17, the western line of the said Lot 4 to the POINT OF BEGINNING and CONTAINING an area of 0.0363 acres (1,580 sq. ft.) of land.



3100 Alvin Devane Blvd, Suite 150
Austin, Texas 78745
Tel: 512.441.9493
www.quiddity.com

A handwritten signature in blue ink, appearing to read "R. Hackett".

Rex L. Hackett
Registered Professional Land Surveyor No. 5573
rhackett@quiddity.com

10/11/2024
Date:





EXHIBIT B

3100 Alvin Devane Blvd, Suite 150
Austin, Texas 78745
Tel: 512.441.9493
www.quiddity.com

LEGAL DESCRIPTION

BEING a 0.0232 acre (1,012 sq. ft.) tract of land situated in the M. P. Anderson Survey, Abstract No. 27, Williamson County, Texas and being a portion of Lot 18, Cardinal Estates as recorded in Cabinet B, Slide 207 of the Plat Records of Williamson County, Texas, being the same property as described in a Warranty Deed with Vendor's Lien to Olivo & Arcelia Castillo in Document No. 2001039290 of the Official Public Records of Williamson County, Texas; said 0.0232 acre tract being more particularly described as follows with bearings based on the Texas Coordinate System of 1983, Central Zone:

COMMENCING: at a mag nail found in the center of Cardinal Lane (50' right-of-way) for the southeastern corner of Lot 17 of the said Cardinal Estates, the southwestern corner of Lot 4 of the said Cardinal Estates, the northwestern corner of Lot 3 of the said Cardinal Estates, the northeastern corner of the said Lot 18, from which a mag nail found for the southeastern corner of the said Lot 18, the southwestern corner of the said Lot 3, the northwestern corner of Lot 2 of the said Cardinal Estates, the northeastern corner of Lot 19 of the said Cardinal Estates bears South 20°44'14" East a distance of 103.70 feet;

THENCE: South 69°15'05" West a distance of 145.81 feet along the southern line of the said Lot 17, the northern line of the said Lot 18 to a cotton gin spindle set for the POINT OF BEGINNING and the northeastern corner of this herein described tract;

THENCE: across the said Lot 18 the following courses and distances;

1. South 46°12'42" West a distance of 41.98 feet to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set at chain link fence corner;
2. South 29°13'03" West a distance of 33.42 feet to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set on the western line of the said Lot 18, the eastern line of Lot 4 of the West Park Oaks Phase II subdivision recorded in Cabinet O, Slide 159 of the Plat Records of Williamson County, Texas for the southwestern corner of this herein described tract;

THENCE: North 20°43'25" West a distance of 37.93 feet along the western line of the said Lot 18, the eastern line of the said Lot 4 to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set for the northwestern corner of the said Lot 18, the southwestern corner of the said Lot 17, for the northwestern corner of this herein described tract;

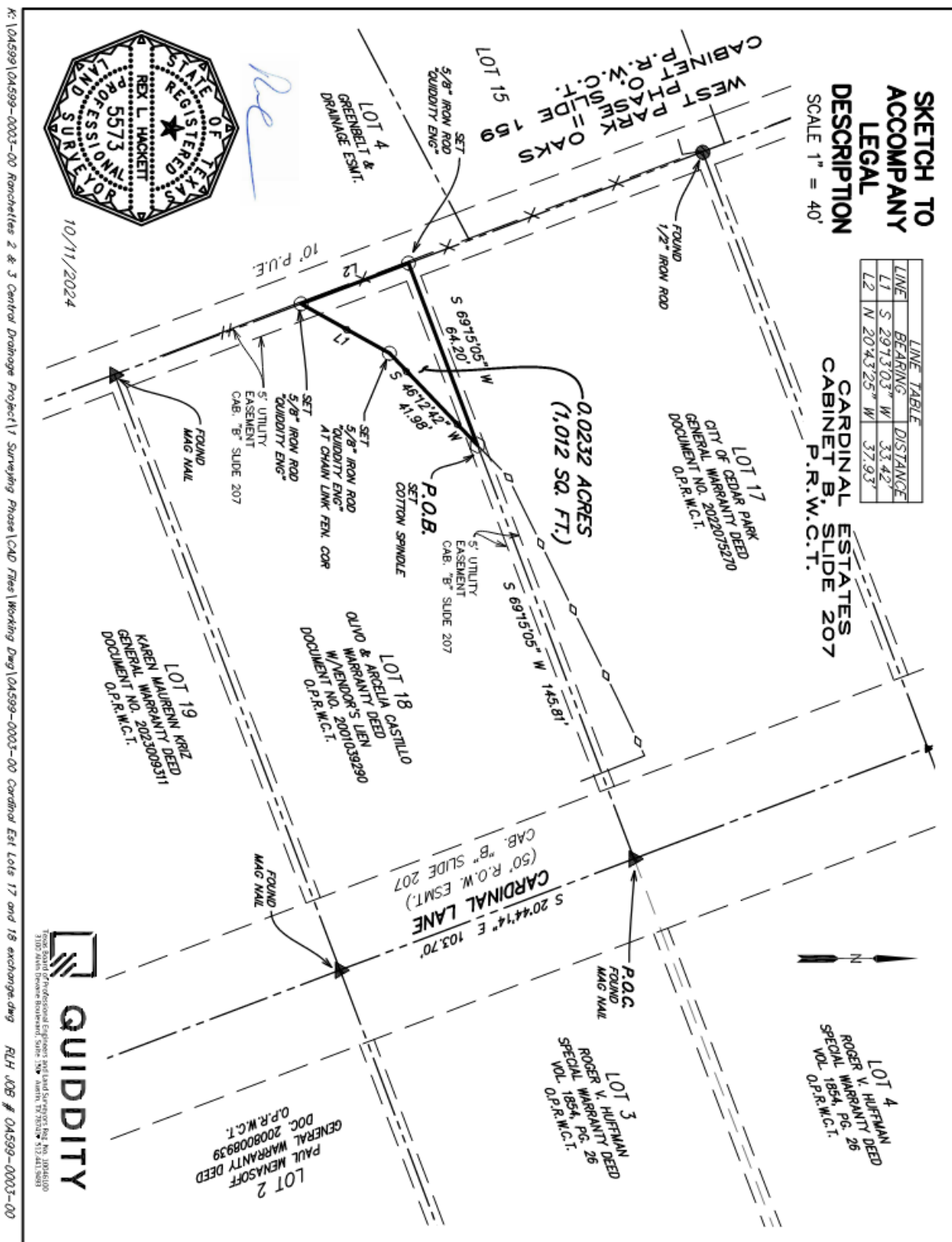
THENCE: North 69°15'05" East a distance of 64.20 feet along the northern line of the said Lot 18, the southern line of the said Lot 17 to the POINT OF BEGINNING and CONTAINING an area of 0.0232 acres (1,012 sq. ft.) of land.

Rex L. Hackett
Registered Professional Land Surveyor No. 5573
rhackett@quiddity.com

10/11/2024
Date:



Texas Board of Professional Engineers and Land Surveyors Registration Nos. F-23290 & 10046100



File Attachments for Item:

F.6 A Resolution Authorizing An Agreement With TK Elevator Corporation For The Modernization Of The Police Department Elevator, In An Amount Not To Exceed \$120,000.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Authorizing An Agreement With TK Elevator Corporation For The Modernization Of The Police Department Elevator, In An Amount Not To Exceed \$120,000.

Commentary

This resolution authorizes an agreement between the City of Cedar Park and TK Elevator Corporation for the modernization of the existing elevator located inside the Police Department. This is a turnkey proposal that includes all electrical, installation, and inspection services needed to update the existing operational equipment of the elevator.

The total cost of the renovation will not exceed \$120,000, and the City plans to utilize Omnia Partners cooperative contract #R200502 with approved vendor TK Elevator Corporation. This purchasing method is in accordance with Texas Local Government Code Chapters 252 and 271.

Initiating Dept: Public Works

Fiscal Impact

Fund: Capital Improvements Fund

Budget

Amount: \$120,000



Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:**2024-2026 Strategic Plan**

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

- Goal: Infrastructure and Environment
 - Objective B: Sustaining Infrastructure and Assets

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TK ELEVATOR CORPORATION FOR THE MODERNIZATION OF THE EXISTING POLICE DEPARTMENT ELEVATOR IN AN AMOUNT NOT TO EXCEED \$120,000; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, modernization of the elevator located at the Cedar Park Police Department is required to ensure continued safe and reliable operation of the elevator; and

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

WHEREAS, Texas Local Government Code Chapter 271 provides that purchases made through a purchasing cooperative satisfy the State law requiring local governments to seek bids; and

WHEREAS, City staff desires to execute an agreement with TK Elevator Corporation in an amount not to exceed \$120,000 for modernization of the Police Department elevator utilizing a cooperative purchasing contract available to the City.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute an agreement with TK Elevator Corporation for the modernization of the Cedar Park Police Department elevator in an amount not to exceed \$120,000, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.7 A Resolution Authorizing An Amendment To An Existing Professional Services Agreement With Terracon Consultants, Inc. To Conduct An Enhanced ADA Evaluation For City Facilities In An Amount Not To Exceed \$66,723.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Authorizing An Amendment To An Existing Professional Services Agreement With Terracon Consultants, Inc. To Conduct An Enhanced ADA Evaluation For City Facilities In An Amount Not To Exceed \$66,723.

Commentary

Title II of the Americans with Disabilities Act (ADA) requires all government entities employing more than 50 people to complete a Self Evaluation of its facilities and develop a Transition Plan to schedule the removal of any barriers discovered during the Self Evaluation.

City Council approved a professional services agreement with Terracon Consultants, Inc. on September 26, 2024 for the performance of a facility condition assessment (FCA), and the agreement was fully executed on October 31, 2024. The request for qualifications (RFQ) under which that consultant was selected also required firms to submit qualifications to perform an Enhanced ADA evaluation of City facilities in conjunction with the FCA to satisfy the requirements of Title II of the ADA. This was not a part of the original agreement because there was not funding for an ADA evaluation in the FY 2024 budget. However, funding in the FY 2025 contract services budget is sufficient to complete the ADA evaluation.

This resolution authorizes the execution of an amendment to the agreement between the City of Cedar Park and Terracon Consultants, Inc. for professional and technical services related to the completion of an enhanced ADA evaluation of City facilities. The primary deliverable will be a report indicating whether each building complies with the requirements of the ADA and if there are any barriers that need to be included in the Transition Plan for removal.

City staff recommends execution of an amendment to an existing agreement with Terracon Consultants, Inc to conduct an enhanced ADA evaluation of City facilities in an amount not to exceed \$66,723.

Initiating Dept: Public Works

Fiscal Impact

Fund: General Fund

Budget

Amount: \$66,723

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal: Infrastructure and Environment
 - Objective: B. Sustaining Infrastructure and Assets
 - Strategy: i. Complete City Facility Maintenance Evaluation and develop implementation plan, including identifying funding and resources.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO AN EXISTING AGREEMENT WITH TERRACON CONSULTANTS, INC TO CONDUCT AN ENHANCED ADA EVALUATION OF CITY FACILITIES IN AN AMOUNT NOT TO EXCEED \$66,723 ; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Title II of the Americans with Disabilities Act (ADA) requires all government entities employing more than 50 people to complete a Self Evaluation of its facilities and develop a Transition Plan to schedule the removal of any barriers discovered during the Self Evaluation.; and

WHEREAS, the City executed an agreement with Terracon Consultants, Inc. on October 31, 2024 for completion of a facility condition assessment following approval of the agreement by City Council on September 26, 2024; and

WHEREAS, the request for qualifications that was issued for the facility condition assessment in compliance with Texas Government Code Chapter 2254 and resulted in the selection of Terracon Consultants, Inc. as the most qualified firm to provide these services also required submittal of qualifications for the performance of an enhanced ADA evaluation; and

WHEREAS, the Fiscal Year 2025 contract services budget includes adequate funding for the completion of an enhanced ADA evaluation of City facilities; and

WHEREAS, City staff recommends execution of an amendment to an existing agreement with Terracon Consultants, Inc in an amount not to exceed \$66,723 to conduct an enhanced ADA evaluation of City facilities.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to negotiate and execute an amendment to an existing agreement with Terracon Consultants, Inc to conduct an enhanced ADA evaluation of City facilities in an amount not to exceed \$66,723, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

James Penniman-Morin, Mayor

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.8 A Resolution Authorizing A Professional Services Agreement For Engineering Project Management Staff Augmentation Services With WSB, LLC In An Amount Not To Exceed \$242,880.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: Consideration Of A Resolution Authorizing A Professional Services Agreement For Engineering Project Management Staff Augmentation Services With WSB, LLC In An Amount Not To Exceed \$242,880.

Commentary

The purpose of this resolution is to authorize the City Manager to execute a Professional Services Agreement (“Agreement”) for engineering project management staff augmentation with WSB, LLC (“WSB”). Over the past two years, WSB has provided engineering staff augmentation through an Agreement authorized by City Council at the December 15, 2022 meeting for one year and a one-year extension at the December 14, 2023 meeting.

The staff augmentation project managers are responsible for project management activities including planning, design and construction of various types of municipal projects such as transportation, road maintenance, and trail projects. Funding for bond program project management was allocated in the 2022 General Obligation Bond Program. The staff augmentation project managers office at the City Hall Campus as needed or remote from the firm’s office and work under the direction of the City’s Capital Projects Manager.

Over the past year, The Engineering & Capital Projects Department has filled three full time staff positions. These new staff members have been executing projects not included in the 2022 Bond Program and are in the process of taking over projects currently managed by the staff augmentation project managers. In order to maintain and promote project consistency and efficiency, staff desires to continue utilizing the staff augmentation project managers while incorporating the new staff members into the respective projects.

The term of the agreement would be (1) one year in an amount not to exceed \$242,880. If staff recommends an additional extension, a recommendation will be presented to City

Council at that time. This agreement may be terminated by the City of Cedar Park for convenience upon notice to WSB.

WSB was originally selected through the RFQ process advertised September 6, 2022. They are now on the list of prequalified firms selected through the RFQ process to provide on-call non site specific professional services advertised May 26, 2023 and approved by City Council at the October 26, 2023 meeting. WSB has over 25 years of experience providing staff augmentation services for municipalities and over the past two years have successfully demonstrated the skills and abilities that meet the project needs of the City. Therefore, City staff recommends a (1) one-year professional services agreement with WSB. for an amount not to exceed \$242,880.

Initiating Dept.: Engineering & Capital Projects

Fiscal Impact

Fund: 2022 GO Bond - PM Funds

Budget

Budget: \$242,880

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

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

- Goal 1. *Livability and Sense of Place*
 - Objective D. Capital Projects
 - Strategy ii. Ensure staffing resources are aligned with anticipated capital project schedules to manage, operate and maintain projects appropriately
- Goal 5. *Mobility and Connectivity*
 - Objective B. Roadways
 - Strategy ii. Design, construct and complete significant roadway, intersections, and turn lane projects

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING PROJECT MANAGEMENT STAFF AUGMENTATION SERVICES WITH WSB, LLC IN AN AMOUNT NOT TO EXCEED \$242,880; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Engineering & Capital Projects Department requires additional project managers to execute and deliver the capital projects included in the 2022 General Obligation Bond project list; and

WHEREAS, proposed staff augmentation project managers would be responsible for project management activities including planning, design and construction of various types of municipal projects such as transportation, road maintenance, and trail projects; and

WHEREAS, funding for bond program project management was allocated in the FY 2022 Bond Program; and

WHEREAS, over the past two years, WSB, LLC has provided engineering staff augmentation through an Agreement authorized by City Council at the December 15, 2022 meeting for one year and a one-year extension at the December 14, 2023 meeting

WHEREAS, WSB, LLC is a prequalified firm selected through the RFQ process to provide on-call non site specific professional services advertised May 26, 2023 and approved by Council at the October 26, 2023 meeting; and

WHEREAS, City staff recommends a (1) one year Professional Services Agreement with WSB, LLC in an amount not to exceed \$242,880.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute a professional services agreement with WSB, LLC for Engineering Project Management Staff Augmentation Services in an amount not to exceed \$242,880, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.9 A Resolution Approving An Annual Rate Adjustment Pursuant To The Collection, Hauling, Recycling And Disposal Of Household Hazardous Waste Agreement Between The City Of Cedar Park And Doliver Enterprises, LLC.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Approving An Annual Rate Adjustment Pursuant To The Collection, Hauling, Recycling And Disposal Of Household Hazardous Waste Agreement Between The City Of Cedar Park And Doliver Enterprises, LLC.

Commentary

The City Council authorized the Collection, Hauling, Recycling and Disposal of Household Hazardous Waste Agreement (“Agreement”) with Doliver Enterprises, LLC. effective February 1, 2023. Included within the Agreement is a methodology for annual rate adjustments based on the cost of inflation. In accordance with this methodology, Doliver Enterprises, LLC. has requested an annual rate adjustment to \$1.08, an increase of 2.6%. Staff has reviewed the calculations supporting this adjustment and have verified the accuracy in accordance with the methodology outlined in the contract.

If Council approves this annual rate adjustment, the effective date of the new rate will be January 1, 2025.

Initiating Dept: Public Works

Fiscal Impact
Fund:

Budget
Amount:

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:**2024-2026 Strategic Plan**

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

- Goal: Service and Fiscal Excellence
 - Objective: Government Operations

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, APPROVING AN ANNUAL RATE ADJUSTMENT PURSUANT TO THE COLLECTION, HAULING, RECYCLING AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE AGREEMENT BETWEEN THE CITY OF CEDAR PARK AND DOLIVER ENTERPRISES, LLC. TO INCREASE THE RATE FROM \$1.05 TO \$1.08 PER MONTH; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park and Doliver Enterprises, LLC. executed the Collection, Hauling, Recycling and Disposal of Household Hazardous Waste Agreement (“Agreement”) effective February 1, 2023, as those terms are defined in the Agreement; and

WHEREAS, Section 5.A. of the Agreement provides that upon approval by City Council, the annual rate may be adjusted, increased or decreased based on inflation; and

WHEREAS, Doliver Enterprises, LLC. has petitioned the City Council for a 2.6% increase in the monthly rate to adjust for an increase in the Consumer Price Index; and

WHEREAS, the data and calculations presented by Doliver Enterprises, LLC. have been reviewed by appropriate City staff who have verified their accuracy.

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

SECTION 1. That the City Council hereby approves a rate adjustment to increase the rate from \$1.05 per month to \$1.08 per month effective January 1, 2025, as provided pursuant to Section 5.A. of the Agreement.

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

PASSED AND APPROVED this 12th day of December 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.10 A Resolution Approving An Annual Rate Adjustment Pursuant To The Residential Services And City Services Agreement Between The City Of Cedar Park And Republic Services.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Approving An Annual Rate Adjustment Pursuant To The Residential Services And City Services Agreement Between The City Of Cedar Park And Republic Services.

Commentary

The City Council authorized the Residential Services and City Services Agreement (“Agreement”) with Republic Services (“Republic”), formerly Central Texas Refuse, LLC. effective February 1, 2020.

Included within the Agreement is a methodology for annual rate adjustments based on the cost of inflation and fuel. In accordance with this methodology, Republic has requested an annual rate adjustment to \$18.14, an increase of \$0.05, or 0.3%.

Staff has reviewed the calculations supporting this adjustment and have verified the accuracy in accordance with the methodology outlined in the contract. Per the Agreement, the maximum annual adjustment is an increase of 5%. Therefore, the requested 0.3% falls well within that range.

If Council approves this annual rate adjustment, the effective date of the new rates will be February 1, 2025.

Initiating Dept: Finance

Fiscal Impact

Fund: Solid Waste

Budget

Amount: \$0

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal: Service and Fiscal Excellence
 - Objective: Government Operations

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, APPROVING AN ANNUAL RATE ADJUSTMENT PURSUANT TO THE RESIDENTIAL SERVICES AND CITY SERVICES AGREEMENT BETWEEN THE CITY OF CEDAR PARK AND REPUBLIC SERVICES. TO INCREASE THE RATE FROM \$18.09 PER MONTH TO \$18.14 PER MONTH; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park and Republic Services, formerly Central Texas Refuse executed the Residential Services and City Services Agreement (“Agreement”) effective February 1, 2020 for Municipal Solid Waste Services, Bulk Waste Services, and Recycling Services, as those terms are defined in the Agreement, for City Facilities, City Events, and Residential Service Units pursuant to the Agreement; and

WHEREAS, Section 21.5 of the Agreement provides that upon approval by City Council, the annual rate may be adjusted, increased or decreased based on inflation and fuel costs; and

WHEREAS, Republic Services has petitioned the City Council for a 0.3% increase in the monthly rate to adjust for an increase in the Consumer Price Index and the cost of fuel; and

WHEREAS, the data and calculated presented by Republic Services have been reviewed by appropriate City Staff,

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

SECTION 1. That the City Council hereby approves a rate adjustment to increase the rate from \$18.09 per month to \$18.14 per month effective February 1, 2025, as provided pursuant to Section 21.5 of the Agreement.

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

PASSED AND APPROVED this the 12th day of December 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.11 A Resolution Authorizing A Contract For Public Affairs Consulting Services With Hillco Partners.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Authorizing A Contract For Public Affairs Consulting Services With Hillco Partners.

Commentary

The City seeks to engage the services of Hillco Partners, LLC (“Hillco”) for analysis and tracking of government actions and decisions during the 89th Legislative Session, which could have an effect on the governmental affairs strategies for the City. Hillco will advise the City on legislative actions contemplated and taken with respect to identified issues and goals and assist with the development of strategies to accomplish the City’s government affairs goals and objectives.

The term of this agreement is effective from January 1, 2025 to December 31, 2026. Services support the City of Cedar Park through the 89th Legislative Session.

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

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

- Goal 1: Livability and Sense of Place
- Goal 2: Safe Community
- Goal 3: Economic Vitality
- Goal 4: Service and Fiscal Responsibility
- Goal 5: Mobility and Connectivity
- Goal 6: Infrastructure and Environment

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT FOR PUBLIC AFFAIRS CONSULTING SERVICES WITH HILLCO PARTNERS, LLC IN AN AMOUNT NOT TO EXCEED \$96,000 PER YEAR FOR 2 YEARS, FOR A TOTAL AUTHORIZED EXPENDITURE NOT TO EXCEED \$192,000; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City wishes to utilize the services of Hillco Partners, LLC (“Hillco”) to provide analysis and tracking of government actions and decisions which could have an effect on the governmental affairs strategy for the City; and

WHEREAS, Hillco has proposed a Contract For Public Affairs Consulting Services whereby Hillco will advise the City on legislative actions contemplated and taken with respect to identified issues and goals and assist with the development strategy to accomplish the City’s government affairs goals and objectives; and

WHEREAS, Hillco will actively represent the City by identifying legislative opportunities to address identified goals and objectives.

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

SECTION 1. That the City Manager is hereby authorized and directed to negotiate and execute a Contract for Public Affairs Consulting Services with Hillco Partners, LLC of Austin, Texas, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

James Penniman-Morin, Mayor

ATTEST:

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

F.12 A Resolution Approving The City Of Cedar Park 2025 Legislative Agenda For The State of Texas 89th Legislative Session.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: A Resolution Approving The City Of Cedar Park 2025 Legislative Agenda For The State of Texas 89th Legislative Session.

Commentary

The item considers approving the City of Cedar Park 2025 Legislative Agenda for the State of Texas's 89th Legislative Session (see Exhibit A).

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

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

- Goal 1: Livability and Sense of Place
- Goal 2: Safe Community
- Goal 3: Economic Vitality
- Goal 4: Service and Fiscal Responsibility
- Goal 5: Mobility and Connectivity
- Goal 6: Infrastructure and Environment

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, APPROVING THE CITY OF CEDAR PARK 2025 LEGISLATIVE AGENDA FOR THE STATE OF TEXAS 89th LEGISLATIVE SESSION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City's Legislative Agenda serves to provide the basis for legislation that the City may either support or oppose; and

WHEREAS, the City may support any legislation that advances the strategic goals and interests of the City and conversely, may oppose any legislation that the Council views as detrimental or contrary to the City's ability to govern itself as a Home Rule City.

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

SECTION 1. That the City Council hereby approves the City of Cedar Park 2025 Legislative Agenda for the Texas 89th Legislative Session, attached as Exhibit A.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney



City of Cedar Park 2025 Legislative Agenda – 89th Legislative Session

The City of Cedar Park seeks to preserve (1) its authority as a Home Rule City and (2) its ability to govern in the best interest of its residents. The City's elected leaders believe local level governance is closest and most responsive to the taxpayers and is best able to produce positive outcomes for Cedar Park's residents. Proactively monitoring the Texas Legislature's activity helps ensure that Cedar Park's taxpayers will continue to enjoy the quality of life that they have come to expect and deserve.

The City of Cedar Park will look favorably on legislation that advances the strategic goals and interests of the City and, conversely, will look unfavorably on legislation that the Council views as detrimental or contrary to the City's ability to govern itself as a Home Rule City. The City will monitor legislation concerning water and infrastructure issues, local fiscal policy, economic development programs, preservation of local land use and annexation authority, public safety (including Civil Service), and other issues that may impact Cedar Park residents.

The City reserves the right to support, oppose, or respond to legislation according to the principles above.

File Attachments for Item:

F.13 A Resolution Authorizing An Amendment To The Possession And Use Agreement For Roadway Construction Purposes With Northland Developments Cedar Park, Inc. For The New Hope Drive Roadway Expansion Project.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: A Resolution Authorizing An Amendment To The Possession And Use Agreement For Roadway Construction Purposes With Northland Developments Cedar Park, Inc. For The New Hope Drive Roadway Expansion Project.

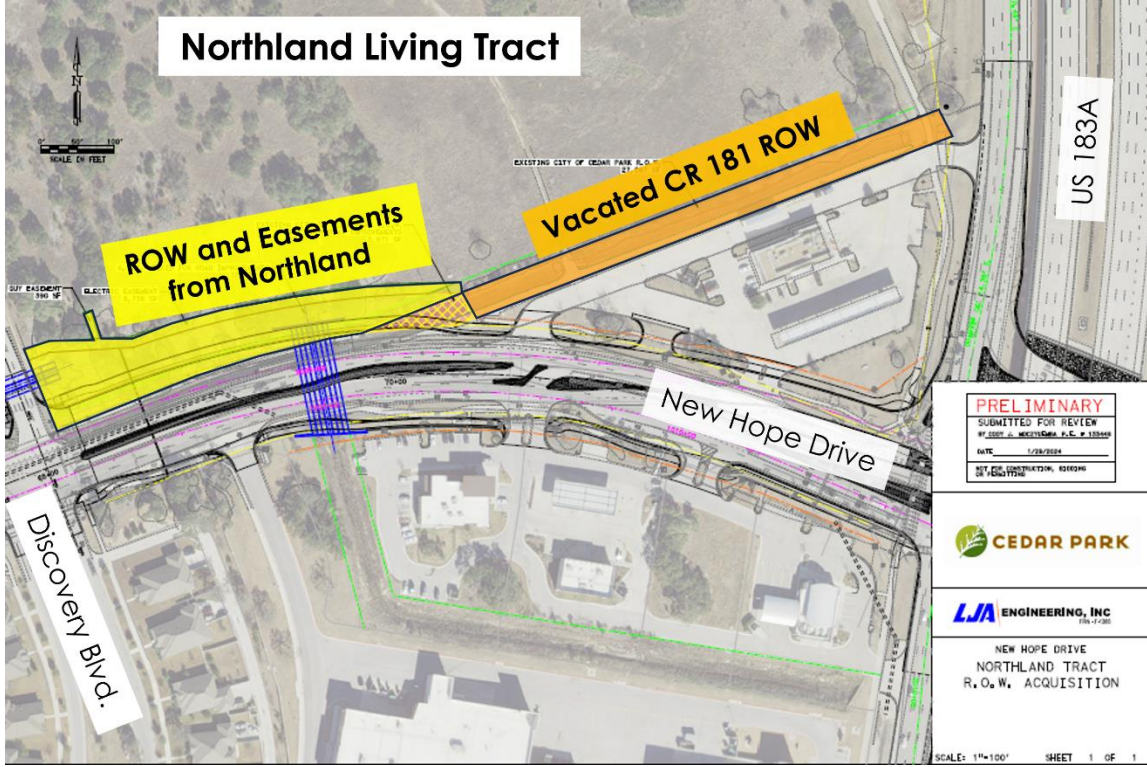
Commentary

The City and Northland Developments Cedar Park, Inc. (“Northland”) executed a Possession and Use Agreement (“Agreement”) for Roadway Construction Purposes for the New Hope Drive Expansion Project (“Project”) on February 13, 2024.

The Agreement grants to the City possession and use of Northland’s below-described property for the purpose of constructing a portion of the Project to widen and improve New Hope Drive near the intersection of Avenue of the Stars.

The three pieces of the Northland’s property that are subject to this Agreement include a 32,579 square foot parcel for Right-of-Way, a 8,736 square foot parcel for an Electrical Easement, and a 390 square foot parcel for a Guying Easement, collectively referred to as “ROW and Easements from Northland”. In exchange, the City agrees to abandon and convey a 0.6218 acre portion of County Road 181 ROW (“Vacated CR 181 ROW”) near the northwest intersection of 183A and New Hope Drive.

A visual depiction of the area showing the two tracts to be swapped and the location of the ROW to be vacated is included below.



During the title insurance acquisition process, the title company discovered that another party also has an ownership interest in the portion of CR 181 to be vacated. On June 13, 2024 City Council authorized an amendment to the Agreement that includes an extension to the closing deadline until December 31, 2024. Staff is working with the title company and the adjacent landowner to finalize the right-of-way analysis. The parties now wish to amend the Agreement to provide a February 1, 2025 deadline for the conveyance of the ROW and Easements from Northland to the City and extend the closing date for all other conveyances of property interests to occur before June 30, 2025.

Initiating Dept: Engineering and Capital Projects

Fiscal Impact

Fund:

Budget

Amount: No Cost Associated

☐ Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ **No City Attorney**

Associated Information:

2024-2026 Strategic Plan

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

- Goal: 3. Economic Vitality
 - Objective: B. Projects that Make Cedar Park a Destination
 - Strategy: i. Advance development of destination projects, including NFM.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING AN AMENDMENT TO THE POSSESSION AND USE AGREEMENT FOR ROADWAY CONSTRUCTION PURPOSES WITH NORTHLAND DEVELOPMENTS CEDAR PARK, INC. FOR THE NEW HOPE DRIVE ROADWAY EXPANSION PROJECT; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City and Northland Developments Cedar Park, Inc. (“Northland”) executed a Possession and Use Agreement for Road Construction Purposes (“Agreement”) associated with the New Hope Drive Roadway Expansion Project (“Project”) on February 13, 2024; and

WHEREAS, on June 13, 2024, City Council authorized an amendment to the Agreement that includes an extension of the closing deadline to December 31, 2024; and

WHEREAS the Agreement allows the City to proceed with the Project without delay for the mutual benefit of the City and Northland; and

WHEREAS, the three pieces of the Northland’s property that are subject to this Agreement include a 32,579 square foot parcel for Right-of-Way, a 8,736 square foot parcel for an Electrical Easement, and a 390 square foot parcel for a Guying Easement; and

WHEREAS, in exchange, the City agrees to abandon and convey a 0.6218 acres portion of County Road 181 ROW near the northwest intersection of 183A and New Hope Drive; and

WHEREAS, such exchange allows for the efficient acquisition of property so the City can proceed with construction of the Project in a timely manner; and

WHEREAS, the parties now wish to amend the Agreement to provide a February 1, 2025 deadline for the conveyance of the ROW and Easements from Northland to the City and extend the closing date for all other conveyances of property interests to occur before June 30, 2025.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to execute an amendment to the Possession and Use Agreement for Roadway Construction Purposes with Northland Developments Cedar Park, Inc. for the New Hope Drive Roadway Expansion Project, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

RESOLUTION NO.

File Attachments for Item:

H.1 Consideration For Appointment Of Christian von Wupperfeld To Place Four On The Economic Development (Type A) Sales Tax Corporation.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: Consideration For Appointment Of Christian von Wupperfeld To Place Four On The Cedar Park Economic Development (Type A) Sales Tax Corporation Board. (Boyce)

Commentary

		Term Length: 2 yr	
		Term: 8/1-7/31	
		Residency Requirement	
7 Person Boards	Apptd by:	Current Members/Term Expires	Applicant
Place One	Hutchinson	Scot Vidrine	
		<i>7.31.25 unexpired term</i>	
Place Two	Kirkland	Petri Darby	
		<i>7.31.24</i>	
Place Three	Duffy	Erin Osman	
		<i>7.31.21</i>	
Place Four	Boyce	Jim Cooper	Christian von Wupperfeld
		<i>7.31.22</i>	<i>Unexpired Term 7.31.26</i>
Place Five	Harris	Brian Rice	
		<i>7.31.23</i>	
Place Six	Jefts	Steve Howard	
		<i>7.31.22</i>	
Place Seven	Penniman-Morin	Kelly Brent	
		<i>7.31.22</i>	



City of Cedar Park

Application for Appointment

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

1. PERSONAL INFORMATION

Full Legal Name Christian Jon von Wupperfeld		Preferred Name Christian	
Spouse's Name [REDACTED]			
Physical Home Address [REDACTED]		Subdivision Bella Vista	
City Cedar Park	State Texas	Zip 78613	
County Travis		Home Phone 512-535-2502	
Mobile Phone 512-653-8725		Work Phone	
Email Address [REDACTED]			
Date of Birth [REDACTED]	Texas Driver License or DPS ID # [REDACTED]		
Are you a registered voter? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

2. AREAS OF INTEREST

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

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

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

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

I spent 35-years as an Army Soldier, serving both on active duty and in the National Guard, retiring in 2018 as a colonel. I have deep experience as a planner and strategic thinker. My family and I have lived in Cedar Park for more than 10 years. With my son's recent graduation for Cedar Park High School and transition to college, I find myself with some additional time. I would like to continue serving my community.

3. Employment History

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

Employer Kahana Feld, LLP	Employer's Address 7600 Chevy Chase Dr., Suite 300 Austin, Texas 78752	Present Job Title Practice Group Manager
		Profession Legal
Job Description Please see CV attached herein. Thank you.		

4. Miscellaneous Information

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

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

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

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

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

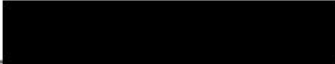
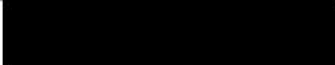
MISCELLANEOUS INFORMATION CONT.

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

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

DWI--Travis County, Texas 1989; plead no contest and completed probation.

In the spaces below, please provide two references.

Name	Contact Number	Relationship to Applicant
Chris Logue		Friend
David Cripe		Friend

CERTIFICATION OF APPLICANT

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

Christian von Wupperfeld

Digitally signed by Christian von Wupperfeld
DN: cn=Christian von Wupperfeld, o=eu,
email=cj_vw@hotmail.com, c=US
Date: 2024.11.06 14:59:12 -06'00'

November 6, 2024

Applicant's Signature

Date

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

City Secretary

City of Cedar Park

450 Cypress Creek Rd, Bldg. 1

Cedar Park, TX 78613

Phone: 512-401-5002

FAX # 512-401-5003

leann.quinn@cedarparktexas.gov

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

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

Christian J. von Wupperfeld

Professional Summary

- Accomplished civilian attorney and Army operational leader.
- Deep strategic and operational planning experience.
- Demonstrated ability to provide timely responses to difficult, complex, and urgent problems.

Professional Experience

Kahana & Feld LLP

January 2024 to Present

Practice Group Manager—Firm lead responsible for developing, implementing, and improving the practice-groups' systems, workflows, and business operations of the firm's practices. Manage day-to-day operations and execute practice group strategies while supporting the profitable, effective operations of the practice groups. Serve as the connector between the services and solutions for the practices' attorneys and the people and resources need to accomplish the work.

- Oversees training and professional development of 90-+ attorneys.
- Conduct analysis of attorney billing trends to identify and correct deviations and ensure maximum staff utilization to drive profitability.

Texas Juvenile Justice Department

September 2018 to January 2024

General Counsel and Chief Ethic Officer—Leads the Office of General Counsel and serves as the primary advisor to the Department's Executive Director and Board on complex legal issues and a wide range of strategic and operational matters. Assigns, and supervises the work and development of nine attorneys and 42 non-attorneys. Provides direction, guidance, and planning of the Department's legal services; directs the development of plans and analysis of legal functions.

- Oversees \$2.8M budget, ensuring team remains "right sized" to meet requirements.
- Resolved lease dispute, saving Department over \$650,000.
- Established template-based contracting program that increased output and reduced errors.

United States Army South

June 2017 to June 2018

Program Manager, Security Force Training Mission (Colonel)—Led compliance advisory teams developing partner security, intelligence, and strategic/operational planning capabilities in 5 Central American countries ensuring that the United States remained regional partner-of-choice.

- Managed identification of leadership attributes and skills required of 105-person training team.
- Established conditions for mission success by developing action plans, timetables, and benchmarks, reviewing progress with teams and stakeholders, adjusting as needed.
- Managed oversight and execution of annual program budget of \$3.5M.

Resolute Support Headquarters, Afghanistan

April 2016 to June 2017

Director, Afghan National Defense Security Force Operations (Colonel)—Leader of four multinational consulting teams working in a complex and dynamic environment to develop the Afghan government's ability to build and sustain security, and improve communication between NATO and Afghan command elements.

- Led transformation of the Afghan National Command Center into the preferred location for Afghan national leaders to gain situational understanding and conduct strategic operations.
- Transformed Afghan command center's organizational structure and job descriptions to migrate their ongoing operations to a more effective and strategic operational platform.
- Developed and implemented personnel training, team building and staffing processes creating a partner network, thus improving crisis communication between NATO and Afghan forces, and enhancing overall security.
- Managed performance of 12 contractor personnel, ensuring adherence to statement of work.

36th Infantry Division**June 2014 to June 2016****Assistant Chief of Staff, Plans (Lt. Colonel)**

Lead operational and strategic plans advisor to Commanding General (CEO) of 19,000 person organization.

- Leader of 27-person cross-functional team, creating a framework and culture supporting development of future-state (3-5 years) strategic plan driving organizational change.
- Utilized analytic and visualization tools to assess impact of varying design and decision solutions.
- Led planning effort during culminating exercise (Warfighter) contributing to unit's selection for deployment to Afghanistan in an area command role, a first for a National Guard unit.

Astin Companies**February 2012 to June 2014**

General Counsel—C-Suite legal advisor for privately held group of companies engaged in diverse activities, including government-funded R&D (Lynntech, Inc.); datacenter operations (Fibertown, Inc.); commercial real estate; and airport operations (Easterwood Airport and Astin Aviation).

- Supervised development of processes and changes to programs that increased efficiency, reduced risk and resulted in significant savings, greater productivity and increased customer satisfaction.
- Led rewrite of personnel policies, eliminating more than \$2 million in potential liabilities.
- Oversaw renegotiation of pre-existing contracts, resulting in \$1.6 million savings.
- Collaborated with other C-Suite leaders to develop and execute company strategies, while advising them on legal and risk management issues.

Dell, Inc.**July 2006 to February 2012**

Senior Manager, Federal Contracts—Contracting expert responsible for negotiating, conducting due diligence, and post-sale management of \$2.5 billion contract portfolio.

- Independently managed complex contract negotiations and administration between Dell and the US military services, resulting in over \$1.5B in revenue and with no compliance issues.
- Developed strategy and led negotiations for VA contracts driving over \$710 million in revenue.
- Advised, educated, and supported sales team on contract compliance.
- Evaluated customer feedback and service metrics resulting in over 90% repeat business.

Multi-National Force Iraq**August 2008 to September 2009**

Strategist & Red Team Leader, (Major and Lt. Colonel)—Provided 4-star theater commander critical and strategic analysis, resulting in enhanced decision making.

National Guard Bureau**November 2004 to July 2006**

Legal Officer (Major)—Provide legal, technical, and analytical expertise to enable the transformation of National Guard Counter-Drug program to support Homeland Defense/Security and Global War on Terror.

Fletcher & Springer, L.L.P.**September 2001 to November 2004****Associate Attorney**

State and federal court litigation practice focusing on commercial litigation, insurance defense and defense of governmental entities.

Education

University of Houston Law Center, Juris Doctorate — Order of Barristers (national oral advocacy honor)

United States Army War College, Masters in Leadership and Strategy

The University of Texas at Austin, Bachelor of Journalism (minor in Business)

U.S. Army Red Team Leader Course (18-week post-graduate critical analysis course)

Certifications and Interests

Admitted to Practice of Law, State Bar of Texas (Active License)

Avid Runner: Completed 31 marathons and 2 ultra marathons

File Attachments for Item:

H.2 (2024-7-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 7.79 Acres Generally Located At The Southwest Corner Of East Whitestone Boulevard And Arrow Point Drive.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: (2024-7-FLU) Consideration Of A Future Land Use Plan Amendment Petition Requesting An Amendment From Local Office/Retail/Commercial (LOC) To Regional Office/Retail/Commercial (REG) For Approximately 7.79 Acres Generally Located At The Southwest Corner Of East Whitestone Boulevard And Arrow Point Drive.

Staff	Cindy Schlanger, AICP, 512-401-5082, cindy.schlanger@cedarparktexas.gov
Owner	First Cedar Park Capital Funding, LLC
Agent	Waeltz & Prete, Inc. c/o Antonio A. Prete, P.E.
City Limits	Yes
Current Zoning	Professional Office (PO)
Existing Future Land Use Plan	Local Office/Retail/Commercial (LOC)
Proposed Future Land Use Plan	Regional Office/Retail/Commercial (REG)
Major Corridor	East Whitestone Boulevard
Summary of Applicant's Request	Accept a FLUP Amendment Petition to change the Future Land Use designation to Regional Office/Retail/Commercial (REG) for approximately 7.79 acres.

This petition represents a request to amend the Future Land Use Plan (FLUP) for the 7.79-acre subject property from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG). Located at the southwest corner of the intersection of East Whitestone Boulevard and Arrow Point Drive, the subject property is vacant and zoned Professional Office (PO).

The 2024 Comprehensive Plan envisions the subject property as Local Office/Retail/Commercial (LOC) as shown on Exhibit A. A summary of how the FLUP percentages will change if amended from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG) is provided below:

FLUP DESIGNATION	CURRENT FLUP ACRES	PERCENT OF TOTAL ACRES	PROPOSED FLUP ACRES	PROPOSED PERCENT OF TOTAL ACRES
Local Office/Retail/Commercial (LOC)	1,432.82	6.71%	1,425.03	6.67%
Regional Office/Retail/Commercial (REG)	1,959.45	9.18%	1,967.24	9.21%

The Comprehensive Plan envisions much of the East Whitestone Boulevard corridor in this area to be developed with a mix of commercial and office development that serves the regional community. However, the subject property and immediate surrounding properties along the south frontage of the East Whitestone corridor, are envisioned for a mix of retail and office development that would be compatible with and serve adjacent residential developments. The abutting FLUP designations, zoning districts and existing land uses are summarized in the table below:

DIRECTION	FLUP	ZONING	EXISTING USES
North	Regional Office/Retail/ Commercial (REG)	General Business (GB); Planned Development- General Business (PD-GB)	Bank; Retail; Restaurant
South	Low Density Residential (LDR)	Suburban Residential (SR)	Single Family Residential
East	Regional Office/Retail/ Commercial (REG)	General Business (GB)	Restaurant; Hotel
West	Low Density Residential (LDR)	Local Business (LB); Suburban Residential (SR); and None (ETJ)	Single Family Residential

Based on the attached letter of intent and concept plan, the Applicant wishes to develop the overall 7.79-acre subject property into a general business and retail center with five (5) buildings totaling approximately 64,000 square feet. The concept plan includes a 13,500 square foot grocery store on the northern half of the property and four (4) additional office/showroom/warehouse buildings totaling about 50,000 square feet on the southern portion of the property.

If accepted, this Future Land Use Plan Amendment (2024-7-FLU) will allow the applicant to proceed with the process to amend the Future Land Use designations and rezone the subject

property to General Business (GB) to accommodate the proposed commercial development. A similar request was accepted by the City Council on July 22, 2021; however, the request was later withdrawn during the rezoning process at the request of the applicant.

History

The following chart outlines the FLUP History for this property.

YEAR	FLUP DESIGNATION	FLUP DESCRIPTION
1998 Comprehensive Plan	High Intensity	Supports industrial parks, employment centers, light manufacturing.
2006 Comprehensive Plan	Regional Office/Retail/Commercial	Supports a broad range of land uses from small-scale offices for transitional areas bordering neighborhoods, to large scale corporate offices, retail, and mixed use developments.
2014 Comprehensive Plan	Local Office/Retail/Commercial	Supports light retail, service uses, and professional office for residents in the immediate vicinity.

Future Land Use Description

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

Local Office, Retail, and Commercial (LOC)

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

Regional Office, Retail, and Commercial (REG)

This land use is compatible on larger land parcels and is suitable for a broad range of retail, service uses and professional office activities that aim to meet the needs of residents within a three to five mile radius or more. The developments in this category are typically larger in scale, more intense and are also high generators of traffic, generally more appropriate around employment centers, along 183A and RM 1431. This category is intended to incorporate a blend of nonresidential uses, such as retail shopping centers, mid-rise corporate office parks, medical campuses, and technology

parks. They are characterized by large parking lots where buildings may be of multiple stories as they highly depend on visibility from major roadways. It is encouraged that building designs within this zone be coordinated when possible. Types of uses in this land use category include business parks, hotels, and “big box” retailers.

Petition Process:

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

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

Acceptance by the City Council of a FLUP amendment Petition shall not constitute or guarantee approval of the proposed FLUP amendment. Acceptance of a FLUP amendment Petition only indicates an applicant may proceed through the FLUP amendment process. If the City Council does not vote to accept or table the FLUP amendment Petition, the Petition shall be deemed denied. The Applicant's materials, which include a Summary Memorandum, Statement of Comprehensive Plan Goals furthered by the Petition, and other supportive materials are attached (see Exhibit C).

Initiating Dept: Development Services

Fiscal Impact

Account No.: n/a

Budget

Budget/Expended: n/a

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

Exhibit A: Current Future Land Use Plan

Exhibit B: Proposed Future Land Use Plan

Exhibit C: Applicant's Materials in Support of Petition

Exhibit A
Existing Future Land Use Plan

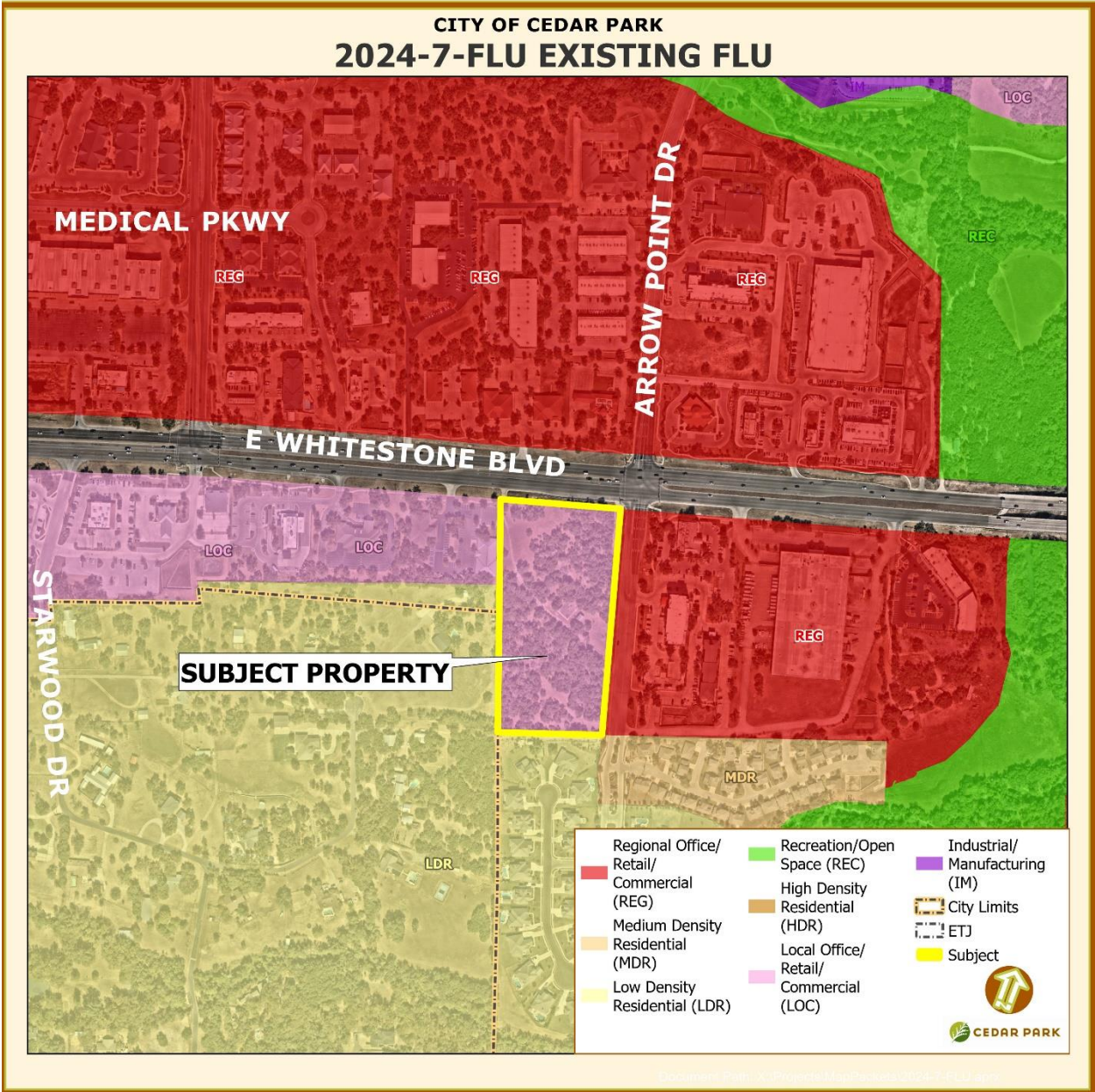


Exhibit B
Proposed Future Land Use Plan

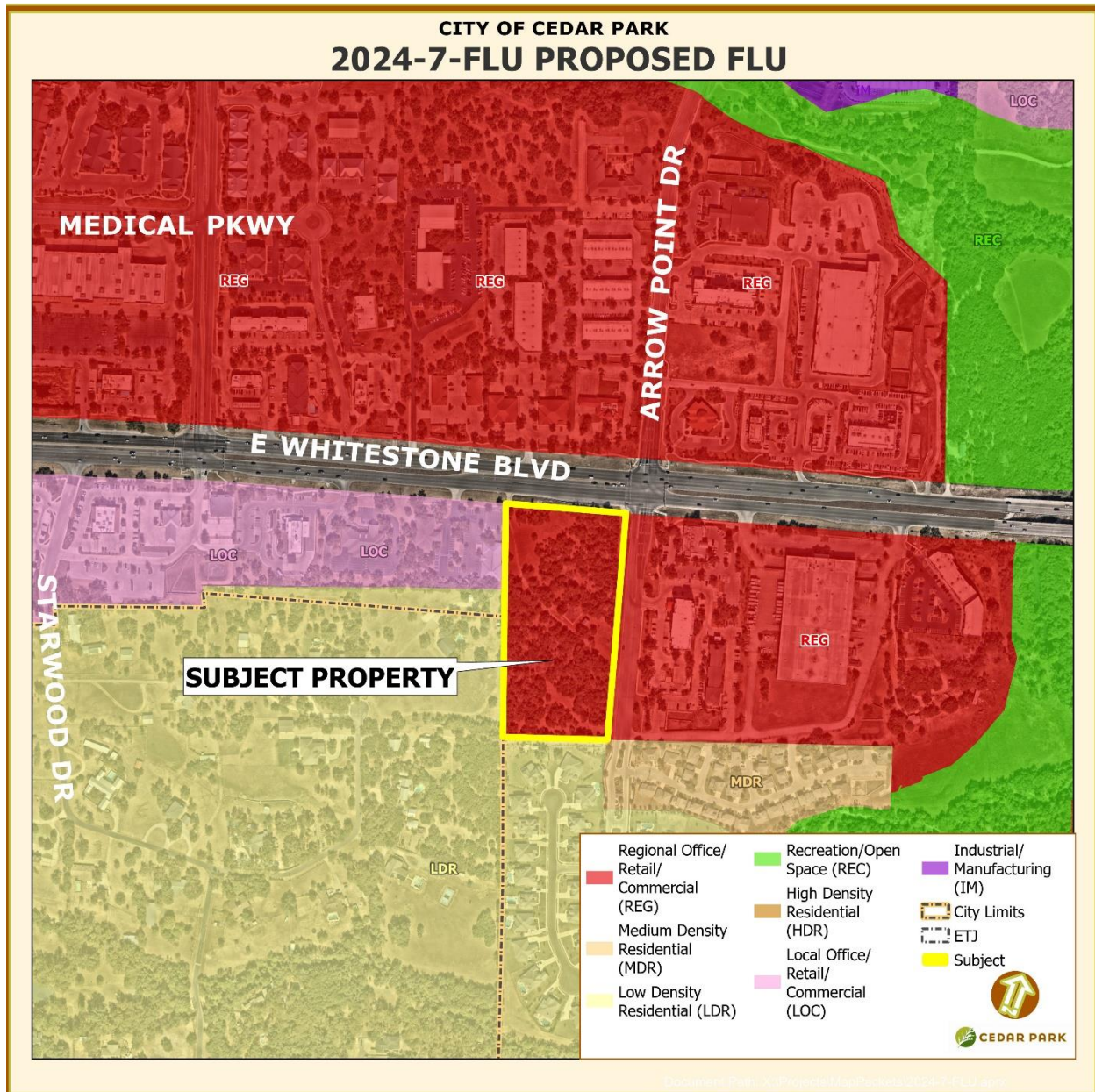


Exhibit C: Applicant's Materials

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

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

CEDAR PARK**Development Services Intake**

450 Cypress Creek Road, Building 2

Cedar Park, TX 78613

Office: 512-401-5100

Fax: 512-258-1471

Project Name: _____

Submittal Date: _____

SFP Permit #: _____

(City will assign)

**FUTURE LAND USE PETITION**

APPLICATION & CHECKLIST

ABOUT FUTURE LAND USE PLAN AMENDMENT PETITIONS

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

INSTRUCTIONS

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

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

CEDAR PARK

Development Services Intake
 450 Cypress Creek Road, Building 2
 Cedar Park, TX 78613
 Office: 512-401-5100
 Fax: 512-258-1471

PROJECT INFORMATION

Project Name: Arrow Point

Proposed Amendment: From: Local Office/Retail/Commercial To: Regional Office/Retail/Commercial

Project Location/Address: FM 1431, Cedar Park, TX 78613

Project Legal Description: 7.793 Acres out of the Samuel Damon Survey, Abstract No. 170, Williamson County, Texas

REQUIRED ITEMS FOR CITY COUNCIL CONSIDERATION OF FLUP PETITION

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

CEDAR PARK

Development Services Intake
 450 Cypress Creek Road, Building 2
 Cedar Park, TX 78613
 Office: 512-401-5100
 Fax: 512-258-1471

OWNER'S ACKNOWLEDGMENT & DESIGNATION OF AGENT

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

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

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

☐ I will represent my petition before the City Council.

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

Owner's Name (Printed): First Cedar Park Capital Funding, LLC

Owner's Address: 2537 Golden Bear Dr., Carrollton, TX 75007

Owner's Phone: 212-758-4311 Cell: _____ Email: Shladky@bbel.com

Owner's Signature: [Signature] Date: 11-13-24

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

Agent's Name (Printed): Waeltz & Prete, Inc. - Antonio A. Prete, P.E.

Agent's Address: 211 North A.W. Grimes, Round Rock, TX 78665

Agent's Phone: 512-505-8953 Cell: 512-423-8730 Email: tony@w-pinc.com

Agent's Signature: [Signature] Date: 13Nov24

The signature of the owner authorizes City of Cedar Park staff to visit and inspect the property for which this application is being submitted and that all required documents are provided in this submittal. Note: The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.



November 18, 2024

City of Cedar Park
Development Services Department
Attn: Ms. Cindy Schlanger
450 Cypress Creek Rd
Cedar Park, TX 78613

**RE: Future Land Use Petition for:
7.793 Acres out of the Samuel Damon Survey, Abstract No. 170
Williamson County, TX**

Dear Ms. Schlanger:

This letter is being submitted in support of a proposed land use change for the above referenced property.

The amendment to the Future Land Use Plan (FLUP) seeks to reclassify the property from Local Office/Retail/Commercial (LOC) to Regional Office/Retail/Commercial (REG), facilitating its development into a general business and retail center. This change will also enable the rezoning of the tract from Professional Office (PO) to General Business (GB), accommodating the proposed grocery store and Flex Office/Warehouse. The GB zoning aligns with the zoning on the other three corners of this intersection and mirrors the existing development pattern along Whitestone Blvd. Additionally, the majority of the zoning along this section of Whitestone Blvd. is General Business, with a Future Land Use (FLU) designation of Regional Office/Retail/Commercial (REG). Our objective is to transform the property into a high-quality hub that offers services to the surrounding neighborhoods and the broader Cedar Park community.

Proposed Development:

The property is located at the southwest corner of Whitestone Blvd. and Arrow Point Dr. Whitestone Blvd. is a major arterial road, while Arrow Point Dr. serves as a primary collector. The site has driveway access to both roadways. The surrounding zoning categories are as follows:

- West: Local Business (LB)
- South & Southwest: Suburban Residential (SR)

- East: General Business (GB)
- North: General Business (GB)

The proposed development aims to create a cohesive and integrated space, as illustrated in the attached concept plan. It includes a 13,500 square foot national grocery store (Trader Joe's) at the prominent corner of the site, with a Flex Office/Warehouse situated towards the rear. The development features five buildings designed to accommodate single or multiple users, with approximately 50,000 square feet of retail space centered around landscaped areas and outdoor spaces strategically located to complement the indoor spaces and enhance the overall atmosphere.

Amendment Justification Criteria:

The City's *Future Land Use Petition* check list establishes criteria for justifying a FLUP Amendment. The following bullet points articulate how the proposed land use achieves these goals.

1. How the proposed change will enhance the site and the surrounding area?:

The FLUP amendment will facilitate the rezoning of the tract to General Business (GB), enabling the development of a grocery store and Flex Office/Warehouse center. This development will serve the surrounding neighborhoods and residents throughout Cedar Park. The proposed project aligns with the City's intent, as established under the current zoning, to provide a commercial frontage along Whitestone Blvd. Additionally, it will enhance the area by offering essential commercial amenities, thereby supporting local economic growth and improving the quality of life for residents. The development will create a vibrant commercial hub that meets the needs of the community and contributes to the overall attractiveness and functionality of the area.

2. Is the necessary infrastructure in place to accommodate development in compliance with the land use change?:

The City's existing water and wastewater infrastructure is adequately sized to support the proposed land uses. There is a 24-inch water main along the Whitestone Blvd. right-of-way (ROW) line and an 8-inch water line along the Arrow Point Dr. ROW line. Additionally, the tract has two wastewater stubs that connect to the City's wastewater system. Furthermore, underground dry utilities are located within the right-of-way, providing the necessary services for electric and telecommunications. This existing infrastructure ensures that the proposed development can be

accommodated without requiring significant upgrades or modifications, thereby supporting the efficient and sustainable growth of the area

3. How the proposed change reflects the vision identified by the Future Land Use Plan?:

The Regional Office/Retail/Commercial future land use designation is intended for properties that are sufficiently large to support a variety of uses within a single development, catering to the needs of residents within a 3-5 mile radius or more. As illustrated in the attached concept plan, the property is ample enough to accommodate over 63,500 square feet of retail and commercial space, making it ideally suited to host a diverse range of uses. Additionally, its location on a major west-to-east arterial roadway ensures it can effectively serve residents from several miles away. This alignment with the Future Land Use Plan's vision underscores the property's potential to become a significant commercial hub that meets the broader community's needs.

4. Whether or how the subject property is compliant with surrounding land uses and zoning?:

The zoning of surrounding properties along the Whitestone Blvd. and Arrow Point Dr. corridor includes a mix of General Business (GB), Local Business (LB), and Professional Office (PO) zoning. The other three corners at this intersection are zoned GB. This property is the last tract of land in this localized area to be developed, with all other properties already developed. The developed properties in this area include a variety of uses such as restaurants, offices, medical offices, and a hotel. To the south and southwest, the site is bordered by Suburban Residential zoning.

To ensure compatibility with the adjacent residential areas, the proposed development will adhere to compatibility standards, including a minimum 30-foot building setback, a 20-foot landscape buffer, and an 8-foot tall masonry wall to screen the development from the residential uses at the rear. Additionally, to further enhance compatibility with the neighboring residential properties, building heights will be limited to 35 feet within 100 feet of single-family homes. These measures will help integrate the development harmoniously with the surrounding land uses and zoning.

5. How the proposed land use enhances adjacent areas?:

This FLUP amendment would enhance the area by allowing a national grocery chain to establish a presence, which would be a significant benefit for the City of Cedar Park. The addition of a grocery store addresses a critical need for the residents in the area, providing convenient access to essential goods and services. Furthermore,

it would create additional opportunities for the development of retail services within the city limits, particularly near existing neighborhoods. This development would not only meet the immediate needs of the local community but also contribute to the overall economic vitality and attractiveness of the area.

6. How compatibility will be addressed between the proposed development and adjacent uses?:

As previously discussed, the proposed development will adhere to strict compatibility standards to ensure harmony with the adjacent residential areas. These standards include a minimum 30-foot building setback, a 20-foot landscape buffer, and an 8-foot tall masonry wall to screen the development from the residential uses at the rear. Additionally, building heights will be limited to 35 feet within 100 feet of single-family homes to further enhance compatibility with neighboring residential properties. These measures will help integrate the development seamlessly with the surrounding land uses and zoning. The proposed land use will be compatible with the existing properties at the intersection and to the west, ensuring a cohesive and well-planned community.

7. How the proposed land use provides an enhanced benefit to public health, safety and welfare of the community over the current future land use designations?:

The proposed land use change to General Business (GB) offers several enhanced benefits to public health, safety, and welfare compared to the current future land use designations. Firstly, the introduction of a national grocery store will improve access to fresh and healthy food options for the community, promoting better nutrition and overall health. This is particularly beneficial in areas that may currently lack convenient access to such amenities.

Secondly, the development will include modern infrastructure and design standards that prioritize safety. The site will feature well-lit parking areas, pedestrian pathways, and traffic management measures to ensure safe access for both vehicles and pedestrians. These improvements will reduce the risk of accidents and enhance the overall safety of the area.

Furthermore, the proposed development will create a vibrant commercial hub that supports local businesses and generates employment opportunities. This economic boost will contribute to the welfare of the community by providing jobs and stimulating local economic growth. The presence of a grocery store and other retail services will also reduce the need for residents to travel long distances for their shopping needs, thereby reducing traffic congestion and associated environmental impacts.

Overall, the proposed land use change aligns with the community's needs and enhances public health, safety, and welfare by providing essential services, improving infrastructure, and supporting economic development.

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

The proposed project will significantly contribute to the City's long-term economic well-being by providing commercial development that enhances the tax base and creates job opportunities. The introduction of a national grocery store and additional retail and office spaces will attract new businesses to the area, fostering economic growth and diversification. This development will generate substantial tax revenue for the City, which can be reinvested into public services and infrastructure improvements, benefiting the entire community.

Moreover, the creation of new jobs within the grocery store, retail outlets, and office spaces will provide employment opportunities for local residents, reducing unemployment rates and boosting household incomes. The presence of a vibrant commercial hub will also stimulate further investment in the area, encouraging the development of complementary businesses and services.

Overall, the proposed land use change will not only support immediate economic growth but also lay the foundation for sustained economic prosperity, ensuring the City's long-term economic well-being.

Statement of Relevant Goals and Objectives:

Objective 1 (Land Use): Focus on business attraction and retention to be a destination for major employers and innovative entrepreneurs.

- Amending the FLUP will pave the way for the development of new commercial spaces that are essential for attracting and retaining major employers and innovative entrepreneurs. The proposed project will create a dynamic business environment by providing modern facilities that cater to the needs of diverse businesses. This development will not only enhance the economic landscape of Cedar Park but also establish it as a prime destination for business growth and innovation. By offering a mix of retail, office, and flexible workspaces, the project will support the City's goal of becoming a hub for major employers and entrepreneurial ventures, thereby contributing to the long-term economic vitality of the community.

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

- The proposed development will contribute to the creation of central gathering areas that are both interesting and vibrant, fostering social interaction within the community. By incorporating landscaped areas and outdoor spaces strategically located around the retail and office buildings, the development will provide inviting environments for residents to gather, socialize, and engage in community activities. These spaces will be designed to complement the indoor areas, enhancing the overall atmosphere and making the site a lively hub for social interaction. The inclusion of a national grocery store and various retail outlets will further attract residents, creating a bustling center that encourages frequent visits and community engagement.

Objective 5 (Land Use): Encourage redevelopment in appropriate locations throughout the City.

- The property is the last undeveloped tract in this localized area, making it an ideal candidate for redevelopment. The proposed land uses are well-suited for this location along a major arterial road, Whitestone Blvd. This development will introduce diverse uses, including a national grocery store and Flex Office/Warehouse, which are not present at any of the other sites at this intersection. By bringing in these varied uses, the project will enhance the area's functionality and appeal, supporting the City's goal of encouraging redevelopment in appropriate locations.

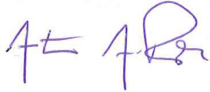
Objective 20 (Livability) Improve the walkability and connectedness of Cedar Park for pedestrians and bicyclists.

- The proposed development will significantly enhance the walkability and connectivity of Cedar Park. Located adjacent to a neighborhood with limited access to commercial amenities, the property will provide a much-needed pedestrian-friendly option. The site is within a 15-minute walk or half-mile pedestrian shed of hundreds of homes, making it easily accessible for residents on foot. By offering convenient access to essential services and retail options without the need for a car, the development will promote a healthier, more active lifestyle and contribute to a more connected community. This aligns with the City's vision of improving livability by creating safe, accessible pathways for pedestrians and bicyclists.

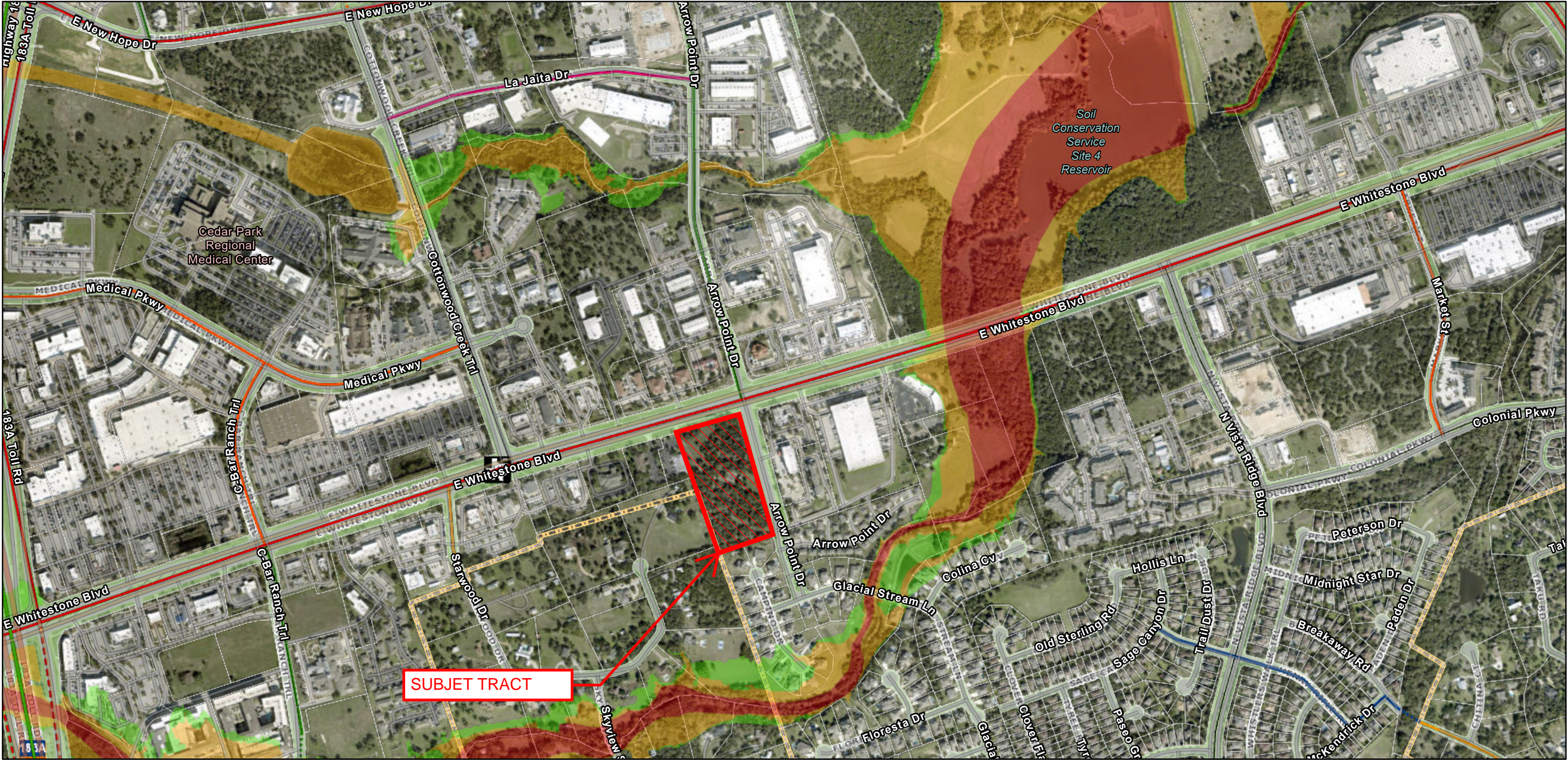
We hope this letter has adequately addressed our justification for the amendment to the Future Land Use Plan (FLUP) and clearly demonstrated how this development aligns with the objectives of the City's comprehensive plan.

Should you have any questions or require further information, please do not hesitate to contact me.

Respectfully Submitted,



Antonio A. Prete, P.E.
Waeltz & Prete, Inc.



11/13/2024, 11:38:16 AM

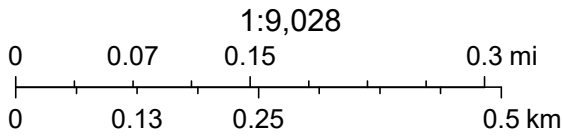
COLLECTORS

- PRIMARY COLLECTOR
- COMMERCIAL COLLECTOR
- INDUSTRIAL COLLECTOR
- NEIGHBORHOOD COLLECTOR
- RESIDENTIAL COLLECTOR
- PRIMARY COLLECTOR (Proposed)
- COMMERCIAL COLLECTOR (Proposed)

- INDUSTRIAL COLLECTOR (Proposed)
- NEIGHBORHOOD COLLECTOR (Proposed)
- RESIDENTIAL COLLECTOR (Proposed)
- ARTERIALS
- MAJOR ARTERIAL
- MAJOR ARTERIAL (PLANNED)
- MINOR ARTERIAL
- MINOR ARTERIAL (PLANNED)

- TOLLWAY
- FloodZones_2019
- 0.2 PCT Annual Chance Flood Hazard (500 Yr Flood)
- Zone A (Approximate Flood Zone)
- Zone AE (1 PCT Chance Annual Flood Hazard (100 Yr Flood))
- Zone AE Incl Floodway
- City Limits
- City Limits

- ETJ
- Right of Way
- Median
- Right of Way
- Parcels
- Roadways



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SCALE: 1/64" = 1'-0"



This drawing is conceptual only and for the convenience of reference. All shown dimensions, utility easements, lot property lines, grading, and site requirements pertaining to the property should be verified by surveyor and/or civil engineer before actual construction.

CEDAR PARK RETAIL MASTER PLAN

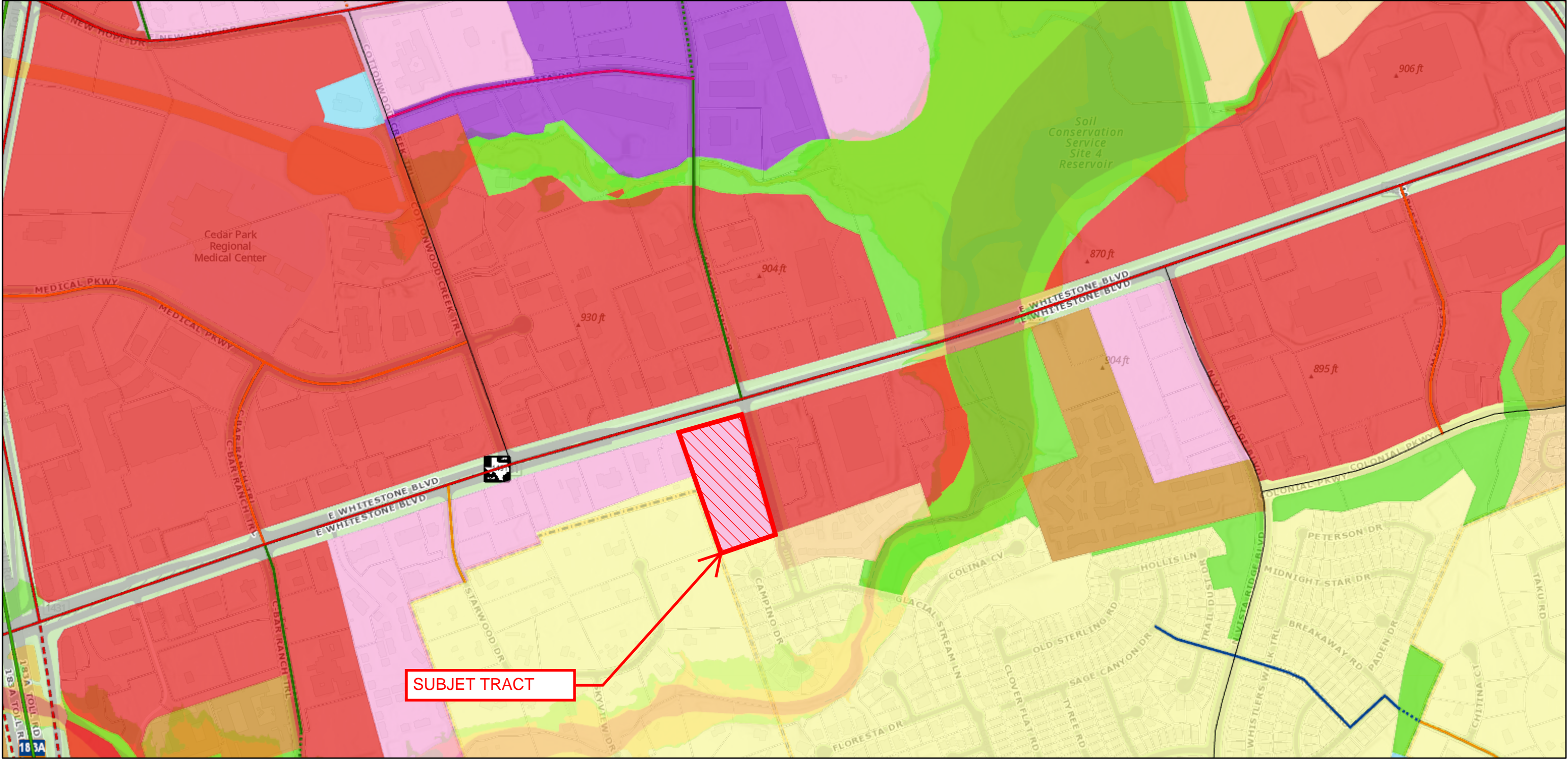
FM 1431 & ARROW POINT ROAD
CEDAR PARK, TEXAS

SITE PLAN

project #: 22.154
02.19.24

EXHIBIT 1.4

Future Land Use Map



11/13/2024, 11:34:20 AM

COLLECTORS

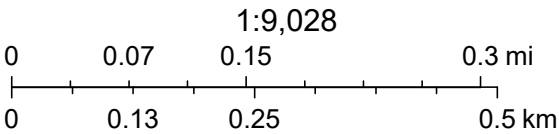
- PRIMARY COLLECTOR
- COMMERCIAL COLLECTOR
- INDUSTRIAL COLLECTOR
- NEIGHBORHOOD COLLECTOR
- RESIDENTIAL COLLECTOR
- PRIMARY COLLECTOR (Proposed)
- COMMERCIAL COLLECTOR (Proposed)
- INDUSTRIAL COLLECTOR (Proposed)
- NEIGHBORHOOD COLLECTOR (Proposed)

- RESIDENTIAL COLLECTOR (Proposed)
- MAJOR ARTERIAL
- MAJOR ARTERIAL (PLANNED)
- MINOR ARTERIAL
- MINOR ARTERIAL (PLANNED)
- TOLLWAY
- Future Land Use
- Focused Planning Areas (PA)
- Focused Planning Areas (PA)

- Focused Planning Areas (PA)
- Focused Planning Areas (PA)
- Focused Planning Areas (PA)
- Focused Planning Areas (PA)
- Focused Planning Areas (PA)
- Focused Planning Areas (PA)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)

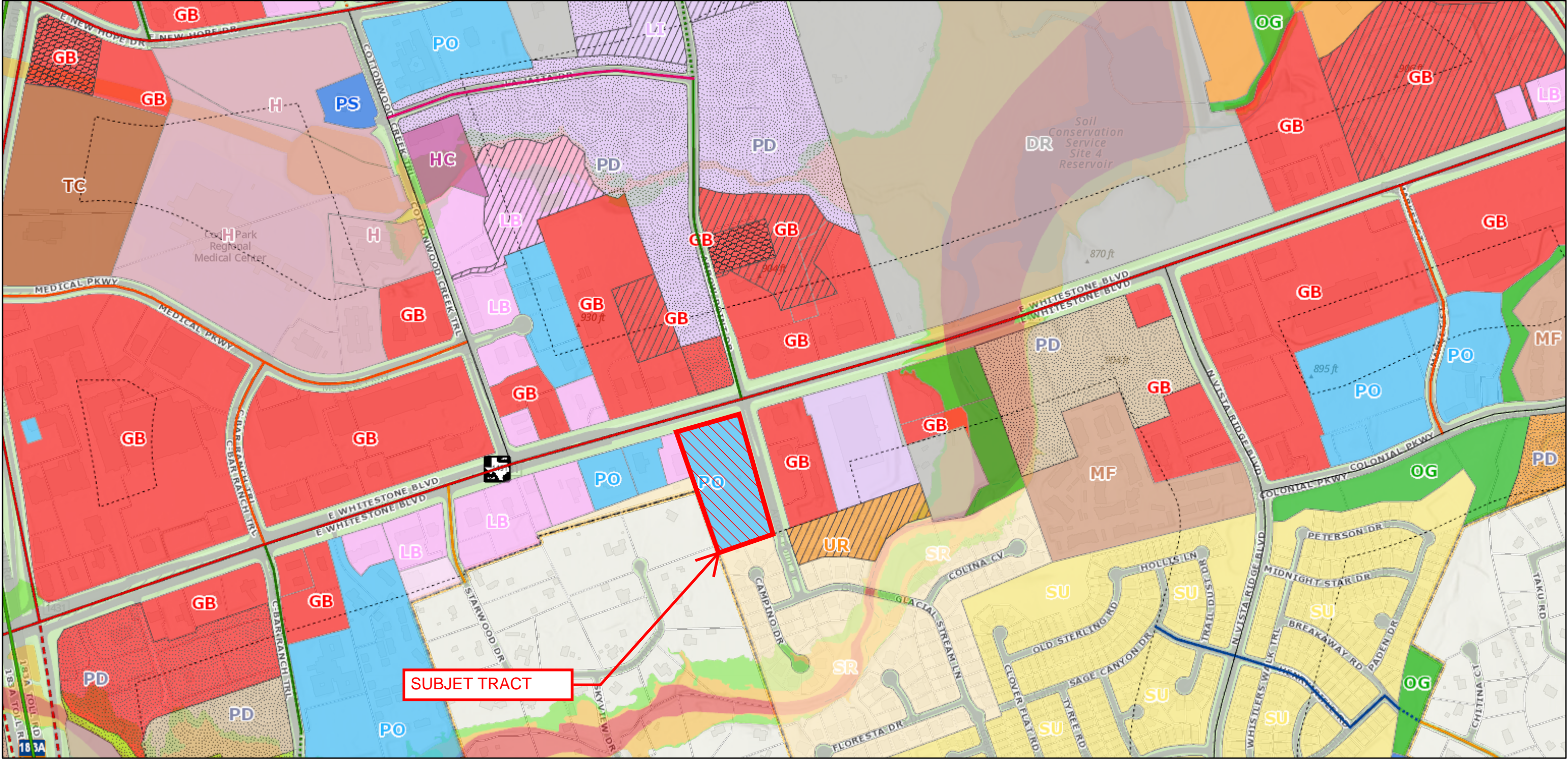
- High Density Residential (HDR)
- Local Office/Retail/Commercial (LOC)
- Regional Office/ Retail/ Commercial (REG)
- Heavy Commercial (HC)
- Recreation/Open Space (REC)
- Public/Semi-Public (PUB)
- FloodZones_2019
- 0.2 PCT Annual Chance Flood Hazard (500 Yr Flood)
- Zone A (Approximate Flood Zone)
- Zone AE (1 PCT Chance Annual Flood Hazard (100 Yr Flood))

- Zone AE Incl Floodway
- City Limits
- City Limits
- ETJ
- Right of Way
- Median
- Right of Way
- Parcels
- Roadways



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Zoning Map



11/13/2024, 10:57:38 AM

COLLECTORS		ARTERIALS		Zoning - Zoning Districts		FloodZones_2019	
	PRIMARY COLLECTOR		MAJOR ARTERIAL		MF - MULTIFAMILY RESIDENTIAL		PD - PLANNED DEVELOPMENT, OG - OPEN SPACE GREENBELT
	COMMERCIAL COLLECTOR		MAJOR ARTERIAL (PLANNED)		NB - NEIGHBORHOOD BUSINESS		PD - PLANNED DEVELOPMENT - OR
	INDUSTRIAL COLLECTOR		MINOR ARTERIAL		LB - LOCAL BUSINESS		PD - PLANNED DEVELOPMENT - MU
	NEIGHBORHOOD COLLECTOR		MINOR ARTERIAL (PLANNED)		GB - GENERAL BUSINESS		PD - PLANNED DEVELOPMENT - SU
	RESIDENTIAL COLLECTOR		TOLLWAY		PO - PROFESSIONAL OFFICE		PD - PLANNED DEVELOPMENT - UR
	PRIMARY COLLECTOR (Proposed)		DR - DEVELOPMENT RESERVE		HC - HEAVY COMMERCIAL		PD - PLANNED DEVELOPMENT - MF
	COMMERCIAL COLLECTOR (Proposed)		ES - ESTATE RESIDENTIAL		LI - LIGHT INDUSTRIAL		PD - PLANNED DEVELOPMENT - NB
	INDUSTRIAL COLLECTOR (Proposed)		SR - SUBURBAN RESIDENTIAL		HI - HEAVY INDUSTRIAL		PD - PLANNED DEVELOPMENT - LB
	NEIGHBORHOOD COLLECTOR (Proposed)		SU - SEMI URBAN RESIDENTIAL		H - HOSPITAL		PD - PLANNED DEVELOPMENT - GB
	RESIDENTIAL COLLECTOR (Proposed)		UR - URBAN RESIDENTIAL		PS - PUBLIC SERVICES		PD - PLANNED DEVELOPMENT - PO
					OG - OPEN SPACE GREENBELT		PD - PLANNED DEVELOPMENT - HC
					OR - OPEN SPACE RECREATIONAL		PD - PLANNED DEVELOPMENT - LI

1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

FEMA, Esri, NASA, NGA, USGS, FEMA, City of Cedar Park Information Services, City of Cedar Park, Information Services, Esri Community Maps Contributors, Austin Community College, City of Austin, County of Williamson, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, TomTom, Garmin,

File Attachments for Item:

H.3 Consideration Of A Resolution Authorizing The Purchase Of Vehicles And Equipment Funded In The Approved FY 2025 Vehicle And Equipment Services Fund ("VES") And Operational Budget In An Amount Not To Exceed \$4,108,000, And To Authorize The Auction, Sale, Or Trade-In Of Existing Vehicles And Equipment To Be Retired Or Salvaged.



CITY COUNCIL AGENDA

December 12, 2024

Item/Subject: Consideration Of A Resolution Authorizing The Purchase Of Vehicles And Equipment Funded In The Approved FY 2025 Vehicle And Equipment Services Fund ("VES") And Operational Budget In An Amount Not To Exceed \$4,108,000, And To Authorize The Auction, Sale, Or Trade-In Of Existing Vehicles And Equipment To Be Retired Or Salvaged.

Commentary

The Vehicle and Equipment Services Fund (VES) provides for the replacement of the City's vehicles and equipment. As new vehicles and equipment (V&E) are brought into service, older and high-mileage or high-maintenance V&E are retired and sold from the fleet. Several times per year the Fleet Superintendent meets with other departments and reviews their V&E status and maintenance needs. Whenever prudent and possible, replacement purchases are postponed. When replacements are necessary, the most efficient and cost effective vehicle or equipment is chosen.

V&E new to the fleet (those that are not replacements) are also funded within the approved FY 2025 budget. The new and replacement V&E listed in this resolution will be purchased using the most advantageous method for the City of Cedar Park, such as competitive bids, multiple quotes, or cooperative purchasing agreements available to the City and in accordance with Texas Local Government Code Chapters 252 and 271. These purchasing cooperatives include, but are not limited to, Texas Association of School Boards Buy Board, Texas Multiple Award Schedule (TXMAS), the Houston-Galveston Area Council (HGAC), General Services Administration (GSA), Tarrant County Purchasing Cooperative, Texas Sheriffs Association, and Sourcewell Cooperative Purchasing.

The expected expenditure for each vehicle and equipment to be purchased is shown in Figure 1 and Figure 2. In summary, the FY 2025 Budget funds \$3,743,000 for replacement vehicles and \$365,000 in new vehicles and equipment.

This resolution also authorizes the City Manager to dispose of retired V&E from the fleet. The methods used to divest V&E include utilization of an auctioneer, GovDeals.com, through trade-in, or open market direct sales. The method is dependent on the unit being

sold and which method will result in the best possible outcome for the City. Revenue generated by the sale of V&E will be deposited into the VES Fund.

Initiating Dept: Public Works

Fiscal Impact

Fund:

Budget

Amount: \$4,108,000

The funding needed for the purchase of all new and replacement vehicles and equipment is within the approved FY 2025 budget.

The revenues generated from the disposition of vehicles and equipment through auction, sale, or trade will be deposited into the VES fund account.

☐

Finance Director Review

Legal Certification

Approved as to form and content:

☐

Yes

☐

No

City Attorney

Associated Information:

2024-2026 Strategic Plan

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

- Goal: Service and Fiscal Excellence
 - Objective A: Government Operations
 - Strategy i: Responsibly plan for and deploy resources and staff using best practices, needs assessments, and fiscal modeling.

Fig 1. VES Replacements

Dept	Replacement VES	Total
090	15 X Patrol Units	\$1,470,000
090	2 X Mental Health Unit	\$ 180,000
090	K9 Patrol Unit	\$ 102,000
090	CSI Truck	\$ 55,000
090	Community Services	\$ 70,000
090	2 X Command Unit	\$ 140,000
090	2 X Special Ops Suv	\$ 110,000
090	3 X Special Ops Truck	\$ 195,000
090	Animal Control	\$ 55,000
130	Engineering LG SUV	\$ 65,500
162	Fire Marshall Truck	\$ 72,500
180	Vac-Con Combo Truck	\$ 560,000
180	Street Sweeper	\$ 345,000
181	40' Bucket Truck	\$ 208,000
184	2 X 60" Commercial Mower	\$ 40,000
191	3 X 72" Commercial Mower	\$ 75,000
	Total	\$3,743,000

Fig 2. New Purchases

Dept	Enhancement Vehicles	Total
090	2 X CID SUV	\$ 110,000
090	Special Operations Truck	\$ 65,000
183	Service Truck	\$ 67,500
191	Ventrac and Trailer	\$ 50,000
311	Service Truck	\$ 67,500
	Total	\$ 360,000

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE PURCHASE OF REPLACEMENT VEHICLES AND EQUIPMENT AND AUTHORIZING THE PURCHASE OF ADDITIONAL VEHICLES AND EQUIPMENT, USING FUNDING APPROVED IN THE FY 2025 BUDGET IN A TOTAL AMOUNT NOT TO EXCEED \$4,108,000; AUTHORIZING THE AUCTION, TRADE-IN, OR SALE OF THE REPLACED VEHICLES AND EQUIPMENT; AUTHORIZING THE PROCEEDS OF THE DISPOSAL OF THE VEHICLES AND EQUIPMENT TO BE DEPOSITED INTO THE VES ACCOUNT; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the approved FY 2025 budget includes the Vehicle and Equipment Service (“VES”) fund; and

WHEREAS, the VES fund provides for the replacement of older and higher maintenance vehicles and equipment from the City fleet; and

WHEREAS, the VES fund also provides for the purchase of additional vehicles and equipment to be added to the City fleet; and

WHEREAS, as vehicles and equipment age and become costly to maintain, they then need to be removed from the City fleet; and

WHEREAS, replacement vehicles and equipment involved in settled insurance claims need to be procured; and

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

WHEREAS, Texas Local Government Code Chapter 271 provides that purchases made through a purchasing cooperative satisfy state law requiring the local government to seek bids; and

WHEREAS, City staff desire to use cooperative purchasing agreements available to the City to procure the necessary new and replacement vehicles and equipment; and

WHEREAS, City staff intend to dispose of retired fleet vehicles and equipment via auction, direct sale, or trade-in, in accordance with state law and using the method most financially advantageous to the City.

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

SECTION 1. The City Manager is hereby authorized and directed to purchase replacement and new vehicles and equipment authorized in the approved FY 2025 budget in an amount not to exceed \$4,108,000 through cooperative purchasing agreements available to the City.

SECTION 2. The City Manager is hereby authorized and directed to dispose of the City's retired vehicles and equipment fleet through an auctioneer, through trade-in, or via direct sale for replacement vehicles and equipment, with any related agreements subject to final review by the City Attorney.

SECTION 3. The City Manager or designee is hereby authorized and directed to obtain and take delivery of all new vehicles and equipment, to sell all vehicle titles, trailer titles and equipment titles, and determine the appropriate method of the City's vehicle registration, assign registration, and act on the City's behalf regarding these matters to the Texas Department of Transportation, Travis County, and Williamson County, as necessary.

SECTION 4. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

Jim Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney

File Attachments for Item:

H.4 Consideration Of A Resolution Authorizing The Commissioning Of A Mural To Be Installed In The Cedar Park Recreation Center.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: Consideration Of A Resolution Authorizing The Commissioning Of A Mural To Be Installed In The Cedar Park Recreation Center.

Commentary

This item considers commissioning a paint-by-number mural at the Cedar Park Recreation Center, as part of the City's inaugural Martin Luther King Day of Service event.

The City's Martin Luther King Day of Service event is taking place on January 20th at the Cedar Park Recreation Center. The event seeks to honor Dr. Martin Luther King Jr.'s legacy of unity and service and will provide an opportunity for community members to come together, express creativity, and contribute to a shared cause that embodies the spirit of Dr. King's legacy. The event will feature a welcoming program and keynote address celebrating Dr. King's vision of fostering meaningful connections within the community and an opportunity for residents to bring donations to support the Hill Country Community Ministries food pantry. The final component of the event will provide attendees with an opportunity to participate in the creation of a paint-by-number mural that will be located in the Recreation Center.

The proposed mural is designed by the artist Crystal Owens and is an original work of art that features the heritage oak and images of people doing park activities (see Exhibit A). Crystal is an experienced muralist with previous experience in designing paint-by-number murals. In addition to designing the paint-by-number mural, the artist will also be onsite at the Recreation Center on January 20th to coordinate the painting of the design by attendees.

Total costs associated with the mural is not to exceed, \$6,000 to perform the work and at the Cedar Park Recreation Center. Funding for this mural is available in the public art fund.

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:\$

☐ **Finance Director Review**

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information:

2024 – 2026 Strategic Plan

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

- Goal: Livability and Sense of Place
 - Objective: F. Placemaking: Focus on aesthetics and public art within public spaces to create a positive aesthetic experience, instilling pride and creating unique identity.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, AUTHORIZING THE USE OF PUBLIC ART FUNDS TO COMMISSION A MURAL IN THE CEDAR PARK RECREATION CENTER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Cedar Park is hosting an inaugural Martin Luther King Day of Service event (“the Event”) that is taking place on January 20th at the Cedar Park Recreation Center; and

WHEREAS, the Event seeks to honor Dr. Martin Luther King Jr.’s legacy of unity and service, and will provide an opportunity for community members to come together, express creativity, and contribute to a shared cause that embodies the spirit of Dr. King’s legacy, and will feature a welcoming program and keynote address celebrating Dr. King’s vision of fostering meaningful connections within the community and an opportunity for residents to bring donations to support community food pantries; and

WHEREAS, the final component of the Event will provide attendees with an opportunity to participate in the creation of a paint-by-number mural that will be located in the Recreation Center and is designed by the artist Crystal Owens (“the Artist”) as an original work of art; and

WHEREAS, the Artist is an experienced muralist with previous experience in designing paint-by-number mural and in addition to designing the mural, will also be onsite at the Recreation Center on January 20th to coordinate the painting of the design by attendees; and

WHEREAS, in accordance with Texas Local Government Code Section 252.022, the purchase of custom public art is exempt from competitive procurement requirements as both a personal service and items that are only available from one source; and

WHEREAS, staff recommends that the paint-by-number mural, designed by the Artist, to be installed in the Cedar Park Recreation Center.

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

SECTION 1. That the Cedar Park City Council approves the commissioning of a paint-by-number mural by the Artist in the Cedar Park Recreation Center, as depicted in the attached Exhibit A, and hereby authorizes the City Manager or their designee to execute all reasonably necessary documents to ensure its successful installation, subject to final review by the City Attorney.

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

PASSED AND APPROVED this the 12th day of December, 2024.

CITY OF CEDAR PARK, TEXAS

ATTEST:

James Penniman-Morin, Mayor

LeAnn M. Quinn, TRMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

J.P. LeCompte, City Attorney



This is a rendering and not the final version

File Attachments for Item:

H.5 Consideration Of Appointments To The Capital Area Council Of Governments ("CAPCOG") General Assembly.



CITY COUNCIL AGENDA
December 12, 2024

Item/Subject: Consideration Of Appointments To The Capital Area Council Of Governments (“CAPCOG”) General Assembly.

Commentary

The item considers appointments to the Capital Area Council Of Governments (“CAPCOG”) General Assembly. The City of Cedar Park is entitled to three representatives on the General Assembly. A list of nominations from 2023 is included below.

2023 Nominations

- Kevin Harris
- Heather Jefts
- Third Member was not nominated

Initiating Dept: CMO

Fiscal Impact
Fund:

Budget
Amount:



Finance Director Review

Legal Certification

Approved as to form and content:

☐ Yes

☐ No **City Attorney**

Associated Information: