



City of Hutto

Agenda

City Council Meeting

Thursday, April 15, 2021 at 7:00 PM

City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

1. **CALL SESSION TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **PUBLIC COMMENT**

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes.

Any citizen wishing to speak during public comment may do so after completing the required registration form. Comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on April 15, 2021. The email must include name, address, phone # and email to be recognized properly. Citizens wishing to comment by phone may call:

Toll Free Call In: 1-800-717-4201, Conference ID: 242-3288

Once you are in the conference call press *5 to signal that you are requesting to speak during public comment.

(Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the City Council from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future City Council Session.)

6. **CITY MANAGER COMMENTS**

6.1. Introduction of Lee Ann Huddleston

7. **CONSENT AGENDA ITEMS**

- 7.1. Consideration and possible action on approving the April 1, 2021 City Council meeting minutes.
- 7.2. Consideration and possible action on approving the March 18, 2021 City Council meeting minutes.

- 7.3. Consideration and possible action on the proposed Cottonwood Creek Phase 2 Final Plat, 22.725 acres, more or less, of land, 101 single-family lots, located on Branson Boulevard. (Ashley Lumpkin)
- 7.4. Consideration and possible action on the proposed Hutto Crossing Industrial Park Lot 2 Block A Replat, 9.745 acres, more or less, of land, 2 commercial lots, located on Park Central Drive. (Ashley Lumpkin)
- 7.5. Consideration and possible action on the proposed Southgate Phase 3 Final Plat, 36.291 acres, more or less, of land, 149 single-family lots, located on Kaatz Lane. (Ashley Lumpkin)
- 7.6. Consideration and possible action on the proposed Star Ranch Commercial Block C Lot 4 Final Plat, 1.66 acres, more or less, of land, 1 commercial lot, located on Star Ranch Boulevard. (Ashley Lumpkin)
- 7.7. Consideration and possible action on the proposed Wilco Ranch Phase 2 Section 2 Final Plat, 25.236 acres, more or less, of land, 136 single-family lots, located on CR 119 (Ed Schmidt Boulevard). (Ashley Lumpkin)
- 7.8. Consideration and possible action on the proposed Wilco Ranch Section 3 Phase 2 Final Plat, 12.530 acres, more or less, of land, 65 single-family lots, located on CR 119 (Ed Schmidt Boulevard). (Ashley Lumpkin)
- 7.9. Consideration and possible action regarding Ordinance No. O-2021-023 Budget Amendment- CARES Act Reimbursement. (Finance)

8. ORDINANCES

- 8.1. Consideration and possible action on Ordinance No. O-2021-014 amending Ordinance No. O-18-07-19-9A Exhibit B Schedule 2 the Transportation Impact Fee Collection Rate Per Service Unit. (First Reading)(Samuel Ray)
- 8.2. Consideration and possible action regarding Ordinance No. O-2021-019 Amending the Code of Ordinances Chapter 1, Article 1.02 City Council, adding Section 1.02.002 Mayor Pro Tem adding section 1.02.002, Mayor Pro Tem, to provide for the appointment of a Mayor Pro Tem in the event of a vacancy. (City Attorney)
- 8.3. Consideration and possible action regarding Ordinance No. O-2021-020 Amending the Code of Ordinances Section 20.02.002 Partial exemption for ad valorem taxes imposed on the elderly to reduce the residence homestead exemption for persons age 65 or older, or surviving spouse, to \$30,000 beginning tax year 2021 and repealing the tax exemption beginning in tax year 2022. (City Attorney)
- 8.4. Consideration and possible action regarding Ordinance No. O-2021-021 Amending the Code of Ordinances Section 20.02.003 Partial exemption for ad valorem taxes imposed on the disabled to reduce the residence homestead exemption for disabled persons or surviving spouses to \$30,000 beginning tax year 2021 and repealing the tax exemption beginning in tax year 2022. (City Attorney)
- 8.5. Consideration and possible action regarding Ordinance No. O-2021-022 Amending the Code of Ordinances Chapter 2, Article 2.02 Boards, Commissions and Authorities altering the appointment process of certain members of boards, commissions, and authorities appointed by the city council; removing the attendance requirement for such boards, commissions, and authorities; expanding the eligibility criteria for members of the parks advisory board and the historic preservation commission. (City Attorney)
- 8.6. Consideration of a public hearing and possible recommendation on the proposed Unified Development Code (2020 Edition, as amended), Ordinance No. O-2021-024 Ordinance amendment to the Code of Ordinances (2014 Edition, as amended),

Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter 4, Section 10.403, Bulk, Setbacks and Buffers. (Ashley Lumpkin)

- 8.7. Consideration and possible action regarding Ordinance No. O-19-01-03-8A Amending the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones and Article 22.07 Traffic Schedules, Section 22.07.002 School Zones. (Mayor Snyder)

9. RESOLUTIONS

- 9.1. Consideration of a public hearing and possible action on Resolution No. R-2021-051 supporting the proposed Low-Income Housing Tax Credit project by the Roers Companies on a tract of land zoned Planned Unit Development (PUD) Zoning District. (Ashley Lumpkin)
- 9.2. Consideration and possible action on Resolution No. R- 2021-054 authorizing the City Manager to execute a License Agreement between the City of Hutto, Texas and Durango Farms Homeowners Association, Inc. (City Attorney)
- 9.3. Consideration and possible action on Resolution No. R-2021-055 authorizing the City Manager to enter into an agreement for a Noise Abatement Study for the Brushy Creek Amphitheater.
- 9.4. Consideration and possible action on Resolution R-2021-056 declaring the office of Councilmember, Place 5, vacant.

10. OTHER BUSINESS

- 10.1. Presentation of the State of the Court. (Honorable Lucas Wilson)
- 10.2. Consideration and possible action regarding additional public safety training. (Mayor Snyder)
- 10.3. Consideration and possible action on a policy and procedure for the naming of City Parks, Recreational Areas and Facilities. (Anthony Host)
- 10.4. Consideration and possible action on selecting a qualified replacement to fulfill the remainder of Council member Patti Martinez's remaining term.

11. EXECUTIVE SESSION

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 (Litigation/Consultation with Attorney), 551.072 (Deliberations regarding real property), 551.073 (Deliberations regarding gifts and donations), 551.074 (Deliberations regarding personnel matters) or 551.076 (Deliberations regarding deployment/implementation of security personnel or devices) and 551.087 (Deliberations regarding Economic Development negotiations).

- 11.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 11.2. Receive Legal Advice pursuant to Texas Government Code Sec. 551.071 relating to pending litigation, to wit: Legacy Hutto, LLC. v. City of Hutto , pending in the District Court of Williamson County, Texas; Preston Hollow Capital, LLC v. Cottonwood Development Corporation, et al; pending in the United States District Court for the Western District of Texas, Austin Division and Longhorn Title Company v. Preston Hollow Capital, LLC, et. al; pending in the District Court in Williamson County, Texas.

12. ACTION RELATIVE TO EXECUTIVE SESSION

- 12.1. Consider and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 12.2. Consideration and possible action on Legal Advice received pursuant to Texas Government Code Sec. 551.071 relating to pending litigation, to wit: Legacy Hutto, LLC. v. City of Hutto , pending in the District Court of Williamson County, Texas; Preston Hollow Capital, LLC v. Cottonwood Development Corporation, et al; pending in the United States District Court for the Western District of Texas, Austin Division and Longhorn Title Company v. Preston Hollow Capital, LLC, et. al; pending in the District Court in Williamson County, Texas.

13. ADJOURNMENT

14. CERTIFICATION

I certify that this notice of the April 15, 2021 Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on April 12, 2021 at 5:00 P.M.



Holly Nagy

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours prior to the meeting. Please email the City Secretary's office at City.Secretary@huttox.gov or call (512) 759-4033 for assistance.



City of Hutto

MINUTES

City Council Meeting

Thursday, April 1, 2021 at 7:00 PM

City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

1. CALL SESSION TO ORDER: *7:00 PM*
2. ROLL CALL

Members of City Council present: Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Mandi Villarreal Salvo, Councilmember Dan Thornton, Councilmember Tanner Rose and Councilmember Peter Gordon.

Absent: Councilmember Patti Martinez

Members of staff present: Warren Hutmacher, City Manager; Stacy Schmitt, Assistant to City Manager; Samuel Ray, Director of Engineering; Ashley Lumpkin, Executive Director of Business and Development; Jessica Brown, Assistant City Secretary and Cristian Rosas-Grillet, City Attorney.

3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. CITY COUNCIL COMMENTS

5.1. General Comments from City Council

Councilmember Villarreal Salvo: I first wanted to thank our City Manager, Assistant Manager, Police Department and Public Works team for investigating a request that I put out last week for a stop sign at a four-way intersection Carmel Creek. I made the request Thursday morning, y'all got it and y'all took care of it by Friday morning and it was amazing. The whole neighborhood was super pumped about it and just really impressed by the responsiveness so thank you guys so much. Our Charter Committee this past weekend did a forum out at Fritz Park to talk about all the propositions that are coming up on the May 1 ballot and I want to say thank you to all of the members of the Charter Committee that came out on Saturday and answered a lot of questions from the community and they've also been extremely responsive online and accessible to answer questions about the proposition language and how it goes back to the Charter and why we're making those decisions. Finally, the Black Families of Hutto inviting the community to come out again to Shiloh Black Cemetery and help with the cleanup assistance. It was really great to see so many people there this past Sunday, I hadn't seen that many volunteers there at the previous cleanup and the

progress that's been made from the last cleanup to this cleanup is just immense and they're getting ready to start doing the ground penetration survey to look for graves that haven't been marked and it's just really beautiful to see the community really coming together for that so just loving all the stuff going on in Hutto this past week, thank you guys.

Councilmember Sutton: So, I am actually looking to get an item on the agenda regarding internet service in Hutto. I keep getting repeat requests on the fact that Spectrum is the only service that they can get and yet their service with Spectrum is spotty at best. They're paying a hundred dollars a month and they may not have internet for three hours and they're told that they can't get internet service anywhere else because there's a contract with the City of Hutto so I'd like to get some answers on that at some point as to can we alleviate that for some of the citizens and give them more options.

Mayor Snyder: Are you okay with the May 20th meeting?

Councilmember Sutton: Yes.

5.2. Council Commission Liaison Reports
- None.

6. PUBLIC COMMENT
*- Sharon Parker *email*
- Nicole Calderone
- Sheldon Oscar

7. CITY MANAGER COMMENTS
City Manager Hutmacher gave an update regarding City Hall being closed to the public and potential schedule of opening City Hall and the library back up to the public.
City Manager Hutmacher and Dr. Thomas with the Hutto HISD presented the winners for the Hutto Hippo Design contest.

8. CONSENT AGENDA ITEMS
Councilmember Villarreal Salvo moved to approve items 8.1, 8.2, 8.4 and 8.5 presented. Councilmember Gordon seconded the motion. The motion passed (6:0)

Mayor Snyder requested to move item 8.3 after item 9.3. No objections.

8.1. Consideration and possible action on approving the March 16, 2021 Special Called City Council Canvassing & Swearing In meeting minutes.

8.2. Consideration and possible action on approving the March 16, 2021 Special Called City Council meeting minutes.

- 8.4. Consideration and possible action on Ordinance No. O-2021-015 providing a budget amendment to adjust the FY 2020-21 budget for Holidays in Hutto contract with CDC. (Second Reading)
- 8.5. Consideration and possible action on Ordinance No. O-2021-016 amending Appendix A, Fee Schedule, Article A4.000, Public Facility Rentals, of the Hutto Code of Ordinances to establish the fee schedule for Brushy Creek Amphitheater and related facilities (Second Reading) (City Attorney)

Councilmember Gordon requested to move item 11.5 next in the agenda. No objections.

11. OTHER BUSINESS

- 11.5. Consideration and possible action on establishing an Emergency Preparedness Task Force. (Councilmember Gordon)

Councilmember Gordon made a motion to create a Citizen Emergency Preparedness Task Force and ask City Staff and City Manager to prepare a criteria for who can serve on this Task Force to be brought back for Council review. Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

9. ORDINANCES

- 9.1. Consideration and possible action on Ordinance No. O-2021-018 opening a public hearing on the levy of assessments on property within Emory Crossing Public Improvement District Improvement Area #1 and Approving Levying Special Assessments For, And Apportioning The Costs Of, Certain Improvements To Property In And For The Emory Crossing Public Improvement District Improvement Area #1; Fixing A Charge And Lien Against All Properties Within The District, And The Owners Thereof; Providing For The Manner And Method Of Collection Of Such Assessments; Making A Finding Of Special Benefit To Property In The District And The Real And True Owners Thereof; Approving A Service And Assessment Plan; Providing A Severability Clause; And Providing An Effective Date. (First Reading)(City Attorney)

Public hearing opened: 7:57 PM

No one signed up to speak.

Public hearing closed: 7:57 PM

Councilmember Gordon made a motion to accept 9.1 as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

Councilmember Gordon made a motion to dispense of the second reading.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 9.2. Discussion and possible action on Ordinance No. O-2021-017 Authorizing The Issuance Of The "City Of Hutto, Texas Special Assessment Revenue Bonds, Series 2021 (Emory Crossing Public Improvement District Improvement Area #1 Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, An Offering Memorandum, A Continuing Disclosure Agreement, A Landowner Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date. (First Reading)(City Attorney)

Councilmember Gordon made a motion to accept 9.1 as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

Councilmember Gordon made a motion to dispense of the second reading.

Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 9.3. Consideration and possible action on Ordinance No. O-2021-014 amending Ordinance No. O-18-07-19-9A Exhibit B Schedule 2 the Transportation Impact Fee Collection Rate Per Service Unit. (First Reading)(Samuel Ray)

Councilmember Villarreal Salvo requested to table item 9.3 until the April 15, 2021 City Council meeting and for staff to bring back more information with comparable cities. No objections.

8. CONSENT AGENDA ITEMS

- 8.3. Consideration and possible action on the acceptance of the street, drainage, sidewalk, ADA ramps and wastewater improvements of Emory Crossing Phase I Subdivision.

Councilmember Villarreal Salvo made a motion to approve item 8.3 as presented.

Councilmember Sutton seconded the motion. The motion passed (6:0)

10. RESOLUTIONS

- 10.1. Consideration and possible action on Resolution No. R-2021-051 supporting the proposed Low-Income Housing Tax Credit project by the Roers Companies on a tract of land zoned Planned Unit Development (PUD) Zoning District. (Ashley Lumpkin)

Item tabled until April 15, 2021 City Council meeting to include Public Hearing notice.

- 10.2. Consideration and possible action on Resolution No. R-2021-050 authorizing the City Manager to execute a Professional Services Agreement for a Utility Rate Study. (Samuel Ray)

Councilmember Thornton made a motion to accept item 10.2 as presented.

Councilmember Villarreal Salvo seconded the motion. The motion passed (5:1) with Mayor Snyder against.

- 10.3. Consideration of the continuation of a public hearing and possible action on Resolution No. R-2021-029 authorizing and creating the Cottonwood Creek Public Improvement District pursuant to Chapter 372 of the Texas Local Government Code. (City Attorney)

Public hearing that was open from the March 18, 2021 meeting received no one to speak and was closed at 9:29 PM.

Councilmember Gordon made a motion to accept item 10.3 as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 10.4. Consideration and possible action on Resolution No. R-2021-041 authoring the City Manager to execute an Amended and Restated Development Agreement between the City of Hutto and Hutto 372, Ltd. for the Cottonwood Creek development, formerly known as Hutto 372. (City Attorney)

Councilmember Gordon made a motion to accept item 10.4 with the amendment that the term in item 4.8 and 4.9 for the school site and regional park be changed to five (5) years. Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

- 10.5. Consideration and possible action on Resolution No. R-2021-052 authorizing the City Manager to negotiate and execute a Development Agreement by the City of Hutto for the development of the Gola Tract (Ashley Lumpkin)

Councilmember Rose made a motion to accept item 10.5 as presented. Councilmember Villarreal Salvo seconded the motion. The motion passed (6:0)

*10-minute recess taken at 9:10 PM
Returned from break at 10:11 PM*

11. OTHER BUSINESS

- 11.1. Presentation of the CDC Quarterly Report. (Chairman Steven Harris)

Presentation by Steven Harris.

No action.

- 11.2. Presentation of the last two years of Economic Development Corporation expenses and Return on Investment for these expenses. (Councilmember Rose)(Steven Harris)

Presentation by Steven Harris.

Public comment by Nicole Calderone.

No action.

- 11.3. Consideration and possible action on Senior Tax Exemption. (Misti Hancock)

Mayor Snyder requested the City Attorney to prepare an Ordinance regarding the Senior Tax Exemption being reduced to \$30,000 this year and \$0 next year and an Ordinance regarding Disabled Tax Exemption.

- 11.4. Consideration and possible action on appointing a Mayor Pro Tem. (Mayor Snyder)

Mayor Snyder requested the City Attorney to bring back an Ordinance regarding the Mayor Pro Tem appointment to the April 15, 2021 City Council meeting. No objections.

- 11.6. Consideration and possible action regarding amending Ordinance No. O-18-07-05-8B- Altering the Term of Certain Members of Boards and Commissions. (Mayor Snyder)

Public comment by Krystal Kinsey.

Mayor Snyder requested the City Attorney to bring back the amended Ordinance to reflect an update to attendance, adjusting a shot clock language, ETJ Members, adding Parks and Historic Preservation Commission for review at the April 15, 2021 City Council meeting.

- 11.7. Discussion and Possible Action regarding Possible Appointments, Re-appointments and/or Removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations and Tax Increment Reinvestment Zone Boards.

Public comment by Randall Clark.

Mayor Snyder recalled item 11.7 after Executive Session. Mayor Snyder made a motion to appoint Councilmember Villarreal Salvo to the Tax Reinvestment Zone Board. Councilmember Thornton seconded the motion. The motion passed (6:0)

12. EXECUTIVE SESSION: *12:14 AM*

- 12.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
- 12.2. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to the release of confidential and/or privileged information that has not been made public. (City Attorney)
- 12.3. Receive legal advice pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to an Economic Development Agreement with AEND Industries.
- 12.4. Receive legal advice pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to an Economic Development Agreement with Hutto Mezz Holdings.

13. ACTION RELATIVE TO EXECUTIVE SESSION: *1:06 AM*

- 13.1. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.

No action taken.

- 13.2. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 relating to the release of confidential and/or privileged information that has not been made public. (City Attorney)

No action taken.

- 13.3. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to an Economic Development Agreement with AEND Industries.

No action taken.

- 13.4. Consideration and possible action on legal advice received pursuant to Texas Government Code Sec. 551.071 Consultation with Attorney related to Economic Development Agreement with Hutto Mezz Holdings.

No action taken.

14. ADJOURNMENT: *1:07 AM*

ATTEST:

Mike Snyder, Mayor

Jessica Brown, Assistant City Secretary

City Council **AGENDA ITEM REPORT**



To: City Council
Subject: Consideration and possible action on approving the March 18, 2021 City Council meeting minutes.
Meeting: Thursday, April 15, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Minutes - March 18, 2021 City Council



City of Hutto

MINUTES

City Council Meeting

Thursday, March 18, 2021 at 7:00 PM

City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at www.huttotx.gov

1. CALL SESSION TO ORDER: *7:00 PM*
2. ROLL CALL

Members of City Council present: Mayor Mike Snyder, Councilmember Robin Sutton, Councilmember Mandi Villarreal Salvo, Councilmember Dan Thornton and Councilmember Peter Gordon.

Absent: Councilmember Tanner Rose and Councilmember Patti Martinez

Members of staff present: Warren Hutmacher, City Manager; Holly Nagy, City Secretary; Samuel Ray, Director of Engineering; Ashley Lumpkin, Executive Director of Business and Development; Jessica Brown, Assistant City Secretary and Cristian Rosas-Grillet, City Attorney.

3. INVOCATION - Led by Julie Hammond, Church of Jesus Christ and Latter-day Saints.
4. PLEDGE OF ALLEGIANCE
5. CITY COUNCIL COMMENTS
 - 5.1. General Comments from City Council
- *None.*
 - 5.2. Council Commission Liaison Reports.
- *None.*
6. PUBLIC COMMENT
- Patti Knowell
7. CITY MANAGER COMMENTS
8. CONSENT AGENDA ITEMS

*Councilmember Gordon made a motion to pull item 8.3 from Consent Agenda.
Councilmember Thornton seconded the motion. The motion passed (5:0)*

*Councilmember Gordon made a motion to accept items 8.1 and 8.2 as presented.
Councilmember Thornton seconded the motion. The motion passed (5:0)*

- 8.1. Consideration and possible action on Ordinance No. O-2021-009 providing a budget amendment to transfer an authorized position and funding to accommodate a proposed organizational change. (Second Reading) (Misti Hancock)
- 8.2. Consideration and possible action on Resolution No. R-2021-035 approving the Star Ranch Parcel 32 Final Plat, 4.255 acres, more or less, of land, two commercial lots, located within Hutto's Extraterritorial Jurisdiction (ETJ) on Winterfield Drive. (Ashley Lumpkin)
- 8.3. Consideration and possible action on Resolution No. R-2021-039 approving an Economic Development Agreement pursuant to Chapter 380 of the Local Government Code between the City of Hutto and KVAL Machinery for reimbursement of 20% of the ad valorem tax levied and collected by the City related to the Project for a period of ten (10) years not to exceed \$140,000.

Councilmember Thornton requested to move item 8.3 to Executive Session. No objections.

Entered Executive Session: 10:35PM

Returned from Executive Session: 11:26 PM

*Councilmember Thornton made a motion to accept item 8.3 as presented.
Councilmember Villarreal Salvo seconded the motion. The motion passed (5:0)*

9. RESOLUTIONS

- 9.1. Consideration and possible action on Resolution No. R-2021-044 to accept the 2019-2020 Comprehensive Annual Financial Report and Audit.

Item tabled.

At the request of counsel, item 9.2 was moved prior to item 9.3. No objections.

- 9.2. Consideration of a public hearing and possible action on Resolution No. R-2021-029 authorizing and creating the Cottonwood Creek Public Improvement District pursuant to Chapter 372 of the Texas Local Government Code. (City Attorney)

Public hearing opened: 7:53 PM

- Krystal Kinsey spoke

Councilmember Villarreal Salvo made a motion to keep the public hearing for item 9.3 open until the April 1, 2021 City Council Meeting. Councilmember Thornton seconded the motion. The motion passed (5:0)

- 9.3. Consideration and possible action on Resolution No. R-2021-041 authoring the City Manager to execute an Amended and Restated Development Agreement between the City of Hutto and Hutto 372, Ltd. for the Cottonwood Creek development, formerly known as Hutto 315.(City Attorney)

No action.

- 9.4. Consideration and possible action on Resolution No. R-2021-042 approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for “City Of Hutto, Texas Special Assessment Revenue Bonds, Series 2021 (Emory Crossing Public Improvement District Improvement Area #1 Project).” (City Attorney)

Councilmember Villarreal Salvo made a motion to approve item 9.4 and 9.5 as presented. Councilmember Gordon seconded the motion. The motion passed (5:0)

- 9.5. Consideration and possible action on Resolution No. R-2021-043 determining costs of the proposed Public Improvements in the Emory Crossing Public Improvement District, approving a proposed assessment roll, and making related findings and determinations, in accordance with Chapter 372 of the Texas Local Government Code. (City Attorney)

Councilmember Villarreal Salvo made a motion to approve item 9.4 and 9.5 as presented. Councilmember Gordon seconded the motion. The motion passed (5:0)

- 9.6. Consideration and possible action on Resolution No. R-2021-034 authorizing the Mayor to execute a Joint Election Agreement and contract with Williamson County for Election Services for the May 1, 2021 General/Special Election. (City Secretary)

Councilmember Gordon made a motion to accept item 9.6 as presented. Councilmember Sutton seconded the motion. The motion passed (5:0)

- 9.7. Consideration and possible action on Resolution No. R-2021-038 authorizing the City Manager to negotiate and execute a Development Agreement by the City of Hutto for the development of the Urbana at Cottonwood Creek Project. (Ashley Lumpkin)

No action.

10. ORDINANCES

- 10.1. Consideration of a public hearing and possible action on Ordinance No. O-2021-012 approving the annexation of Urbana at Cottonwood Creek, 43.521 acres, more or less, of land, and to establish the base zoning as SF-1 (Single-Family Residential), located on CR 199. (First Reading)(Ashley Lumpkin)

No action.

- 10.2. Consideration of a public hearing and possible action on Ordinance No. O-2021-013 approving the zoning change request for Urbana at Cottonwood Creek Planned Unit Development (PUD), 43.521 acres, more or less, of land, a mixed-use PUD, located on CR 199. (First Reading)(Ashley Lumpkin)

No action.

- 10.3. Consideration and possible action on Ordinance No. O-2021-015 providing a budget amendment to adjust the FY 2020-21 budget for Holidays in Hutto contract with CDC. (First Reading)
Councilmember Villarreal Salvo made a motion to approve item 10.3 as presented. Councilmember Gordon seconded the motion. The motion passed (5:0)
- 10.4. Consideration and possible action on Ordinance No. O-2021-016 amending Appendix A, Fee Schedule, Article A4.000, Public Facility Rentals, of the Hutto Code of Ordinances to establish the fee schedule for Brushy Creek Amphitheater and related facilities (First Reading) (City Attorney)
Councilmember Thornton made a motion to approve item 10.4 as presented with the amendment that the Brushy Creek Amphitheater to be set under an item 7 for Amphitheater Facility. Councilmember Villarreal Salvo seconded the motion.
11. OTHER BUSINESS
- 11.1. Presentation of Racial Profiling Report and 2020 Crime Statistics. (Chief Hall)(Dr. Alex Del Carmen)
Presentation by Chief Hall and Dr. Alex Del Carmen. Discussion ensued.

Mayor Snyder requested an agenda item for the April 15, 2021 City Council meeting for discussion and possible action on implicit bias training and training for duty to intervene including a review of cost associated.
- 11.2. Presentation of CDC Quarterly Report. (Chairman Steven Harris)
Mayor Snyder requested to table items 11.2 and 11.3 until April 1, 2021. No objections.
- 11.3. Presentation of the last two years of Economic Development Corporation expenses and return of investment for these expenses. (Councilmember Rose)
Item tabled until April 1, 2021.
- 11.4. Consideration and possible action on presentation of Limmer Loop School Zone and Traffic Signal Studies. (Samuel Ray)
No action.

Mayor Snyder requested a future agenda item to review the School Zone Ordinance. And School Zone speed limits.
- 11.5. Consideration of and possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, and Local Government Corporations.(City Secretary).
No action.
12. EXECUTIVE SESSION: *10:35 PM*

- 12.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
13. ACTION RELATIVE TO EXECUTIVE SESSION: *11:26 PM*
- 13.1. Consideration and possible action on legal advice received pursuant to Texas Government Code Section 551.071 related to Pending Legal Requests, Potential Claims and City Council Legal Requests.
14. ADJOURNMENT: *11:28 PM*

ATTEST:

Mike Snyder, Mayor

Holly Nagy, City Secretary

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on the proposed Cottonwood Creek Phase 2 Final Plat, 22.725 acres, more or less, of land, 101 single-family lots, located on Branson Boulevard. (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Development Services
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

The proposed Cottonwood Creek Phase 2 Final Plat is approximately 22.725 acres of land and 101 single-family residential lots. This phase is north of Carl Stern Drive, east of Phase 3 and south of Phase 1.

Current Zoning:

The subject property is zoned PUD, with a base zoning of SF-1 with a Development Agreement.

Surrounding Zoning:

- North:** Single-Family Residential (SF-1 - Cottonwood Creek Subdivision - Phase 1)
- East:** Extra-territorial Jurisdiction (undeveloped farmland)
- South:** Open Space/Parkland - (Cottonwood Creek Subdivision - Phase 8)
- West:** Single-Family Residential (SF-1 - Cottonwood Creek Subdivision - Phase 3)

SUMMARY OF REQUEST:

The proposed Final Plat is comprised of 101 single-family lots totaling 15.911 acres, 4 open space lots totaling 1.027 acres and 5.787 acres of right-of-way. All of the residential lots in this section are required to be either 50 feet wide or 60 feet wide with the majority being 50 feet.

This property was originally platted and zoned Planned Unit Development in 2006, known as the Meadows at Cottonwood Creek. The PUD and preliminary plat were revised in 2019. The proposal meets the minimum standards as required in the Planned Unit Development, Development Agreement, Unified Development Code and state law. The proposed street layout provides for connectivity between adjacent developments. This provides a needed collection and alternate routes in the area.

STAFF REVIEW:

As the Planning and Zoning Commission recommended approval unanimously, Staff recommends that the City Council approve the proposed Cottonwood Creek Phase 2 Final Plat.

FINANCIAL IMPACT:

City Council **AGENDA ITEM REPORT**



Not applicable.

POLICY IMPLICATIONS:

Not applicable.

ATTACHMENTS:

1. (Res)CottonwoodCreekPh2FP(FullPacket)

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS "COTTONWOOD CREEK PHASE 2 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as "Cottonwood Creek Phase 2 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

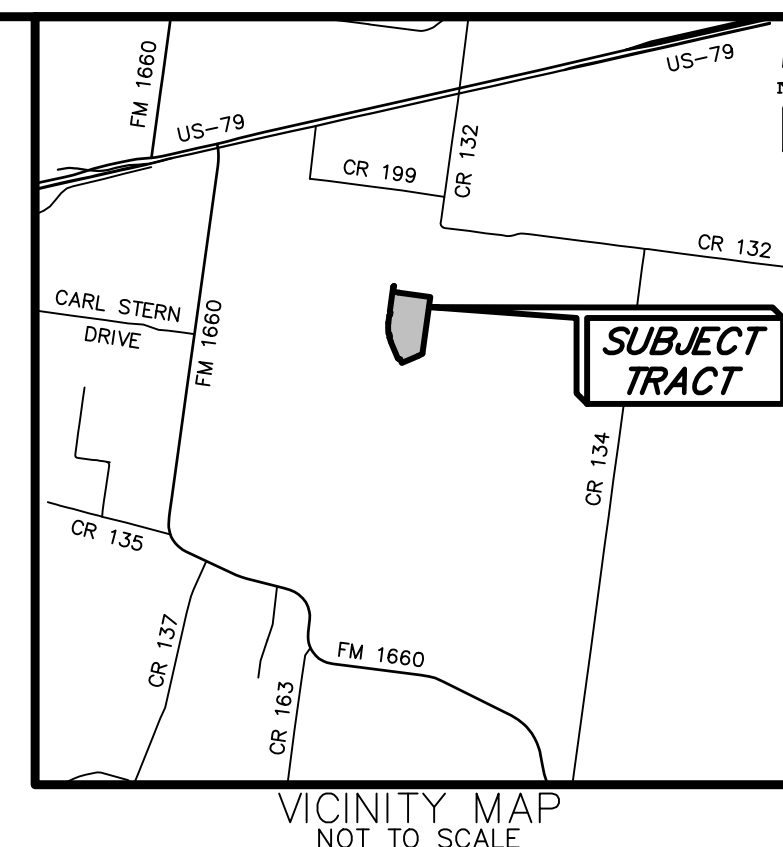
CONSIDERED and RESOLVED on this the **15th** day of the month **April, 2021**.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary



LOT PERCENTAGE TABLE				
LOT SIZE	PREVIOUS	PROPOSED PHASE 2	TOTAL	ALLOWABLE
40	47	0	47	266 MAX (27%)
50/60	111	101	212	N/A
70	2	0	2	99 MIN. (10%)

A SUBDIVISION OF 22.725 ACRES OF LAND
LOCATED IN THE
WILLIAM GATLIN SURVEY, ABSTRACT NO. 271
WILLIAMSON COUNTY, TEXAS

DOC.	DOCUMENT
D.R.W.C.	DEED RECORDS OF WILLIAMSON COUNTY
ELEC.	ELECTRIC
ESMT.	EASEMENT
NO.	NUMBER
NOS.	NUMBERS
O.S.	OPEN SPACE
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
O.R.W.C.	OFFICIAL RECORDS OF WILLIAMSON COUNTY
PG.	PAGE
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
VOL.	VOLUME
[]	RECORD INFORMATION FOR DOC. NO. 203097300 O.P.R.W.C.
{ }	RECORD INFORMATION FOR DOC. NO. 2010007504 O.P.R.W.C.
●	FOUND 1/2" IRON ROD
○	SFT 1/2" IRON ROD W/CAP STAMPED "BGE INC"

LAND USE SCHEDULE		
DESCRIPTION	NO.	ACREAGE
RESIDENTIAL	101	15.911 AC.
OPEN SPACE	4	1.027 AC.
RIGHT-OF-WAY	—	5.787 AC.
TOTAL	105	22.725 AC.

BEARING ORIENTATION IS BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL
ZONE 4203, NAD83. DISTANCES SHOWN
HEREON ARE IN SURFACE AND CAN BE
CONVERTED TO GRID BY DIVIDING BY THE
SCALE FACTOR = 1.0001097659.

7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
Tel: 210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
PEI S Licensed Surveying Firm No. 10106502

SHEET 1 OF 3

R – RESIDENTIAL O/S – OPEN SPACE

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
16	J	7,200	R
17	J	7,752	R
18	J	6,250	R
19	J	6,250	R
20	J	6,250	R
21	J	6,250	R
22	J	6,250	R
23	J	6,236	R
24	J	6,710	R
25	J	11,887	R
26	J	9,138	R
27	J	6,320	R
28	J	6,250	R
29	J	6,250	R
30	J	6,250	R
31	J	7,451	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	K	9,534	R
2	K	6,321	R
3	K	6,321	R
4	K	6,321	R
5	K	6,321	R
6	K	6,321	R
7	K	6,321	R
8	K	7,449	R
9	K	7,537	R
10	K	6,321	R
11	K	6,321	R
12	K	6,321	R
13	K	6,321	R
14	K	6,321	R
15	K	6,321	R
16	K	9,480	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
3	L	6,000	R
4	L	6,000	R
5	L	6,000	R
6	L	6,000	R
7	L	6,000	R
8	L	6,000	R
9	L	6,000	R
10	L	9,895	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	T	6,236	R
2	T	8,381	R
3	T	6,352	R
4	T	6,352	R
5	T	6,280	R
6	T	6,000	R
7	T	6,000	R
8	T	7,152	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	U	7,996	R
2	U	6,735	R
3	U	6,727	R
4	U	6,701	R
5	U	6,523	R
6	U	8,116	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	V	11,030	R
2	V	8,329	R
3	V	11,500	R
4	V	7,960	R
5	V	6,255	R
6	V	6,500	R
7	V	6,500	R
8	V	6,500	R
9	V	6,500	R
10	V	7,752	R
11	V	7,151	R
12	V	6,000	R
13	V	6,000	R
14	V	6,000	R
15	V	6,000	R
16	V	6,000	R
17	V	6,000	R
18	V	6,000	R
19	V	5,902	R
20	V	6,093	O.S.
21	V	6,257	R
22	V	6,000	R
23	V	6,000	R
24	V	7,066	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	W	24,191	O.S.
2	W	8,065	R
3	W	6,193	R
4	W	6,000	R
5	W	6,000	R
6	W	6,000	R
7	W	5,805	R
8	W	9,690	R
9	W	13,028	R
10	W	5,994	R
11	W	6,000	R
12	W	6,000	R
13	W	6,000	R
14	W	5,904	R
15	W	7,201	R

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N 22°49'12" W	80.00'
L2	N 12°35'55" W	50.00'
L3	N 07°46'05" E	50.00'
L4	S 07°45'57" W	120.00'
L5	S 82°14'03" E	120.00'
L6	S 07°45'57" W	5.00'
L7	S 82°14'16" E	109.95'
L8	N 82°14'16" W	110.05'
L9	S 77°24'05" W	105.18'
L10	N 77°24'05" E	105.18'
L11	N 82°14'16" W	105.00'
L12	S 82°14'16" E	105.00'
L13	S 77°24'05" W	80.08'
L14	N 77°24'05" E	66.26'
L15	S 54°17'13" W	60.07'
L16	N 22°06'52" W	54.23'
L17	N 16°58'02" W	76.26'
L18	S 08°05'57" E	79.19'
L19	S 02°21'26" E	57.75'
L20	S 02°05'08" W	57.75'
L21	S 06°02'11" W	44.97'

CURVE DATA					
NUMBER	RADIUS	DELTA ANGLE	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	540.00'	11°11'13"	105.43'	S 61°35'11" W	105.27'
C2	40.00'	90°00'00"	62.83'	N 67°49'12" W	56.57'
C3	760.00'	7°08'37"	94.76'	N 19°14'53" W	94.70'
C4	15.00'	93°04'40"	24.37'	N 30°51'45" E	21.78'
C5	15.00'	93°04'40"	24.37'	N 56°03'35" W	21.78'
C6	760.00'	17°17'12"	229.30'	N 0°52'39" W	228.43'
C7	15.00'	89°59'47"	23.56'	N 52°45'51" E	21.21'
C8	15.00'	89°59'39"	23.56'	N 37°14'09" W	21.21'
C9	15.00'	90°00'00"	23.56'	N 52°45'57" E	21.21'
C10	15.00'	90°00'00"	23.56'	S 37°14'03" E	21.21'
C11	15.00'	39°42'54"	10.40'	N 77°54'30" E	10.19'
C12	50.00'	169°37'19"	148.02'	N 37°08'18" W	99.59'
C13	15.00'	39°42'54"	10.40'	S 27°48'55" W	10.19'
C14	15.00'	90°11'43"	23.61'	S 37°08'24" E	21.25'
C15	15.00'	89°48'17"	23.51'	S 52°51'36" W	21.18'
C16	15.00'	39°42'54"	10.40'	S 11°54'00" E	10.19'
C17	50.00'	138°39'10"	121.00'	N 37°34'08" E	93.56'
C18	15.00'	39°42'54"	10.40'	S 87°02'15" W	10.19'
C19	15.00'	39°42'54"	10.40'	S 47°19'21" W	10.19'
C20	50.00'	169°25'49"	147.86'	S 67°49'12" E	99.57'
C21	15.00'	39°42'54"	10.40'	N 2°57'45" W	10.19'
C22	625.00'	6°38'17"	72.41'	S 19°30'03" E	72.37'
C23	15.00'	86°25'00"	22.62'	N 59°23'25" W	20.54'
C24	15.00'	86°25'00"	22.62'	N 34°11'35" E	20.54'
C25	625.00'	16°46'52"	183.05'	S 0°37'29" E	182.40'
C26	15.00'	90°00'13"	23.56'	N 37°14'09" W	21.21'
C27	15.00'	89°59'47"	23.56'	N 52°45'51" E	21.21'
C28	15.00'	90°00'00"	23.56'	S 52°45'57" W	21.21'
C29	25.00'	90°11'30"	39.35'	N 37°08'18" W	35.41'
C30	15.00'	89°48'17"	23.51'	N 52°51'36" E	21.18'
C31	15.00'	90°00'13"	23.56'	S 37°14'09" E	21.21'
C32	15.00'	89°59'47"	23.56'	S 52°45'51" W	21.21'
C33	15.00'	90°11'43"	23.61'	N 37°08'24" W	21.25'
C34	25.00'	69°26'38"	30.30'	N 42°40'46" E	28.48'
C35	15.00'	94°05'46"	24.63'	S 55°33'02" E	21.96'
C36	575.00'	16°16'06"	163.26'	S 0°22'06" E	162.72'
C37	15.00'	89°48'17"	23.51'	S 52°51'36" W	21.18'
C38	15.00'	90°11'43"	23.61'	N 37°08'24" W	21.25'
C39	25.00'	59°13'21"	25.84'	N 37°34'08" E	24.71'
C40	25.00'	90°00'00"	39.27'	S 67°49'12" E	35.36'
C41	575.00'	6°07'31"	61.47'	S 19°45'26" E	61.44'
C42	15.00'	94°05'46"	24.63'	S 30°21'12" W	21.96'
C43	15.00'	39°42'54"	10.40'	N 82°44'28" W	10.19'
C44	50.00'	148°52'27"	129.92'	N 42°40'46" E	96.33'
C45	15.00'	39°42'54"	10.40'	S 11°54'00" E	10.19'
C46	50.00'	1°19'19"	1.15'	S 58°42'42" W	1.15'
C47	50.00'	54°04'00"	47.18'	S 86°24'21" W	45.45'
C48	50.00'	38°18'35"	33.43'	N 47°24'21" W	32.81'
C49	50.00'	41°22'09"	36.10'	N 7°33'59" W	35.32'
C50	50.00'	34°33'16"	30.15'	N 30°23'44" E	29.70'
C51	50.00'	29°12'05"	25.48'	N 17°09'25" W	25.21'
C52	50.00'	44°52'28"	39.16'	N 19°52'52" E	38.17'
C53	50.00'	49°00'22"	42.77'	N 66°49'17" E	41.47'
C54	50.00'	15°34'15"	13.59'	S 80°53'25" E	13.55'
C55	15.00'	32°46'22"	8.58'	S 50°47'37" W	8.46'
C56	15.00'	6°56'32"	1.82'	S 30°56'10" W	1.82'
C57	50.00'	73°10'41"	63.86'	N 64°03'14" E	59.61'
C58	50.00'	24°49'07"	21.66'	S 66°56'51" E	21.49'
C59	50.00'	45°58'30"	40.12'	S 31°33'03" E	39.05'
C60	50.00'	25°27'30"	22.22'	S 4°09'57" W	22.03'
C61	460.00'	12°53'35"	103.51'	N 60°44'00" E	103.29'
C62	625.00'	2°25'35"	26.47'	S 21°36'24" E	26.47'
C63	625.00'	4°12'42"	45.94'	S 18°17'16" E	45.93'
C64	50.00'	42°03'37"	36.70'	S 83°54'49" E	35.89'
C65	50.00'	37°13'34"	32.49'	N 56°26'36" E	31.92'
C66	50.00'	39°56'27"	34.85'	N 17°51'36" E	34.15'
C67	50.00'	29°38'49"	25.87'	N 16°56'02" W	25.58'
C68	575.00'	7°22'18"	73.98'	S 4°49'00" E	73.93'
C69	575.00'	5°00'54"	50.33'	S 1°22'36" W	50.31'
C70	575.00'	3°52'54"	38.96'	S 5°49'30" W	38.95'
C71	625.00'	3°27'32"	37.73'	S 6°02'11" W	37.73'
C72	625.00'	4°26'34"	48.46'	S 2°05'08" W	48.45'
C73	625.00'	4°26'34"	48.46'	S 2°21'26" E	48.45'
C74	625.00'	4°26'12"	48.40'	S 6°47'49" E	48.39'

LEGAL DESCRIPTION

FIELD NOTES FOR A 22.725 ACRE TRACT OF LAND SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 46.68 ACRE TRACT OF LAND AS CONVEYED UNTO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD. AS RECORDED IN DOCUMENT NUMBER 2019116498 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, A PORTION OF A CALLED 130.141 ACRE TRACT OF LAND AS CONVEYED TO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD. AS RECORDED IN DOCUMENT NUMBER 2019104719 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, ALSO BEING A PORTION OF THE BRANSON BOULEVARD RIGHT-OF-WAY (R.O.W.~ 90') AS DEDICATED BY THE PLAT OF MEADOWS AT COTTONWOOD CREEK PHASE ONE, AS RECORDED IN DOCUMENT NUMBER 2009067576 AND BEING VACATED BY DOCUMENT NUMBERS 2020092313 AND 2020027446 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND CONVEYED UNTO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD AS RECORDED IN DOCUMENT NO. 2020120045 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 22.725 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2-inch iron rod with a cap stamped "BGE INC" set on the common line of said vacated right-of-way and a called 50 acre tract of land (Third Tract) as conveyed unto Leshber Investment, LP in Document Number 2010007504 of the Official Public Records of Williamson County, Texas, at the southeast corner of Cottonwood Phase 1 as recorded in Document Number 2020133552 of the Official Public Records of Williamson County, Texas, for the northeast corner and POINT OF BEGINNING of the herein described tract:

THENCE, S 07° 57' 27" W, coincident with the common line of said vacated right-of-way, said 50 acre tract and a called 4.855 acre tract of land as conveyed unto Audrey Evans in Document Number 2010004677 and described in Document Number 2003097300 of the Official Public Records of Williamson County, Texas, a distance of 1,192.75 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the beginning of a non-tangent curve for the southeast corner of the herein described tract;

THENCE, departing said common line, over and across said vacated right-of-way, the aforementioned 130.141 acre tract and the aforementioned 46.68 acre tract the following eleven (11) courses:

- 1)Curving to the right with a radius of 540.00 feet, an arc length of 105.43 feet, a central angle of 11° 11' 13", a chord bearing of S 61° 35' 11" W, and a chord distance of 105.27 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of tangency of the herein described tract;
- 2) S 67° 10' 48" W, a distance of 366.59 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for the southwest corner of the herein described tract;
- 3) N 22° 49' 12" W, a distance of 80.00 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the beginning of a non-tangent curve of the herein described tract;
- 4) Curving to the right with a radius of 40.00 feet, an arc length of 62.83 feet, a central angle of 90° 00' 00", a chord bearing of N 67° 49' 12" W, and a chord distance of 56.57 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the point of tangency of the herein described tract;
- 5) N 22° 49' 12" W, a distance of 375.00 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of curvature of the herein described tract;
- 6) Curving to the right with a radius of 760.00 feet, an arc length of 94.76 feet, a central angle of 07° 08' 37", a chord bearing of N 19° 14' 53" W, and a chord distance of 94.70 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of compound curvature of the herein described tract;
- 7) Curving to the right with a radius of 15.00 feet, an arc length of 24.37 feet, a central angle of 93° 04' 40", a chord bearing of N 19° 30' 51' 45" E, and a chord distance of 21.78 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the end of this curve;
- 8) N 12° 35' 55" W, a distance of 50.00 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the beginning of a non-tangent of the herein described tract;
- 9) Curving to the right with a radius of 15.00 feet, an arc length of 24.37 feet, a central angle of 93° 04' 40", a chord bearing of N 56° 03' 35" W, and a chord distance of 21.78 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of compound curvature of the herein described tract;
- 10)Curving to the right with a radius of 760.00 feet, an arc length of 229.30 feet, a central angle of 17° 17' 12", a chord bearing of N 00° 52' 39" W, and a chord distance of 228.43 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of tangency of the herein described tract;
- 11)N 07° 45' 57" E, a distance of 156.06 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the south end of a curve return from the east right of way line of Branson Boulevard (R.O.W. ~ 80') as shown on the aforementioned plat of Cottonwood Phase 1 for a point of curvature of the herein described tract;

THENCE, continuing over and across the 46.68 acre tract, and the 130.141 acre tract coincident with said east right-of-way line the following five (5) courses:

- 1)Curving to the right with a radius of 15.00 feet, an arc length of 23.56 feet, a central angle of 89° 59' 47", a chord bearing of N 52° 45' 51" E, and a chord distance of 21.21 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the end of this curve;
- 2) N 07° 46' 05" E, a distance of 50.00 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the beginning of a non-tangent curve of the herein described tract;
- 3) Curving to the right with a radius of 15.00 feet, an arc length of 23.56 feet, a central angle of 89° 59' 39", a chord bearing of N 37° 14' 09" W, and a chord distance of 21.21 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of tangency of the herein described tract;
- 4) Thence, N 07° 45' 57" E, a distance of 522.87 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set for a point of curvature of the herein described tract;
- 5) Curving to the right with a radius of 15.00 feet, an arc length of 23.56 feet, a central angle of 90° 00' 00", a chord bearing of N 52° 45' 57" E, and a chord distance of 21.21 feet to a to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the end of this

G:\TXC\Projects\Lennar\8390-00-Cottonwood_Plat\8390-00-Cottonwood_Plat_20201217.dwg, 12/18/2020 11:50 AM, mmlisak, 1:0

STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING HEREIN BY AND THROUGH KEVIN PAPE, VICE PRESIDENT, BEING THE OWNER OF 22.725 ACRES OF LAND OUT OF THE WILLIAM GATLIN SURVEY A-271, WILLIAMSON COUNTY, TEXAS AS CONVEYED TO IT BY INSTRUMENTS RECORDED IN DOC. NO'S. 2019116498, 2019104719, AND 2020120045 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, OF WHICH A PORTION BEING OUT OF MEADOWS AT COTTONWOOD CREEK, PHASE ONE, A SUBDIVISION AS RECORDED IN DOC. NO. 2009067576 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID MEADOWS AT COTTONWOOD CREEK, PHASE ONE HAVING BEEN VACATED BY DOCUMENT NOS. 2020027446 AND 2020092313 AND CONVEYED UNTO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD AS RECORDED IN DOCUMENT NO. 2020120045 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID SUBDIVISION HAVING BEEN APPROVED FOR RESUBDIVISION PURSUANT TO PUBLIC NOTIFICATION & HEARING PROVISIONS OF CHAP. 212 OF THE TEXAS LOCAL GOVERNMENT CODE, DOES HEREBY SUBDIVIDE SAID 22.725 ACRES OF LAND IN ACCORDANCE WITH THE PLAT SHOWN HEREON, TO BE KNOWN AS:

COTTONWOOD PHASE 2

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE ____ DAY OF _____, 20____, A.D.

KEVIN PAPE, VICE PRESIDENT
LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.
13620 NORTH F.M. 620
BUILDING 1, SUITE 150
AUSTIN, TEXAS 78717

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED KEVIN PAPE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME
MY COMMISSION EXPIRES _____

I, TIMOTHY M. HOLLAND, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF ENGINEERING, AND DO HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

PRELIMINARY, THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT

TIMOTHY M. HOLLAND, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 94848
BGE, INC.
1701 DIRECTORS BOULEVARD, SUITE 1000
AUSTIN, TX 78744

DATE

I, DION P. ALBERTSON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF SURVEYING, AND DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY UNDER MY SUPERVISION.

PRELIMINARY, THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT

DION P. ALBERTSON, R.P.L.S.
REGISTERED PROFESSIONAL SURVEYOR NO. 4963
BGE, INC.
7330 SAN PEDRO AVE, SUITE 202
SAN ANTONIO, TEXAS 78216

DATE

GENERAL NOTES:

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. COMBINED SCALE FACTOR = 1.0001097659
2. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
3. BUILDING SETBACKS SHALL CONFORM TO UDC REQUIREMENTS, AS AMENDED.
4. A TEN (10) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
5. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
6. IF PARKING IS DESIRED ON BOTH SIDES OF THE STREET THEN THE STREETS MUST BE A MINIMUM OF 33 FEET WIDE. IF THE STREETS ARE LESS THAN 33 FEET IN WIDTH FIRE LANE SIGNAGE IS REQUIRED. (2018 IFC APPENDIX D SEC. 103.6 – D103.6.2)
7. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
8. SIDEWALKS AND TREES SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN THIS SUBDIVISION.
9. SIDEWALKS AND TREES SHALL BE PROVIDED ALONG ALL STREETS BOUNDING THIS SUBDIVISION.
10. ALL FENCING THAT IS NOT ON A PRIVATE LOT TO BE MAINTAINED BY THE HOA.
11. STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE UDC REQUIREMENTS, AS AMENDED.
12. THIS TRACT IS WITHIN WATER CCN SERVICE AREA 10321. WATER AND WASTEWATER WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
13. NO PORTION OF THIS TRACT IS ENCROACHED BY THE ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN.
14. NO PORTION OF THIS TRACT IS ENCROACHED BY ANY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBER 48491C0520E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.
15. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATIONS SHALL BE BUILT AT LEAST ONE (1) FOOT ABOVE THE SURROUNDING GROUND AND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
16. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE AS AMENDED, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
17. ON-SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST-DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100-YEAR STORM EVENTS.
18. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
19. ALL DRAINAGE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

CITY DEVELOPMENT SERVICES SIGNATURES:

THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF HUTTO, THIS THE ____ DAY OF _____, 20____.

ASHBY GRUNDMAN, DEVELOPMENT SERVICES DIRECTOR

DATE

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE ON THE ____ DAY OF _____, 20____.

DOUG GAUL, MAYOR

DATE

LACIE HALE, CITY SECRETARY

DATE

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

THAT I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATION OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE ____DAY OF _____, 20__ A.D., AT ____ O'CLOCK __M. AND DULY RECORDED ON THE ____DAY OF _____, 20__ A.D., AT ____ O'CLOCK __M. IN THE PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NO. _____

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST ABOVE WRITTEN.

NANCY RISTER, CLERK, COUNTY COURT
WILLIAMSON COUNTY, TEXAS

BY: _____
DEPUTY



Received 3/8/2021



BGE, Inc.
7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
Tel: 210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10106502

FINAL PLAT
COTTONWOOD PHASE 2

A SUBDIVISION OF 22.725 ACRES OF LAND
LOCATED IN THE
WILLIAM GATLIN SURVEY, ABSTRACT NO. 271
WILLIAMSON COUNTY, TEXAS

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on the proposed Hutto Crossing Industrial Park Lot 2 Block A Replat, 9.745 acres, more or less, of land, 2 commercial lots, located on Park Central Drive. (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Planning and Development
Staff Contact: Ashby Grundman

BACKGROUND INFORMATION:

The proposed Hutto Crossing Industrial Park Lot 2 Block A Replat consists of 9.745 acres and 2 commercial lots. This phase is west of Park Central and north of Southside Drive.

Current Zoning:

The subject property is zoned PUD, with a base zoning of Industrial.

Surrounding Zoning:

North: Planned Unit Development – Hutto Crossing PUD

East: Planned Unit Development – Hutto Crossing PUD

South: Planned Unit Development – Hutto Crossing PUD

West: Extra-territorial Jurisdiction (Residential)

SUMMARY OF REQUEST:

The proposed Final Plat is comprised of 2 commercial lots. Lot 2A is 5.978 acres and Lot 2B is 3.767 acres.

The proposal meets the minimum standards as required in the Planned Unit Development, Unified Development Code and state law. The proposed street layout provides for connectivity between adjacent developments.

STAFF REVIEW:

As the Planning and Zoning Commission recommended approval unanimously, staff recommends that the City Council approve the Hutto Crossing Industrial Park Lot 2 Block A Replat.

FINANCIAL IMPACT:

Not applicable.

POLICY IMPLICATIONS:

Not applicable.

ATTACHMENTS:

1. (Res)HCIP Replat (FullPacket)

City Council
AGENDA ITEM REPORT



RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS "HUTTO CROSSING INDUSTRIAL PARK LOT 2 BLOCK A REPLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as "Hutto Crossing Industrial Park Lot 2 Block A Replat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **15th** day of the month **April, 2021**.

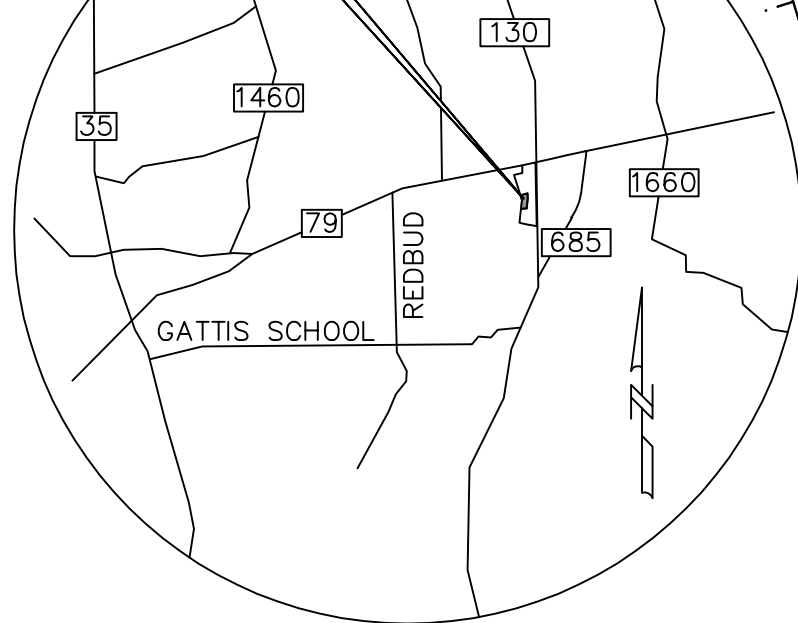
THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary

PROJECT LOCATION



LOCATION MAP

SCALE: 1" = 2000'

OWNERS: TEX MIX LAND, LTD
P.O. BOX 830
LEANDER, TEXAS 78646

ACREAGE: 9.745 ACRES

PATENT SURVEY: ROBERT MCNUTT SURVEY, ABSTRACT 422

NUMBER OF BLOCKS: 1

ACREAGE BY LOT TYPE: 9.745 - DEVELOPMENT

NUMBER OF LOTS BY TYPE: 2 - DEVELOPMENT

LINEAR FEET OF NEW STREETS: NONE

SUBMITTAL DATE: FEBRUARY 01, 2021

DATE OF PLANNING AND ZONING COMMISSION REVIEW: APRIL 6, 2021

ENGINEER: WAELTZ & PRETE, INC.
211 N. A.W. GRIMES BLVD.
ROUND ROCK, TEXAS 78665

SURVEYOR: DIAMOND SURVEYING, INC.
116 SKYLINE
GEORGETOWN, TEXAS 78628
T.B.P.E.L.S. NO. 10006900

BENCHMARK DESCRIPTION AND ELEVATION: TBM 10: PK NAIL WITH "STANTEC" WASHER SET IN CONCRETE RIBBON CURB ON SOUTH SIDE OF SPOTTED FAWN DRIVE ±90' WEST OF THE PAVEMENT END AND ±150' EAST OF THE CENTERLINE AXIS DEER TRAIL. ELEV. = 622.23'.
VERTICAL DATUM: NAVD 88

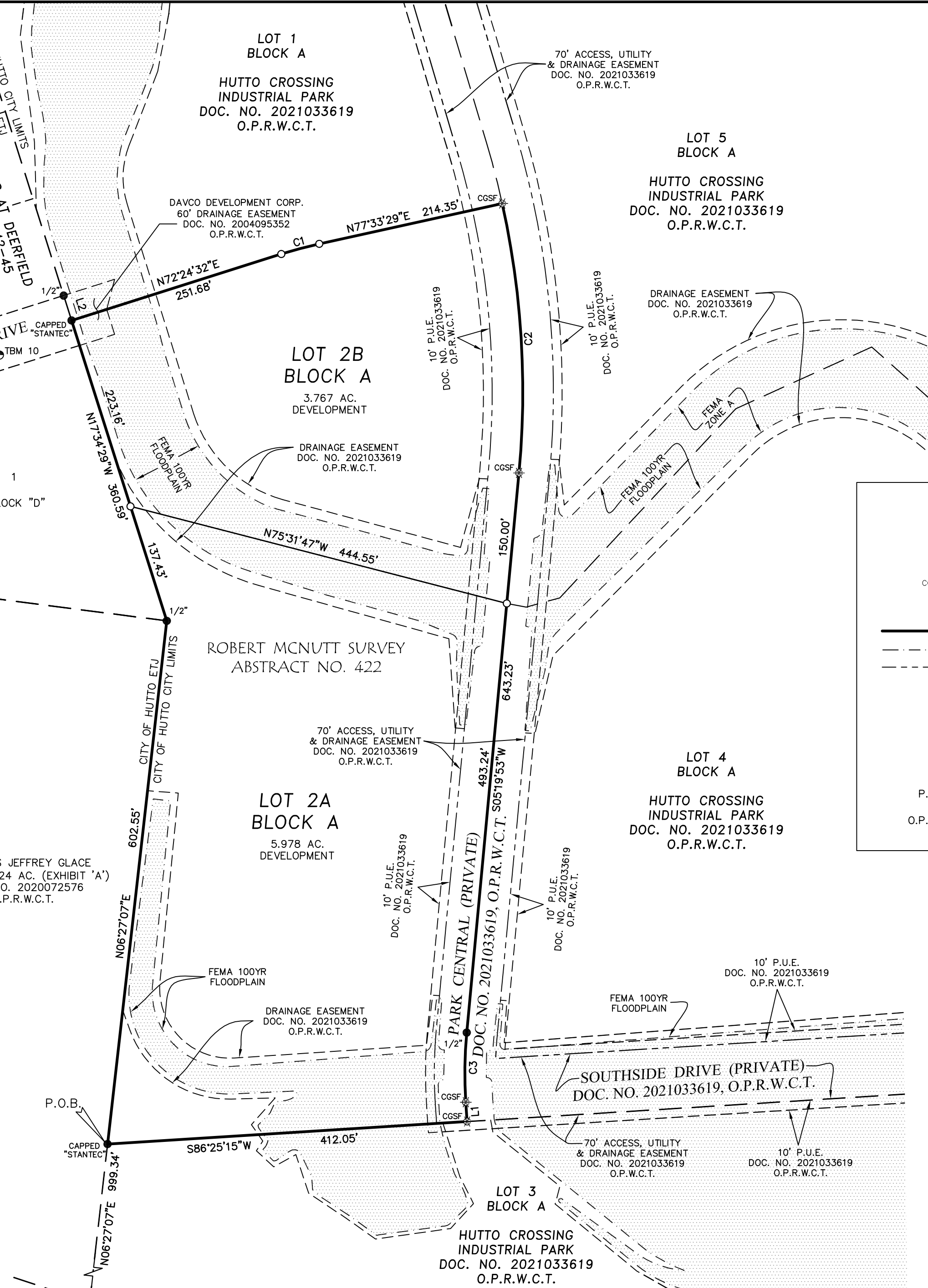
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°48'44"E	22.19'
L2	N17°34'29"W	29.88'

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	500.00'	44.94'	5°08'57"	N74°59'00"E	44.92'
C2	1000.00'	310.20'	17°46'24"	S03°33'19"E	308.96'
C3	500.00'	79.79'	9°08'37"	S00°45'35"W	79.71'

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

CHARLES JEFFREY GLACE
CALLED 43.24 AC. (EXHIBIT 'A')
DOC. NO. 2020072576
O.P.R.W.C.T.

TACK DEVELOPMENT, LTD.
CALLED 325.34 ACRES
DOCUMENT NO. 2008092900
O.P.R.W.C.T.



LEGEND

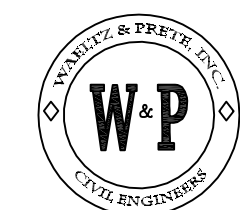
- IRON ROD FOUND
- ▲ 60D NAIL FOUND IN CONCRETE
- IRON ROD SET WITH CAP MARKED "DIAMOND SURVEYING"
- CGSF COTTON GIN SPINDLE FOUND
- BENCHMARK
- REPLAT BOUNDARY
- - - FEMA 100YR FLOODPLAIN
- - - 70' ACCESS, UTILITY & DRAINAGE EASEMENT
- FEMA FEDERAL EMERGENCY MANAGEMENT AGENCY
- R.O.W. RIGHT-OF-WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- ETJ EXTRATERRITORIAL JURISDICTION
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.R.W.C.T. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

Received 3/29/2021



REPLAT OF LOT 2, BLOCK A HUTTO CROSSING INDUSTRIAL PARK

SHEET 1 OF 3



Waeltz & Prete, Inc.
CIVIL ENGINEERS
211 N. A.W. Grimes Blvd.
Round Rock, TX. 78665
PH (512) 505-8953
FIRM TX. REG. #F-10308

METES AND BOUNDS DESCRIPTION

FOR A 9.745 ACRE TRACT OF LAND SITUATED IN THE ROBERT MCNUTT SURVEY, ABSTRACT NO. 422, WILLIAMSON COUNTY, TEXAS AND BEING ALL OF LOT 2, BLOCK A, HUTTO CROSSING INDUSTRIAL PARK, A SUBDIVISION RECORDED IN DOCUMENT NO. 2021033619 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 9.745 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 60D nail found in concrete monumenting the southwest corner of Lot 3, Block A of said Hutto Crossing Industrial Park and the southeast corner of the called 43.24 acre tract of land (Exhibit 'A') conveyed to Charles Jeffrey Glace, recorded in Document No. 2020072576 of the Official Public Records of Williamson County, Texas, same being on the northerly boundary line of the called 325.34 acre tract of land conveyed to Tack Development, Ltd., recorded in Document No. 2008092900 of the Official Public Records of Williamson County, Texas;

THENCE, N 06°27'07" E with the west boundary line of said Lot 3, Block A and the east boundary line of said 43.24 acre Glace tract, for a distance of 999.34 feet to an iron found with cap marked "STANTEC" on the northwest corner of said Lot 3, Block A and the southwest corner of said Lot 2, Block A, for the southwest corner and POINT OF BEGINNING hereof;

THENCE, N 06°27'07" E with the west boundary line of said Lot 2, Block A and said east boundary line of the 43.24 acre Glace tract, for a distance of 602.55 feet to a 1/2" iron rod found monumenting the northeast corner of said 43.24 acre Glace tract, on an angle point in said west boundary line of Lot 2, Block A, and the southeast corner of Lot 1, Block D, The Heights at Deerfield a subdivision recorded in Cabinet O, Slides 42–45 of the Plat Records of Williamson County, Texas;

THENCE, N 17°34'29" W with said west boundary line of Lot 2, Block A, in part with the east boundary line of said Lot 1, Block D, and in part with the easterly terminus of Spotted Fawn Drive (60' right-of-way width), for a distance of 360.59 feet to an iron rod found with cap marked "STANTEC" on the northwest corner of said Lot 2, Block A and the southwest corner of Lot 1, Block A of said Hutto Crossing Industrial Park, for the northwest corner hereof, from which a 1/2" iron rod found monumenting the northeast terminus corner of said Spotted Fawn Drive and the southeast corner of Lot 30, Block A of said The Heights at Deerfield, same being on the west boundary line of said Lot 1, Block A, bears N 17°34'29" W for a distance of 29.88 feet;

THENCE, with the north boundary line of said Lot 2, Block A and the south boundary line of said Lot 1, Block A, the following three (3) courses and distances:

1. N 72°24'32" E for a distance of 251.68 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the beginning of a curve to the right;
2. With said curve to the right an arc length of 44.94 feet, said curve having a radius of 500.00 feet, a delta angle of 5°08'57" and a chord which bears N 74°59'00" E for a distance of 44.92 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the end of this curve;
3. N 77°33'29" E for a distance of 214.35 feet to a cotton gin spindle found on the northeast corner of said Lot 2, Block A and the southeast corner of said Lot 1, Block A, same being on the west boundary line of Lot 5, Block A of said Hutto Crossing Industrial Park, for the northeast corner hereof;

THENCE, with the east boundary line of said Lot 2, Block A, in part with the west boundary line of said Lot 5, Block A, and in part with the west boundary line of Lot 4, Block A of said Hutto Crossing Industrial Park, the following four (4) courses and distances:

1. With a curve to the right an arc length of 310.20 feet, said curve having a radius of 1000.00 feet, a delta angle of 17°46'24" and a chord which bears S 03°33'19" E for a distance of 308.96 feet to a cotton gin spindle found on the end of this curve;
2. S 05°19'53" W passing at a distance of 150.00 feet, a 1/2" iron rod set with cap marked "Diamond Surveying" on the southwest corner of said Lot 5, Block A and the northwest corner of said Lot 4, Block A, in all a total distance of 643.23 feet to a 1/2" iron rod found on the beginning of a curve to the left;
3. With said curve to the left an arc length of 79.79 feet, said curve having a radius of 500.00 feet, a delta angle of 9°08'37" and a chord which bears S 00°45'35" W for a distance of 79.71 feet to a cotton gin spindle found on the end of this curve;
4. S 03°48'44" E for a distance of 22.19 feet to a cotton gin spindle found on the southeast corner of said Lot 2, Block A and the southwest corner of said Lot 4, Block A, same being on the north boundary line of said Lot 3, Block A, for the southeast corner hereof;

THENCE, S 86°25'15" W with the south boundary line of said Lot 2, Block A and said north boundary line of Lot 3, Block A, for a distance of 412.05 feet to the POINT OF BEGINNING hereof and containing 9.745 acres of land more or less.

BEARING BASIS: NAD–83, TEXAS CENTRAL ZONE (4203) STATE PLANE SYSTEM. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 0.999890029.

PLAT NOTES:

1. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
2. BUILDING SETBACKS SHALL CONFORM TO HUTTO CROSSING PUD OR UDC REQUIREMENTS.
3. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
4. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
5. A THREE (3) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL INTERIOR SIDE LOT LINES.
6. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND CONNECTION IS MADE TO SEPTIC UNTIL PUBLIC WASTEWATER IS AVAILABLE.
7. AN ARTERIAL FENCE SHALL BE CONSTRUCTED PER HUTTO CROSSING PUD OR UDC REQUIREMENTS.
8. STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE HUTTO CROSSING PUD OR UDC REQUIREMENTS.
9. WATER AND WASTEWATER WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
10. NO FENCES, STRUCTURES, STORAGE, OR FILL SHALL BE PLACED WITHIN THE LIMITS OF THE ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN; UNLESS APPROVED BY THE CITY ENGINEER. FILL MAY ONLY BE PERMITTED BY THE CITY ENGINEER AFTER APPROVAL OF THE PROPER ANALYSIS.
11. A PORTION OF THIS TRACT IS ENCROACHED BY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 48491C0515F, DATED DECEMBER 20, 2019 FOR WILLIAMSON COUNTY, TEXAS AND INCORPORATED AREAS.
12. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATIONS SHALL BE BUILT AT LEAST ONE (1) FOOT ABOVE THE SURROUNDING GROUND AND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
13. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
14. ON–SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST–DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100–YEAR STORM EVENTS.
15. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
16. ALL DRAINAGE LOTS SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
17. THE MAXIMUM IMPERVIOUS COVERAGE PER NON–RESIDENTIAL LOT IS 90%.
18. ALL LOTS WITHIN THE SUBDIVISION ARE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS PER DOC. # 2021022943.
19. UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:
WATER: CITY OF HUTTO (OR ON–SITE WELL)
WASTEWATER: CITY OF HUTTO (OR ON–SITE OSSF)
ELECTRIC: ONCOR
GAS: ATMOS
20. ON–SITE STORM WATER DETENTION FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
21. MINIMUM FINISHED FLOOR SLAB ELEVATIONS SHALL BE A MINIMUM OF 2 FEET ABOVE THE ULTIMATE 100–YEAR FLOOD PLAIN.

REPLAT OF LOT 2, BLOCK A
HUTTO CROSSING
INDUSTRIAL PARK

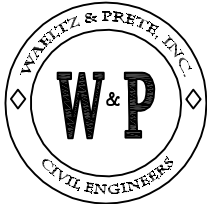
Received 3/29/2021



SHEET 2 OF 3

Waeltz & Prete, Inc.
CIVIL ENGINEERS

211 N. A.W. Grimes Blvd.
Round Rock, TX. 78665
PH (512) 505–8953
FIRM TX. REG. #F–10308



 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on the proposed Southgate Phase 3 Final Plat, 36.291 acres, more or less, of land, 149 single-family lots, located on Kaatz Lane. (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Planning and Development
Staff Contact: Ashby Grundman

BACKGROUND INFORMATION:

The proposed Southgate Phase 3 Final Plat is approximately 36.291 acres of land and 149 single-family residential lots. This phase is at the northern and western boundaries of the subdivision, and is east of the Covered Bridge Subdivision.

Current Zoning:

The subject property is zoned SF-1.

Surrounding Zoning:

North: Single-Family Residential (SF-1 – Riverwalk Subdivision)

East: Extra-territorial Jurisdiction (vacant farmland)

South: Single-Family Residential (SF-1 – Southgate Subdivision)

West: Single-Family Residential (SF-1 – Southgate and Covered Bridge Subdivisions)

SUMMARY OF REQUEST:

The proposed Final Plat is comprised of 149 single-family lots, 2 greenlink lots, 2 open space/drainage easement lots, and 2 open space/wastewater easement lots. All of the residential lots in this section are 50 feet wide.

The proposal meets the minimum standards as required in the Unified Development Code and state law. The proposed street layout provides for connectivity between adjacent developments.

STAFF REVIEW:

As the Planning and Zoning Commission recommended approval unanimously, Staff recommends that the City Council approve the proposed Southgate Phase 3 Final Plat.

FINANCIAL IMPACT:

Not applicable.

POLICY IMPLICATIONS:

Not applicable.

City Council
AGENDA ITEM REPORT



ATTACHMENTS:

1. (Res)Southgate Phase 3 FP(FullPacket)

RESOLUTION NO.

**A RESOLUTION APPROVING THE PLAT KNOWN AS "SOUTHGATE
PHASE 3 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON
COUNTY, TEXAS.**

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as "Southgate Phase 3 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

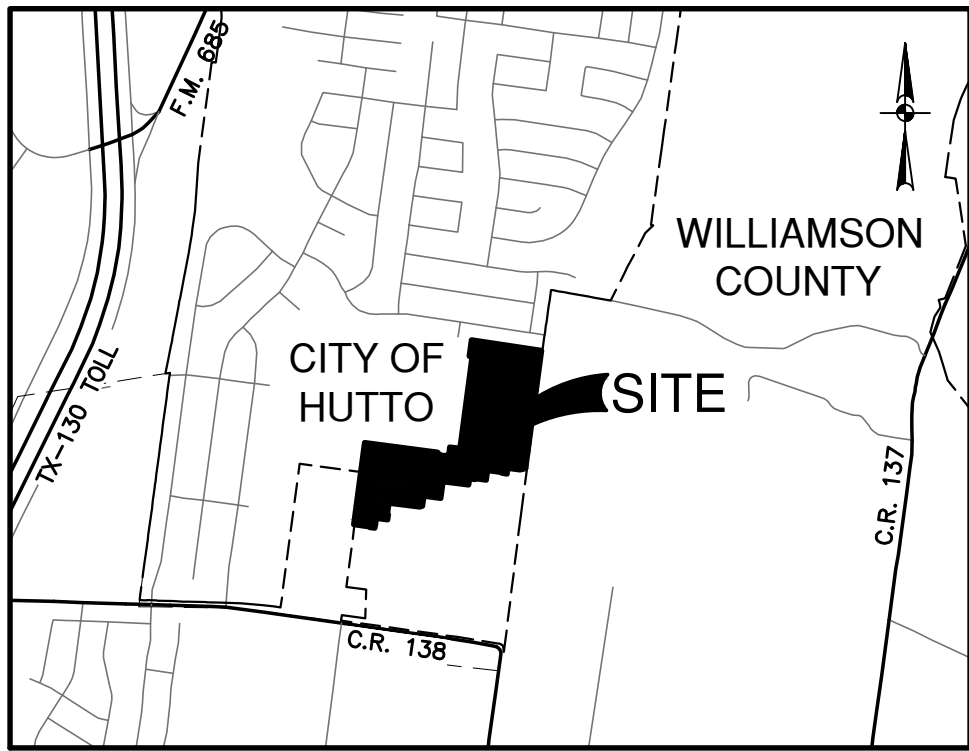
CONSIDERED and RESOLVED on this the **15th** day of the month **April, 2021**.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary



LOCATION MAP

SCALE: 1"= 2,000'

OWNER: HUTTO 117 INVESTORS, LP
ADDRESS: 4408 SPICEWOOD SPRINGS RD.,
AUSTIN, TX 78759
(512) 596-6544 P

ACREAGE: 36.291 ACRES
LOTS ACREAGE: 27.508 ACRES
ROW ACREAGE: 8.783 ACRES

ENGINEER & SURVEYOR:
PAPE-DAWSON ENGINEERS, INC.
10801 N MOPAC EXPY. BLDG. 3, SUITE 200
AUSTIN, TX 78759
(512) 454-8711 P
(512) 459-8867 F

SURVEY: JOHN KELSEY SURVEY
SECTION NO. 18
ABSTRACT NO. 377

NUMBER OF BLOCKS: 12
SINGLE FAMILY LOTS: 149
GREENLINK LOTS: 2
OSL & PVT DE LOTS: 2
OSL & WVE LOTS: 2
TOTAL LOTS: 155

LINEAR FEET OF NEW STREETS: 6945'

PLAT PREPARATION DATE: FEBRUARY 4, 2021
SUBMITTAL DATE: MARCH 8, 2021

BENCHMARK DESCRIPTION AND ELEVATION
NAVD88 (GEOID03)
COMBINED SCALE FACTOR OF 0.99988
BENCHMARK NO. 01
FOUND IRON ROD WITH CAP MARKED "WILLIAMSON COUNTY"
GRID NORTHING: 10156475.0'
GRID EASTING: 3166611.9'
ELEVATION: 726.10'

LINEAR FEET OF NEW STREETS:

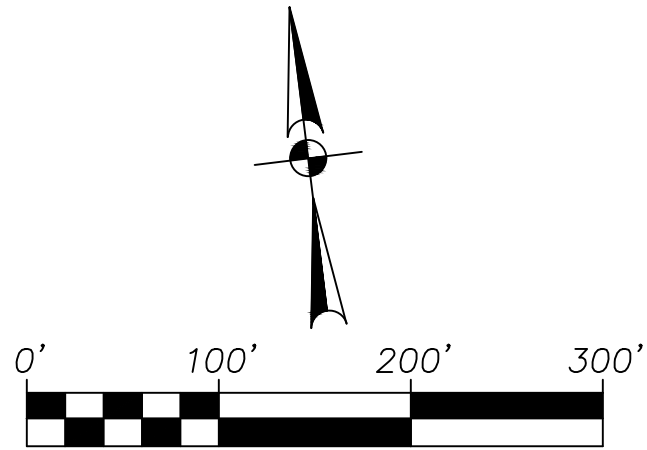
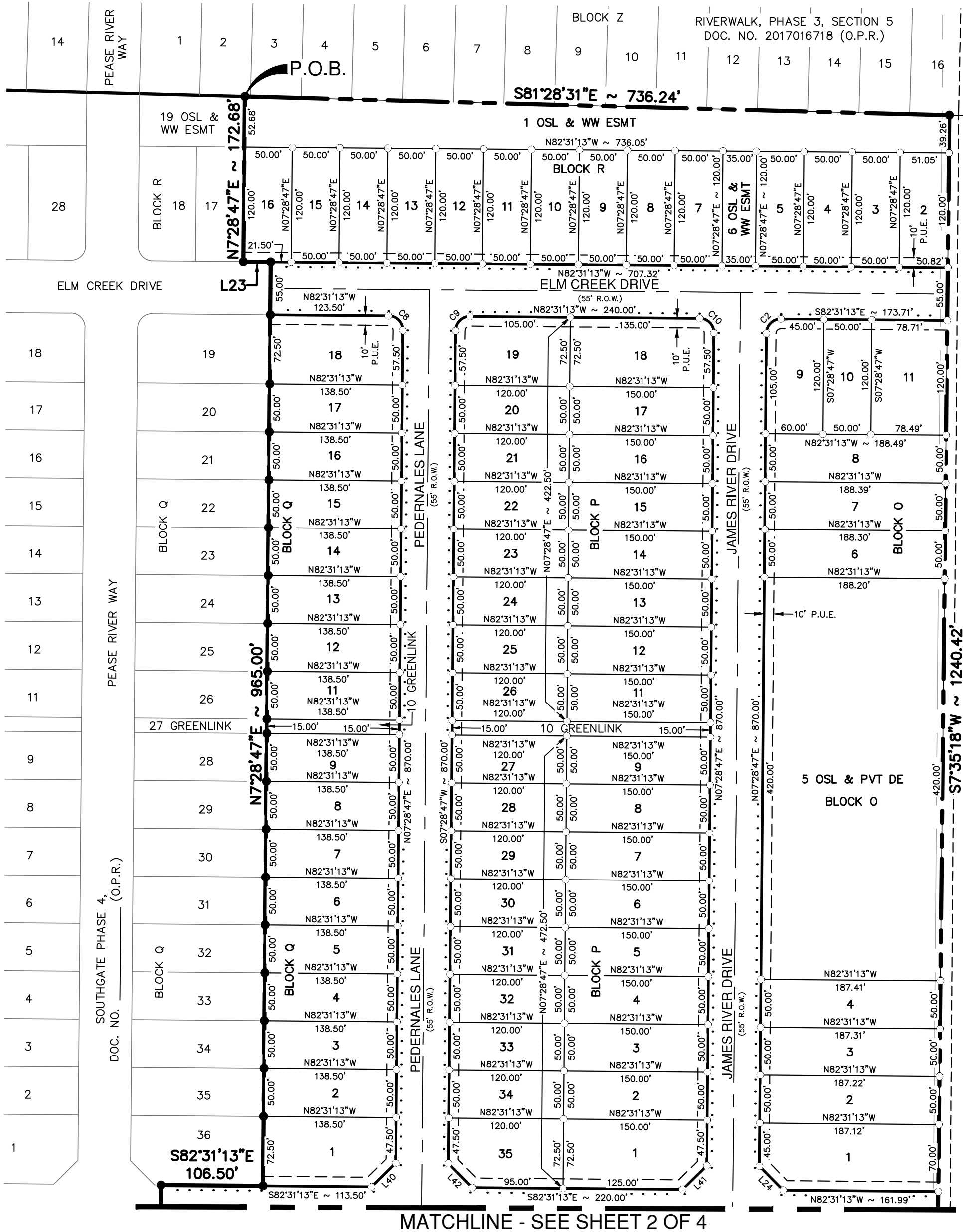
PEDERNALES LANE: 1227 LF
JAMES RIVER DRIVE: 1127 LF
CANADIAN RIVER TRAIL: 964 LF
CONCHO RIVER DRIVE: 860 LF
KAATZ LANE: 812 LF
ELM CREEK DRIVE: 707 LF
NOLAN RIVER ROAD: 667 LF
PEASE RIVER WAY: 445 LF
POSSUM KINGDOM LANE: 138 LF

LEGEND

DOC DOCUMENT NUMBER
OPR OFFICIAL PUBLIC RECORDS OF
WILLIAMSON COUNTY, TEXAS
PR PLAT RECORDS OF
WILLIAMSON COUNTY, TEXAS
DR DEED RECORDS OF
WILLIAMSON COUNTY, TEXAS
ETJ EXTRA TERRITORIAL JURISDICTION
FD, I.R. FOUND IRON ROD
ROW RIGHT OF WAY
VOL VOLUME
PG PAGE(S)
POB POINT OF BEGINNING
PVT PRIVATE
PUE PUBLIC UTILITY EASEMENT
OSL OPEN SPACE LOT
DE DRAINAGE EASEMENT
WW WASTEWATER
(SURVEYOR) ● FOUND 1/2" IRON ROD
(UNLESS NOTED OTHERWISE)
○ SET 1/2" IRON ROD (PD)
... SIDEWALK

FINAL PLAT OF SOUTHGATE, PHASE 3

A 36.291 ACRE, OR 1,580,841 SQUARE FOOT TRACT OF LAND BEING OUT OF A CALLED 118.971
ACRE TRACT CONVEYED TO HUTTO 117 INVESTORS, LP RECORDED IN DOCUMENT NO.
2019079796 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN
JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS.



SCALE: 1"= 100'

WILLIAM A. ROGER, JR., AS THE TRUSTEE
OF TIFFANY TANKERSLEY WOLFE 1997
CHILDREN'S TRUST
A CALLED 307.5795 ACRES
DOC. NO. 2016098133 (O.P.R.)

Received 3/12/2021

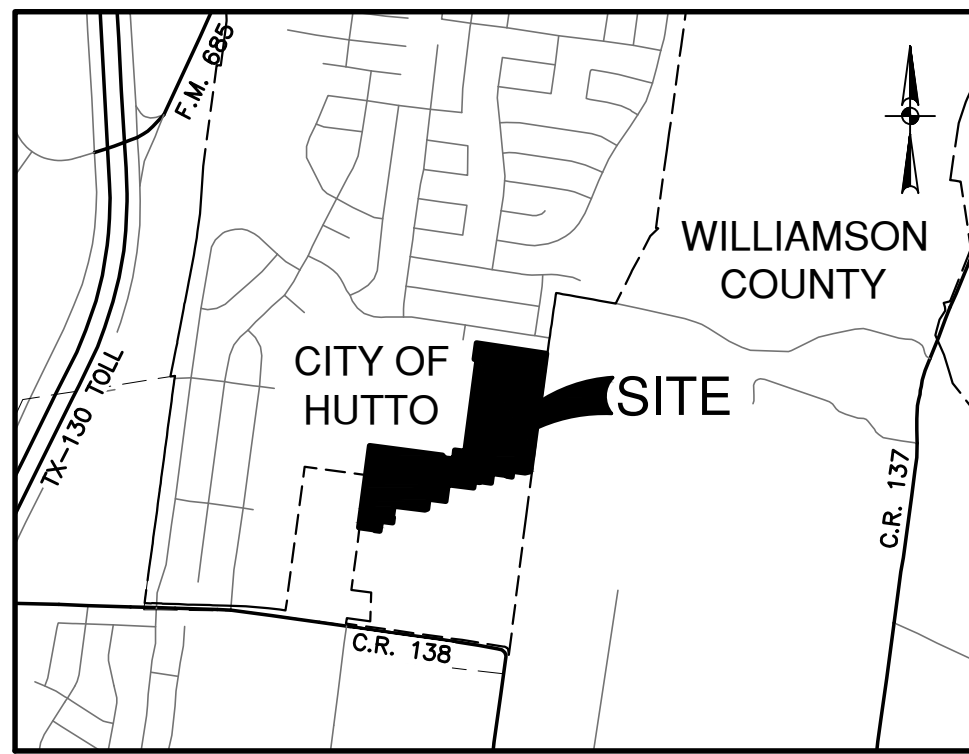


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TBPE FIRM REGISTRATION #470 | TBPFS FIRM REGISTRATION #10028801

SHEET 1 OF 4

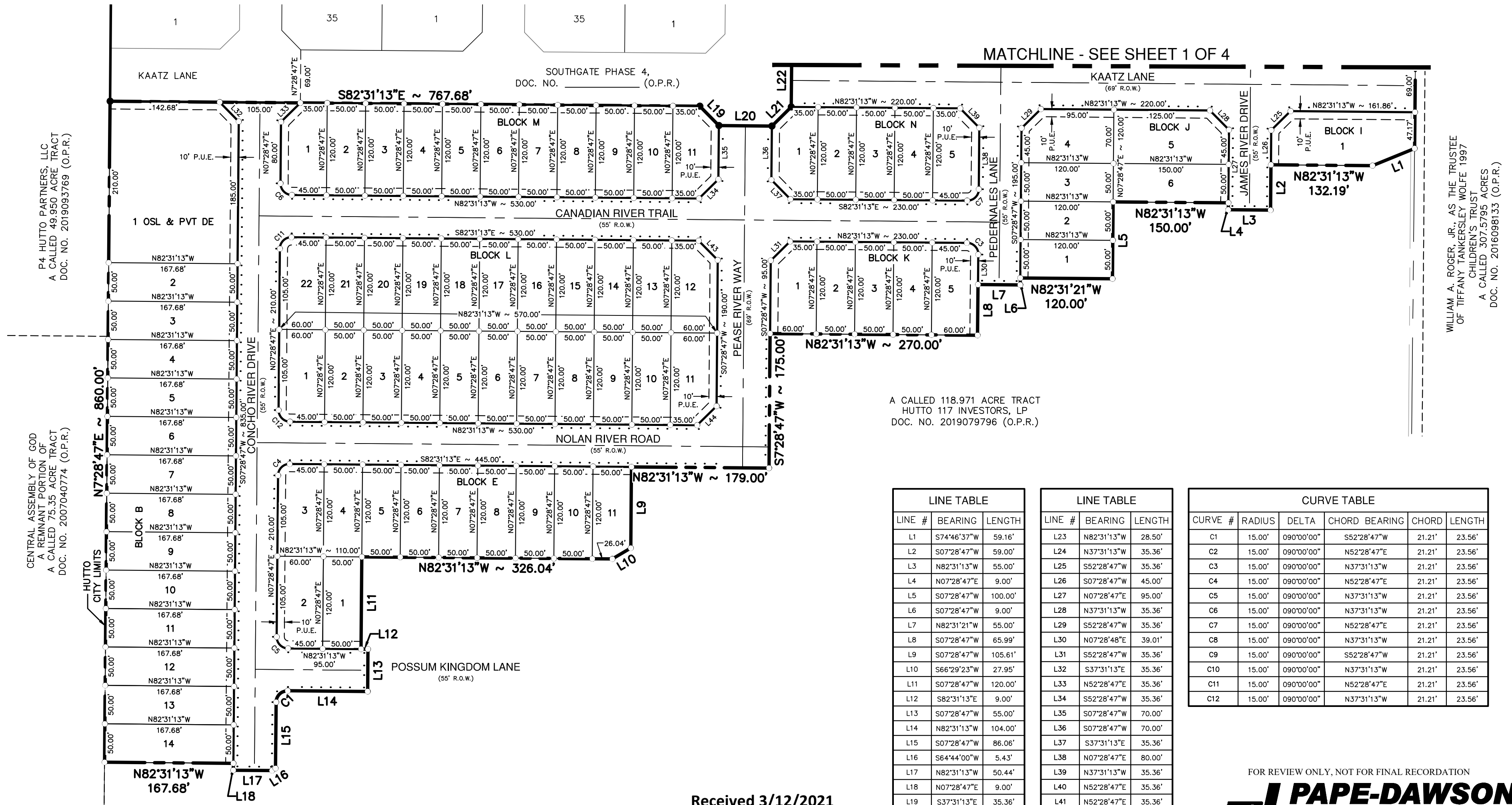
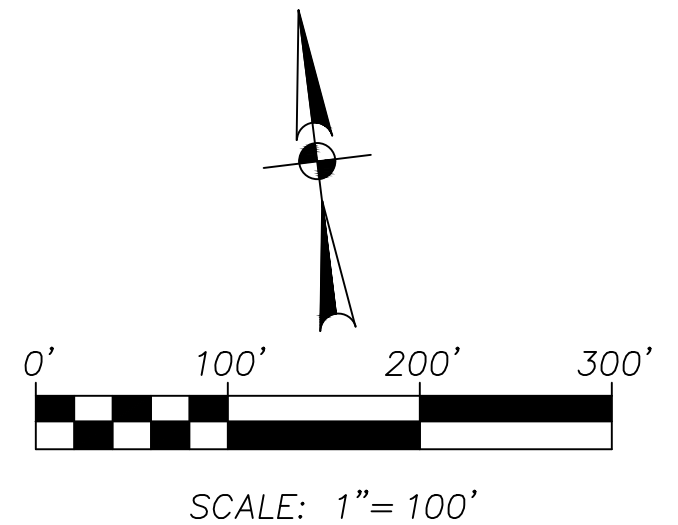


LOCATION MAP
SCALE: 1" = 2,000'

LEGEND	
DOC	DOCUMENT NUMBER
OPR	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
PR	PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
DR	DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
ETJ	EXTRA TERRITORIAL JURISDICTION
FD, I.R.	FOUND IRON ROD
ROW	RIGHT OF WAY
VOL	VOLUME
PG	PAGE(S)
POB	POINT OF BEGINNING
PVT	PRIVATE
PUE	PUBLIC UTILITY EASEMENT
OSL	OPEN SPACE LOT
DE	DRAINAGE EASEMENT
WW	WASTEWATER
(SURVEYOR)	● FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
	○ SET 1/2" IRON ROD (PD)
	 SIDEWALK

FINAL PLAT OF SOUTHGATE, PHASE 3

A 36.291 ACRE, OR 1,580,841 SQUARE FOOT TRACT OF LAND BEING OUT OF A CALLED 118.971 ACRE TRACT CONVEYED TO HUTTO 117 INVESTORS, LP RECORDED IN DOCUMENT NO. 2019079796 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS.



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S74°46'37"W	59.16'
L2	S07°28'47"W	59.00'
L3	N82°31'13"W	55.00'
L4	N07°28'47"E	9.00'
L5	S07°28'47"W	100.00'
L6	S07°28'47"W	9.00'
L7	N82°31'21"W	55.00'
L8	S07°28'47"W	65.99'
L9	S07°28'47"W	105.61'
L10	S66°29'23"W	27.95'
L11	S07°28'47"W	120.00'
L12	S82°31'13"E	9.00'
L13	S07°28'47"W	55.00'
L14	N82°31'13"W	104.00'
L15	S07°28'47"W	86.06'
L16	S64°44'00"W	5.43'
L17	N82°31'13"W	50.44'
L18	N07°28'47"E	9.00'
L19	S37°31'13"E	35.36'
L20	S82°31'13"E	69.00'
L21	N52°28'47"E	35.36'
L22	N07°28'47"E	69.00'

LINE TABLE		
LINE #	BEARING	LENGTH
L23	N82°31'13"W	28.50'
L24	N37°31'13"W	35.36'
L25	S52°28'47"W	35.36'
L26	S07°28'47"W	45.00'
L27	N07°28'47"E	95.00'
L28	N37°31'13"W	35.36'
L29	S52°28'47"W	35.36'
L30	N07°28'48"E	39.01'
L31	S52°28'47"W	35.36'
L32	S37°31'13"E	35.36'
L33	N52°28'47"E	35.36'
L34	S52°28'47"W	35.36'
L35	S07°28'47"W	70.00'
L36	S07°28'47"W	70.00'
L37	S37°31'13"E	35.36'
L38	N07°28'47"E	80.00'
L39	N37°31'13"W	35.36'
L40	N52°28'47"E	35.36'
L41	N52°28'47"E	35.36'
L42	S37°31'13"E	35.36'
L43	S37°31'13"E	35.36'
L44	S52°28'47"W	35.36'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	15.00'	090°00'00"	S52°28'47"W	21.21'	23.56'
C2	15.00'	090°00'00"	N52°28'47"E	21.21'	23.56'
C3	15.00'	090°00'00"	N37°31'13"W	21.21'	23.56'
C4	15.00'	090°00'00"	N52°28'47"E	21.21'	23.56'
C5	15.00'	090°00'00"	N37°31'13"W	21.21'	23.56'
C6	15.00'	090°00'00"	N37°31'13"W	21.21'	23.56'
C7	15.00'	090°00'00"	N52°28'47"E	21.21'	23.56'
C8	15.00'	090°00'00"	N37°31'13"W	21.21'	23.56'
C9	15.00'	090°00'00"	S52°28'47"W	21.21'	23.56'
C10	15.00'	090°00'00"	N37°31'13"W	21.21'	23.56'
C11	15.00'	090°00'00"	N52°28'47"E	21.21'	23.56'
C12	15.00'	090°00'00"	N37°31'13"W	21.21'	23.56'

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FIELD NOTES
FOR

A 36.291 ACRE, OR 1,580,841 SQUARE FOOT, TRACT OF LAND, SITUATED IN THE JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS, BEING OUT OF THE REMNANT PORTION OF A CALLED 118.971 ACRE TRACT OF LAND CONVEYED TO HUTTO 117 INVESTORS, LP RECORDED IN DOCUMENT NO. 2019079796 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY. SAID 36.291 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE;

BEGINNING at a ½” iron rod with yellow cap marked “Pape–Dawson” found for the northeast corner of a called Southgate Phase 4, a subdivision according to the plat recorded in Document No. _____ of the Official Public Records of Williamson County, Texas, same being the northwest corner of said Remnant Portion, also being a point in the south line of a called Riverwalk, Phase 3, Section 5, a subdivision according to the plat recorded in Document No. 20170616718 of the Official Public Records of Williamson County, Texas for the northwest corner and POINT OF BEGINNING hereof;

THENCE S 81°28’31” E, with the north line of said Remnant Portion, same being the south line of said Riverwalk, Phase 3, a distance of 736.24 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” found in the west line of a called 307.5795 acre tract conveyed to William A. Roger, Jr., as the Trustee of Tiffany Tankersley Wolfe 1997 Children’s Trust, recorded in Document No. 2016098133 of the Official Public Records of Williamson County, Texas for the northeast corner hereof,

THENCE S 07°35’18” W, with the east line of said Remnant Portion, same being the west line of said 307.5795 acre tract, a distance of 1240.42 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,

THENCE departing the west line of said 307.5795 acre tract, through the interior of said Remnant Portion, the following twenty–seven (27) courses and distances:

- 1.S 74°46’37” W, a distance of 59.16 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 2.N 82°31’13” W, a distance of 132.19 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 3.S 07°28’47” W, a distance of 59.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 4.N 82°31’13” W, a distance of 55.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 5.N 07°28’47” E, a distance of 9.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 6.N 82°31’13” W, a distance of 150.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 7.S 07°28’47” W, a distance of 100.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 8.N 82°31’21” W, a distance of 120.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 9.S 07°28’47” W, a distance of 9.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 10.N 82°31’21” W, a distance of 55.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 11.S 07°28’47” W, a distance of 65.99 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 12.N 82°31’13” W, a distance of 270.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 13.S 07°28’47” W, a distance of 175.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 14.N 82°31’13” W, a distance of 179.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 15.S 07°28’47” W, a distance of 105.61 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 16.S 66°29’23” W, a distance of 27.95 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 17.N 82°31’13” W, a distance of 326.04 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 18.S 07°28’47” W, a distance of 120.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 19.S 82°31’13” E, a distance of 9.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 20.S 07°28’47” W, a distance of 55.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 21.N 82°31’13” W, a distance of 104.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set for a point of tangent curvature hereof,
- 22.along the arc of a curve to the left, having a radius of 15.00 feet, a central angle of 90°00’00”, a chord bearing and distance of S 52°28’47” W, 21.21 feet, an arc length of 23.56 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set for a point of tangency hereof,
- 23.S 07°28’47” W, a distance of 86.06 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 24.S 64°44’00” W, a distance of 5.43 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 25.N 82°31’13” W, a distance of 50.44 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 26.N 07°28’47” E, a distance of 9.00 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set hereof,
- 27.N 82°31’13” W, a distance of 167.68 feet to a ½” iron rod with yellow cap marked “Pape–Dawson” set on the west line of said Remnant Portion, same being the east line of the Remnant Portion of a called 75.35 acre tract conveyed to Central Assembly of God, recorded in Document NO. 2007040774 of the Official Public Records of Williamson County, Texas hereof,

THENCE N 07°28’47” E, with the west line of said Remnant Portion of a 118.971 acre tract, same being in part the east line of said Remnant Portion of a 73.35 acre tract, and being in part the east line of a called 49.950 acre tract conveyed to P4 Hutto Partners, LLC, recorded in Document NO. 2019093769 of the Official Public Records of Williamson County, Texas for a distance of 860.00 feet to ½” iron rod with yellow cap marked “Pape–Dawson” found for the northwest corner of said Remnant Portion of a 118.971 acre tract, same being the southwest corner of said Southgate, Phase 4 hereof,

THENCE departing the east line of said 49.950 acre tract, with the northwest line of said Remnant Portion of a 118.971 acre tract, same being the southeast line of said Southgate, Phase 4, the following nine (9) courses and distances:

- 1.S 82°31’13” E, a distance of 767.68 feet to a calculated angle point hereof,
- 2.S 37°31’13” E, a distance of 35.36 feet to a calculated angle point hereof,
- 3.S 82°31’13” E, a distance of 69.00 feet to a calculated angle point hereof,
- 4.N 52°28’47” E, a distance of 35.36 feet to a calculated angle point hereof,
- 5.N 07°28’47” E, a distance of 69.00 feet to a calculated angle point hereof,
- 6.S 82°31’13” E, a distance of 106.50 feet to a calculated angle point hereof,
- 7.N 07°28’47” E, a distance of 965.00 feet to a calculated angle point hereof,
- 8.N 82°31’13” W, a distance of 28.50 feet to a calculated angle point hereof,
- 9.N 07°28’47” E, a distance of 172.68 feet to the POINT OF BEGINNING, and containing 36.291 acres in Williamson County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape–Dawson Engineers, Inc. under Job No. 51061–04.

PLAT NOTES

1. ALL LOTS IN THIS SUBDIVISION ARE RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE, UNLESS OTHERWISE INDICATED.
2. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
3. BUILDING SETBACKS SHALL CONFORM TO UNIFIED DEVELOPMENT CODE REQUIREMENTS.
4. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS/HER ASSIGNS.
5. A TEN (10) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
6. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
7. STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH UNIFIED DEVELOPMENT CODE REQUIREMENTS.
8. SIDEWALKS AND TREES SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN AND BOUNDING THIS SUBDIVISION. SIDEWALKS SHALL BE 5’ IN WIDTH.
9. UTILITY NOTES:

A. WITHIN CCN

A.1. WASTEWATER WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.

B. OUTSIDE CCN

B.1. WATER WILL BE AVAILABLE THROUGH MANVILLE WSC AFTER THE APPROPRIATE WATER SYSTEM IS INSTALLED TO THIS SITE. MANVILLE WSC ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.

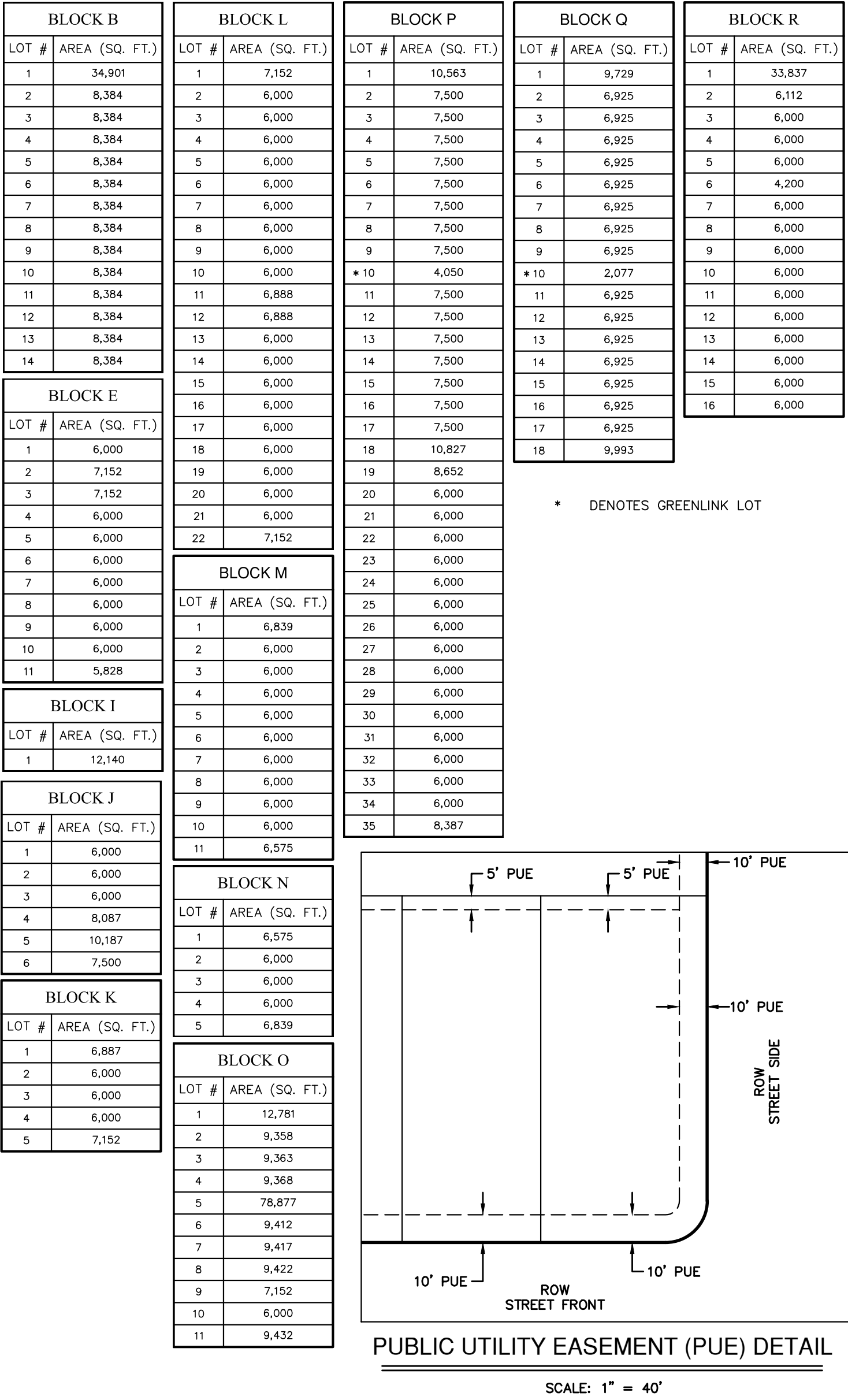
10. UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:

WATER: MANVILLE WSC
WASTEWATER: CITY OF HUTTO
ELECTRIC: ONCOR ELECTRIC DELIVERY COMPANY, LLC

11. THERE ARE NO AREAS WITHIN THE BOUNDARIES OF THIS SUBDIVISION IN THE 100–YEAR FLOODPLAIN AS DEFINED BY FIRM MAP NUMBER 48491C0515F, DATED DECEMBER 20, 2019.
12. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE–FOOT ABOVE THE SURROUNDING GROUND, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2” PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
13. THE MAXIMUM IMPERVIOUS COVERAGE ALLOWED PER RESIDENTIAL LOT IS 55%.
14. GREENLINK LOTS WILL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
15. GREENLINK LOTS SHALL BE DEVELOPED IN CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE.
16. ALL STREET TREES WITHIN AND BOUNDING THE SUBDIVISION WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
17. A FIVE FOOT (5’) PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
18. THE TEMPORARY ACCESS DRIVE EASEMENT FROM THE KNUCKLE OF ELM CREEK DRIVE AND CONCHO RIVER DRIVE, THROUGH LOT 16 BLOCK S (SOUTHGATE PHASE 4) AND THROUGH LOT 1 BLOCK Y (RIVERWALK PHASE 3, SECTION 4), TO CASSANDRA DRIVE WILL REMAIN IN PLACE UNTIL SUCH TIME AS A SECOND PERMANENT POINT OF ACCESS IS PROVIDED TO EITHER CR 138 OR TO THE ADJACENT PROPERTIES.
19. THIS SUBDIVISION WILL BE ZONED: SF–1
20. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO ALL MANVILLE WSC AND CITY STANDARD SPECIFICATIONS AND DETAILS, UDC REGULATIONS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
21. ON SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST–DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100–YEAR STORM EVENTS.
22. ALL OPEN SPACE, DRAINAGE AND WASTEWATER LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
23. IF STREETS ARE MORE THAN 26 FEET WIDE AND LESS THAN 32 FEET WIDE, FIRE LANE SIGNAGE SHALL BE POSTED ON ONE SIDE OF THE STREET.

FINAL PLAT
OF
SOUTHGATE, PHASE 3

A 36.291 ACRE, OR 1,580,841 SQUARE FOOT TRACT OF LAND BEING OUT OF A CALLED 118.971 ACRE TRACT CONVEYED TO HUTTO 117 INVESTORS, LP RECORDED IN DOCUMENT NO. 2019079796 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS.



Received 3/12/2021



FOR REVIEW ONLY, NOT FOR FINAL RECORDATION



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TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028801

SOUTHGATE, PHASE 3

Survey Job No. 51061-03

APPROVAL
CITY OF HUTTO

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE _____ DAY OF _____, 20____.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS ____ DAY OF _____, 2021.

DOUG GAUL, MAYOR _____ DATE _____

_____, CITY SECRETARY DATE _____

THIS SUBDIVISION IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF HUTTO,
THIS THE _____ DAY OF _____, 20____.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC PRINTED OR TYPED NAME

MY COMMISSION EXPIRES: _____

ENGINEER'S CERTIFICATION

I, DUSTIN GOSS, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS (SOUTHGATE, PHASE 3) PLAT IS IN COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS ____ DAY OF _____, 2021.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT TRAVIS, COUNTY, TEXAS THIS 5TH DAY
OF MARCH, 2021.

SURVEYOR'S CERTIFICATION

I, VALERIE ZURCHER, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY AND THAT THE PROPERTY MARKERS AND MONUMENTS WERE PLACED UNDER MY SUPERVISION ON THE GROUND. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 15, 2019.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT TRAVIS, COUNTY, TEXAS THIS 4th DAY OF March, 2021.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2021.

VALERIE ZURCHER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6222
PAPE-DAWSON ENGINEERS, INC.
TBPE, FIRM REGISTRATION NO. 470
TBPLS, FIRM REGISTRATION NO. 10028801

NOTARY PUBLIC PRINTED OR TYPED NAME

MY COMMISSION EXPIRES: _____

A circular professional engineer seal for the State of Texas. The outer ring contains the text "STATE OF TEXAS" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. Inside the ring is a five-pointed star. Below the star, the text "DUSTIN J. GOSS" and "91805" are displayed. At the bottom of the seal, the words "LICENSED" and "ENGINEER" are written in a semi-circle.

STATE OF TEXAS
REGISTERED
★
VALERIE ZURCHER
6222
PROFESSIONAL
SURVEYOR

Received 3/12/2021



FOR REVIEW ONLY, NOT FOR FINAL RECORDATION



AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
10801 N MOPAC EXPY, BLDG 3, STE 200 | AUSTIN, TX 78759 | 512.454.8711
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #1002880

SHEET4 OF 4

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on the proposed Star Ranch Commercial Block C Lot 4 Final Plat, 1.66 acres, more or less, of land, 1 commercial lot, located on Star Ranch Boulevard. (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Planning and Development
Staff Contact: Ashby Grundman

BACKGROUND INFORMATION:

The proposed Star Ranch Commercial Block C Lot 4 Final Plat is approximately 1.66 acres of land and one non-residential lot. This final plat is at the southwest corner of SH130 and Star Ranch Boulevard.

Current Zoning:

The subject property is located in Hutto's ETJ and, therefore, is not zoned.

SUMMARY OF REQUEST:

The proposed Final Plat is comprised of 1 commercial lot, 1.66 acres of land at the corner of SH 130 and Star Ranch Boulevard.

The proposal meets the minimum standards as required in the Unified Development Code and state law.

STAFF REVIEW:

As the Planning and Zoning Commission recommended approval unanimously, Staff recommends that the City Council approve the proposed Star Ranch Commercial Block C Lot 4 Final Plat.

FINANCIAL IMPACT:

Not applicable.

POLICY IMPLICATIONS:

Not applicable.

ATTACHMENTS:

1. (Res)Star Ranch Commercial Block C Lot 4 FP (FullPacket)

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS "STAR RANCH COMMERCIAL BLOCK C LOT 4 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as "Star Ranch Commercial Block C Lot 4 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **15th** day of the month **April, 2021**.

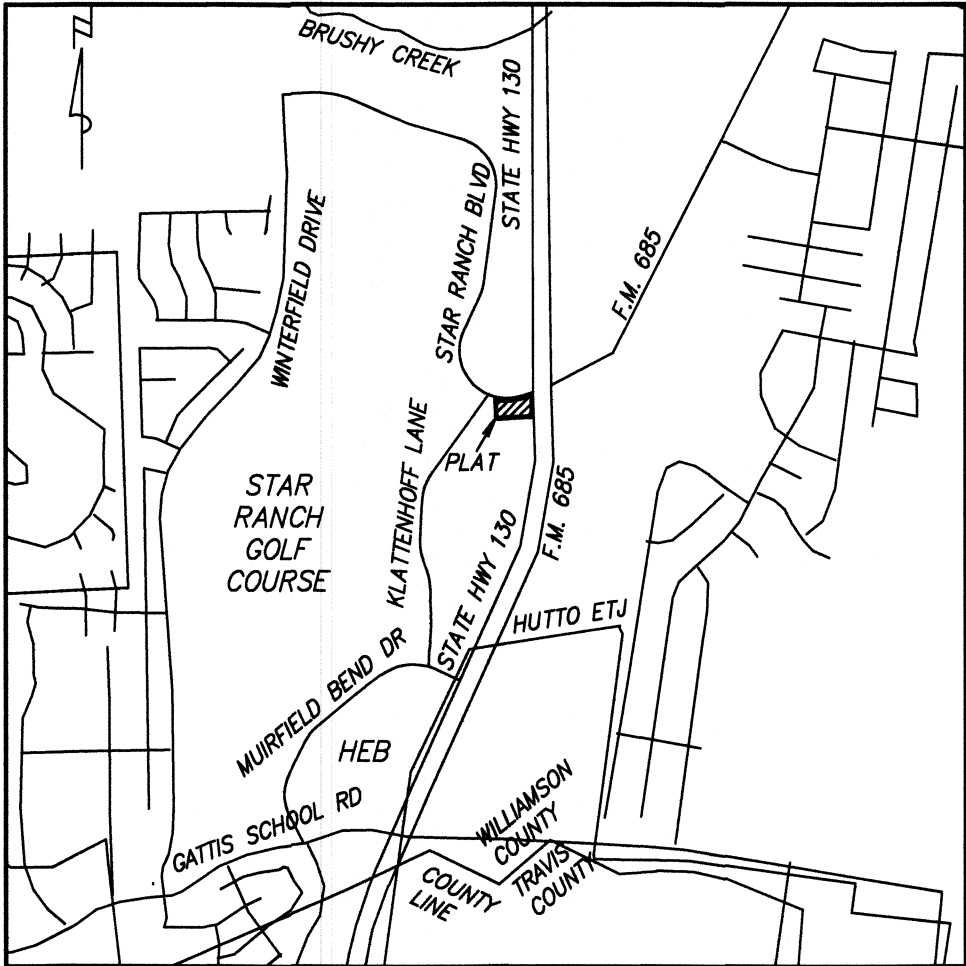
THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary

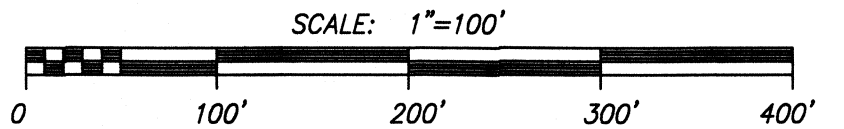
FINAL PLAT OF
STAR RANCH COMMERCIAL BLOCK C LOT 4
WILLIAMSON COUNTY, TEXAS



LOCATION MAP
SCALE: 1" = 2000'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N71°49'09"E	95.17'
L2	S01°58'20"E	69.35'
L3	S01°22'24"E	157.32'
L4	S01°22'24"E	69.65'

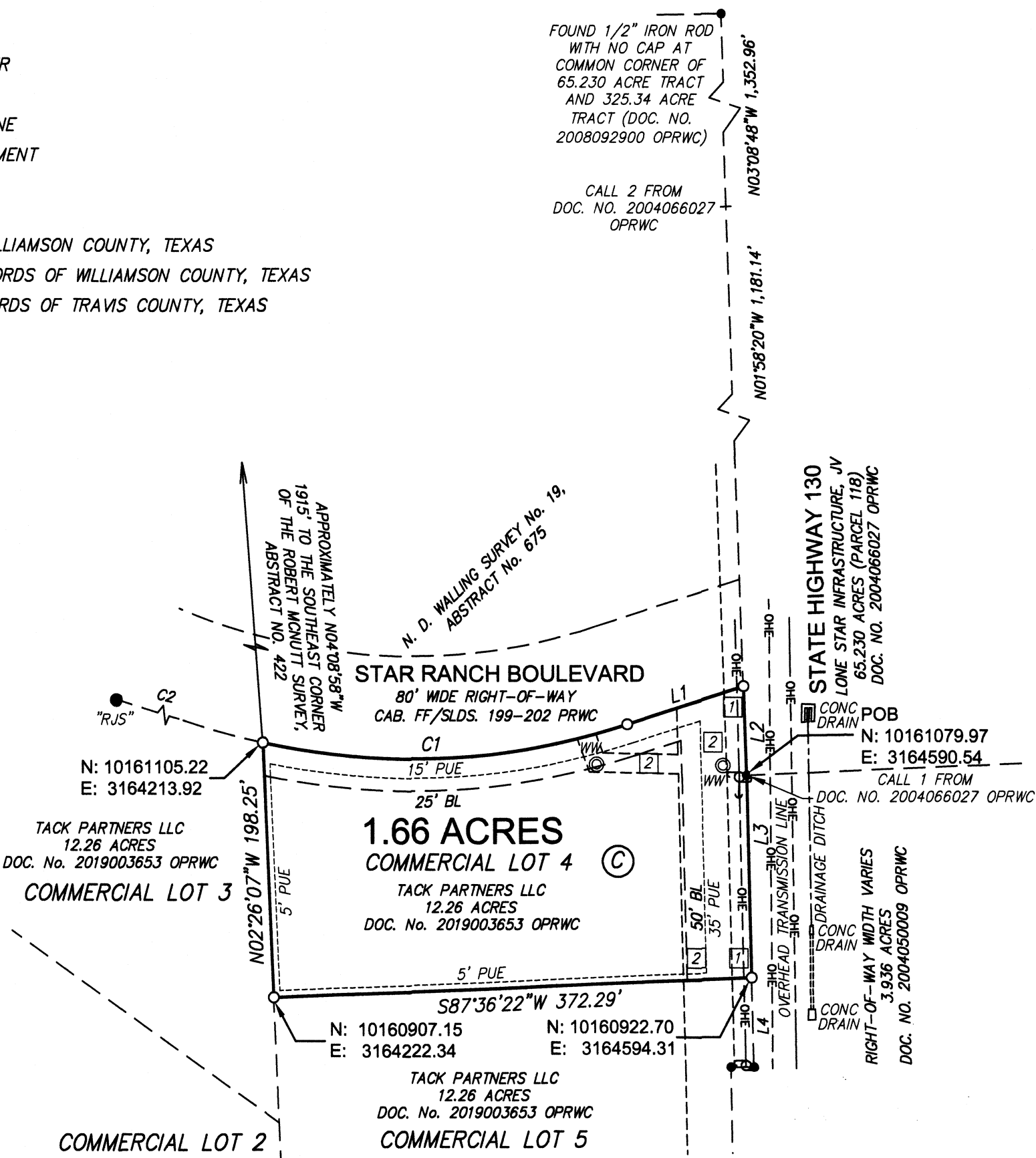
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRNG.	CHORD
C1	287.56'	540.00'	30°30'41"	N87°06'12"E	284.18'
C2	161.92'	540.00'	17°10'49"	N69°03'03"W	161.32'



- LEGEND:**
- = 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
 - = 1/2" IRON ROD SET WITH "RJ SURVEYING" CAP (UNLESS OTHERWISE NOTED)
 - ⊕ = UTILITY POLE
 - ⌋ = DOWN GUY ANCHOR
 - O—E— = OVERHEAD ELECTRIC
 - WW ⊙ = MANHOLE WASTEWATER
 - ⊙ = BLOCK NAME
 - BL = BUILDING SETBACK LINE
 - PUE = PUBLIC UTILITY EASEMENT
 - RJS = RJ SURVEYING
 - POB = POINT OF BEGINNING
 - PRWC = PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
 - OPRWC = OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
 - RPRTC = REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS

SITE DATA:

TOTAL PLAT AREA: 1.66 ACRES
LINEAR FEET OF NEW STREETS: 0
BLOCKS: 1
COMMERCIAL LOTS: 1



EASEMENT AND ENCUMBRANCE LIST:

- 0.20 ACRE (TRACT 1) EASEMENT AND RIGHT-OF-WAY TO ONCOR ELECTRIC DELIVERY COMPANY LLC - DOCUMENT NO. 2008070942 OPRWC - AFFECTS THE SUBJECT TRACT. SHOWN ON SURVEY.
- 0.613 ACRE WATER AND WASTEWATER UTILITY EASEMENT TO WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND DRAINAGE DISTRICT NO. 3 - DOCUMENT NO. 2018092889 OPRWC - AFFECTS THE SUBJECT TRACT. SHOWN ON SURVEY.
- RIGHT-OF-WAY EASEMENT TO MANVILLE WATER SUPPLY CORPORATION - VOLUME 581/PAGE 641 DRWC, ALSO RECORDED IN VOLUME 10258/PAGE 229 RPRTC - BLANKET EASEMENT. AFFECTS THE SUBJECT TRACT. 15' WIDE EASEMENT BEING CENTERED ON THE WATER LINE AS INSTALLED UNDERGROUND. UNABLE TO LOCATE.
- RIGHT-OF-WAY EASEMENT TO MANVILLE WATER SUPPLY CORPORATION - VOLUME 581/PAGE 746 DRWC - BLANKET EASEMENT. AFFECTS THE SUBJECT TRACT. 15' WIDE EASEMENT BEING CENTERED ON THE WATER LINE AS INSTALLED UNDERGROUND. UNABLE TO LOCATE.
- RIGHT-OF-WAY EASEMENT TO MANVILLE WATER SUPPLY CORPORATION - VOLUME 5919/PAGE 1855 DRTC - BLANKET EASEMENT. AFFECTS THE SUBJECT TRACT. 15' WIDE EASEMENT BEING CENTERED ON THE WATER LINE AS INSTALLED UNDERGROUND. UNABLE TO LOCATE.
- EASEMENT TO BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 - VOLUME 424/PAGE 551 DRWC - BLANKET EASEMENT. MAY AFFECT THE SUBJECT TRACT.
- STAR RANCH MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS - DOCUMENT NO. 2003012152 OPRWC, RECORDED ALSO AS DOCUMENT NO. 2003030745 OPRWC - MAY AFFECT THE SUBJECT TRACT.
- EASEMENT AND RIGHT-OF-WAY TO TEXAS POWER & LIGHT COMPANY - VOLUME 797/PAGE 522 DRWC - DOES NOT AFFECT SUBJECT TRACT.

LEGAL DESCRIPTION:

THAT PART OF THE N.D. WALLING SURVEY NO. 19, ABSTRACT NO. 675, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT 12.26 ACRE TRACT OF LAND CONVEYED TO TACK PARTNERS LLC BY DEED RECORDED IN DOCUMENT NO. 2019003653 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (OPRWC), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND ON THE EAST LINE OF SAID 12.26 ACRE TRACT, BEING THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 130, BEING THE SOUTHWEST CORNER OF THAT 65.230 ACRE TRACT (PARCEL 118) DESCRIBED IN A POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES FOR STATE HIGHWAY 130 BY LONE STAR INFRASTRUCTURE, JV AND KAY RANCH LIMITED PARTNERSHIP RECORDED IN DOCUMENT NO. 2004066027, OPRWC, BEING THE NORTHWEST CORNER OF THAT 3.936 ACRE TRACT DESCRIBED IN A POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES FOR STATE HIGHWAY 130 BY THE STATE OF TEXAS AND TIMMERMAN FAMILY LIMITED PARTNERSHIP RECORDED IN DOCUMENT NO. 2004050009, OPRWC;

THENCE ALONG THE WEST LINE OF SAID 3.936 ACRE TRACT, BEING THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 130 AND ALONG THE EAST LINE OF SAID 12.26 ACRE TRACT, S01°22'24"E A DISTANCE OF 157.32 FEET TO A 1/2" IRON ROD SET, FROM WHICH A 1/2" IRON ROD FOUND BEARS S01°22'24"E A DISTANCE OF 69.65 FEET;

THENCE ACROSS SAID 12.26 ACRE TRACT THE FOLLOWING TWO (2) COURSES:

- S87°36'22"W A DISTANCE OF 372.29 FEET TO A 1/2" IRON ROD SET;
- N02°26'07"W A DISTANCE OF 198.25 FEET TO A 1/2" IRON ROD SET AT A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT ON THE SOUTH RIGHT-OF-WAY OF STAR RANCH BOULEVARD (80-FOOT WIDE PER THE PLAT OF STAR RANCH COMMERCIAL LOT 1 BLOCK D RECORDED IN CABINET FF, SLIDES 199-202 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (PRWC)), FROM WHICH THE SOUTHEAST CORNER OF THE ROBERT MCNUTT SURVEY, ABSTRACT NO. 422 BEARS APPROXIMATELY N04°08'58"W A DISTANCE OF 1,915 FEET, FROM WHICH A 1/2" IRON ROD WITH "RJ SURVEYING" CAP FOUND FOR THE MOST NORTHERLY NORTHWEST CORNER OF SAID 12.26 ACRE TRACT BEARS NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, AN ARC LENGTH OF 161.92 FEET, HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 17°10'49" AND A CHORD BEARING N69°03'03"W, 161.32 FEET;

THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID STAR RANCH BOULEVARD AND THE NORTH LINE OF SAID 12.26 ACRE TRACT THE FOLLOWING TWO (2) COURSES:

- NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 287.56 FEET, HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 30°30'41" AND A CHORD BEARING N87°06'12"E, 284.18 FEET TO A 1/2" IRON ROD SET;
- N71°49'09"E A DISTANCE OF 95.17 FEET TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF SAID 12.26 ACRE TRACT ON THE WEST LINE OF SAID 65.230 ACRE TRACT, BEING THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 130, FROM WHICH A 1/2" IRON ROD FOUND AT THE COMMON CORNER OF SAID 65.230 ACRE TRACT AND THAT 325.34 ACRE TRACT CONVEYED TO TACK DEVELOPMENT, LTD. BY DEED RECORDED IN DOCUMENT NO. 2008092900, OPRWC BEARS THE FOLLOWING TWO COURSES: N01°58'20"W A DISTANCE OF 1,181.14 FEET AND N03°08'48"W A DISTANCE OF 1,352.96 FEET;

THENCE ALONG THE EAST LINE OF SAID 12.26 ACRE TRACT AND THE WEST LINE OF SAID 65.230 ACRE TRACT, BEING THE WEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 130, S01°58'20"E A DISTANCE OF 69.35 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 1.66 ACRES OF LAND, MORE OR LESS.
ALL IRON RODS SET HAVE "RJ SURVEYING" CAPS UNLESS NOTED OTHERWISE.
ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203) NA2011 EPOCH 2010.000. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.
WILLIAMSON CENTRAL APPRAISAL DISTRICT REFERENCE NUMBERS R494039, R435615 AND R449836.

SURVEY: N.D. WALLING SURVEY NO. 19, ABSTRACT NO. 675

DATE: JANUARY 22, 2021 SCALE: 1"=100'

RANDALL JONES & ASSOCIATES ENGINEERING, INC.
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664
(512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC.
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664
(512) 836-4793 FAX: (512) 836-4817 F-10015400

Received 3/8/2021



OWNER/DEVELOPER:

TACK PARTNERS LLC
TIMOTHY TIMMERMAN, PRESIDENT
230 KLATTENHOFF LANE, SUITE 100
HUTTO, TEXAS 78634

SHEET 1 OF 2 SHEETS

STAR RANCH COMMERCIAL BLOCK C LOT 4

FINAL PLAT OF
WILLIAMSON COUNTY, TEXAS

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

WE, TACK PARTNERS LLC, SOLE OWNER OF THE CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2019003653 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND DO HEREBY STATE THAT THERE ARE NO LIEN HOLDERS OF THE CERTAIN TRACT OF LAND, AND DO HEREBY SUBDIVIDE SAID TRACT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS STAR RANCH COMMERCIAL BLOCK C LOT 4.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS ____ DAY OF _____ 20____.

TACK PARTNERS LLC, A TEXAS LIMITED LIABILITY COMPANY

BY: _____
TIMOTHY TIMMERMAN, PRESIDENT
TACK PARTNERS LLC
230 KLATTENHOFF LANE, SUITE 100
HUTTO, TEXAS 78634

STATE OF TEXAS

COUNTY OF WILLIAMSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TIMOTHY TIMMERMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20____ A.D.

BY: _____
NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS {
COUNTY OF WILLIAMSON { KNOW ALL MEN BY THESE PRESENTS

I, JOHN D. KIPP, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5844, IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY AND THAT PROPERTY MARKERS AND MONUMENTS WERE PLACED UNDER MY SUPERVISION ON THE GROUND.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT ROUND ROCK, WILLIAMSON COUNTY, TEXAS, THIS 27 DAY OF JANUARY 2021.

BY: John D Kipp 01/27/2021
JOHN D. KIPP DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5844
STATE OF TEXAS

RJ SURVEYING & ASSOCIATES, INC.
2900 JAZZ STREET
ROUND ROCK, TEXAS 78664
PHONE (512) 836-4793
FIRM NO. 10015400



STATE OF TEXAS {
COUNTY OF WILLIAMSON { KNOW ALL MEN BY THESE PRESENTS

I, ISRAEL RAMIREZ, LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS IN COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT ROUND ROCK, WILLIAMSON COUNTY, TEXAS, THIS 27 DAY OF JANUARY 2021.

Israel Ramirez 1/27/2021
ISRAEL RAMIREZ DATE
LICENSED PROFESSIONAL ENGINEER No. 114495
STATE OF TEXAS

RANDALL JONES & ASSOCIATES ENGINEERING, INC.
2900 JAZZ STREET
ROUND ROCK, TX 78664
PHONE (512) 836-4793
FIRM NO. 9784



ROAD NAME AND ADDRESS ASSIGNMENTS VERIFIED THIS THE ____ DAY OF _____, 20____.

WILLIAMSON COUNTY ADDRESSING COORDINATOR

IT IS THE RESPONSIBILITY OF THE OWNER, NOT THE COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE STATE, FEDERAL AND LOCAL LAWS AND REGULATIONS RELATING TO THE PLATTING AND DEVELOPMENT OF THIS PROPERTY.

THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATIONS BY OTHER PARTIES IN THIS PLAT. FLOODPLAIN DATA, IN PARTICULAR, MAY CHANGE. IT IS FURTHER UNDERSTOOD THAT THE OWNERS OF THE TRACT OF LAND COVERED BY THIS PLAT MUST INSTALL AT THEIR OWN EXPENSE ALL TRAFFIC CONTROL DEVICES AND SIGNAGE THAT MAY BE REQUIRED BEFORE THE ROADS IN THE SUBDIVISION HAVE FINALLY BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY.

IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL ROADS, AND OTHER PUBLIC THOROUGHFARES AND ANY BRIDGES OR CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IS THE RESPONSIBILITY OF THE OWNER(S) OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS. SAID COMMISSIONERS COURT ASSUMES NO OBLIGATION TO BUILD ANY OF THE ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT, OR OF CONSTRUCTING ANY OF THE BRIDGES OR DRAINAGE IMPROVEMENTS IN CONNECTION THEREWITH. THE COUNTY WILL ASSUME NO RESPONSIBILITY FOR DRAINAGE WAYS OR EASEMENTS IN THE SUBDIVISION, OTHER THAN THOSE DRAINING OR PROTECTING THE ROAD SYSTEM.

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE ____ DAY OF _____, 20____.

MIKE SNYDER, MAYOR PRO TEM DATE HOLLY NAGY, CITY SECRETARY DATE

THIS SUBDIVISION IS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HUTTO, THIS THE ____ DAY OF _____, 20____.

ASHBY GRUNDMAN, DEVELOPMENT SERVICES DIRECTOR DATE

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

I, BILL GRAVELL JR., COUNTY JUDGE OF WILLIAMSON COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS MAP OR PLAT, WITH FIELD NOTES HEREON, FOR A SUBDIVISION HAVING BEEN FULLY PRESENTED TO THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS, AND BY THE SAID COURT DULY CONSIDERED, WERE ON THIS DAY APPROVED AND THAT THIS PLAT IS AUTHORIZED TO BE REGISTERED AND RECORDED IN THE PROPER RECORDS OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

BILL GRAVELL JR., COUNTY JUDGE DATE
WILLIAMSON COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF WILLIAMSON
KNOW ALL MEN BY THESE PRESENTS

I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20____ A.D. AT ____ O'CLOCK ____M., AND DULY RECORDED THIS THE DAY OF _____, 20____ A.D., AT ____ O'CLOCK ____M., IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY IN DOCUMENT NO. _____.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

NANCY RISTER, CLERK COUNTY COURT
OF WILLIAMSON COUNTY, TEXAS

BY: _____
DEPUTY

DATE: JANUARY 22, 2021

RANDALL JONES & ASSOCIATES ENGINEERING, INC.
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664
(512) 836-4793 FAX: (512) 836-4817 F-9784

RJ SURVEYING & ASSOCIATES, INC.
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664
(512) 836-4793 FAX: (512) 836-4817 F-10015400

Received 3/8/2021



City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on the proposed Wilco Ranch Phase 2 Section 2 Final Plat, 25.236 acres, more or less, of land, 136 single-family lots, located on CR 119 (Ed Schmidt Boulevard). (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Planning and Development
Staff Contact: Ashby Grundman

BACKGROUND INFORMATION:

The proposed Wilco Ranch Phase 2 Section 2 Final Plat is approximately 25.236 acres of land and 136 single-family lots. This final plat is located on the west side of Ed Schmidt Boulevard (CR 119) and north of Limmer Loop.

Current Zoning:

The subject property is zoned Single-Family Residential (SF-1).

Surrounding Zoning:

North: Extra-territorial Jurisdiction (undeveloped farmland)

East: Single-Family Residential (SF-1 – Wilco Ranch Subdivision)

South: Single-Family Residential (SF-1 – Wilco Ranch Subdivision)

West: Extra-territorial Jurisdiction (undeveloped farmland)

SUMMARY OF REQUEST:

The proposed Final Plat is comprised of 136 single-family lots, two open space lots and one drainage easement lot. All of the residential lots in this section conform to the Development Agreement for this property and are at least 40 feet in width.

The proposal meets the minimum standards as required in the Development Agreement, Unified Development Code and state law. The proposed street layout provides for connectivity between adjacent developments.

STAFF REVIEW:

As the Planning and Zoning Commission recommended approval unanimously, Staff recommends that the City Council approve the proposed Wilco Ranch Phase 2 Section 2 Final Plat.

FINANCIAL IMPACT:

Not applicable.

POLICY IMPLICATIONS:

City Council
AGENDA ITEM REPORT



Not applicable.

ATTACHMENTS:

1. (Res)WilcoRanchPh2S2FP(FullPacket)

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS “WILCO RANCH PHASE 2 SECTION 2 FINAL PLAT”; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as “Wilco Ranch Phase 2 Section 2 Final Plat”, a copy of same being attached hereto as “Exhibit A” and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **15th** day of the month **April, 2021**.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary

BENCHMARK #1

BOX CUT IN CONCRETE ON "E" INLET ON NORTH RIGHT OF WAY OF LIMMER LOOP/COUNTY ROAD 164 AT THE SOUTHEAST CORNER OF THE PROPERTY LOCATED AT 2445 LIMMER LP., APPROXIMATELY 1,525 FEET WEST FROM THE INTERSECTION OF LIMMER LOOP/COUNTY ROAD 164 AND ED SCHMIDT BOULEVARD/COUNTY ROAD 119.

GRID NORTHING: 10177474.60
GRID EASTING: 3168195.63
ELEVATION: 709.94 FEET

NAVD-88

OWNER: CW-WILCO LLC
ADDRESS: 8655 SOUTH PRIEST DRIVE,
TEMPE, AZ, 85284
PHONE: 480-820-0977

ACREAGE: 25.236 ACRES
SURVEY(S): JAMES SHELTON SURVEY, ABSTRACT NO. 560

NUMBER & ACREAGE
BY LOT TYPE: RESIDENTIAL: 136 LOTS/16.461 ACRES
OPEN SPACE: 2 LOTS/3.536 ACRES
OPEN SPACE/DRAINAGE ESMT.: 1 LOT/0.336 ACRE
RIGHT-OF-WAY: 4.905 ACRES

SUBMITTAL DATE: _____

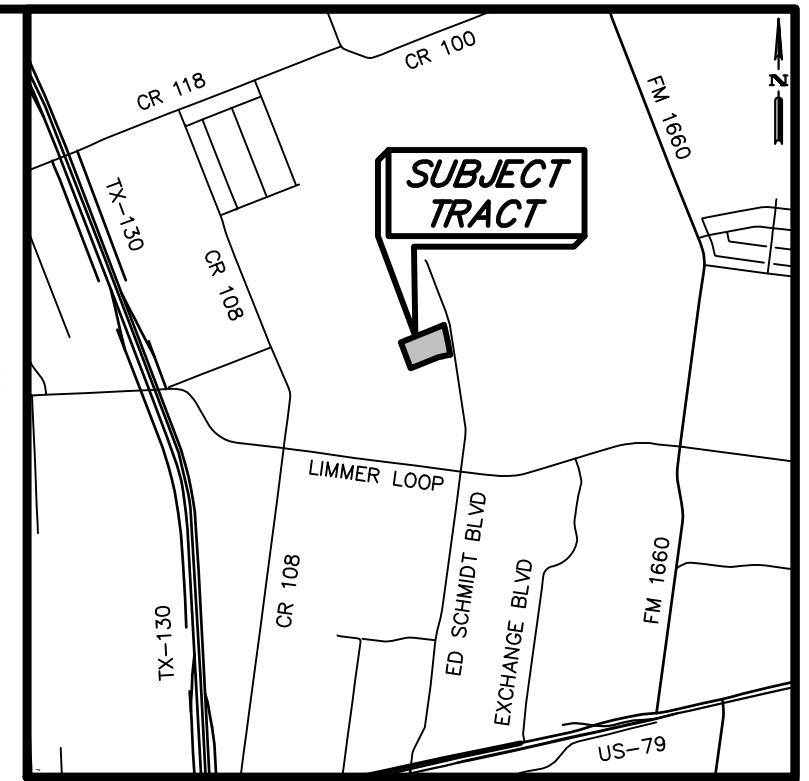
SURVEYOR: BGE, INC. (DION P. ALBERTSON, RPLS.)

PHONE: (210) 581-3619 FAX: _____

ENGINEER: BGE, INC. (TIMOTHY M. HOLLAND, PE)

PHONE: (512) 879-0433 FAX: _____

NO-COUNT, LLC
REMAINDER OF A CALLED 101.8 ACRES
(TRACT 2)
DOC. NO. 2013060751 O.P.R.W.C.



VICINITY MAP
NOT TO SCALE



BEARING BASIS NOTE:

BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. DISTANCES SHOWN HEREON ARE IN SURFACE AND CAN BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED SCALE FACTOR = 0.99988157

STREET NAMES		
STREET	R.O.W. WIDTH	CENTERLINE LENGTH
GEMSBOK DRIVE	50 FEET	1,667 FEET
BLACKBEAR DRIVE	50 FEET	740 FEET
MOUFLON ROAD	50 FEET	501 FEET
BLUEGILL DRIVE	50 FEET	507 FEET
REDFISH LANE	50 FEET	987 FEET
TOTAL LINEAR FEET		4,402 FEET

WEHRING FAMILY
INVESTMENTS LP
CALLED 16.20 ACRES
DOC. NO. 2010069362
O.P.R.W.C.

20' ELEC. ESMT.
DOC. NO. 2011015116
O.P.R.W.C.

CLC PROPERTIES LLC
CALLED 15.00 ACRES
DOC. NO. 2014035606
O.P.R.W.C.

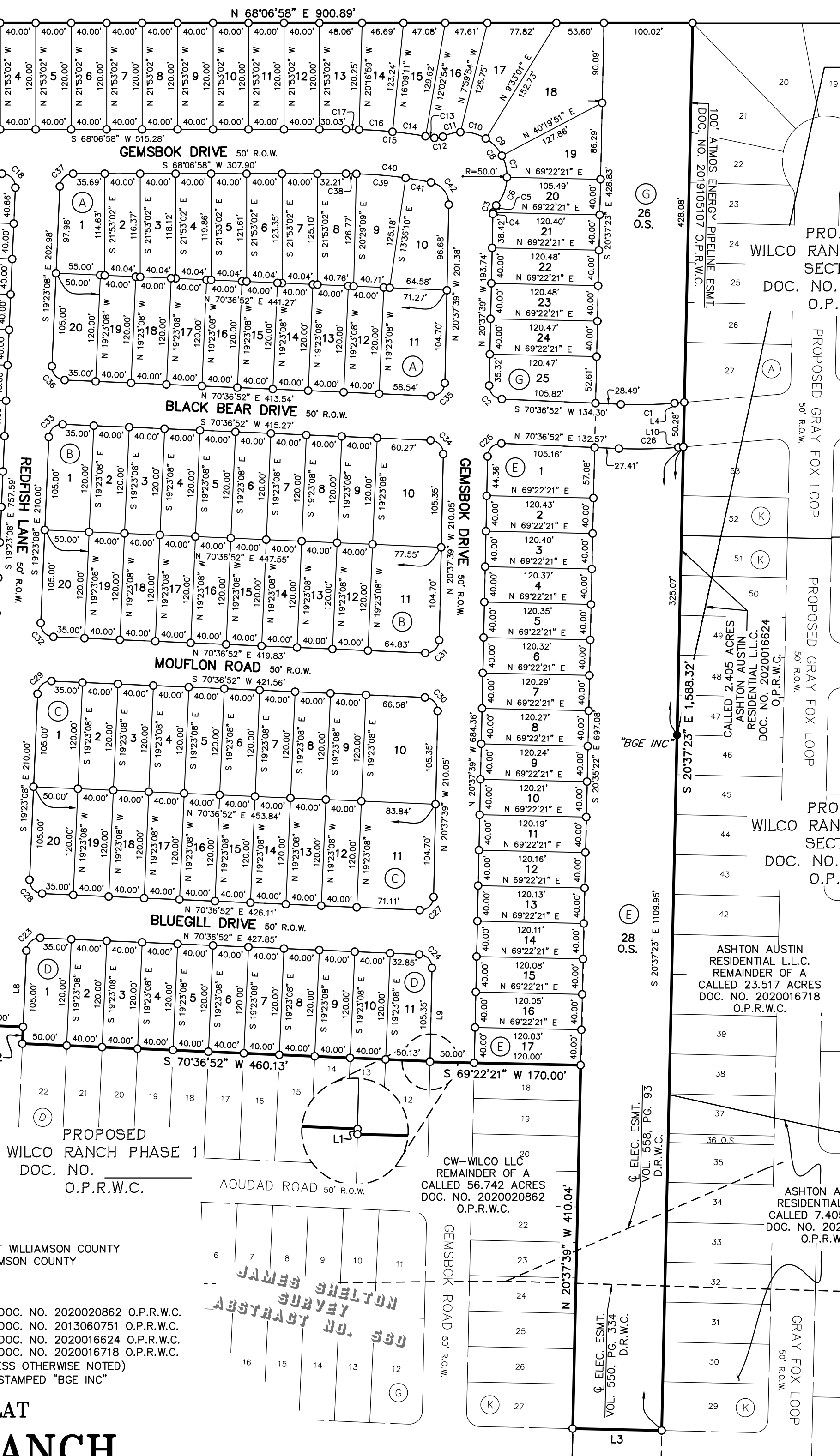
LEGEND

DOC. NO. DOCUMENT
ESMT. EASEMENT
NO. NUMBER
NOS. NUMBERS
O.P.R.W.C. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
O.R.W.C. OFFICIAL RECORDS OF WILLIAMSON COUNTY
PG. PAGE
R.O.W. RIGHT-OF-WAY
VOL. VOLUME
() RECORD INFORMATION FROM DOC. NO. 2020020862 O.P.R.W.C.
{ } RECORD INFORMATION FROM DOC. NO. 2013060751 O.P.R.W.C.
~ RECORD INFORMATION FROM DOC. NO. 2020016624 O.P.R.W.C.
- RECORD INFORMATION FROM DOC. NO. 2020016718 O.P.R.W.C.
● FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
○ SET 1/2" IRON ROD W/CAP STAMPED "BGE INC"

FINAL PLAT

WILCO RANCH PHASE 2 SECTION 2

A SUBDIVISION OF 25.236 ACRES OF LAND
LOCATED IN THE
JAMES SHELTON SURVEY, ABSTRACT NO. 560
WILLIAMSON COUNTY, TEXAS



PROPOSED
WILCO RANCH PHASE 3
SECTION 2
DOC. NO. _____
O.P.R.W.C.

PROPOSED GRAY FOX LOOP

PROPOSED
WILCO RANCH PHASE 3
SECTION 1
DOC. NO. _____
O.P.R.W.C.

ASHTON AUSTIN
RESIDENTIAL L.L.C.
REMAINDER OF A
CALLED 23.517 ACRES
DOC. NO. 2020016718
O.P.R.W.C.

ASHTON AUSTIN
RESIDENTIAL L.L.C.
CALLED 7.405 ACRES
DOC. NO. 2020016624
O.P.R.W.C.

Received 3/8/2021



BGE, Inc.
7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	60.76'	475.00'	7°19'44"	N 66°57'00" E	60.72'
C2	23.24'	15.00'	88°45'29"	S 65°00'24" E	20.98'
C3	10.40'	15.00'	39°42'54"	S 00°46'12" E	10.19'
C4	1.58'	15.00'	6°02'25"	S 17°36'27" E	1.58'
C5	8.82'	15.00'	33°40'30"	S 02°15'01" W	8.69'
C6	34.70'	50.00'	39°46'01"	N 00°47'45" W	34.01'
C7	25.30'	50.00'	28°59'23"	N 35°10'27" W	25.03'
C8	137.43'	50.00'	157°29'06"	N 59°39'17" W	98.08'
C9	26.86'	50.00'	30°46'50"	N 65°03'34" W	26.54'
C10	29.94'	50.00'	34°18'42"	S 82°23'40" W	29.50'
C11	20.63'	50.00'	23°38'09"	S 53°25'14" W	20.48'
C12	9.81'	15.00'	37°27'19"	N 60°19'49" E	9.63'
C13	10.15'	525.00'	1°06'27"	S 78°30'15" W	10.15'
C14	37.60'	525.00'	4°06'13"	S 75°53'55" W	37.59'
C15	100.26'	525.00'	10°56'30"	S 73°35'13" W	100.11'
C16	37.83'	525.00'	4°07'43"	S 71°46'57" W	37.82'
C17	14.68'	525.00'	1°36'07"	S 68°55'02" W	14.68'
C18	24.22'	15.00'	92°29'53"	N 65°38'05" W	21.67'
C19	26.11'	275.00'	5°26'25"	N 16°39'56" W	26.10'
C20	5.63'	330.00'	0°58'39"	S 14°26'02" E	5.63'
C21	31.33'	330.00'	5°26'25"	S 16°39'56" E	31.32'

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C22	25.70'	330.00'	4°27'47"	S 17°09'15" E	25.70'
C23	23.56'	15.00'	90°00'00"	S 25°36'52" W	21.21'
C24	23.24'	15.00'	88°45'29"	N 65°00'24" W	20.98'
C25	23.89'	15.00'	91°14'31"	S 24°59'36" W	21.44'
C26	67.15'	525.00'	7°19'44"	N 66°57'00" E	67.11'
C27	23.89'	15.00'	91°14'31"	N 24°59'36" E	21.44'
C28	23.56'	15.00'	90°00'00"	S 64°23'08" E	21.21'
C29	23.56'	15.00'	90°00'00"	S 25°36'52" W	21.21'
C30	23.24'	15.00'	88°45'29"	N 65°00'24" W	20.98'
C31	23.89'	15.00'	91°14'31"	N 24°59'36" E	21.44'
C32	23.56'	15.00'	90°00'00"	S 64°23'08" E	21.21'
C33	23.56'	15.00'	90°00'00"	S 25°36'52" W	21.21'
C34	23.24'	15.00'	88°45'29"	N 65°00'24" W	20.98'
C35	23.89'	15.00'	91°14'31"	N 24°59'36" E	21.44'
C36	23.56'	15.00'	90°00'00"	S 64°23'08" E	21.21'
C37	22.91'	15.00'	87°30'07"	S 24°21'55" W	20.75'
C38	11.60'	475.00'	1°23'58"	S 68°48'57" W	11.60'
C39	55.83'	475.00'	6°44'03"	S 72°52'58" W	55.80'
C40	96.53'	475.00'	11°38'37"	S 73°56'17" W	96.36'
C41	29.10'	475.00'	3°30'35"	S 78°00'17" W	29.09'
C42	34.74'	25.00'	79°36'46"	N 60°26'02" W	32.01'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N 20°37'39" W	0.61'
L2	N 19°23'08" W	18.83'
L3	S 69°22'21" W	100.38'
L4	S 63°17'08" W	10.92'
L5	N 68°06'58" E	129.47'
L6	S 13°56'43" E	76.73'
L7	S 19°23'08" E	54.32'
L8	N 19°23'08" W	86.17'
L9	S 20°37'39" E	105.96'
L10	N 63°17'08" E	5.58'
L11	S 19°23'08" E	3.42'

LEGAL DESCRIPTION

FIELD NOTES FOR A 25.236 ACRE TRACT OF LAND IN THE JAMES SHELTON SURVEY, ABSTRACT NO. 560, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER OF A CALLED 56.742 ACRE TRACT OF LAND AS CONVEYED UNTO CW WILCO LLC IN DOCUMENT NUMBER 2020020862 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 25.236 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2–inch iron rod found on the east line of a called 16.20 acre tract of land as conveyed unto Wehring Family Investments, LP in Document Number 2010069362 of the Official Public Records of Williamson County Texas, at the southwest corner of the remainder of a called 101.8 acre tract of land (Tract 2) as conveyed unto No–Count, LLC in Document Number 2013060751 of the Official Public Records of Williamson County, Texas, for the northwest corner of the remainder of said 56.742 acre tract and the POINT OF BEGINNING and northwest corner of the herein described tract of land;

THENCE, N 68°06'58" E, coincident with the common line of the remainder of the 56.742 acre tract and said remainder of the 101.8 acre tract, a distance of 900.89 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set at the common corner of the 56.742 acre tract and a called 2.405 acre tract of land as conveyed unto Ashton Austin Residential, L.L.C. in Document Number 2020016624 of the Official Public Records of Williamson County, Texas, for the northeast corner of the herein described tract;

THENCE, S 20°37'23" E, coincident with the common line of the remainder of the 56.742 acre tract and said 2.405 acre tract, passing at a distance of 803.43 feet, a 1/2–inch iron rod with a cap stamped "BGE INC" found at the common corner of said 2.405 acre tract and the remainder of a called 23.517 acre tract of land, as conveyed unto Ashton Austin Residential, L.L.C. in Document Number 2020016718 of the Official Public Records of Williamson County, Texas, and continuing coincident with the common line of the remainder said 23.517 acre tract, and the remainder of the 57.742 acre tract, passing at a distance of 1,209.34 feet the common corner of the remainder of said 23.517 acre tract and a called 7.405 acre tract of land as conveyed unto Ashton Austin Residential, L.L.C. in Document Number 2020016624 of the Official Public Records of Williamson County, Texas, continuing coincident with the common line of the remainder of the 56.742 acre tract and said 7.405 acre tract a total distance of 1,588.32 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set at the common corner of the remainder of the 56.742 acre tract and the 7.405 acre tract for the southeast corner of the herein described tract;

THENCE, S 69°22'21" W, coincident with the common line of the remainder of the 56.742 acre tract and the 7.405 acre tract, a distance of 100.38 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set at the common corner of the remainder of the 56.742 acre tract and the 7.405 acre tract for a corner of the herein described tract;

THENCE, departing said common line, over and across the remainder of the 56.742 acre tract the following six (6) courses:

- 1) N 20°37'39" W, a distance of 410.04 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set for a re–entrant corner of the herein described tract;
- 2) S 69°22'21" W, a distance of 170.00 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set for a corner of the herein described tract;
- 3) N 20°37'39" W, a distance of 0.61 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set for a re–entrant corner of the herein described tract;
- 4) S 70°36'52" W, a distance of 460.13 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set for a corner of the herein described tract;
- 5) N 19°23'08" W, a distance of 18.83 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set for a re–entrant corner of the herein described tract;
- 6) S 70°36'52" W, a distance of 195.00 feet to a 1/2–inch iron rod with a cap stamped "BGE INC" set on the common line of the remainder of the 56.742 acre tract and the aforementioned 10.20 acre tract for the southwest corner of the herein described tract, from which a 1/2–inch iron rod found at an angle point in said common line bears S 19°22'45" E, a distance of 3.42 feet;

THENCE, N 19°23'08" W, a distance of 1,125.16 feet to the POINT OF BEGINNING and containing 25.236 acres of land, more or less.

LAND USE SCHEDULE		
DESCRIPTION	NO.	ACREAGE
RESIDENTIAL	136	16.459 ACRES
RIGHT–OF–WAY	–	4.905 ACRES
OPEN SPACE	2	3.536 ACRES
OPEN SPACE/DRAINAGE ESMT.	1	0.336 ACRE
TOTAL	139	25.236 ACRES

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	A	5,914	R
2	A	4,620	R
3	A	4,690	R
4	A	4,760	R
5	A	4,829	R
6	A	4,899	R
7	A	4,969	R
8	A	5,326	R
9	A	6,096	R
10	A	6,842	R
11	A	8,657	R
12	A	4,800	R
13	A	4,800	R
14	A	4,800	R
15	A	4,800	R
16	A	4,800	R
17	A	4,800	R
18	A	4,800	R
19	A	4,800	R
20	A	5,952	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	E	6,981	R
2	E	4,816	R
3	E	4,815	R
4	E	4,814	R
5	E	4,813	R
6	E	4,812	R
7	E	4,811	R
8	E	4,810	R
9	E	4,809	R
10	E	4,808	R
11	E	4,807	R
12	E	4,806	R
13	E	4,805	R
14	E	4,804	R
15	E	4,803	R
16	E	4,802	R
17	E	4,801	R
28	E	111,029	O.S.

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	B	5,952	R
2	B	4,800	R
3	B	4,800	R
4	B	4,800	R
5	B	4,800	R
6	B	4,800	R
7	B	4,800	R
8	B	4,800	R
9	B	4,800	R
10	B	9,104	R
11	B	9,412	R
12	B	4,800	R
13	B	4,800	R
14	B	4,800	R
15	B	4,800	R
16	B	4,800	R
17	B	4,800	R
18	B	4,800	R
19	B	4,800	R
20	B	5,952	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	F	7,655	R
2	F	5,800	R
3	F	5,800	R
4	F	5,800	R
5	F	5,800	R
6	F	5,800	R
7	F	4,802	R
8	F	4,802	R
9	F	4,802	R
10	F	4,803	R
11	F	4,803	R
12	F	4,803	R
13	F	4,803	R
14	F	4,803	R
15	F	4,803	R
16	F	14,592	O.S.D.
17	F	4,804	R
18	F	4,804	R
19	F	5,800	R
20	F	5,787	R
21	F	5,667	R
22	F	5,514	R
23	F	5,409	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	C	5,952	R
2	C	4,800	R
3	C	4,800	R
4	C	4,800	R
5	C	4,800	R
6	C	4,800	R
7	C	4,800	R
8	C	4,800	R
9	C	4,800	R
10	C	9,859	R
11	C	10,166	R
12	C	4,800	R
13	C	4,800	R
14	C	4,800	R
15	C	4,800	R
16	C	4,800	R
17	C	4,800	R
18	C	4,800	R
19	C	4,800	R
20	C	5,952	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	G	5,115	R
2	G	4,800	R
3	G	4,800	R
4	G	4,800	R
5	G	4,800	R
6	G	4,800	R
7	G	4,800	R
8	G	4,800	R
9	G	4,800	R
10	G	4,800	R
11	G	4,800	R
12	G	4,800	R
13	G	5,567	R
14	G	5,127	R
15	G	5,313	R
16	G	5,451	R
17	G	6,896	R
18	G	10,969	R
19	G	6,074	R
20	G	4,446	R
21	G	4,819	R
22	G	4,819	R
23	G	4,819	R
24	G	4,819	R
25	G	6,135	R
26	G	42,990	O.S.

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	D	5,952	R
2	D	4,800	R
3	D	4,800	R
4	D	4,800	R
5	D	4,800	R
6	D	4,800	R
7	D	4,800	R
8	D	4,800	R
9	D	4,800	R
10	D	4,800	R
11	D	5,813	R

FINAL PLAT
WILCO RANCH
PHASE 2 SECTION 2

A SUBDIVISION OF 25.236 ACRES OF LAND
LOCATED IN THE
JAMES SHELTON SURVEY, ABSTRACT NO. 560
WILLIAMSON COUNTY, TEXAS

Received 3/8/2021



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TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

KNOW ALL MEN BY THESE PRESENTS:

THAT CW-WILCO LLC, BEING THE OWNER OF A REMAINDER OF A CALLED 56.742 ACRE TRACT OF LAND OUT OF THE JAMES SHELTON SURVEY A-560, WILLIAMSON COUNTY, TEXAS CONVEYED TO IT BY SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 2020020862 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY; DOES HEREBY SUBDIVIDE 25.236 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON, PURSUANT TO CHAPTERS 212 AND 232 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

WILCO RANCH PHASE 2 SECTION 2

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE ____ DAY OF _____, 20____, A.D.

CW-WILCO, LLC
8655 S PRIEST DRIVE
TEMPE, ARIZONA 85284

JOHN CORK, PRESIDENT
CW-LT MANAGEMENT, LLC
CW-WILCO, LLC
8655 SOUTH PRIEST DRIVE
TEMPE, ARIZONA 85284

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED JOHN CORK, PRESIDENT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

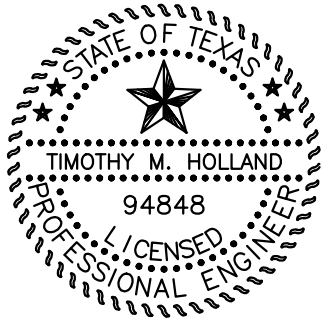
PRINT NOTARY'S NAME

MY COMMISSION EXPIRES _____

NO PORTION OF THIS SUBDIVISION LIES WITHIN THE DESIGNATED 100 YEAR FLOODPLAIN AS DEFINED BY F.E.M.A. MAP NO. 48491C0520F, REVISED DECEMBER 19, 2019.

I, TIMOTHY M. HOLLAND, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF ENGINEERING, AND DO HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND

**PRELIMINARY- THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT**



TIMOTHY M. HOLLAND, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 94848
BGE, INC.
1701 DIRECTORS BOULEVARD, SUITE 1000
AUSTIN, TX 78744

DATE

I, DION P. ALBERTSON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY EMPLOYEES OF BGE, INC ON THE GROUND, AND THAT ALL NECESSARY SURVEY

**PRELIMINARY- THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT**

COMPLETION OF CONSTRUCTION AS SHOWN THEREON.

DION P. ALBERTSON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4963
BGE, INC.
7330 SAN PEDRO AVE, SUITE 202
SAN ANTONIO, TEXAS 78216

DATE

CITY DEVELOPMENT SERVICES SIGNATURES:

THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF THE CITY OF HUTTO, THIS THE ____ DAY OF _____, 20____, A.D.

ASHBY GRUNDMAN, DEVELOPMENT SERVICES DIRECTOR

DATE

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE ON THIS THE ____ DAY OF _____, 20____, A.D.

DOUG GAUL, MAYOR

DATE

CITY SECRETARY

DATE

GENERAL NOTES:

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. COMBINED SCALE FACTOR = 0.99988157
2. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
3. BUILDING SETBACKS SHALL CONFORM TO THE DEVELOPMENT AGREEMENT RECORDED AS DOC. NO. _____ O.P.R.W.C.
4. A TEN (10) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
5. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
6. IF PARKING IS DESIRED ON BOTH SIDES OF THE STREET THEN THE STREETS MUST BE A MINIMUM OF 33 FEET WIDE. IF THE STREETS ARE LESS THAN 33 FEET IN WIDTH FIRE LANE SIGNAGE IS REQUIRED. (2018 IFC APPENDIX D SEC. 103.6 – D103.6.2)
7. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
8. SIDEWALKS AND TREES SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN THIS SUBDIVISION.
9. SIDEWALKS AND TREES SHALL BE PROVIDED ALONG ALL STREETS BOUNDING THIS SUBDIVISION.
10. ALL FENCING THAT IS NOT ON A PRIVATE LOT TO BE MAINTAINED BY THE HOA.
11. STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE UDC REQUIREMENTS, AS AMENDED.
12. THIS TRACT IS WITHIN WATER CCN SERVICE AREA 10970 AND WASTEWATER CCN SERVICE AREA 21053. WATER AND WASTEWATER WILL BE AVAILABLE THROUGH JONAH WATER SPECIAL UTILITY DISTRICT AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. JONAH WATER SPECIAL UTILITY DISTRICT ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
13. NO PORTION OF THIS TRACT IS ENCROACHED BY THE ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN.
14. THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR WILLIAMSON COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48491C0520F, REVISED DECEMBER 19, 2019.
15. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATIONS SHALL BE BUILT AT LEAST ONE (1) FOOT ABOVE THE SURROUNDING GROUND AND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
16. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE AS AMENDED, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
17. ON-SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST-DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100-YEAR STORM EVENTS.
18. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
19. ALL DRAINAGE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

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

THAT I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATION OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20____ A.D., AT _____ O'CLOCK ____M. AND DULY RECORDED ON THE ____ DAY OF _____, 20____ A.D., AT _____ O'CLOCK ____M. IN THE PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NO. _____

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST ABOVE WRITTEN.

NANCY RISTER, CLERK, COUNTY COURT
WILLIAMSON COUNTY, TEXAS

BY: _____
DEPUTY

FINAL PLAT
WILCO RANCH
PHASE 2 SECTION 2

A SUBDIVISION OF 25.236 ACRES OF LAND
LOCATED IN THE
JAMES SHELTON SURVEY, ABSTRACT NO. 560
WILLIAMSON COUNTY, TEXAS

Received 3/8/2021



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TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on the proposed Wilco Ranch Section 3 Phase 2 Final Plat, 12.530 acres, more or less, of land, 65 single-family lots, located on CR 119 (Ed Schmidt Boulevard). (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Planning and Development
Staff Contact: Ashby Grundman

BACKGROUND INFORMATION:

The proposed Wilco Ranch Phase 3 Section 2 Final Plat is approximately 12.530 acres of land and 65 single-family lots. This final plat is located on the west side of Ed Schmidt Boulevard (CR 119) and north of Limmer Loop.

Current Zoning:

The subject property is zoned Single-Family Residential (SF-1).

Surrounding Zoning:

North: Extra-territorial Jurisdiction (vacant farmland)

East: Ed Schmidt Boulevard (CR 119)

South: Single-Family Residential (SF-1 – Wilco Ranch Subdivision)

West: Single-Family Residential (SF-1 – Wilco Ranch Subdivision)

SUMMARY OF REQUEST:

The proposed Final Plat is comprised of 65 single-family lots, two open space lots and one detention lot. All of the residential lots in this section conform to the Development Agreement, and all of the lots in this section are 45 feet in width.

The proposal meets the minimum standards as required in the Development Agreement, Unified Development Code and state law.

As a reminder, this property had a preliminary plat filed with Williamson County and therefore the lot sizes are vested. In addition to that, they are required to complete a TIA once 80 certificate of occupancies have been issued in the subdivision.

STAFF REVIEW:

As the Planning and Zoning Commission recommended approval unanimously, Staff recommends that the City Council approve the proposed Wilco Ranch Section 3 Phase 2 Final Plat.

FINANCIAL IMPACT:

Not applicable.

City Council
AGENDA ITEM REPORT



POLICY IMPLICATIONS:

Not applicable.

ATTACHMENTS:

1. (Res)WilcoRanchPh3S2FP(Fullpacket)

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS “WILCO RANCH PHASE 3 SECTION 2 FINAL PLAT”; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

WHEREAS, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

WHEREAS, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

WHEREAS, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

that the Hutto City Council hereby approves the resolution for the plat known as “Wilco Ranch Phase 3 Section 2 Final Plat”, a copy of same being attached hereto as “Exhibit A” and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **15th** day of the month **April, 2021**.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary



BENCHMARK #1

BOX CUT IN CONCRETE ON "E" INLET ON NORTH RIGHT OF WAY OF LIMMER LOOP/COUNTY ROAD 164 AT THE SOUTHEAST CORNER OF THE PROPERTY LOCATED AT 2445 LIMMER LP. APPROXIMATELY 1,525 FEET WEST FROM THE INTERSECTION OF LIMMER LOOP/COUNTY ROAD 164 AND ED SCHMIDT BOULEVARD/COUNTY ROAD 119.

GRID NORTHING: 10177474.60
GRID EASTING: 3168195.63
ELEVATION: 709.94 FEET

NAVD-88

OWNER: ASHTON WOODS
ADDRESS: 10721 RESEARCH BLVD, B-210
AUSTIN, TX, 78759
PHONE: _____

ACREAGE: 12.530 ACRES
SURVEY(S): JAMES SHELTON SURVEY, ABSTRACT NO. 560

NUMBER & ACREAGE BY LOT TYPE: RESIDENTIAL: 65 LOTS/8.604 ACRES
OPEN SPACE: 2 LOTS/0.122 ACRE
OPEN SPACE/DETENTION: 1 LOT/0.873 ACRE
RIGHT-OF-WAY: 2.931 ACRES

SUBMITTAL DATE: _____

SURVEYOR: BGE, INC. (DION P. ALBERTSON, RPLS)

PHONE: (210) 581-3619 FAX: _____

ENGINEER: BGE, INC. (TIMOTHY M. HOLLAND, PE)

PHONE: (512) 879-0433 FAX: _____



VICINITY MAP
NOT TO SCALE



BEARING BASIS NOTE:

BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. DISTANCES SHOWN HEREON ARE IN SURFACE AND CAN BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED SCALE FACTOR = 1.0001184402

NO-COUNT, LLC
REMAINDER OF A CALLED 101.8 ACRES
DOC. NO. 2013060751
O.P.R.W.C.

JAMES SHELTON SURVEY
ABSTRACT NO. 560

CW WILCO LLC
CALLED 56.742 ACRES
DOC. NO. 2020020862
O.P.R.W.C.

CALLED 2.405 ACRES
ASHTON AUSTIN
RESIDENTIAL L.L.C.
DOC. NO. 2020016624
O.P.R.W.C.

ASHTON AUSTIN
RESIDENTIAL L.L.C.
CALLED 23.517 ACRES
DOC. NO. 2020016718
O.P.R.W.C.

LEGEND

DOC. DOCUMENT
ESMT. EASEMENT
NO. NUMBER
NOS. NUMBERS
O.P.R.W.C. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
O.R.W.C. OFFICIAL RECORDS OF WILLIAMSON COUNTY
PG. PAGE
R.O.W. RIGHT-OF-WAY
VOL. VOLUME
() RECORD INFORMATION FROM DOC. NO. 2020020862 O.P.R.W.C.
[] RECORD INFORMATION FROM DOC. NO. 2013060751 O.P.R.W.C.
{ } RECORD INFORMATION FROM DOC. NO. 2020016624 O.P.R.W.C.
< > RECORD INFORMATION FROM DOC. NO. 2020016718 O.P.R.W.C.
● FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
○ SET 1/2" IRON ROD W/CAP STAMPED "BGE INC"

LOT PERCENTAGE TABLE			
LOT SIZE	PREVIOUS	PROPOSED PHASE 3 SEC. 2	TOTAL
40	164	0	164
45	83	65	148

STREET NAMES		
STREET	R.O.W. WIDTH	CENTERLINE LENGTH
BLACKBEAR DRIVE	50 FEET	942 FEET
GRAY FOX LOOP	50 FEET	1,542 FEET
TOTAL LINEAR FEET		2,484 FEET

LAND USE SCHEDULE		
DESCRIPTION	NO.	ACREAGE
RESIDENTIAL	65	8.604 ACRES
RIGHT-OF-WAY	-	2.931 ACRES
OPEN SPACE	2	0.122 ACRE
OPEN SPACE/DETENTION	1	0.873 ACRE
TOTAL	68	12.530 ACRES

FINAL PLAT
WILCO RANCH
PHASE 3 SECTION 2

A SUBDIVISION OF 12.530 ACRES OF LAND
LOCATED IN THE
JAMES SHELTON SURVEY, ABSTRACT NO. 560
WILLIAMSON COUNTY, TEXAS

Received 3/8/2021



BGE, Inc.
7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490

SHEET 1 OF 3

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	50.20'	2,398.03'	1°11'58"	S 17°59'26" E	50.20'
C2	297.90'	2,440.00'	6°59'43"	S 12°45'44" E	297.72'
C3	23.56'	15.00'	90°00'00"	S 35°33'12" W	21.21'
C4	23.56'	15.00'	90°00'00"	N 54°26'48" W	21.21'
C5	58.61'	270.00'	12°26'14"	S 74°20'05" W	58.49'
C6	39.63'	470.00'	4°49'50"	S 65°42'03" W	39.61'
C7	21.97'	15.00'	83°54'47"	S 21°19'45" W	20.06'
C8	25.16'	15.00'	96°05'13"	N 68°40'15" W	22.31'
C9	21.97'	15.00'	83°54'47"	N 21°19'45" E	20.06'
C10	10.40'	15.00'	39°42'54"	N 40°29'06" W	10.19'
C11	146.76'	50.00'	168°10'26"	S 23°44'40" W	99.47'
C12	10.40'	15.00'	39°42'54"	N 87°58'26" E	10.19'
C13	10.40'	15.00'	39°42'54"	N 48°15'31" E	10.19'
C14	152.69'	50.00'	174°58'26"	N 64°06'43" W	99.90'
C15	10.40'	15.00'	39°42'54"	S 03°31'03" W	10.19'
C16	39.10'	325.00'	6°53'37"	N 12°53'36" W	39.08'
C17	23.56'	15.00'	90°00'00"	S 54°26'48" E	21.21'
C18	23.56'	15.00'	90°00'00"	N 35°33'12" E	21.21'
C19	71.63'	330.00'	12°26'14"	S 74°20'05" W	71.49'
C20	44.68'	530.00'	4°49'50"	S 65°42'03" W	44.67'
C21	25.16'	15.00'	96°05'13"	S 68°40'15" E	22.31'
C22	38.72'	25.00'	88°44'37"	S 23°44'40" W	34.97'
C23	41.69'	25.00'	95°32'37"	N 64°06'43" W	37.02'
C24	37.45'	270.00'	7°56'52"	S 76°34'46" W	37.42'
C25	21.16'	270.00'	4°29'22"	S 70°21'39" W	21.15'
C26	11.03'	470.00'	1°20'39"	S 67°26'39" W	11.03'
C27	28.60'	470.00'	3°29'11"	S 65°01'44" W	28.60'

CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C28	4.10'	50.00'	4°42'06"	S 57°59'31" E	4.10'
C29	39.63'	50.00'	45°24'25"	S 32°56'15" E	38.60'
C30	29.65'	50.00'	33°58'42"	S 06°45'19" W	29.22'
C31	29.80'	50.00'	34°09'08"	S 40°49'14" W	29.36'
C32	41.85'	50.00'	47°57'24"	S 81°52'29" W	40.64'
C33	1.73'	50.00'	1°58'42"	N 73°09'28" W	1.73'
C34	151.69'	50.00'	173°49'25"	N 64°41'14" W	99.85'
C35	153.68'	2,440.00'	3°36'31"	N 14°27'20" W	153.65'
C36	1.00'	50.00'	1°09'02"	N 22°47'59" E	1.00'
C37	45.12'	2,440.00'	1°03'34"	N 12°07'17" W	45.12'
C38	45.19'	2,440.00'	1°03'40"	N 11°03'40" W	45.19'
C39	46.96'	2,440.00'	1°06'10"	N 09°58'45" W	46.96'
C40	6.95'	2,440.00'	0°09'48"	N 09°20'46" W	6.95'
C41	5.30'	325.00'	0°56'05"	N 15°52'22" W	5.30'
C42	33.80'	325.00'	5°57'32"	N 12°25'34" W	33.79'
C43	11.64'	330.00'	2°01'15"	S 79°32'35" W	11.64'
C44	42.68'	330.00'	7°24'34"	S 74°49'41" W	42.65'
C45	17.32'	330.00'	3°00'25"	S 69°37'11" W	17.32'
C46	6.00'	530.00'	0°38'57"	S 67°47'30" W	6.00'
C47	38.68'	530.00'	4°10'54"	S 65°22'35" W	38.67'
C48	33.09'	275.00'	6°53'37"	N 12°53'36" W	33.07'

RECORD CURVE TABLE					
NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
{C1}	{50.20'}	{2,398.03'}	{01°11'58"}	{S 17°59'26" W}	{50.20'}
<C1>	<50.20'>	<2,398.03'>	<01°11'58">	<S 17°59'26" W>	<50.20'>
<C2>	<297.90'>	<2,440.00'>	<06°59'43">	<S 12°45'44" W>	<297.72'>

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 09°26'48" E	8.53'
L2	S 80°33'12" W	81.86'
L3	S 20°37'39" E	1.89'
L4	S 09°26'48" E	95.00'
L5	N 09°26'48" W	95.00'
L6	S 80°33'12" W	33.97'
L7	S 63°17'08" W	13.26'
L8	S 20°37'39" E	99.51'
L9	N 20°37'39" W	96.01'
L10	S 63°17'08" W	103.53'
L11	N 63°17'08" E	106.72'
L12	S 09°26'48" E	64.15'
L13	S 80°33'12" W	33.97'
L14	S 63°17'08" W	3.66'
L15	S 09°26'48" E	64.15'

LEGAL DESCRIPTION

FIELD NOTES FOR A 12.530 ACRE TRACT OF LAND SITUATED IN THE JAMES SHELTON SURVEY, ABSTRACT NO. 560, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 23.517 ACRE TRACT OF LAND AS CONVEYED UNTO ASHTON AUSTIN RESIDENTIAL, L.L.C. IN DOCUMENT NO. 2020016718 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND A PORTION OF A CALLED 2.405 ACRE TRACT OF LAND AS CONVEYED UNTO ASHTON AUSTIN RESIDENTIAL L.L.C. IN DOCUMENT NUMBER 2020016624 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 12.530 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2–inch iron rod with a cap stamped “SAM INC” found on the curvilinear west right–of–way line of Ed Schmidt Boulevard/County Road 119 (R.O.W. ~ Varies) as dedicated by Document Nos. 2003052478, 2003052479, 2003064610, 2004013915, 2015007229, 2015035244, 2015035245, 2015088346, and 2016010818 all recorded in the Official Public Records of Williamson County Texas, at the common corner of a called 101.8 acre tract of land (Tract 2) as conveyed unto No–Count, LLC in Document Number 2013060751 of the Official Public Records of Williamson County, Texas, and said 2.405 acre tract at the beginning of a non–tangent curve for the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, curving to the right, coincident with the common line of said right–of–way and the 2.405 acre tract with a radius of 2,398.03 feet, an arc length of 50.20 feet, a central angle of 01°11'58", a chord bearing of S 17°59'26" E, and a chord distance of 50.20 feet to a 1/2–inch iron rod with a cap stamped “TLS INC” found at the common corner of the 2.405 acre tract and the aforementioned 23.517 acre tract for a point of compound curvature of the herein described tract;

THENCE, curving to the right, coincident with the common line of said right–of–way and said 23.517 acre tract, with a radius of 2,440.00 feet, an arc length of 297.90 feet, a central angle of 06°59'43", a chord bearing of S 12°45'44" E, and a chord distance of 297.72 feet to a 1/2–inch iron rod found (disturbed) at the end of this curve;

THENCE, S 09°26'54" E, continuing coincident with said common line, a distance of 288.64 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set for the southeast corner of the herein described tract;

THENCE, departing said common line, over and across the 23.517 acre tract and the aforementioned 2.405 acre tract the following six (6) courses:

- 1) S 80°33'12" W, a distance of 169.97 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set for a re–entrant corner of the herein described tract;
- 2) S 09°26'48" E, a distance of 8.53 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set for a corner of the herein described tract;
- 3) S 80°33'12" W, a distance of 81.86 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set for an angle point of the herein described tract;
- 4) S 68°06'58" W, a distance of 451.18 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set for a re–entrant corner of the herein described tract;
- 5) S 20°37'39" E, a distance of 1.89 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set for a corner of the herein described tract;
- 6) S 69°22'21" W, a distance of 169.54 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set on the common line of a called 56.742 acre tract of land as conveyed unto CW–WILCO, LLC in Document Number 2020020862 of the Official Public Records of Williamson County, Texas, and the 2.405 acre tract for the southwest corner of the herein described tract;

THENCE, N 20°37'23" W, coincident with said common line, a distance of 578.32 feet to a 1/2–inch iron rod with a cap stamped “BGE INC” set on the south line of the aforementioned 101.8 acre tract at the common corner of the 2.405 acre tract and said 56.742 acre tract for the northwest corner of the herein described tract;

THENCE, N 68°06'58" E, coincident with the common line of the 2.405 acre tract and said 101.8 acre tract, a distance of 968.52 feet to the POINT OF BEGINNING and containing 12.530 acres of land, more or less

R – RESIDENTIAL

O.S. – OPEN SPACE

O.S.D. – OPEN SPACE/DRAINAGE

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
27	A	7,298	R
28	A	5,379	R
29	A	5,379	R
30	A	5,378	R
31	A	5,352	R
32	A	5,044	R
33	A	8,776	R
34	A	8,811	R
35	A	5,258	R
36	A	5,384	R
37	A	5,400	R
38	A	5,400	R
39	A	5,400	R
40	A	5,400	R
41	A	5,400	R
42	A	5,400	R
43	A	5,400	R
44	A	5,400	R
45	A	5,400	R
46	A	5,400	R
47	A	5,400	R
48	A	38,045	O.S.D.
49	A	5,991	R
50	A	5,836	R
51	A	5,712	R
52	A	5,938	R
53	A	5,399	R
54	A	2,951	O.S.

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	N	6,350	R
2	N	5,175	R
3	N	5,175	R
4	N	5,175	R
5	N	5,175	R
6	N	5,175	R
7	N	5,175	R
8	N	5,175	R
9	N	5,175	R
10	N	5,726	R
11	N	9,210	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	O	6,973	R
2	O	5,400	R
3	O	5,400	R
4	O	5,400	R
5	O	5,400	R
6	O	5,400	R
7	O	5,400	R
8	O	5,400	R
9	O	5,400	R
10	O	5,400	R
11	O	5,400	R
12	O	9,794	R
13	O	7,983	R
14	O	5,959	R
15	O	5,558	R
16	O	5,175	R
17	O	5,175	R
18	O	5,175	R
19	O	5,175	R
20	O	5,175	R
21	O	5,175	R
22	O	5,175	R
23	O	5,257	R
24	O	6,567	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
52	K	5,379	R
53	K	7,269	R

LOT AREA TABLE			
LOT	BLOCK	SQ. FT.	TYPE
1	P	2,351	O.S.
2	P	5,399	R
3	P	5,399	R

FINAL PLAT
WILCO RANCH
PHASE 3 SECTION 2

A SUBDIVISION OF 12.530 ACRES OF LAND
LOCATED IN THE
JAMES SHELTON SURVEY, ABSTRACT NO. 560
WILLIAMSON COUNTY, TEXAS

Received 3/8/2021



BGE, Inc.
7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

KNOW ALL MEN BY THESE PRESENTS:

THAT ASHTON AUSTIN RESIDENTIAL, L.L.C., ACTING HEREIN BY AND THROUGH ASHTON WOODS--AUSTIN DIVISION, BY ITS GENERAL PARTNER, KEITH PERSON, VICE PRESIDENT OF LAND, BEING THE OWNER OF A CALLED 2.405 ACRE TRACT OF LAND OUT OF THE JAMES SHELTON SURVEY A--560, WILLIAMSON COUNTY, TEXAS CONVEYED TO IT BY SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 2020016624 AND A CALLED 23.517 ACRES OF LAND OUT OF THE JAMES SHELTON SURVEY A--560, WILLIAMSON COUNTY, TEXAS AS CONVEYED TO IT BY SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 2020016718 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY; DOES HEREBY SUBDIVIDE 12.530 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON, PURSUANT TO CHAPTERS 212 AND 232 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

WILCO RANCH PHASE 3 SECTION 2

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE _____ DAY OF _____, 20____, A.D.

KEITH PEARSON, VICE PRESIDENT OF LAND
ASHTON WOODS -- AUSTIN DIVISION
10721 RESEARCH BLVD. B--210
AUSTIN, TEXAS 78759

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED KEITH PEARSON, VICE PRESIDENT OF LAND KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME
MY COMMISSION EXPIRES _____

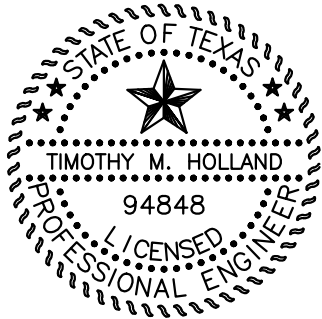
NO PORTION OF THIS SUBDIVISION LIES WITHIN THE DESIGNATED 100 YEAR FLOODPLAIN AS DEFINED BY F.E.M.A. MAP NO. 48491C0520F, REVISED DECEMBER 19, 2019.

I, TIMOTHY M. HOLLAND, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF ENGINEERING, AND DO HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

**PRELIMINARY, THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT**

TIMOTHY M. HOLLAND, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 94848
BGE, INC.
1701 DIRECTORS BOULEVARD, SUITE 1000
AUSTIN, TX 78744

DATE



I, DION P. ALBERTSON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY EMPLOYEES OF BGE, INC ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE FOUND OR CORRECTLY SET UPON COMPLETION OF CONSTRUCTION AS SHOWN THEREON.

**PRELIMINARY, THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT**

DION P. ALBERTSON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4963
BGE, INC.
7330 SAN PEDRO AVE, SUITE 202
SAN ANTONIO, TEXAS 78216

DATE

CITY DEVELOPMENT SERVICES SIGNATURES:

THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF THE CITY OF HUTTO, THIS THE _____DAY OF _____, 20____, A.D

ASHBY GRUNDMAN, DEVELOPMENT SERVICES DIRECTOR

DATE

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE ON THIS THE _____DAY OF _____, 20____, A.D

DOUG GAUL, MAYOR

DATE

CITY SECRETARY
GENERAL NOTES:

DATE

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. COMBINED SCALE FACTOR = 1.0001184402
2. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
3. BUILDING SETBACKS SHALL CONFORM TO THE DEVELOPMENT AGREEMENT RECORDED AS DOC. NO. _____ O.P.R.W.C.
4. A TEN (10) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
5. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
6. IF PARKING IS DESIRED ON BOTH SIDES OF THE STREET THEN THE STREETS MUST BE A MINIMUM OF 33 FEET WIDE. IF THE STREETS ARE LESS THAN 33 FEET IN WIDTH FIRE LANE SIGNAGE IS REQUIRED. (2018 IFC APPENDIX D SEC. 103.6 -- D103.6.2)
7. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
8. SIDEWALKS AND TREES SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN THIS SUBDIVISION.
9. SIDEWALKS AND TREES SHALL BE PROVIDED ALONG ALL STREETS BOUNDING THIS SUBDIVISION.
10. ALL FENCING THAT IS NOT ON A PRIVATE LOT TO BE MAINTAINED BY THE HOA.
11. STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE UDC REQUIREMENTS, AS AMENDED.
12. THIS TRACT IS WITHIN WATER CCN SERVICE AREA 10970 AND WASTEWATER CCN SERVICE AREA 21053. WATER AND WASTEWATER WILL BE AVAILABLE THROUGH JONAH WATER SPECIAL UTILITY DISTRICT AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. JONAH WATER SPECIAL UTILITY DISTRICT ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
13. NO PORTION OF THIS TRACT IS ENCROACHED BY THE ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN.
14. THE PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR WILLIAMSON COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48491C0520F, REVISED DECEMBER 19, 2019.
15. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATIONS SHALL BE BUILT AT LEAST ONE (1) FOOT ABOVE THE SURROUNDING GROUND AND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
16. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE AS AMENDED, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
17. ON--SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST--DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100--YEAR STORM EVENTS.
18. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
19. ALL DRAINAGE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

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

THAT I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATION OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE _____DAY OF _____, 20____ A.D., AT _____ O'CLOCK ____M. AND DULY RECORDED ON THE _____DAY OF _____, 20____ A.D., AT _____ O'CLOCK ____M. IN THE PLAT RECORDS OF SAID COUNTY, IN DOCUMENT NO. _____

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST ABOVE WRITTEN.

NANCY RISTER, CLERK, COUNTY COURT
WILLIAMSON COUNTY, TEXAS

BY: _____
DEPUTY

FINAL PLAT
WILCO RANCH
PHASE 3 SECTION 2

A SUBDIVISION OF 12.530 ACRES OF LAND
LOCATED IN THE
JAMES SHELTON SURVEY, ABSTRACT NO. 560
WILLIAMSON COUNTY, TEXAS

Received 3/8/2021



BGE, Inc.
7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490

City Council
AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action regarding Ordinance No. O-2021-023 Budget Amendment- CARES Act Reimbursement. (Finance)
Meeting: Thursday, April 15, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on Ordinance No. O-2021-014 amending Ordinance No. O-18-07-19-9A Exhibit B Schedule 2 the Transportation Impact Fee Collection Rate Per Service Unit. (First Reading)(Samuel Ray)
Meeting: Thursday, April 15, 2021
Department: Engineering
Staff Contact: Samuel Ray

BACKGROUND INFORMATION:

July 19th, 2018 the City of Hutto passed Ordinance O-18-07-19-9A approving the assessment and collection of Transportation Impact Fees after completing a study by DKS Engineering. In March of 2019 by direction of the City Manager the City suspended assessment and collection of the Transportation Impact Fee indefinitely. On February 4th of 2021 a presentation was made to City Council regarding the history and problems related to the Transportation Impact Fee at which time staff was directed to revisit the Transportation Impact Fee Ordinance and to amend the Ordinance to make the Impact Fee more reasonable so that it worked for both the City and Development.

SUMMARY OF REQUEST:

Staff requests consideration and approval of an ordinance amending the Transportation Impact Fee Collection Rate per Service Unit.

STAFF REVIEW:

Ordinance was prepared by Samuel Ray and reviewed by City Attorney.

FINANCIAL IMPACT:

Ordinance will reduce the collection rate for the Transportation Impact Fee to a reasonable rate and allow the City to reinstate assessment and collection of the Transportation Impact Fee.

POLICY IMPLICATIONS:

Upon amending the collection rate of the Transportation Impact Fee the City will be able to move forward assessing and collecting the Transportation Impact Fee uniformly on all development within the City. The City can avoid unnecessary agreements to provide credit or waiver of the fee and by collecting the fee empower the city to move forward with capital projects that improve the transportation system.

ATTACHMENTS:

1. Hutto - Ordinance O-2021-014 Amending the Transportation Impact Fee Collection Rate 4.15.21

City Council
AGENDA ITEM REPORT



City of Hutto, Texas

IMPACT FEES ORDINANCE

ORDINANCE NO. O-2021-014

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING THE CITY OF HUTTO TRANSPORTATION IMPACT FEE ORDINANCE NO. O-18-07-19-9A, EXHIBIT B, SCHEDULE 2, TRANSPORTATION IMPACT FEE COLLECTION RATE PER SERVICE UNIT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

WHEREAS, the City of Hutto, Texas (the “City”) is a home-rule city possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of the Texas Local Government Code and its Home Rule Charter; and

WHEREAS, the City established transportation impact fees to be imposed within its corporate limits and within its extraterritorial jurisdiction by Ordinance No. O-18-07-19-9A (the “Transportation Impact Fee Ordinance”) in compliance with Chapter 395 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the provisions governing and setting forth the transportation impact fees to be assessed and collected established in the Transportation Impact Fee Ordinance should be amended; and

WHEREAS, the City Council finds that the City has complied with Chapter 395 of the Texas Local Government Code in the amendment of the land use assumptions, capital improvements plans, and impact fees; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Hutto to amend Exhibit B Schedule 2, the Transportation Impact Fee Collection Rate Per Service Unit of the Transportation Impact Fee Ordinance, to assure the availability of adequate transportation facilities and services in order to serve new development consistent with the policies set forth in the City’s comprehensive plan.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as

if expressly set forth herein.

2. ENACTMENT

Exhibit B, Schedule 2, the Transportation Impact Fee Collection Rate Per Service Unit of the Transportation Impact Fee Ordinance No. O-18-07-19-9A is hereby amended to read in accordance with *Attachment "A"* which is attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes. Underlined and italicized text shall be added, and struck-through and bracketed text shall be deleted as indicated in *Attachment "A"*.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the ____ day of _____, 2021, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of Hutto, Texas.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate dates was dispensed with.

CITY OF HUTTO:

by: _____
Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary

ATTACHMENT “A”

Ordinance O-18-07-19-9A

EXHIBIT B

SCHEDULE 2

TRANSPORTATION IMPACT FEE COLLECTION RATE PER SERVICE UNIT

Transportation Impact Fee	Service Unit
[\$1,960.78] <u>Residential Land Use - \$784.31</u>	Vehicle Mile
<u>Non-residential Land Use - \$400</u>	<u>Vehicle Mile</u>

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action regarding Ordinance No. O-2021-019
Amending the Code of Ordinances Chapter 1, Article 1.02 City Council, adding
Section 1.02.002 Mayor Pro Tem adding section 1.02.002, Mayor Pro Tem, to
provide for the appointment of a Mayor Pro Tem in the event of a vacancy. (City
Attorney)
Meeting: Thursday, April 15, 2021
Department: Legal
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Ordinance Amending Article 1.02 City Council adding MPT 4.9.21

ORDINANCE NO. O-2021-019

AN ORDINANCE AMENDING CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.02, CITY COUNCIL, OF THE CITY OF HUTTO'S CODE OF ORDINANCES BY ADDING SECTION 1.02.002, MAYOR PRO TEM, TO PROVIDE FOR THE APPOINTMENT OF A MAYOR PRO TEM IN THE EVENT OF A VACANCY; AND PROVIDING FOR EFFECTIVE DATE, PUBLICATION, SEVERABILITY, REPEAL, OPEN MEETINGS CLAUSE, AND ENACTMENT.

WHEREAS, Section 3.05 of the Hutto City Charter provides that the Mayor Pro-tem shall be a Council member elected by the City Council at the first regular City Council meeting following each regular City election; and

WHEREAS, the City has determined that Article 1.02 City Council needs to be amended to provide for the appointment of a Mayor Pro-Tem in the event of a vacancy; and

WHEREAS, the City Council of the City of Hutto, Texas, finds it to be in the best interest to provide that if the City Council Member serving as Mayor Pro-Tem resigns for any reason, is removed from office in any manner authorized by law, or a forfeiture of his or her office occurs, the City Council shall at the next regular meeting after the office is declared vacant elect a Mayor Pro-Tem.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

That Article 1.02, City Council, of the Code of Ordinances of the City of Hutto, is hereby amended by adding a new section 1.02.002 to read in accordance with Attachment "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Underlined and italicized text shall be added, and struck-through and bracketed text shall be deleted as indicated in *Attachment "A"*.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the 15th day of April, 2021, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of Hutto, Texas.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate dates was dispensed with

THE CITY OF HUTTO, TEXAS

By: _____
Mike Snyder, Mayor

By: _____
Holly Nagy, City Secretary

(SEAL)

Attachment “A”

ARTICLE 1.02 CITY COUNCIL

...

Sec. 1.02.002 Mayor Pro Tem

The Mayor Pro-tem shall be: a Council member, elected by the City Council at the first regular City Council meeting following each regular City election. The Mayor Pro-tem shall act as Mayor during the disability, absence, or failure of the Mayor to carry out the duties of the office, and in this capacity shall have the rights conferred upon the Mayor. If the City Council Member serving as Mayor Pro-Tem, resigns for any reason, is removed from office in any manner authorized by law, or a forfeiture of his or her office occurs, the City Council shall at the next regular City Council meeting after the office is declared vacant, elect a Mayor Pro-Tem.

City Council **AGENDA ITEM REPORT**



To: City Council
Subject: Consideration and possible action regarding Ordinance No. O-2021-020 Amending the Code of Ordinances Section 20.02.002 Partial exemption for ad valorem taxes imposed on the elderly to reduce the residence homestead exemption for persons age 65 or older, or surviving spouse, to \$30,000 beginning tax year 2021 and repealing the tax exemption beginning in tax year 2022. (City Attorney)
Meeting: Thursday, April 15, 2021
Department: Legal
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 2021_Property Tax Exemptions 65+ (11.13(d)) 4.12.21

ORDINANCE NO. O-2021-020

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING SECTION 20.02.002 OF THE HUTTO CODE OF ORDINANCES TO REDUCE THE RESIDENCE HOMESTEAD EXEMPTION FOR PERSONS AGE 65 OR OLDER, OR SURVIVING SPOUSE, TO \$30,000 BEGINNING TAX YEAR 2021 AND REPEALING THE TAX EXEMPTION BEGINNING IN TAX YEAR 2022, IN ACCORDANCE WITH SECTION 11.13(F) OF THE TEXAS TAX CODE; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, AND EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hutto (the "City Council") has the authority conferred by Section 11.13(d) of the Texas Tax Code to provide an exemption from ad valorem taxes levied by the City for persons age sixty-five (65) or older or the surviving spouse who is fifty-five (55) years or older at the time of the person's death; and

WHEREAS, pursuant to Section 11.13(f) of the Texas Tax Code, the City Council may reduce or repeal the exemption in subsequent years; and

WHEREAS, the City Council finds and determines that an exemption for the residence homestead of persons who are sixty-five (65) years of age or older or the surviving spouse who is fifty-five (55) years or older at the time of the person's death should be reduced to \$30,000 beginning in tax year 2021 and repealed beginning in tax year 2022 in accordance with Section 11.13(f) of the Texas Tax Code.

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

SECTION I.

The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION II.

That the Code of Ordinances of the City of Hutto, is hereby amended by amending Article 20.02, Section 20.02.002, entitled "Partial exemption for taxes imposed on the elderly," to read as follows:

"Sec. 20.02.002. Partial exemption for ad valorem taxes imposed on the elderly.

- (a) An individual who is sixty-five (65) years of age or older is entitled to an exemption from ad valorem taxes levied by the City of \$60,000 of the assessed value of the residence homestead beginning tax year 2020.

(b) An individual who is sixty-five (65) years of age or older is entitled to an exemption from ad valorem taxes levied by the City of \$30,000 of the assessed value of the residence homestead beginning tax year 2021.

(c) The partial exemption for ad valorem taxes imposed on the elderly provided for by this Section is hereby repealed beginning tax year 2022.

~~[(b)]~~(d) If the person who is sixty-five (65) dies in a year in which the person received a residence homestead exemption, the total amount of ad valorem taxes imposed on the residence homestead shall not be increased while it remains the residence homestead of that person's surviving spouse if the spouse is fifty-five (55) years of age or older at the time of the person's death.

~~[(e)]~~(e) The provisions of Section 11.13 of the Texas Tax Code applicable to exemptions shall govern the exemption granted in this section."

SECTION III. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION IV. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION V. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION VI. Open Meetings Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VII. Effective Date

This Ordinance shall be effective immediately upon passage and publication in accordance with Section 3.13 of the City Charter.

READ and **APPROVED** on the first reading this the **15th** day of **April 2021**.

READ, PASSED, and ADOPTED on the second reading of this **6th** day of **May, 2021** at a regular meeting of the City Council of Hutto, there being a quorum present.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

Attest:

Holly Nagy, City Secretary

(SEAL)

City Council

AGENDA ITEM REPORT



To: City Council

Subject: Consideration and possible action regarding Ordinance No. O-2021-021 Amending the Code of Ordinances Section 20.02.003 Partial exemption for ad valorem taxes imposed on the disabled to reduce the residence homestead exemption for disabled persons or surviving spouses to \$30,000 beginning tax year 2021 and repealing the tax exemption beginning in tax year 2022. (City Attorney)

Meeting: Thursday, April 15, 2021

Department: Legal

Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 2021_Property Tax Exemptions Disabled (11.13(d)) 4.12.21

ORDINANCE NO. O-2021-021

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS, AMENDING SECTION 20.02.003 OF THE HUTTO CODE OF ORDINANCES TO REDUCE THE RESIDENCE HOMESTEAD EXEMPTION FOR DISABLED PERSONS OR SURVIVING SPOUSES TO \$30,000 BEGINNING TAX YEAR 2021 AND REPEALING THE TAX EXEMPTION BEGINNING IN TAX YEAR 2022, IN ACCORDANCE WITH SECTION 11.13(F) OF THE TEXAS TAX CODE; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, AND EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hutto (the "City Council") has the authority conferred by Section 11.13(d) of the Texas Tax Code to provide an exemption from ad valorem taxes levied by the City for an eligible disabled person or the surviving spouse who is fifty-five (55) years or older at the time of the person's death; and

WHEREAS, pursuant to Section 11.13(f) of the Texas Tax Code, the City Council may reduce or repeal the exemption in subsequent years; and

WHEREAS, the City Council finds and determines that an exemption for the residence homestead of an eligible disabled person or the surviving spouse who is fifty-five (55) years or older at the time of the person's death should be reduced to \$30,000 beginning in tax year 2021 and repealed beginning in tax year 2022 in accordance with Section 11.13(f) of the Texas Tax Code.

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

SECTION I.

The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION II.

That the Code of Ordinances of the City of Hutto, is hereby amended by amending Article 20.02, Section 20.02.003, entitled "Partial exemption for taxes imposed on the disabled," to read as follows:

"Sec. 20.02.003. Partial exemption for ad valorem taxes imposed on the disabled.

- (a) An individual who is disabled is entitled to an exemption from ad valorem taxes levied by the city of \$60,000.00 of the assessed taxable value of the residence homestead, as defined by law effective tax year 2020. Pursuant to Texas Tax Code section 11.13(h), an eligible disabled person who is 65 or older may not receive both a disabled and an elderly residence homestead exemption from the same taxing unit in the same year but may choose either.

(b) An individual who is disabled is entitled to an exemption from ad valorem taxes levied by the City of \$30,000 of the assessed taxable value of the residence homestead effective tax year 2021.

(c) The partial exemption for ad valorem taxes imposed on the disabled provided for by this Section is hereby repealed effective tax year 2022.

~~[(b)]~~(d) If the person who is disabled dies in a year in which the person received a residence homestead exemption, the total amount of ad valorem taxes imposed on the residence homestead shall not be increased while it remains the residence homestead of that person's surviving spouse if the spouse is fifty-five (55) years of age or older at the time of the person's death.

~~[(e)]~~(e) Notwithstanding subsections (a) and (b) ad valorem taxes on the residence homestead may be increased to the extent the value of the homestead is increased by improvements other than repairs and other than improvements made to comply with governmental requirements.

~~[(f)]~~(f) The provisions of Section 11.13 of the Texas Tax Code applicable to exemptions shall govern the exemption granted in this section."

SECTION III. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION IV. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION V. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION VI. Open Meetings Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VII. Effective Date

This Ordinance shall be effective immediately upon passage and publication in accordance with Section 3.13 of the City Charter.

READ and **APPROVED** on the first reading this the **15th** day of **April 2021**.

READ, PASSED, and ADOPTED on the second reading of this **6th** day of **May, 2021** at a regular meeting of the City Council of Hutto, there being a quorum present.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

Attest:

Holly Nagy, City Secretary

(SEAL)

City Council

AGENDA ITEM REPORT



To: City Council

Subject: Consideration and possible action regarding Ordinance No. O-2021-022 Amending the Code of Ordinances Chapter 2, Article 2.02 Boards, Commissions and Authorities altering the appointment process of certain members of boards, commissions, and authorities appointed by the city council; removing the attendance requirement for such boards, commissions, and authorities; expanding the eligibility criteria for members of the parks advisory board and the historic preservation commission. (City Attorney)

Meeting: Thursday, April 15, 2021

Department: Legal

Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Ordinance Amending Article 2.02 Boards Commissions and Authorities 4.12.21

ORDINANCE NO. O-2021-022

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2.02, DIVISION 1, OF THE CITY OF HUTTO'S CODE OF ORDINANCES ALTERING THE APPOINTMENT PROCESS OF CERTAIN MEMBERS OF BOARDS, COMMISSIONS, AND AUTHORITIES APPOINTED BY THE CITY COUNCIL; REMOVING THE ATTENDANCE REQUIREMENT FOR SUCH BOARDS, COMMISSIONS, AND AUTHORITIES; EXPANDING THE ELIGIBILITY CRITERIA FOR MEMBERS OF THE PARKS ADVISORY BOARD AND THE HISTORIC PRESERVATION COMMISSION; AND PROVIDING FOR EFFECTIVE DATE, PUBLICATION, SEVERABILITY, REPEAL, OPEN MEETINGS CLAUSE, AND ENACTMENT.

WHEREAS, the City Council of the City of Hutto desires to increase participation by citizens in City boards, commissions, and corporations appointed by the City Council; improve and expedite the appointment process; and expand the eligibility criteria for members of the Parks Advisory Board and the Historic Preservation Commission to include residents of the City's extraterritorial jurisdiction; and

WHEREAS, the City Council finds it necessary to modify City ordinances in order to accomplish these purposes.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

That Chapter 2, Article 2.02, Division 1, of the Code of Ordinances of the City of Hutto, is hereby amended to read in accordance with Attachment "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Underlined and italicized text shall be added, and struck-through and bracketed text shall be deleted as indicated in *Attachment "A"*.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the 15th day of April, 2021, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of Hutto, Texas.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate dates was dispensed with

THE CITY OF HUTTO, TEXAS

By: _____
Mike Snyder, Mayor

By: _____
Holly Nagy, City Secretary

(SEAL)

Attachment “A”

ARTICLE 2.02 BOARDS, COMMISSIONS AND AUTHORITIES

Division 1. Generally

Sec. 2.02.001 Qualifications of members

(a) *Except as provided by subsections (b)-(e) below,* ~~[E]~~each candidate for an appointment as a member of any board or commission shall meet the following requirements:

(1) Be a registered voter of the city;

(2) Shall reside within the corporate limits of the city including territory annexed prior to appointments and individuals appointed;

~~[(3)](b)~~ ~~[Provided however, t]~~The members of the Hutto Economic Development Board of Directors shall reside within the county~~[-and]~~.

~~[(4)](c)~~ Members of the library advisory board shall reside in the Hutto Independent School District.

(d) Members of the parks advisory board shall reside within the city limits or the extraterritorial jurisdiction of the city.

(e) Members of the historical preservation commission shall reside within the city limits or the extraterritorial jurisdiction of the city.

~~[(b)](f)~~ Current city councilmembers, that are currently serving on the Hutto Economic Development Corporation Board of Directors are not required to resign from the Hutto Economic Development Corporation Board of Directors when running for re-election.

~~Sec. 2.02.002 Attendance~~

~~(a) Any member of a city board or commission or the board of directors of the Hutto Economic Development Corporation who is absent for 25 percent or more of the meetings of such board, commission, or corporation within a 12-month period may become eligible to be removed from said board, commission, or corporation board.~~

~~(b) A written notice shall be sent to the member, and city council when it appears that an individual has violated the attendance policy. The council will review each case and decide on removal or other action. If a member is removed from a board, commission, or corporation board, that position shall be considered vacant and a new member shall be appointed by the city council.]~~

Sec. 2.02.003 Appointments; vacancies

(a) The city council shall make annual appointments to the boards, commissions and corporation boards as terms expire of each year. If vacancies occur other than by expiration of a term, the city council shall appoint a member to fill the remainder of the vacated term. When a

vacancy occurs, the councilmember occupying a city council place corresponding to the place number for a board, commission or corporation board shall review applications for appointment and recommend an individual for city council approval not later than the date of the second regular city council meeting after the vacancy occurs. If a councilmember does not recommend an individual for city council approval as provided for in this subsection or if the office is vacant at the time the vacancy occurs, any councilmember may recommend an individual for city council approval. Each member currently occupying a board, commission or corporation board position shall be assigned a place number pursuant to the chart attached as exhibit A to Ordinance O-18-07-05-8B. For boards and commission where the number of members is increased pursuant to this section the new positions shall be assigned a place number. Terms of board and commission members and corporation directors shall be altered and established pursuant to the notation on the attached exhibit A to Ordinance O-18-07-05-8B. Certain terms expiring in 2019 are reduced and will expire June 30, 2019.

(b) The chair and vice-chair for each city board, commission, or corporation shall be elected from the membership of the board or commission by an affirmative majority vote of the members. The city council will appoint the chair and/or vice-chair if:

(1) The board or commission cannot agree by majority vote amongst themselves by the end of the 2nd regularly scheduled meeting of the board or commission; or

(2) The chair or vice-chair is removed from the board or commission and a successor is not appointed at the next regularly scheduled meeting of the board of commission.

(c) Terms for each board or commission shall consist of staggered terms.

Sec. 2.02.004 Meetings

Each board, commission, or corporation must hold regular meetings at a predefined time. Special called meetings may be made at the request of the chair or notice from city staff for consideration of business.

(1) Meetings must be posted in accordance to the Open Meetings Act and open to the public.

(2) A quorum shall consist of a majority of the membership of the board.

(3) Any issue to be voted on shall be resolved by a majority of those present.

(4) Written records of meetings must be kept and made available to the public, showing its action on each case.

Secs. 2.02.005–2.02.030 Reserved

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration of a public hearing and possible recommendation on the proposed Unified Development Code (2020 Edition, as amended), Ordinance No. O-2021-024 Ordinance amendment to the Code of Ordinances (2014 Edition, as amended), Chapter 16, Article 16.02 Unified Development Code (UDC) Chapter 4, Section 10.403, Bulk, Setbacks and Buffers. (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Development Services
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

Staff is proposing a Unified Development Code text amendment to improve the buffer standards between Industrial zoning adjacent to residential districts. As one of Hutto's goals is to expand the tax base and employment opportunities within the city, it is also just as important to ensure compatibility to protect adjacent residential districts.

The proposed amendment provides for:

- a. an increased minimum rear and side setback at a 2:1 ratio of setback to building height with a minimum of 50 feet;
- b. an increased bufferyard and landscaping area of 40 feet with an eight foot tall masonry wall with evergreen trees;
- c. Clarifies a front setback to a garage door is not applicable/not allowed at the front of the building; and
- d. Reiterates loading docks shall not be oriented to face a public right-of-way or residential lot and provides for less vague language as to how the screening shall be accomplished.

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

Not Applicable

POLICY IMPLICATIONS:

ATTACHMENTS:

1. (Ord)UDCAmend(25)(FullPacket)

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE CODE OF ORDINANCES (2020 EDITION, AS AMENDED), CHAPTER 4 SECTION 10.403, BULK, SETBACKS AND BUFFERS, REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, an amendment has been presented to the City Council of the City of Hutto, Texas to amend the Code of Ordinances (2020 Edition), Chapter 16, Article 16.02 Unified Development Code (UDC), incorporating amendments into Chapter 4, Section 10.403, and;

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed amendment on the 6th day of April, 2021, and;

WHEREAS, on the 15th day of April, 2021, after proper notification, the City Council held a public hearing on the proposed amendment, and;

WHEREAS, the City Council determines that the amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION I.

1.

That the Code of Ordinances (2020 Edition), Chapter 16, Article 16.02 Hutto Unified Development Code (UDC), Chapter 4, Section 10.403 is hereby amended to include the changes described in **Exhibit "A"** attached hereto and incorporated herein.

SECTION II. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. Open Meeting Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VI. Effective Date

This ordinance shall take effect and be in force from and after its passage.

READ and APPROVED on first reading on this the **15th** day of **April, 2021** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, PASSED and ADOPTED on second reading of ordinance this **15th** day of **April, 2021** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

Attest:

Holly Nagy, City Secretary

Chapter 4 Site design standards

10.401 Intent

Site design standards establish design criteria and minimum standards for development in the city. The rules are intended to:

- Enhance and protect Hutto's character, built environment, quality of life and community image through clearly articulated development design goals and policies, design guidelines and minimum design standards.
- Protect and promote Hutto's long-term vitality through design standards that encourage and reward high quality development, while discouraging less attractive and less enduring alternatives.
- Minimize adverse impacts of vehicular circulation to existing neighborhoods and to the surrounding physical environment.
- Enhance and protect the security and health, safety and welfare of Hutto residents.

10.402 General standards

10.402.1 Utilities

10.402.2 Utility lines

All new utility lines must be placed underground. Transmission lines at least 345 kilovolts are exempted.

10.402.3 Utility boxes

- Utility boxes must be as small as possible.
- Utility boxes greater than 2 ft. tall cannot be placed in the clear vision area, or interfere with use of streets, alleys, sidewalks, and bicycle paths.
- Utility boxes in the front yard on a block must be painted a uniform earth tone color.

Utility location and screening requirements are found throughout this section.

10.403 Bulk, setbacks and buffers

10.403.1 Intent

Bulk, setback and buffer standards regulate the placement of buildings and other improvements on a parcel. Land use regulations traditionally regulated building placement so adequate light and air can be provided to building occupants, and to slow the spread of fires from building to building. However, building placement can be an important element in defining a community's sense of place.

10.403.2 Applicability

This section applies in the following areas.

City of Hutto conventional zoned areas	City of Hutto FBC Form Based Code zoning district	City of Hutto OT Old Town zoning district	Hutto extraterritorial jurisdiction (ETJ)
Yes	Yes, for bufferyard only.	Only as described by Section 10.503 and use requirements of Chapter 3	No

10.403.3 Lot dimensions and area

Required lot dimensions and area are:

	Zoning district										
	SF-R	SF-1	SF-1 alley load, cul-de-sac or detached garage	SF-1 zero lot line	SF-1 village	SF-2	MF	MH	B-1	B-2	LI/I
Lot area (min)	87,120 sq. ft. (2 ac)	7,800 sq. ft.	5,500 sq. ft.	5,000 sq. ft.	4,500 sq. ft.	4,500 sq. ft.	20,000sq.ft.	217,800 sq. ft. (5 a c)	43,560 sq. ft. (1 ac)	43,560 sq. ft. (1 ac)	87,120 sq. ft. (2ac)
Lot width at building line (min)	200 ft.	60 ft.	50 ft.	45 ft.	45 ft.	45 ft.	100 ft.	200 ft.	100 ft.	100 ft.	200 ft.

- Flag lots must have at least 50 ft. frontage along a public right-of-way.
- Width to depth ratio of lots for single household and two household dwelling developments shall be at least 1:3, as determined by the smallest rectangle enclosing the extreme limits of the lot.
- Within a townhouse development, internal lots for the purpose of individual ownership of dwellings with undivided interest in the common areas and facilities may be less than 4,500 square feet in area and have a lot width less than 45 feet.

Lot configuration standards, governing the arrangement of lots in a subdivision, are in Section 10.202.2.

10.403.4 Building envelope**10.403.4.1 General**

If there is a conflict among the setback and landscape/bufferyard standards in this code when applied to a certain site, the more restrictive standards will apply.

10.403.4.2 Primary and accessory structures

Default bulk standards for primary and accessory structures are as follows:

	Zoning district									
	SF-R	SF-1	SF-1 zero lot line	SF-1 village	SF-2	MF	MH	B-1	B-2	LI/I
Front yard (min)	50 ft.	25 ft.	15 ft.	15 ft.	20 ft.	25 ft.	25 ft. MH site	5 ft.	10 ft.	25 ft.
Front yard on loop lane (min)	n/a	15 ft.	10 ft.	10 ft.	n/a	n/a	n/a	n/a	n/a	n/a
Front yard: garage door (min)	50 ft.; 40 ft. side load	25 ft.; 20 ft. side load	25 ft.; 20 ft. side load	25 ft.; 20 ft. side load	25 ft.	25 ft.	n/a	20 ft.	25 ft.	25 ft. n/a

	Zoning district									
	SF-R	SF-1	SF-1 zero lot line	SF-1 village	SF-2	MF	MH	B-1	B-2	LI/I
Side yard (min)	20 ft.	5 ft.	0 ft. one side, 12 ft. other	5 ft.	5 ft.; 0 ft. for common walls	15 ft.	25 ft. MH site	0 ft. for common walls or 10 ft.; from * SF-R:20 ft., SF-1:20 ft., SF-2:10 ft.	0 ft. for common walls or 10 ft.; from * SF-R:30 ft., SF-1:30 ft., SF-2:20 ft.	0 ft. for common walls or 10 ft.; adjacent to residential: 2ft for every 1ft of building height or 50ft, whichever is greater from * SF-R:30 ft., SF-1:30 ft., SF-2:30 ft., MF:30 ft., MH:30 ft. or building height
Rear yard (min)	50 ft.	20 ft.	10 ft.	20 ft. (house and garage)	20 ft.	25 ft.	25 ft. MH site	25 ft.; from * SF-R:20 ft., SF-1:20 ft., SF-2:10 ft. or building height	25 ft.; from * SF-R:30 ft., SF-1:30 ft., SF-2:20 ft. or building height	25 ft.; adjacent to residential: 2ft for every 1ft of building height or 50ft, whichever is greater from * SF-R:30 ft., SF-1:30 ft., SF-2:30 ft., MF:30 ft., MH:30 ft.
Side and rear yard for accessory building (min)	20 ft.	5 ft.	5 ft.	5 ft.	5 ft.; 0 ft. for common walls	15 ft.	25 ft. MH site	Same as main building	Same as main building	Same as main building
Spacing between buildings (min)	n/a	n/a	n/a	n/a	n/a	20 ft.	15 ft.	0 ft. for common walls or 20 ft.	0 ft. for common walls or 50% height of taller building, but at least 20 ft.	0 ft. for common walls or 50% height of taller building, but at least 20 ft.

Building height (max)	45 ft. / 3 stories	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 3 stories	35 feet; 45 feet along Freeways, Arterials, and Major Non-Residential Collectors	1 story	35 feet	45 feet	45 feet
Building height, accessory (max)	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	1 story	15 ft.	15 ft.	15 ft.
- Accessory structures are prohibited between the front building line of the primary building and the public right-of-way. - The cumulative gross floor area of all accessory structures on the site may be no more than 25% of the yard where they are located. - Accessory structures must be placed at least 10 ft. or a distance equivalent to their height from primary structures on a site, whatever is lesser. - Building permitting and setback standards do not apply to accessory structures no more than 200 sq. ft. Bufferyard standards (Section 10.403.6) may affect setbacks.										

Illustrations of setbacks and yards for various lot and building configurations are included in Section 10.202.2.

10403.4.3 Riparian setbacks

Minimum structural setbacks from riparian areas (edge of 100-year floodplain or delineated wetlands) are:

- Watercourses draining an area at least 0.5 square mile and having a defined bed and bank, designated 100 year flood plains, and Category 3 wetlands: 25 ft.
- Watercourses draining an area of 0.5-20 square miles, and Category 2 wetlands: 75 ft.
- Watercourses draining an area of greater than 20 square miles, and Category 1 wetlands: 125 ft.

10.403.4.4 Swimming pools and spas

Bulk standards for swimming pools and spas are:

- Edge of in-ground or above ground pool, and in-ground spas:
 - Must be located at least 3 ft. from any freestanding structure, and at least 5 ft. from all side and rear lot lines;
 - May not be located within a utility easement; and
 - Must be placed in a rear or side yard.
- Edge of concrete deck:
 - Must be located at least 5 ft. from all side and rear lot lines;
 - May not be located within a utility easement; and
 - Must be placed in a rear or side yard.
- Edge of wood pool deck:
 - Same as for accessory structure in underlying zoning district.

General standards for pools are in Section 10.311.9.

10.403.5 Setback encroachments and exceptions

These uses and structures may encroach into a yard or required setback as follows.

Type of structure or use	Residential uses	Non-residential uses
Air conditioning equipment	Any part of the side and rear yard	n/a
Arbors and trellises	Any yard, at least 5 ft. from neighboring PL	
Awnings	no more than 3 ft. into front, side or rear setback; may hang over easements	no more than 6 ft. into front, side or rear setback; may hang over easements; may hang over public ROW with approval of City Council
Backflow prevention devices	Any part of the side and rear yard	Any yard on the site
Bay windows, chimneys, entry vestibules less than 8 ft. wide and less than 33% of the wall length, overhanging eaves	no more than 3 ft. into any setback	
Newspaper vending boxes, pay telephones	n/a	Any yard on the site; property must be occupied by a principal building
Open deck greater than 5 ft. above grade	at least 5 ft. into rear setback, if area underneath is left unscreened/unenclosed	n/a
Open deck no more than 5 ft. above grade	Into rear setback, at least 10 ft. from PL	n/a
Ramps and other access devices required by the ADA.	Any yard on the site	
Retaining walls	Any yard on the site	
Satellite dishes at least 1m in diameter	Side and rear yard, at least 10 ft. from PL	

Encroachments across property lines, into the public right-of-way, or into utility, drainage, access, conservation or riparian easements are prohibited.

10.403.6 Bufferyard**10.403.6.1 Bufferyards between lots**

Bufferyards are required between certain land uses to prevent or minimize potential nuisances such as noise or light, and to provide a transition between uses that may not be compatible with each other.

Bufferyard standards

- Bufferyards shall be landscaped in accordance with the tree and shrub standards found in Section 10.407.5.4.
- No site development shall be permitted within a required bufferyard. This includes, but not limited to, parking, drive aisles, alleys, accessory buildings, dumpsters, storage, or light fixtures. Passive recreation, including pedestrian trails and seating areas, may be permitted within required bufferyards, provided that the required depth of the bufferyard and all required plantings are provided.
- A non-residential use developed in a residential zoning district will be required to provide a low level bufferyard adjacent to residential development, as defined in Section 10.403.6.3(a).
- Detention or retention ponds may be permitted within up to 25% of the required bufferyard if it is determined by the City Engineer that there is no other feasible option for the detention of stormwater. If detention or retention is located within the required bufferyard, the requirements of this section shall be met in full within the remaining bufferyard area, and additional screening or aesthetic treatment of the pond may be required depending on the location and circumstances of the site.
- The Development Services Director may approve up to a 50% bufferyard reduction for properties abutting a drainage easement or other designated open space.
- Development within or adjacent to PUD, FBC, or OT districts shall be subject to the bufferyard requirements for the most appropriate zoning district based on the use of the property.
- Notwithstanding Section 10.403.6.3, Development Services staff may require a masonry wall within a required bufferyard in order to mitigate nuisances caused by light, noise, odor, or any othersource.

10.403.6.3 Required bufferyards

The table below indicates the level of bufferyard required between each zoning district or land use. Letters "a" to "c" correspond to the type of bufferyard required and the specific situations in which the bufferyard is required. A box with "--" indicates that a bufferyard is not required between those development types.

		Adjacent district									
		REC	SF-R	SF-1	SF-2	MH	MF	B-1	B-2	LI	I
Development providing bufferyard	REC	--	--	--	--	--	--	--	--	--	--
	SF-R	--	--	--	--	--	--	--	--	--	--
	SF-1	a	a	--	--	--	--	--	--	--	--
	SF-2	a	a	a	--	--	--	--	--	--	--
	MH	b	b	b	b	--	--	--	--	--	--
	MF	b	b	b	b	b	--	--	--	--	--
	B-1	b	b	b	a	a	a	--	--	--	--
	B-2	c	c	c	b	b	b	--	--	--	--
	LI	c	c*	c*	c*	c*	c*	b	a	--	--
	I	c	c*	c*	c*	c*	c*	c	b	a	--

*Bufferyard C between industrial/light industrial and residential has specific provisions, see below

- A low level bufferyard ("a") shall consist of the following:
 - A 10 ft. wide planting area; or a 5 ft. wide planting area plus a 6+ ft. tall masonry wall;
 - Two (2) native tall trees and one (1) native short tree per every fifty (50) linear feet of bufferyard.
 - For bufferyards where the optional 6+ ft. tall masonry wall is not provided, a continuous landscape hedge not less than 3 ft. in height is required.

- b. A medium level bufferyard ("b") shall consist of the following:
 - A 20 ft. wide planting area; or a 15 ft. wide planting area plus a 6+ ft. tall masonry wall;
 - Two (2) native tall trees and one (1) native short tree per every fifty (50) linear feet of bufferyard.
 - For bufferyards where the optional 6+ ft. tall masonry wall is not provided, a continuous landscape hedge not less than 3 ft. in height is required.
- c. A high level bufferyard ("c") shall consist of the following:
 - A 30 ft. wide planting area; or a 25 ft. wide planting area plus a 6+ ft. tall masonry wall;
 - Any industrial/light industrial zoned property adjacent to a residentially zoned property shall provide a 40ft wide planting area and an eight foot (8ft) tall masonry wall with two (2) native evergreen tall trees and one (1) native evergreen short tree per every fifty (50) linear feet of bufferyard.
 - Two (2) native tall trees and one (1) native short tree per every fifty (50) linear feet of bufferyard.
 - For bufferyards where the optional 6+ ft. tall masonry wall is not provided, a continuous landscape hedge not less than 3 ft. in height is required.

10.403.5 Bufferyards adjacent to development perimeter walls

Where a development perimeter wall is provided, a bufferyard consisting of the following shall be provided between the wall and the street:

- A 10 ft. wide planting area;
- Two (2) native tall trees and one (1) native short tree per every fifty (50) linear feet of bufferyard, and;
- A continuous landscape hedge not less than 3 ft. in height.

10.404 Residential adjacency

10.404.4 Loading area screening

Off-street loading areas must be fully screened from view of residential districts. Wing walls, landscape screens, changes in building orientation, and/or other architectural elements must be used to buffer loading docks ~~no more than 150 ft.~~ from a residential district or area, lodging establishment, nursing home or assisted living facility. A wing wall shall be structurally integrated into the building façade and shall be architecturally finished to match the exterior construction materials and colors of the main buildings. Loading docks shall not be oriented to face a public right-of-way or residential district.

10.404.5 Vehicle intensive use screening

Wing walls, landscape screens, changes in building orientation, and/or other architectural elements must be used to buffer drive-through aisles and mechanical commercial uses when they are no more than 150 ft. from a residential district or area, lodging establishment, nursing home or assisted living facility.

10.404.6 Vehicle service bays

Vehicle service bays and loading area garage doors must face away from residential districts, unless separated by a building or permanent architectural feature at least the height of the service bays. Walls separating service bays from a residential district must be masonry (stone, brick, decorative CMU, similar materials) with no openings.

10.404.7 Dumpster enclosures

Dumpster enclosures in nonresidential zoning districts must be at least 25 ft. from a residential zoning district.

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action regarding Ordinance No. O-19-01-03-8A Amending the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones and Article 22.07 Traffic Schedules, Section 22.07.002 School Zones. (Mayor Snyder)
Meeting: Thursday, April 15, 2021
Department: City Council
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Ordinance-O-19-01-03-8A-Amending Code; Chapter 22 Traffic & Vehicles, Art. 22.03 Operation of Vehicles-Sect. 22.03.034 School Zones; Art. 22

ORDINANCE NO. O-19-01-03-8A

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 22 TRAFFIC AND VEHICLES, ARTICLE 22.03 OPERATION OF VEHICLES, SECTION 22.03.034 SCHOOL ZONES AND ARTICLE 22.07 TRAFFIC SCHEDULES, SECTION 22.07.002 SCHOOL ZONES AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an amendment has been presented to the City Council of the City of Hutto, Texas to amend the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones, and Chapter 22 Traffic and Vehicles, Article 22.07 Traffic Schedules, Section 22.07.002 School Zones, and;

WHEREAS, the City Council determines that the amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO,
TEXAS:**

SECTION I.

That the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones and Chapter 22 Traffic and Vehicles, Article 22.07 Traffic Schedules, Section 22.07.002 School Zones is hereby amended, is being attached hereto and incorporated herein, as **Exhibit "A"**.

SECTION II. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. Open Meeting Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VI. Effective Date

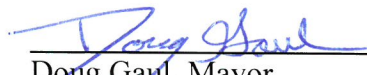
This ordinance shall take effect and be in force from and after its passage.

READ and **APPROVED** on first reading on this the **20th** day of **December 2018** at a meeting of the Hutto, Texas City Council; there being a quorum present.

This ordinance was introduced at a regular meeting of the City Council and by the affirmative vote of all of the City Council, members present, the requirements for reading on two separate days are dispensed with.

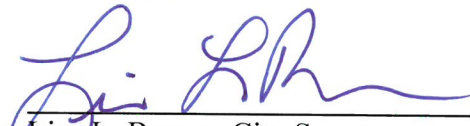
READ, PASSED and **ADOPTED** on first reading of ordinance this **3rd** day of **January 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS



Doug Gaul, Mayor

ATTESTED:



Lisa L. Brown, City Secretary

~~The city hereby designates school zones on certain streets and highways listed in Section 22.07.002. A maximum speed limit is established as shown on the table in Section 22.07.002 on regularly scheduled school days within the zone when a sign is posted with the hours of operation, or when a sign is posted with a flashing light giving notice thereof. Those streets and zone boundaries described and listed in Section 22.07.002 of this code are declared to be school zones for the purposes of this section.~~

All Streets, Direction of Travel, Location and Speed Limit of School Zones shall be identified, defined and amended by the City of Hutto Engineering Department, pursuant to the rules and regulations as detailed in the Texas Manual on Uniform Traffic Control Devices (TMUTCD). In the mornings, school zones shall start 45 minutes before classes begin, and finish 15 minutes after classes begin. In the afternoons, school zones shall start 15 minutes before schools dismiss and finish 45 minutes after schools dismiss.

The City may install or remove warranted school zones if deemed necessary by the City's Engineering Department.

To request amendment to the City's school zones, the following items must be satisfied:

(1) Request for Study

- (a) Request must be made by either the principal of the school or the principal's appointee.
- (b) Each request must include a name, address and phone number of the school principal, the school name, and school hours
- (c) Application for study must be obtained from the City's Engineering Department (Exhibit A, Appendix C)
- (d) Application must be returned to the City's Engineering Department and must contain the following:
 - (i) The requested street name
 - (ii) The boundary of the street segment
 - (iii) Associated school name
 - (iv) Grade levels at the school
 - (v) Hours of school operation
 - (vi) Crossing guard locations

(2) Eligibility

- (a) The requested street must meet the following criteria:
 - (i) The street must border the school's property line or have direct visibility of the school from all points within the zone.
 - (ii) The school must be clearly defined as an elementary, middle/junior high school, ninth grade center, or high school.
 - (iii) Sidewalks and marked crosswalks must be present
 - (iv) Crossing guards must be present at the pedestrian crossings
 - (v) The school zone must be on a street that has a functional classification or collector or higher, unless it is a school boundary street or if the school is visible from all points in the zone
 - (vi) School zones on local streets that are not boundary streets will be considered on a case by case basis.
- (b) Only those requests meeting all eligibility requirements will proceed. Reapplication will not be considered unless there have been significant changes in conditions.

The process for determining school zone eligibility is depicted in Figure 1.

Figure 1- School Zone Eligibility

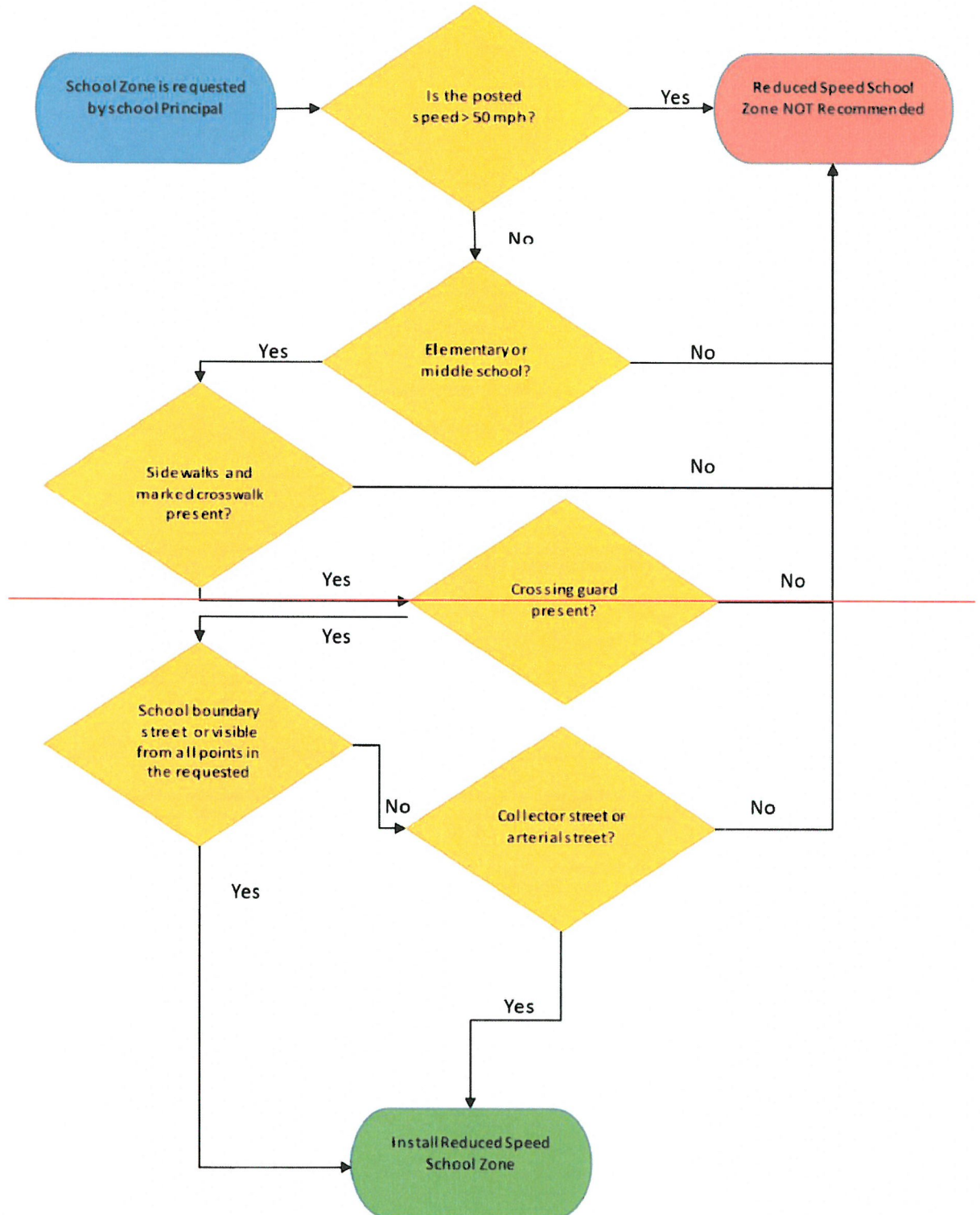


EXHIBIT “A”



Reduced Speed Limit School Zone Request

School Name(s): _____

This form must be completed by the school principal for each school affected or their appointed designee.

School Principal

Name _____ Phone _____
email _____

Designated Appointee

Name _____ Phone _____
email _____

School Principal

Name _____ Phone _____
email _____

Designated Appointee

Name _____ Phone _____
email _____

Name of the street on which the school zone is requested and the boundaries of the street segment.

Example	
	Requested Street: Smith St. From: 1 st Ave. To: 5 th Ave.

Request Street: _____ From: _____ To: _____

Request Street: _____ From: _____ To: _____

Request Street: _____ From: _____ To: _____

Street	Direction of Travel	Location	Speed Limit (mph)
C.R. 137	North and south	Beginning at the south curbline of F.M. 1660 South and ending 2080 feet south	25
Carl Stern Blvd.	East and west	Beginning at the north curbline of F.M. 685 and ending 2,880 feet east	20
College	North and south	Live Oak to Taylor	20
Exchange	North and south	Beginning at 130 feet north of the north curbline of Metcalfe and ending at Holland	20
F.M. 1660 North	North and south	Beginning at the north curbline of Mager Lane and ending at 430 feet south and 615 feet north	35
F.M. 1660 South	North and south	Beginning 787 feet south of the centerline of County Road 137 (mile point 1.939) to 750 feet north of the centerline of County Road 137 (mile point 1.648)	35
Holland	East and west	Beginning at 950 feet east of the east curbline of Exchange west to Exchange	20
Holland	East and west	Beginning at 315 feet west of the west curbline of Exchange east to Exchange	20
Holmstrom	East and west	Beginning at 665 feet east of the east curbline of Exchange west to Exchange	20
Holmstrom	East and west	Beginning at 315 feet west of the west curbline of Exchange east to Exchange	20
Hyltin	East and west	Beginning at 665 feet east of the east curbline of Exchange west to Exchange	20
Hyltin	East and west	Beginning at 390 feet west of the west curbline of Exchange east to Exchange	20
Liberty	East and west	Beginning at 665 feet east of the east curbline of Exchange west to Exchange	20
Live Oak	East and west	Beginning at 1,080 feet west of the west curbline of Park east to Park	20
Mager Lane	East and west	Beginning at 620 feet east of the east curbline of F.M. 1660 and ending at 3,020 feet east	20
Marvin Cove	East and west	Beginning at 110 feet east of the east curbline of West Front St. west to West	20

		Front St.	
Park	North and south	Beginning at 790 feet south of the south curbline of Live Oak north to Live Oak	20
Pecan	East and west	Beginning at 285 feet west of the west curbline of College east to College	20
Redbud	North and south	Ross to Taylor	20
Ross	East and west	Park to College	20
Taylor	East and west	Beginning at 525 feet west of the west curbline of Park east to Park	20
U.S. Hwy. 79	East and west	Beginning at 240 feet east of the east curbline of Jim Cage and ending at 2,050 feet east	35
West Front	North and south	Beginning at the north curbline of Carl Stern Blvd. and ending at 1,420 feet north	20

The City hereby designates school zones created in accordance with the recommendations and procedures found in the Texas Manual on Uniform Traffic Control Devices (TMUTCD). The school zones are identified in accordance with the signs, signals, and other markings specified in the TMUTCD.

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.:

8A.

AGENDA DATE: January 03, 2019

PRESENTED BY:

Matt Rector

ITEM:

Consideration and possible action on the second reading of an ordinance amending the Code of Ordinances, Chapter 22, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones and Article 22.07 Traffic Schedules, Section 22.07.002 School Zones. (Matt Rector)

STRATEGIC GUIDE POLICY: Public Safety

ITEM BACKGROUND:

In 2016 the City retained Kimley-Horn and Associates to conduct a School Speed Zone Study to evaluate existing school zones in the City as well as establishing criteria for school zones. The purpose of this ordinance amendment is to update the outdated information in the existing ordinances and provide clarity for the future.

BUDGETARY AND FINANCIAL SUMMARY:

No budget or financial impacts are related to this item.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has reviewed and all comments have been satisfied.

STAFF RECOMMENDATION:

Staff recommends the adoption of the ordinance.

SUPPORTING MATERIAL:

1. [Ordinance](#)
2. [Chapter 22 Revisions - School Zones](#)

ORDINANCE NO. O-_____

**AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING
THE CODE OF ORDINANCES CHAPTER 22 TRAFFIC AND
VEHICLES, ARTICLE 22.03 OPERATION OF VEHICLES, SECTION
22.03.034 SCHOOL ZONES AND ARTICLE 22.07 TRAFFIC
SCHEDULES, SECTION 22.07.002 SCHOOL ZONES AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, an amendment has been presented to the City Council of the City of Hutto, Texas to amend the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones, and Chapter 22 Traffic and Vehicles, Article 22.07 Traffic Schedules, Section 22.07.002 School Zones, and;

WHEREAS, the City Council determines that the amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO,
TEXAS:**

SECTION I.

That the Code of Ordinances Chapter 22 Traffic and Vehicles, Article 22.03 Operation of Vehicles, Section 22.03.034 School Zones and Chapter 22 Traffic and Vehicles, Article 22.07 Traffic Schedules, Section 22.07.002 School Zones is hereby amended, is being attached hereto and incorporated herein, as **Exhibit "A"**.

SECTION II. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. Open Meeting Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VI. Effective Date

This ordinance shall take effect and be in force from and after its passage.

READ and **APPROVED** on first reading on this the **20th** day of **December 2018** at a meeting of the Hutto, Texas City Council; there being a quorum present.

This ordinance was introduced at a regular meeting of the City Council and by the affirmative vote of all of the City Council, members present, the requirements for reading on two separate days are dispensed with.

READ, PASSED and **ADOPTED** on first reading of ordinance this **3rd** day of **January 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTESTED:

Lisa L. Brown, City Secretary

~~The city hereby designates school zones on certain streets and highways listed in Section 22.07.002. A maximum speed limit is established as shown on the table in Section 22.07.002 on regularly scheduled school days within the zone when a sign is posted with the hours of operation, or when a sign is posted with a flashing light giving notice thereof. Those streets and zone boundaries described and listed in Section 22.07.002 of this code are declared to be school zones for the purposes of this section.~~

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The City may install or remove warranted school zones if deemed necessary by the City's Engineering Department.

To request amendment to the City's school zones, the following items must be satisfied:

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 - (a) Request must be made by either the principal of the school or the principal's appointee.
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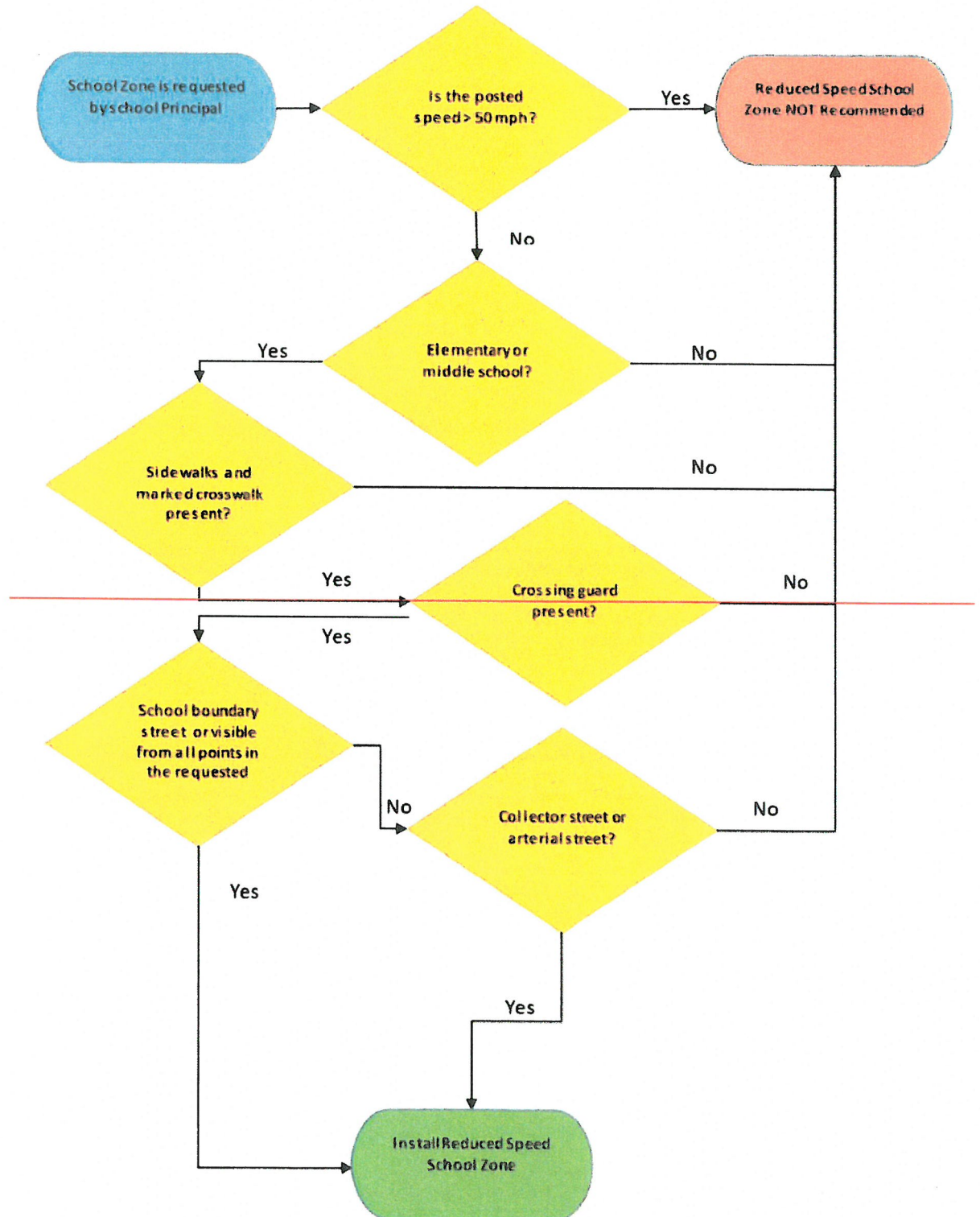


EXHIBIT “A”



Reduced Speed Limit School Zone Request

School Name(s): _____

This form must be completed by the school principal for each school affected or their appointed designee.

School Principal

Name _____ Phone _____

email _____

Designated Appointee

Name _____ Phone _____

email _____

School Principal

Name _____ Phone _____

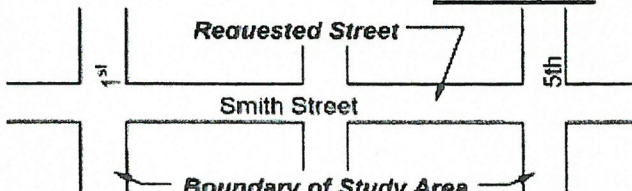
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Example	
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Request Street: _____ From: _____ To: _____

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Sec. 22.07.002

School Zones

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The City hereby designates school zones created in accordance with the recommendations and procedures found in the Texas Manual on Uniform Traffic Control Devices (TMUTCD). The school zones are identified in accordance with the signs, signals, and other markings specified in the TMUTCD.

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration of a public hearing and possible action on Resolution No. R-2021-051 supporting the proposed Low-Income Housing Tax Credit project by the Roers Companies on a tract of land zoned Planned Unit Development (PUD) Zoning District. (Ashley Lumpkin)
Meeting: Thursday, April 15, 2021
Department: Development Services
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

The low-income housing tax credit (LIHTC) program is one of the federal government's primary policy tools for encouraging the development and rehabilitation of affordable rental housing. These nonrefundable federal housing tax credits are awarded to developers of qualified rental projects. Affordable housing is governed by Section 42 of the IRS Tax Code, allowing for both 4% non-competitive and 9% competitive tax credits.

Roers Companies has proposed a development for affordable rental housing at the southwest corner CR 137 and CR 1660, otherwise also known as The Narrows PUD in the City of Hutto, Williamson County, Texas. Roers Companies has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2021 Non-Competitive 4% Housing Tax Credits for this project. The project is approximately 312 units total, with a unit breakdown of 72 one-bedroom units, 120 two-bedroom units, and 120 three-bedroom units.

The property has been zoned in 2016 as Planned Unit Development (PUD) with a multitude of uses allowed in the base B-2 district, including multi-family housing. The approved PUD Ordinance is attached to this agenda item.

In February 2021, a similar item for a 9% Non-Competitive Housing Tax Credit project was before City Council with the same request south of the southeast corner of FM 1660 S and CR 137, near this property, which resulted in a vote of support for that project.

SUMMARY OF REQUEST:

Roers Companies is requesting a resolution for their project.

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

City Council

AGENDA ITEM REPORT



1. Resolution No R-2021-051
2. Ordinance-O-17-17-07-8E-Narrows PUD amendment
3. Roers Companies PPT - Hutto Council Meeting
4. Roers Affordable Housing Brochure sm
5. 2021 TDHCA Resolution of No Objection
6. TDHCA - RONO Template

RESOLUTION NO. R-2021-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTTO EXPRESSING NO OBJECTION TO AN APPLICATION FOR NON-COMPETITIVE 4% FEDERAL TAX CREDITS FROM ROERS HUTTO APARMENTS OWNER LLC FOR THE DEVELOPMENT OF AND CONSTRUCTION OF THE NARROWS APARTMENTS, AN AFFORDABLE MULTI-FAMILY RENTAL TO BE LOCATED AT THE SOUTHWEST CORNER OF CR 137 AND FM 1660.

WHEREAS, the City Council hereby supports a 2021 4% Tax Credit Application being submitted by Roers Companies (“Roers Companies”), to the Texas Department of Housing and Community Affairs, and;

WHEREAS, the City Council hereby supports Roers Companies’s application for a 312-unit affordable rental housing development to be located South of CR 137 and FM 1660, named “The Narrows”, and;

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

1. That in accordance with the requirements of Texas Government Code Section 2306.67071 and Texas Administrative Code Section 11.204(4), it is hereby found that: a. Notice has been provided to the governing body in accordance with Texas Government Code Section 2306.67071(a), and; b. The governing body has had sufficient opportunity to obtain a response from the applicant regarding any questions or concerns about the proposed development, and; c. The governing body has held a hearing at which public comment may be made on the proposed development in accordance with Texas Government Code Section 2306.67071(b), and; d. After due consideration of the information provided by the applicant and public comment, the governing body does not object to the proposed application.
2. That the Hutto City Council hereby approves the resolution supporting an application from Roers Companies to the Texas Department of Housing and Community Affairs for Housing Tax Credits for the proposed development known as The Narrows
3. That for and on behalf of the governing body, Mike Snyder, Mayor, or designee, is hereby authorized, empowered and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

RESOLVED on this the 1st day of the month April, 2021.

CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary

ORDINANCE NO. O-17-17-07-8E

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE NARROWS PLANNED UNIT DEVELOPMENT (PUD) ZONING ORDINANCE ADOPTED IN ORDINANCE NO. O-12-08-02-11A1, BY REPLACING THE DEVELOPMENT PLAN WITH THE REVISED PLAN ATTACHED AS EXHIBIT "B" AND ATTACHED HERETO, FOR 38.68 ACRES, MORE OR LESS, OF LAND, IN HUTTO, WILLIAMSON COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, PENALTY CLAUSE AND EFFECTIVE DATE.

WHEREAS, a request has been made to the City Council of the City of Hutto, Texas to amend the Narrows Planned Unit Development (PUD) by replacing the Development Plan with the revised plan attached as **Exhibit "B"** being attached hereto and incorporated herein, and;

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed amendment on the 7th day of November, 2017, and;

WHEREAS, on the 7th day of December, 2017, after proper notification, the City Council held a public hearing on the requested amendment, and;

WHEREAS, the City Council determines that the zoning ordinance amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Article 14.02.002, Code of Ordinances (2007 Edition), City of Hutto, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION I.

That the City Council has considered and made findings on the following matters regarding the proposed amendment:

- 1) The PUD is consistent with the spirit of the community, neighborhood and other applicable land use and development plans, compatible with the character of adjacent development or recommended land uses, it would not adversely affect property near the site, and it achieves the benefits of improved design; and
- 2) The PUD will not adversely affect land with significant historical, cultural, recreational or aesthetic value; and
- 3) The PUD will give benefits through providing open space, parks, conservation of environmental features, aesthetic features and harmonious design, and/or energy efficient site design; and
- 4) The benefits of preserving land for open space, parks or other public amenities outweigh the potential impact from more intense or dense development on the site; and
- 5) The PUD controls external effects on nearby land uses such as movement and congestion of traffic; lighting; trash accumulation and litter; noise, air and water pollution; and other factors affecting public health, welfare, safety and convenience; and

- 6) The PUD will be served by adequate facilities including streets, fire protection, water and sanitation; and
- 7) The PUD does not have a significantly greater burden on the city's existing infrastructure, public improvements and services than development at a density permitted under the current zoning or suggested under community, neighborhood and other applicable land use and development plans, or arrangements are made to mitigate impacts; and
- 8) PUD architectural design, landscaping, hardscaping and signage parameters must give evidence of compatibility with adjacent development, internal consistency of design, and conformance to city design standards.

That the Narrows Planned Unit Development (PUD) is hereby amended for the property described in the **Exhibit "A"**, attached hereto and incorporated herein, and the Development Plan attached hereto as **Exhibit "B"** and incorporated herein.

SECTION II. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. Open Meeting Clause

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VI. Effective Date

This ordinance shall take effect and be in force from and after its passage.

READ and **APPROVED** on first reading on this the **7th** day of **December, 2017** at a meeting of the Hutto, Texas City Council; there being a quorum present.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED and **ADOPTED** on first reading of ordinance this **7th** day of **December, 2017** at a meeting of the Hutto, Texas City Council; there being a quorum present.

THE CITY OF HUTTO, TEXAS


Doug Gaul, Mayor

Attest:


Lucretia Alvarez, City Secretary



**A. LAND TITLE SURVEY OF
38,637.2 ACRES OUT OF THE WILLIAM GATLIN SURVEY, A-27,
WILLIAMSON COUNTY, TEXAS**

TRACT 1: BEING ALL OF THAT CERTAIN TRACT OF LAND CONTAINING 35.00 ACRES OF LAND, MORE OR LESS, SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, IN WILLIAMSON COUNTY, TEXAS, AND BEING THE SAME PROPERTY CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2005040556, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

TRACT 2: BEING ALL OF THAT CERTAIN TRACT OF LAND CONTAINING 3.63 ACRES OF LAND, MORE OR LESS, SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, IN WILLIAMSON COUNTY, TEXAS, AND BEING THE SAME PROPERTY CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2009083662, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

LINE	DIRECTION	DISTANCE	RECORD
1	N81°02'23"W	52.55	N81°02'23"W 52.55
2	N81°14'07"W	59.50	N81°14'07"W 59.50
3	N08°24'38"E	39.76	N08°24'38"E 39.76
4	S87°06'30"E	25.08	S87°06'30"E 25.08

THIS TRACT IS SUBJECT TO RESTRICTIONS AS RECORDED IN DOCUMENT NO. 2005040556 AND 2009083662, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

ALL EASEMENTS RECORDED UNDER VOLUME 238, PAGE 127, VOLUME 771, PAGE 308, AND VOLUME 308, PAGE 584, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DO NOT APPLY TO THIS TRACT.

3. THIS TRACT IS SUBJECT TO A 15-FOOT EASEMENT BENEATH LINE AS RECORDED UNDER VOLUME 308, PAGE 18, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.

4. THIS TRACT IS SUBJECT TO A CHANNEL EASEMENT AS RECORDED UNDER VOLUME 308, PAGE 584, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.

5. THIS TRACT IS SUBJECT TO A WATER/WATER LINE EASEMENT AS RECORDED IN DOCUMENT NO. 200707042, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

6. TRACT 2 IS SUBJECT TO A RESERVED EASEMENT AS RECORDED IN DOCUMENT NO. 2005040556, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

7. THIS TRACT IS SUBJECT TO A RESERVED EASEMENT AS RECORDED UNDER VOLUME 308, PAGE 584, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.

8. THE BEARING BASIS FOR THIS TRACT IS ORIENTED TO THE CENTRAL LINE OF STATE PLANE COORDINATES.

REF. ANTHONY D. DOBIAS
OF. NO. 1104277-KFO
DATE, MARCH 24, 2011

To: **INDEPENDENT STATE COMPANY, ALAMO TITLE INSURANCE COMPANY, INC.**
VICTOR GARCIA

The undersigned does hereby certify that the plat shown hereon is a true and correct survey of the ground under his supervision and is true and correct and that the lines, bearings, distances, and other data shown on the plat are true and correct and that the plat is a true and correct copy of the original survey.

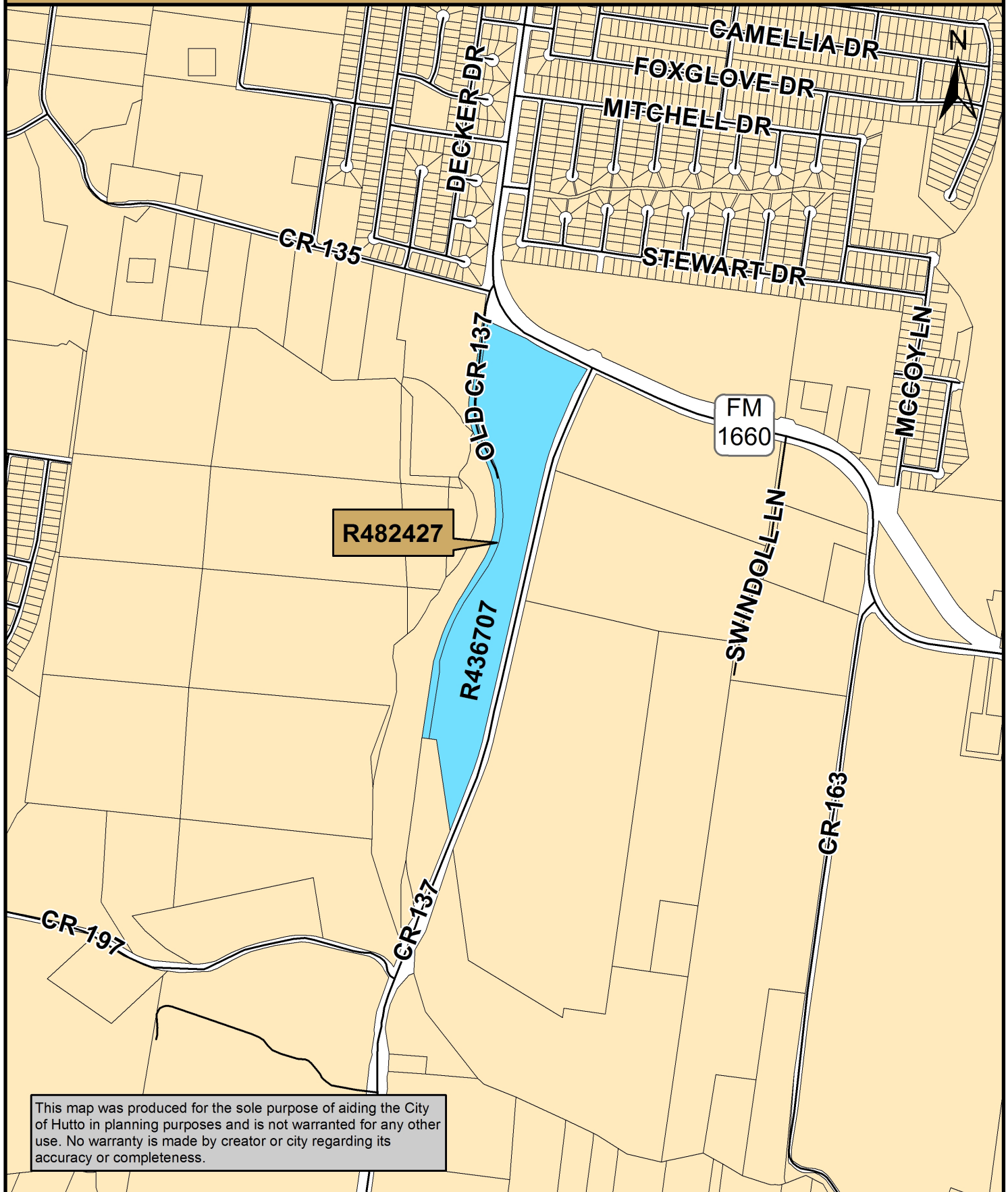
The property shown hereon is located in Zone 17, DESIGNATED AS A ZONE OF INTEREST, as shown on the National Flood Insurance Map of the FLOOD INSURANCE RATE MAP prepared for the Federal Insurance Administration Department, U.S.D. Effective Date: 07/21/2005, 15, 2005.

**CRICHTON
AND ASSOCIATES
LAND SURVEYORS**

LAND TITLE SURVEY OF 38,637.2 ACRES OUT OF THE WILLIAM GATLIN SURVEY, A-27, WILLIAMSON COUNTY, TEXAS	
DATE: 4/1/2011	JOB NO. 11-186
SCALE: 1"=200'	PLAT NO. 11-186

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

Narrows PUD Amendment (38.68 Acres)



**WRITTEN REPORT AND
AMENDED DEVELOPMENT PLAN
FOR
THE NARROWS
PLANNED UNIT DEVELOPMENT (the "PUD")**

1. DEFINITIONS

Except as defined herein, words and terms used herein shall have the meaning as defined in the Unified Development Code ("UDC") in effect as of October 2017. Any word or term not defined in the UDC shall have the usual and customary meaning.

2. PROPERTY

The Narrows Planned Unit Development (the "PUD" or the "Plan") covers approximately 38.68 acres of land located within the city limits of Hutto, Texas, and being more particularly described in **Exhibit A Property Description** (the "Property").

3. APPLICABILITY OF CITY ORDINANCES

3.1 Zoning

The base zoning districts for the PUD is B-2 (General Commercial). All UDC standards in effect as of February 2017 shall apply to the PUD except as and to the extent set forth in or in conflict with the Plan. The Property shall be regulated for purposes of zoning by the Plan. All uses and development within the Property shall generally conform to the Plan as set forth herein.

3.2 Other Ordinances

All other ordinances and all other provisions of the UDC in effect as of October 2017 shall apply to the Plan except as and to the extent set forth in or in conflict with the Plan.

4. CONCEPT

The concept for the PUD is a development that integrates a mixture of light industrial, commercial, residential, and open space, consistent with best planning principles and vision. Open spaces form a pedestrian hike and bike trail which provides connectivity to future city greenbelts.

5. APPLICATIONS AND PERMITTING

Applications for plats, plans, and permits for and within the Project shall include all required elements for submittal as identified in the Code and shall identify any required elements of the Plan within the application(s).

6. DEVELOPMENT AREAS

6.1 PUD Concept Plan

The contemplated elements of the PUD are depicted on **Exhibit B PUD Conceptual Plan**.

6.2 Development Phasing

Development of any portion of the Project may be implemented at any time, following the submittal and the approval of the initial site plan for the proposed development meeting the requirements of the Code and this Plan.

7. PERMITTED USES AND LIMITATIONS

7.1 Permitted Uses

Permitted uses shall conform to **Exhibit C The Narrows Permitted Uses**.

7.2 Additional Limitations

Self-Storage uses shall be located a minimum of 300 feet from FM 1660 South and provide additional screening from CR 137. To the extent practical, the screening shall be a minimum 15 percent above the Code requirements for self-storage facilities as listed in the UDC Section 10.411.4.

8. SITE DEVELOPMENT REGULATIONS

Site development regulations are established in Chapter 4 and other applicable sections of the UDC. Water quality treatment is required for any Light Industrial Uses within the Project. Water quality treatment shall consist of best management practices that are designed in accordance with the Texas Commission on Environmental Quality Technical Guidance Manual provided that no structural control shall require a clay liner.

9. BUILDING ARCHITECTURE

Architectural visual standards shall follow those outlined in Section 10.406 in the UDC, except for Self-Storage which shall follow Sections 10.406 and 10.411.4. Self-Storage will have no door openings facing CR 137 and FM 1660 South.

10. COMPATIBILITY STANDARDS

Within the boundaries of the PUD, the following compatibility standards are established as the only compatibility standards applicable to commercial and other permitted uses. Compatibility standards shall not apply on a residential use to residential use basis, and shall not apply to any commercial or civic use except as and to the extent set forth below:

- (A) A vegetative buffer area at least 10 feet wide shall be provided and maintained between residential use areas and areas that include the following commercial uses: commercial off-street parking, consumer repair services, and food preparation. This vegetative buffer area

shall be measured from the property line of the residential use area to the nearest building in the commercial use area.

- (B) A vegetative buffer area at least 25 feet wide shall be provided and maintained between residential use areas and areas that include the following commercial uses: drive-through services, and service station. This vegetative buffer area shall be measured from the property line of the residential use area to the nearest building in the commercial or civic use area.
- (C) All other required buffer areas shall conform to Section 10.403.6 of the UDC.
- (D) Building heights shall not exceed three (3) stories.
- (E) Detention/water quality ponds do not require screening or fencing.

11. UTILITIES

If approved by the City, common trenches, which provide safe separation distances, are allowed.

Except for electrical transmission lines and temporary overhead lines installed for temporary construction site offices, utilities shall be located underground. Newly constructed electric, water, wastewater, telephone, natural gas, cable television and telecommunications utility lines constructed within the PUD will be underground (excluding above-ground connections and associated utility facilities which are commonly constructed above-ground in conjunction with underground utility lines as determined by City staff). Above ground utility facilities shall be located away from or screened from predominant public view, and must be approved by City staff.

12. PARKING REQUIREMENTS

Off-street parking and loading requirements for development in the PUD shall comply with Section 10.405 in the UDC provided that there shall be no restrictions to the allowed maximum parking. Shared parking will be allowed within the PUD provided that the reduction does not exceed 10 percent of the required parking, subject to verification by the Planning Director.

13. STREETS

13.1 Private Interior Drives

Development within the PUD may include private interior drives which serve the Project. Private interior drives, if any, shall be maintained by the property owners and shall comply with all City fire and emergency regulations. All private interior drives shall be a minimum width of twenty (20) feet provided that they meet all fire department and UDC requirements

13.2 Sidewalks

Sidewalks shall be required along both sides of all public streets within the PUD. These sidewalks shall have a minimum width of five (5) feet. Sidewalks along CR 137 shall be separated from CR 137 by a tree lawn of 5 feet minimum. The required tree lawn and associated landscaping must meet the requirements of the UDC, Section 10.407.

13.3 Public Driveways

All driveways onto public roadways shall conform to Section 10.511.12 of the UDC.

14. LANDSCAPING AND PRIVATE OPEN SPACE PLAN

14.1 Landscaping Requirements

Landscaping requirements for this PUD shall comply with Section 10.407 of the UDC. A Landscape Buffer of at least fifteen (15) feet will be provided along all Rights-of-Way. Parking within the Landscape Buffer shall be prohibited. Access drives and above-ground utilities may not encroach into the Landscape Buffer without City staff approval.

14.2 Common Open Space

Any residential or multifamily use shall comply with Common Open Space requirements in Section 10.404 of the UDC.

- (A) Common Open Spaces within or abutting public streets which provide linear greenways, pedestrian connectivity or pedestrian activity areas may also be considered for private open space lots. License agreements for private open space located in street ROW and for open space improvements above and beyond the 15-foot requirement, and agreements for use regulations, security and other matters may be entered into with the City.
- (D) Common Open Spaces may include improvements such as trails, lighting, park benches, landscaping, irrigation and accessory buildings and structures such as gazebos. Access to open spaces for police, fire or ambulance emergency vehicles will be provided. The Property Owners Association (the "POA") may adopt rules and regulations regarding public access, permitted uses, security (policing) and maintenance responsibilities for Private Open Spaces. All private open spaces will meet the minimum requirements for open space as defined in UDC Section 10.404.3.
- (E) All Common Open Spaces and structures thereon shall be conveyed, owned and maintained by the POA or another responsible entity approved by the Director. Each Private Open Space lot shall be restricted to the uses specified on the final plat of the lot that includes such space.
- (F) Common Open Spaces will not be used as temporary or permanent dumps, storage or staging areas except on a City staff approved interim basis during construction if adequately screened and located in an area that will not impact adjacent residents or employment uses.

15. PARKLAND DEDICATION

No land is contemplated to be dedicated for public parkland within the PUD and the requirements of Section 10.5.509 of the UDC are satisfied with the adoption of the Plan. Additional requirements as shown on **Exhibit B** are outlined below:

- (A) At the time of platting of any lot within the PUD that is adjacent to Brushy Creek, an additional trail easement will be dedicated contiguous with the existing ten (10) feet trail easement, such that the maximum width of the Trail Easement shall be thirty (30) feet. The width of the trail easement shall be 30 feet along the entire development area adjacent to Brushy Creek.
- (B) Any residential or multifamily use shall be required to construct an eight (8) feet wide concrete public trail within the easement. .
- (C) A minimum of three public access points shall be provided and include a 5 feet wide public concrete sidewalk that provides connectivity to CR 137 or the adjacent development. Any residential or multifamily use shall also provide at least one private connection point which may be allowed to be secured to reduce public access to the development .
- (D) Any fences located along the trail easement shall be constructed of masonry, concrete, or wrought iron.

16. TREE PRESERVATION AND TREE PROTECTION PLAN

Existing groupings of trees shall be protected and incorporated within each subdivision plat, site plan, and mitigation plans as per UDC Sections 10.407.8 and 10.407.9. To the extent practical, grading or any disruption of the soil shall not be permitted within the drip line of existing trees, and drainage patterns shall not be altered in such a way as to threaten the future viability of existing trees.

17. SIDEWALKS AND DISPLAY AREAS

Each development shall provide pedestrian connectivity where feasible with an interconnected system of sidewalks on both sides of all public streets. Off-street pathways shall be provided where necessary to complete connectivity gaps. Sidewalks may be located outside the street right-of-way provided they are located in a public use easement shown on the subdivision plat of the affected lot. Alternative surface materials, such as decomposed granite gravel, may be substituted for concrete sidewalks with the approval of the City Engineer.

Outdoor display is display of items actively for sale. Outdoor display may be located adjacent to principal buildings, does not block windows, entrances or exits and does not impair the ability of pedestrians to use required sidewalks. Outdoor displays are permitted in private open space lots and within yards. Outdoor displays shall be permitted in a public street only for special events and with the appropriate City permits. The site plan for each commercial use area shall include the approximate locations of any outdoor display areas.

18. OUTDOOR STORAGE, SERVICE, AND LOADING AREAS

The noise level of mechanical equipment on any lot shall comply with the current City noise ordinance.

No outdoor storage areas or service or off-street loading areas may be located within twenty five (25) feet of any public street, public sidewalk which excludes any sidewalk or trail contemplated in Section 15, or residential use, unless and except as required under the Americans with Disabilities Act or the Texas Accessibility Standards, or unless approved by the Director. Screening for equipment, service and storage areas shall comply with the applicable screening requirements set forth in the UDC, Sections 10.406.1.8 and 10.411.4.6. Permanent exterior equipment located in a Light Industrial development must be screened from public view. Any overnight parking of large trucks in a Light Industrial Development is allowed as an accessory use and shall be located in rear of property and screened.

19. SITE LIGHTING

Alternative street lighting standards designed to aesthetically enhance the PUD may be utilized with the approval of the Director. The use of laser source light or any similar high intensity light, including searchlights for outdoor advertising or entertainment is prohibited. Light equipment selections and lighting design shall avoid, to the extent practical glare, light trespass and light pollution, except that a low level, decorative light source may be open and is not required to be concealed within an opaque housing.

- (A) Lighting layout shall be coordinated with proposed landscaping and existing trees to maximize light distribution and avoid conflicts.
- (B) Light fixtures shall be designed and lamped for both pedestrian and vehicular purposes. Parking lot lighting shall meet applicable Code standards, and shall be designed to reduce light pollution.
- (C) Low pressure sodium lighting is permitted.
- (D) Developer will provide adequate lighting along pedestrian and trail connections as per UDC Section 10.409.

20. SIGNAGE PLAN

Signage regulations shall comply with Section 10.410 of the UDC.

21. ROADWAY IMPROVEMENTS

Roadway improvements are to be made as stated in the Traffic Impact Analysis (TIA) acceptance memo dated May 16, 2012 by Rebecca Bray, P.E. of Brown & Gay Engineers, Inc. For any residential or multifamily project, the City Engineer may require additional pedestrian crossings along CR 137 for connectivity to the existing school tract on CR 137. In addition, the City Engineer shall have the authority to waive any requirement of the TIA that are deemed to be inappropriate or unnecessary.

The Owner of each tract or lot within the PUD that is adjacent to CR 137 (Future Minor Arterial) shall dedicate a maximum of 15 (fifteen) feet of right-of-way in conformance with the City's 2011 Thoroughfare Plan at the time of platting. Upon request by the City, the Owner of each tract or lot shall dedicate the required right-of-way prior to platting and the dedication will not be unreasonably withheld provided that the roadway improvements shall begin construction within 24 months of the dedication.

No additional traffic studies or improvements shall be required for any development within the PUD, subject to review by the City Engineer.

22. ENVIRONMENTAL PROTECTION

The overall impervious cover within the PUD shall not exceed 75% of the total gross land area within the PUD. An impervious cover tracking table shall be submitted with each residential final plat and each commercial and industrial site plans.

Trails will meet the standards of the Williamson County Trails Master Plan. The use of decomposed granite gravel shall be considered pervious cover, however, its use is discouraged.

23. AMENDMENT

23.1 Minor Changes

Technical, site planning or engineering considerations that meet the intent of this PUD may call for minor deviations from the approved PUD. As determined by the Planning Director or the City Engineer minor deviations may be approved if they promote flexibility in design and are consistent with the intent of the original or subsequent PUD approvals.

23.2 Major Changes

All changes to the Plan or any Exhibit not permitted under applicable Code provisions or Section 23.1 above shall be resubmitted following the procedure required for the original PUD approval. The request for an amendment to the PUD Ordinance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

24. CONFLICTS AND APPEALS

24.1 Conflicts

The provisions of the Plan shall apply to and control development within the PUD. In the case of a conflict between this PUD and City regulations, the most restrictive language shall apply.

24.2 Appeal of Administrative Decisions

Administrative decisions provided for in the Plan or otherwise affecting the PUD (such as decisions by the Director) may be appealed per the UDC Section 10.203.1.

25. EXHIBITS

All schedules and exhibits referred to in or attached to the PUD are incorporated into and made a part of the PUD for all purposes.

LIST OF EXHIBITS

Exhibit A: Property Description

Exhibit B: PUD Concept Plan

Exhibit C: The Narrows Permitted Uses

EXHIBIT A – PROPERTY DESCRIPTION

**A LAND TITLE SURVEY OF
38,637.2 ACRES OUT OF THE WILLIAM GATLIN SURVEY, A-27,
WILLIAMSON COUNTY, TEXAS**

TRACT 1: BEING ALL OF THAT CERTAIN TRACT OF LAND CONTAINING 35.00 ACRES OF LAND, MORE OR LESS, SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, IN WILLIAMSON COUNTY, TEXAS, AND BEING THE SAME PROPERTY CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2005040556, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

TRACT 2: BEING ALL OF THAT CERTAIN TRACT OF LAND CONTAINING 3.63 ACRES OF LAND, MORE OR LESS, SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, IN WILLIAMSON COUNTY, TEXAS, AND BEING THE SAME PROPERTY CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2009083662, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

LINE	DIRECTION	DISTANCE	RECORD
1	N89°02'23"W	52.55	N89°02'23"W 52.55
2	N87°14'07"W	59.50	N87°14'07"W 59.50
3	N08°24'38"E	39.76	N08°24'38"E 39.76
4	S87°06'30"E	25.08	S87°06'30"E 25.08

THIS TRACT IS SUBJECT TO RESTRICTIONS AS RECORDED IN DOCUMENT NO. 2005040556 AND 2009083662, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

ALL EASEMENTS RECORDED UNDER VOLUME 238, PAGE 127, VOLUME 771, PAGE 308, AND VOLUME 308, PAGE 308, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DO NOT APPLY TO THIS TRACT.

3. THIS TRACT IS SUBJECT TO A 15-FOOT EASEMENT, BARELY LINE EASEMENT AS RECORDED UNDER VOLUME 308, PAGE 18, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.

4. THIS TRACT IS SUBJECT TO A CHANNEL EASEMENT AS RECORDED UNDER VOLUME 308, PAGE 308, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.

5. THIS TRACT IS SUBJECT TO A WATER/WATER LINE EASEMENT AS RECORDED IN DOCUMENT NO. 200707042, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

6. TRACT 2 IS SUBJECT TO A RESERVED EASEMENT AS RECORDED IN DOCUMENT NO. 2005040556, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.

7. THIS TRACT IS SUBJECT TO A RESERVED EASEMENT AS RECORDED UNDER VOLUME 308, PAGE 308, DEED RECORDS, WILLIAMSON COUNTY, TEXAS.

8. THE BEARING BASE FOR THIS TRACT IS ORIENTED TO THE CENTRAL LINE OF STATE PLANE COORDINATES.

REF. ANTHONY D. DOBIAS
CF. NO. 1104277-KFO
DATE, MARCH 24, 2011

To: DEPARTMENT OF STATE, ALABAMA TITLE INSURANCE COMPANY, ALABAMA
VICTOR BAKER

The undersigned does hereby certify that the plat shown hereon is a true and correct survey of the ground under his supervision and is true and correct and that the lines, bearings, distances, and other data shown on the plat are correct and that the plat is a true and correct copy of the original survey.

The property shown hereon is located in Zone 17, designated as a flood hazard area, and is shown on the Flood Insurance Rate Map prepared by the Federal Insurance Administration Department, U.S.D. Effective Date: 07/21/2005.

**CRICHTON
AND ASSOCIATES
LAND SURVEYORS**

2410 HIGHWAY 290 EAST
AUSTIN, TEXAS 78723
CHD 244-2395
FAX 244-1274

**LAND TITLE SURVEY OF
38,637.2 ACRES
OUT OF THE WILLIAM GATLIN SURVEY, A-27,
WILLIAMSON COUNTY, TEXAS**

DATE: 4/1/2011	JOB NO. 11-186
SCALE: 1"=200'	DEED NO. 11-186

RECORDERS MEMORANDUM
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Narrows PUD Amendment (38.68 Acres)

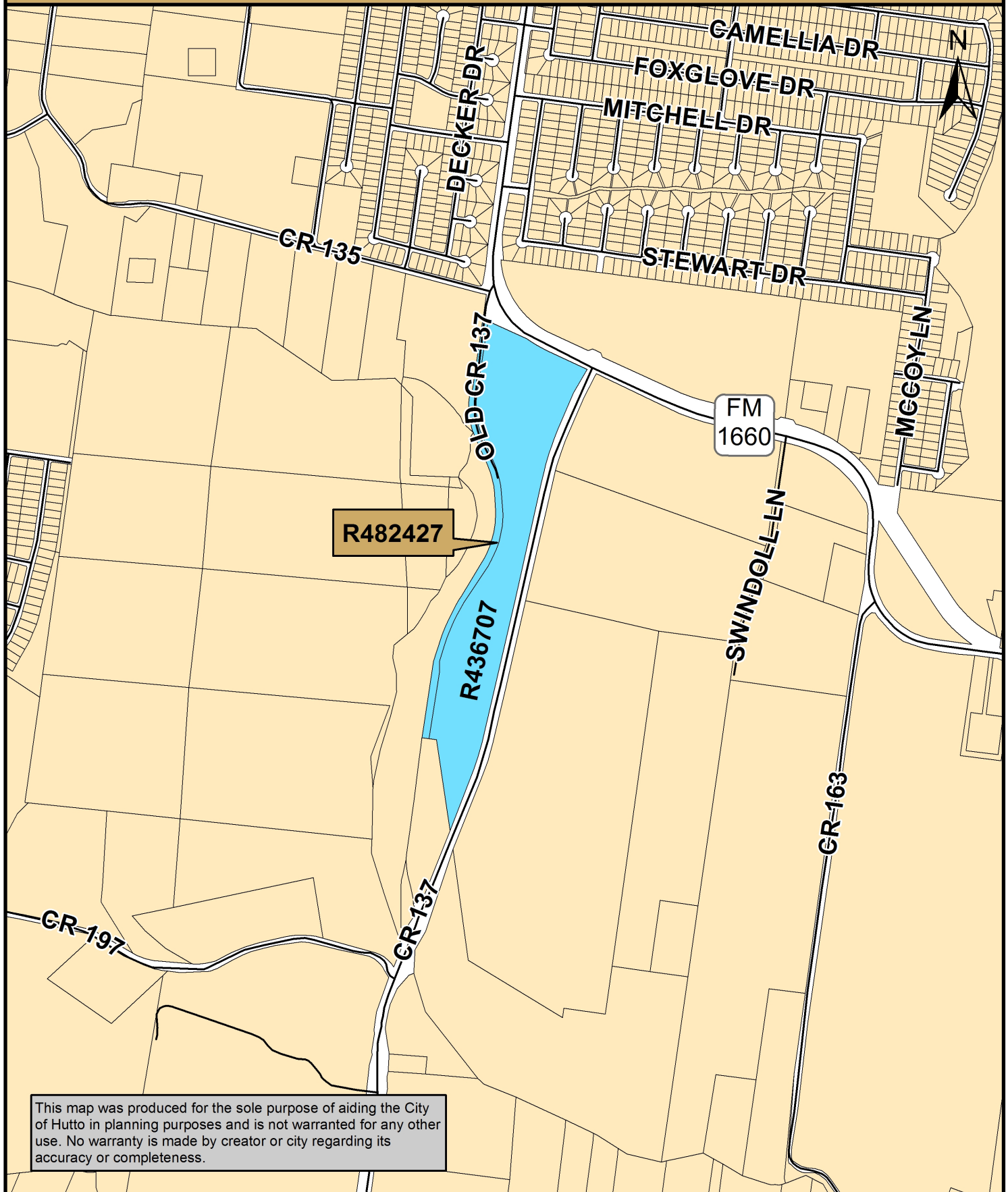
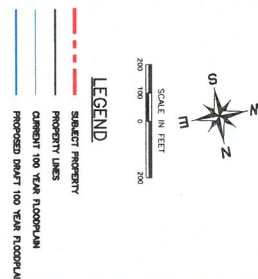
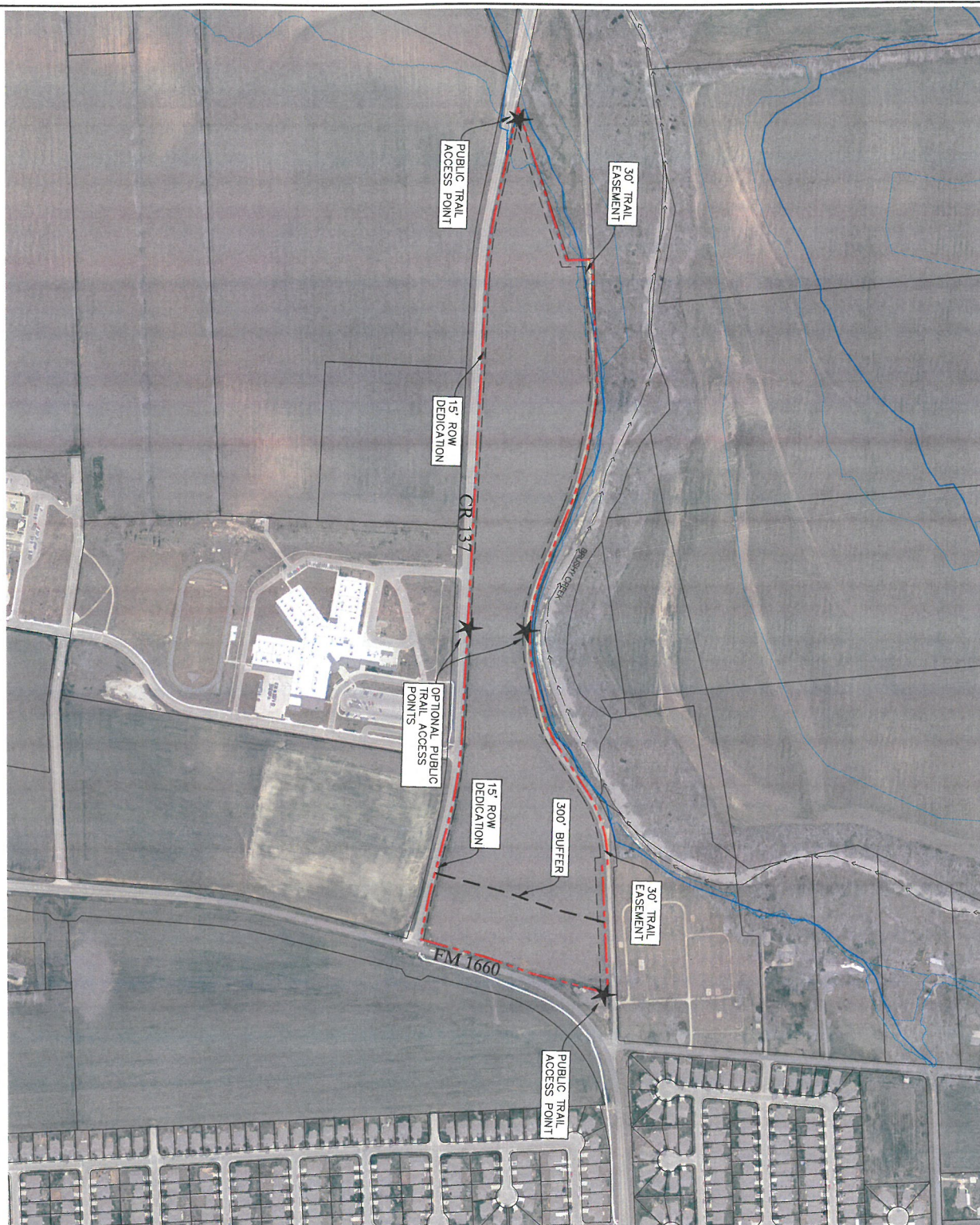


EXHIBIT B – PUD CONCEPT PLAN



SP-2017-0164C	Scale: AS SHOWN	EXHIBIT B PUD CONCEPT PLAN	THE NARROWS PLANNED UNIT DEVELOPMENT HUTTO, TEXAS	 TEXAS REGISTRATION #4932 P.O. BOX 3630 CEDAR PARK, TEXAS 78613 PHONE (512) 334-4662 FAX (512) 900-7962
	Designed by:			
	Drawn by:			
	Checked by:			
	Date: SEPTEMBER 2017 Project No.			

EXHIBIT C – NARROWS PERMITTED USES

THE NARROWS ZONING AND PERMITTED USE TABLE	
UDC DEFINED USES	PERMITTED USES
<i>RESIDENTIAL USES</i>	
Assisted living facility	P
Boarding and rooming house	-
Dwelling: live-work	P
Dwelling: accessory unit	`
Dwelling: manufactured	-
Dwelling: multiple unit	P
Dwelling: single household attached (townhouse)	P
Dwelling: single household detached	P
Dwelling: single household village	P
Dwelling: single household zero lot line	P
Dwelling: two to four household	-
Group home	C
Halfway house	S
Independent living facility	P
Manufactured home park	-
Nursing home	P
<i>COMMERCIAL AND RETAIL USES</i>	
Adult oriented use	-
Bakery: retail	P
Bank	P
Campground, recreational vehicle park	-
Car wash	P(1)
Club/lodge facility	P
Convenience store	P
Convenience store: with gasoline sales	P(2)
Day care: child (1-6 children)	P
Day care: child (greater than 6 children)	P
Day care: adult (1-4 persons)	P
Day care: adult (greater than 4 persons)	P
Day care: pet	P
Day labor agency	-
Entertainment facility, theater	P
Farm product sales	P
Food catering	P
Funeral home	P
Gas station	P(2)

Grocery store	P
Indoor recreation facility	P
Instructional facility	P
Kennel	P(3)
Large item sales and rental: class 1	S
Large item sales and rental: class 2	S
Large item sales and rental: class 3	S
Lodging establishment	P
Lodging establishment: bed and breakfast	P
Manufactured home sales	-
Nightclub	S
Office: medical	P
Office: special medical	S
Office: professional	P
Outdoor recreation facility	P
Personal and business service shop	P
Print shop	P
Restaurant, bar	P
Retail store (no more than 5,000 sq. ft.)	P
Retail store (greater than 5,000 sq. ft.)	P
Special services	-
Travel plaza, truck stop	-
Vehicle auction	-
Veterinary clinic	P
INDUSTRIAL USES	
General industrial use	-
Heavy industrial use	-
Junkyard	-
Light industrial use	P
Research laboratory	P
Self-storage facility	P(4)
Trade use	P
Vehicle minor repair facility	P
Vehicle major repair facility	S
Vehicle storage facility	S(5)
Warehouse and distribution facility	P

<i>INSTITUTIONAL AND CIVIC USES</i>	
Amenity center	P
Aquatic facility	P
Athletic facility	P
Cemetery	-
Community facility	P
Golf course	-
Hospital	P
Park	P
Park and ride lot (as principal use)	S
Place of worship or assembly	P
Public utility substation	S
School: no more than 5 students	P
School: at least 6 students	P
<i>TEMPORARY USES</i>	
Construction equipment storage lot	P
Construction field office	P
Garage sale	P
Model home / lot sales	P
Portable storage container	P
Temporary building	P
<i>ACCESSORY USES</i>	
Antenna, radio hobbyist (no more than max hgt in district)	C
Antenna, radio hobbyist (greater than max hgt in district)	S
Antenna, non-residential use: no more than 15 ft. above roofline	C
Antenna, non-residential use: other	S
Wireless facility: attached	P(6)
Wireless facility: concealed	P(6)
Wireless facility: freestanding	P(6)
Donation drop-off box	S
Drive through facility	P
Home occupation	P
Residential accessory structure	P
Satellite dish	C
Swimming pool	P
Vending machine (outdoor)	P
Free-standing cisterns	P
Wind energy system	S

PUD Notes

- 1) Carwashes are permitted as an accessory use to a convenience store or other retail use. A Special Use Permit is required for any other car washes.
- 2) A Convenience Store with Gas Sales or Gas Station shall be limited to a maximum of (12 Multiple Pump Dispensers (MPD)) and shall be located a minimum of 300 feet from another Gas Station.
- 3) A Kennel as an accessory use to a Pet Day Care or Veterinary Clinic is a permitted use. A free standing Kennel shall require a Special Use Permit.
- 4) The PUD shall be limited to a combined maximum of 240 Units of Self Storage with a maximum of 80 Units allowed per story.
- 5) Vehicle Storage shall maybe allowed as an accessory use provided that the storage area is screened from FM 1660 and CR 137 and shall require a Special Use Permit.
- 6) The maximum height of a wireless facility shall be 40 feet, and shall not be a primary use in a Residential Area.



Roers – City of Hutto Introduction

March 18, 2021



BUILDING COMMUNITIES

Roers Companies is recognized for its vision, track record, passion, and investor loyalty. We are institutionally minded specialists with a passion for excellence and an unwavering commitment to quality and integrity.

Founded in 2012, Roers Cos. quickly rose to prominence in the Midwest market through our proven ability to facilitate a diverse portfolio of projects in various stages of development.

Today, our portfolio contains student apartments, senior housing, market-rate communities, affordable apartments, and mixed-use developments. In 2021 and beyond, Roers intends to expand into new cities and states as well as new product types such as workforce housing and active 55+ rentals.



Company History

44

Properties Completed or
Underway

5,400+

Units Completed or in
Development

\$835M

Construction Completed



What Sets Roers Apart?

Ambition

- Since 2012, our dedicated team has completed over \$835 million in construction, raising more than \$250 million in equity through 450 individual investors. Projects represent the multi-family residential, mixed-use, and commercial sectors — including senior living, market rate and age-restricted apartments, workforce housing, affordable housing, mixed-use properties, and student housing.

Versatility

- Roers has a dedicated and skilled management team with significant experience in acquiring, financing, developing, and managing real estate investments. Roers provides the infrastructure through which our vertically integrated approach to investments can be implemented.

Personal Commitment

- We source the best talent and operate locally within the communities we serve in order to provide an exceptional experience that protects the interests of our clients, vendors, and tenants.



Affordable Housing – What is it?

- Originally done under Section 8 of the IRS Tax Code
 - Resident subsidized
 - Residents pay 30% of their income and then HUD pays the difference for the contract rent
- Today's affordable housing is governed by Section 42 of the IRS Tax Code created under the Tax Reform Act of 1986
 - Developer subsidized
 - Income based housing with rents determined by HUD annually
- Two types of tax credits under Section 42:
 - 4% Non-Competitive
 - 9% Competitive

Affordable Housing – What is it?

	9% Tax Credits	4% Tax Credits with Tax-Exempt Bonds
Subsidy Type	Federal	Federal
Allocation Process	Competitive	Non-Competitive
Average Rents	30%-60% AMI (Area Median Income)	60% AMI
Project Financing Percentage	70%	30%
Financing Fees	Low	High to very High
Average Project Size	Less than 100 Units	200 Units +
Financing Leverage (Debt)	Low	High

Austin – Round Rock MSA Income Limits

Program and Location Information

Affordable Housing Program	IRS Section 42 Low-Income Housing Tax Credit (LIHTC)
Year ⁽¹⁾⁽²⁾	2020 (effective 04/01/20)
State	TX
County	Williamson County
MSA	Austin-Round Rock, TX MSA
Persons / Bedroom	1.5 Person / Bedroom
4-person AMI ⁽³⁾	\$97,600
National Non-Metropolitan Median Income ⁽³⁾⁽⁴⁾	\$62,300
HERA Special ⁽⁵⁾	Not eligible
Hold Harmless ⁽⁶⁾	You have indicated that your project was placed in service on or after 04/01/2020 and is therefore eligible to have its income and rent limit held harmless beginning with the 2020 limits.
Placed in Service Date ⁽⁷⁾	On or after 04/01/2020.

LIHTC Income Limits for 2020 (Based on 2020 MTSP Income Limits)

	Charts	60.00%	140.00%
1 Person	▲▲	41,040	57,456
2 Person	▲▲	46,860	65,604
3 Person	▲▲	52,740	73,836
4 Person	▲▲	58,560	81,984
5 Person	▲▲	63,300	88,620
6 Person	▲▲	67,980	95,172
7 Person	▲▲	72,660	101,724
8 Person	▲▲	77,340	108,276
9 Person	▲▲	81,960	114,744
10 Person	▲▲	86,640	121,296
11 Person	▲▲	91,380	127,932
12 Person	▲▲	96,060	134,484

LIHTC Rent Limits for 2020 (Based on 2020 MTSP/VI Income Limits)

Bedrooms (People)	Charts	60.00%	FMR
Efficiency (1.0)	▲▲	1,026	988
1 Bedroom (1.5)	▲▲	1,098	1,134
2 Bedrooms (3.0)	▲▲	1,318	1,356
3 Bedrooms (4.5)	▲▲	1,523	1,763
4 Bedrooms (6.0)	▲▲	1,699	2,128
5 Bedrooms (7.5)	▲▲	1,875	

Who can Qualify for 60% AMI Units?

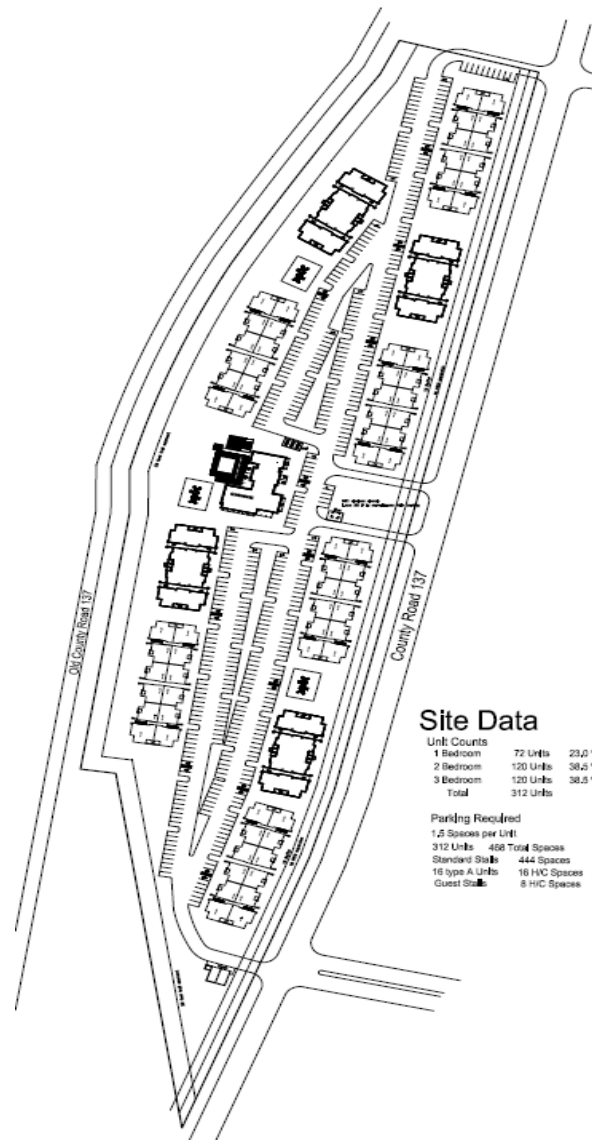
Unit Type	Estimated Rent	Income Limit
1 Bedroom	\$1,050	\$43,920
2 Bedroom	\$1,250	\$52,740
3 Bedroom	\$1,450	\$60,930



Project Details



Site Plan – The Narrows Apartments



Unit Mix

1 Bedroom – 72
2 Bedroom – 120
3 Bedroom – 120
Total - 312

Builder Exteriors and Elevations





Community Amenities

- Outdoor Play Areas
- Walking Trails
- Central Clubhouse with:
 - Clubroom
 - Fitness Center
 - On-Site Management Offices
 - Pool
 - Community Room





Unit Finishes

- Solid Surface Countertops
- Stainless Steel Appliances
- Resilient Flooring and Carpet
- In-Unit Washer and Dryer
- Energy Efficient Lighting
- Patios/Balconies





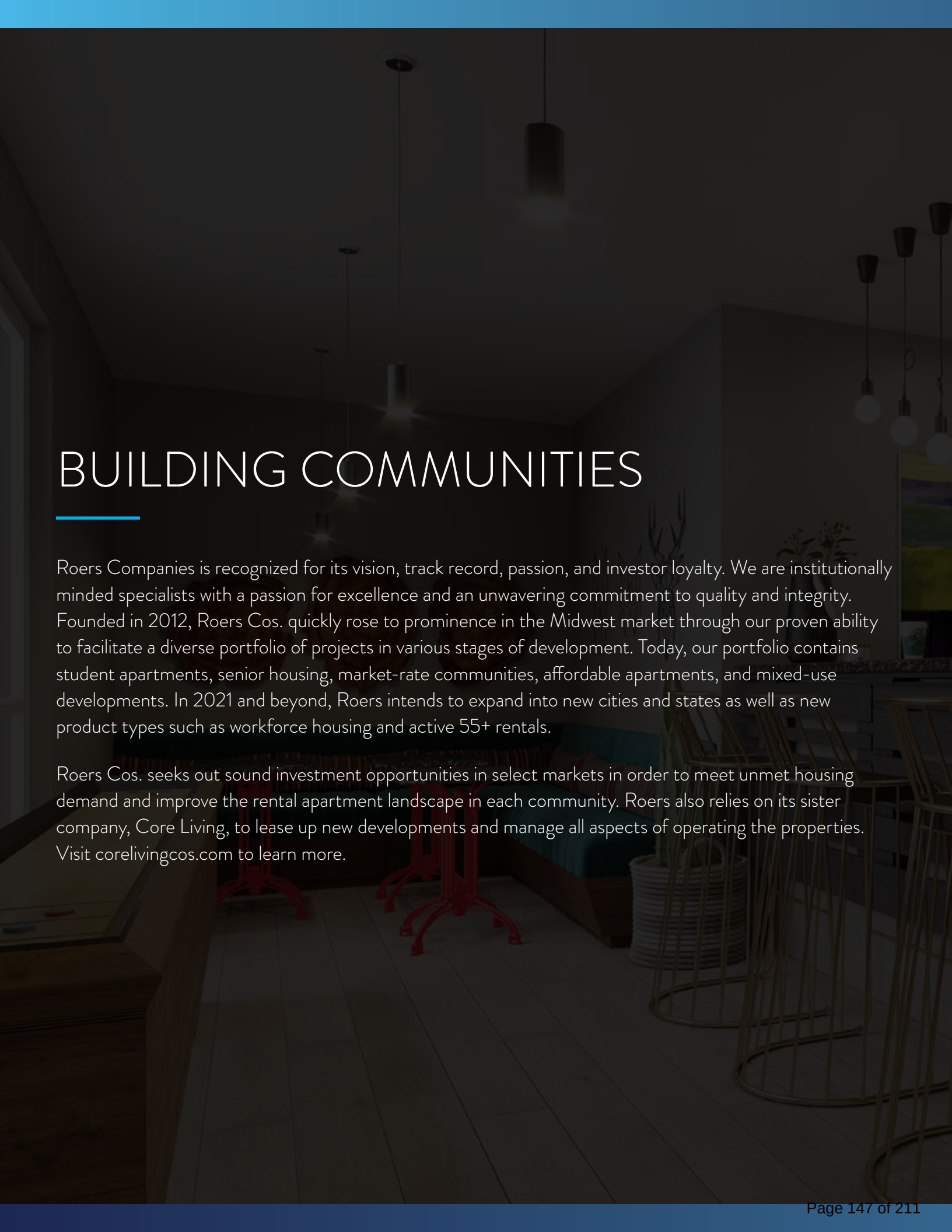
ROERS
COMPANIES



ROERS
COMPANIES



QUALIFICATIONS OVERVIEW



BUILDING COMMUNITIES

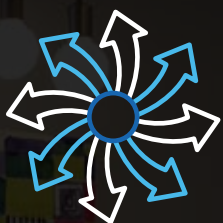
Roers Companies is recognized for its vision, track record, passion, and investor loyalty. We are institutionally minded specialists with a passion for excellence and an unwavering commitment to quality and integrity. Founded in 2012, Roers Cos. quickly rose to prominence in the Midwest market through our proven ability to facilitate a diverse portfolio of projects in various stages of development. Today, our portfolio contains student apartments, senior housing, market-rate communities, affordable apartments, and mixed-use developments. In 2021 and beyond, Roers intends to expand into new cities and states as well as new product types such as workforce housing and active 55+ rentals.

Roers Cos. seeks out sound investment opportunities in select markets in order to meet unmet housing demand and improve the rental apartment landscape in each community. Roers also relies on its sister company, Core Living, to lease up new developments and manage all aspects of operating the properties. Visit corelivingcos.com to learn more.



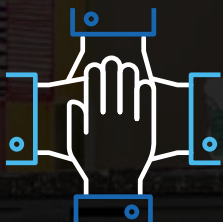
Ambition

Since 2012, our dedicated team has completed over \$835 million in construction, raising more than \$250 million in equity through 450 individual investors. Projects represent the multi-family residential, mixed-use, and commercial sectors — including senior living, market rate and age-restricted apartments, workforce housing, affordable housing, mixed-use properties, and student housing.



Versatility

Roers has a dedicated and skilled management team with significant experience in acquiring, financing, developing, and managing real estate investments. Roers provides the infrastructure through which our vertically integrated approach to investments can be implemented.



Personal Commitment

We source the best talent and operate locally within the communities we serve in order to provide an exceptional experience that protects the interests of our clients, vendors, and tenants.

44

PROPERTIES COMPLETED
OR UNDERWAY

5,400+

UNITS COMPLETED OR
IN DEVELOPMENT

\$835M+

CONSTRUCTION
COMPLETED

6

STATES WITH COMPLETED
PROJECTS

90+

INDIVIDUALS EMPLOYED BY
ROERS & CORE LIVING

4,000,000+

GROSS SQUARE FEET
DEVELOPED



REAL ESTATE DEVELOPMENT

HOMEGROWN VALUES. HIGH-RISE VISION.

Roers Companies is a bold full-service real estate development firm rooted in Midwestern work ethic but driven by a modern growth mentality. Roers projects elevate local markets, diversify portfolios and communities, and deliver value for all parties involved.

Roers' real estate team upholds a responsibility to facilitate sustainable development, designing each property to align with the community's unique needs and values to generate the most widespread benefit with each project.

EXECUTIVE LEADERSHIP



Kent Roers

Owner

Co-founder and owner of Roers Companies, Kent drives our equity-raise process and oversees investor relations for Roers' projects. Kent has over 15 years of experience in real estate and finance. In that time, he has been involved in almost every aspect of residential properties, from leasing single-family homes to developing luxury multi-family complexes. In building Roers into the company it is today, Kent led the team on more than 35 projects totaling \$835+ million across six states. Kent gained his Certified Financial Planning (CFP) certification in 2001 and has earned series 7, 66, 65, and 63 financial securities licenses. He holds a B.S. in Business Administration from Southwest State University.



Brian Roers

Owner

Brian is a co-founder and owner of Roers Companies who is involved in all facets of the firm's operations to ensure we reach occupancy, budgetary, and development goals. He started his career in real estate 15 years ago, purchasing single-family homes, duplexes, and student housing around the U of M. After gaining his CPA license in 2002, Brian co-founded Anderson & Roers CPAs, in which he held 50% partnership until launching Roers Companies in 2012. Running a successful accounting firm prepared Brian for overseeing Roers operations, including finance, marketing, and property management. In 2018, Brian was named to the Minneapolis/St. Paul Business Journal's "40 Under 40" honoree. Brian double-majored in Management and Accounting at St. John's University.



Jeff Koch

Partner

Jeff grew up with the Roers brothers in Marshall, Minnesota. He joined Roers Companies in 2013, bringing 10 years of experience in project management, data analysis, and contract negotiations from his years at Target Corporation. He drives our strategy for new developments and new markets for Roers Companies. Jeff's passion for real estate traces back to 2003, when he bought his first investment property. He has been buying, renovating, selling, and managing properties ever since. Jeff attended St. Cloud State University, where he earned B.S. in Marketing.

DEVELOPMENT TEAM LEADERS



Expertise

- Affordable housing development
- Section 42/LIHTC financing
- Historic conversion/redevelopment
- Market-rate construction and finance
- City partnerships
- TIF, HOME, CDBG, AHTF, TOD

Shane LaFave

Director of Development

Shane LaFave has been in the real estate development field for 14 years. He has worked on everything from affordable housing renovation in suburban areas to high-end market-rate buildings in urban cores. Shane has also worked to develop multiple hotels, historic buildings, commercial spaces, and two solar farms. As Director of Development, he oversees the development team as they drive new projects from initial conception through the end of construction. This includes lining up financing, obtaining entitlements/approvals, and collaborating with other departments to design a new product for that market.

Education

B.S. in Real Estate Studies, University of St. Thomas

Previous Experience

Sherman Associates | Minneapolis, MN | Director of Development

Shane spent almost five years at Sherman. Originally hired in the role of Developer, he moved to Director of Development and oversaw the development team as well as his own projects. In his time there, Shane developed over \$250 million of new projects including four signature projects in downtown Minneapolis.

Dominium | Plymouth, MN | Sr. Development Associate

Shane spent almost eight years at Dominion and worked primarily on the acquisition and renovation of LIHTC projects around the country. In total, he completed over 2,500 units of LIHTC acquisition/renovation including three historic conversion projects.

Notable Projects

East End Apartments | Minneapolis, MN

Mixed-use 187-unit market rate apartments with retail on the first floor including Trader Joe's

Canopy Hotel | Minneapolis, MN

Historic conversion of the underutilized Thresher Square building into a Canopy Hotel. Utilized federal and state historic tax credits.

Frost English Village | Maplewood, MN

Multiphase development including one LIHTC building financed with 9% tax credits and TIF and the second phase being a market-rate 55+ apartment building also financed with TIF.

Leather Trades | St. Louis, MO

Historic conversion of an old manufacturing building to 86 units of affordable housing. Utilized five different tax credits and two forms of city assistance to finance the project.

Euclid Apartments | Euclid, OH

Acquisition and renovation of 738 units of affordable housing using low income housing tax credit equity. Was originally a distressed asset that was taken through the receivership process, renovated, and stabilized.

DEVELOPMENT TEAM LEADERS



Ross Stiteley Senior Developer

Ross Stiteley joined Roers Companies in 2020, bringing 13 years of experience in real estate development. He has an extensive background in affordable and market-rate multifamily housing that includes acquisition/rehabilitation, historic adaptive re-use, and new construction. As a Senior Developer, Ross drives new projects from initial conception through completed construction. This includes deal sourcing, feasibility analysis and underwriting, obtaining site control, entitlements, debt and equity sourcing, and overseeing the architectural and construction processes. Ross is based in Madison, Wisconsin.

Education

B.S. in Real Estate & Urban Land Economics, University of Wisconsin — Madison

Previous Experience

Sherman Associates | Minneapolis, MN | Senior Developer

Ross spent almost four years at Sherman. As Senior Developer, Ross drove new projects from initial conception through construction completion, including the sourcing of all debt and equity commitments. In his time at Sherman, Ross developed over \$200 million of new projects including two signature projects in downtown Westminster, CO.

Dominium | Plymouth, MN | Sr. Development Associate

Ross spent almost nine years at Dominion, one of the nation's largest affordable housing developers, and worked primarily on the acquisition and renovation of LIHTC projects in 12 states including Colorado, Texas, and Arizona. While at Dominion, Ross oversaw the acquisition and development of over 2,000 affordable units by securing \$500 million in debt and equity from national lenders and equity syndication firms.

Notable Projects

1601 Colorado Apartments | Denver, CO

Acquisition and rehabilitation of 112-unit affordable housing community done in partnership with the Colorado Housing & Finance Authority and Denver Housing Development Partners.

Sea Mist Townhomes | Rockport, TX

Acquisition and rehabilitation of 76-unit affordable housing community done in partnership with the Texas Department of Housing and Community Affairs (TDHCA).

Humble Memorial Gardens | Humble, TX

Acquisition and rehabilitation of a 75-unit affordable housing community targeted to independent seniors 55+ and done in partnership with the Texas Department of Housing and Community Affairs (TDHCA).

Arcade Apartments | St. Louis, MO

Historic conversion of St. Louis's first indoor shopping promenade building to 282 units of affordable housing and 50,000 SF of commercial space. Utilized 6 different tax credits and 4 forms of City/State assistance to finance the project.

Expertise

- Affordable housing new construction
- Affordable housing acquisition / rehabilitation
- Family & independent senior housing
- Section 8/Section 42/LIHTC financing
- Historic conversion/redevelopment
- Distressed asset workout projects
- Market rate construction and finance
- City partnerships
- TIF, HOME, CDBG, AHTF, TOD

DEVELOPMENT TEAM



Andy Bollig
Developer

Andy Bollig has been in the real estate development field for more than four years. Because he worked previously on tax credit, market rate, commercial, and hotel developments, Andy brings a variety of experience to the team. As developer, he works on all facets of development from origination deals to sourcing financing and construction management. Andy holds a Bachelor of Science degree in Real Estate Studies from the University of Saint Thomas. He is based in Minneapolis, Minnesota.



James Riley
Senior Development Associate

James has been in the real estate development field for over three years. He has primarily worked in affordable housing, having completed numerous new construction and acquisition-rehabilitation projects through the U.S. In his role, he works on all facets of developments from origination, design, financing, and construction. James graduated Summa Cum Laude from the University of Saint Thomas with degrees in Real Estate Studies and Finance.



Logan Schmidt
Senior Development Associate

Logan Schmidt has been working in the real estate development field for four years and is focused on the new construction and acquisition/rehabilitation of affordable housing. Logan leads the development process from initial concepts through lease-up and stabilization. His responsibilities include deal sourcing, feasibility analysis and financial underwriting, entitlements, sourcing of debt and equity, and managing architectural and construction processes. Logan holds a Bachelor of Business Administration in Finance, Investments, and Banking as well as a BBA in Real Estate and Urban Land Economics from UW—Madison and currently resides in Minneapolis, Minnesota.

CORPORATE VALUES

Passion

We are inspired by what we do

Work Ethic

We work tirelessly to achieve results

Teamwork

We do our best when we work together

Integrity

We earn and keep others' trust

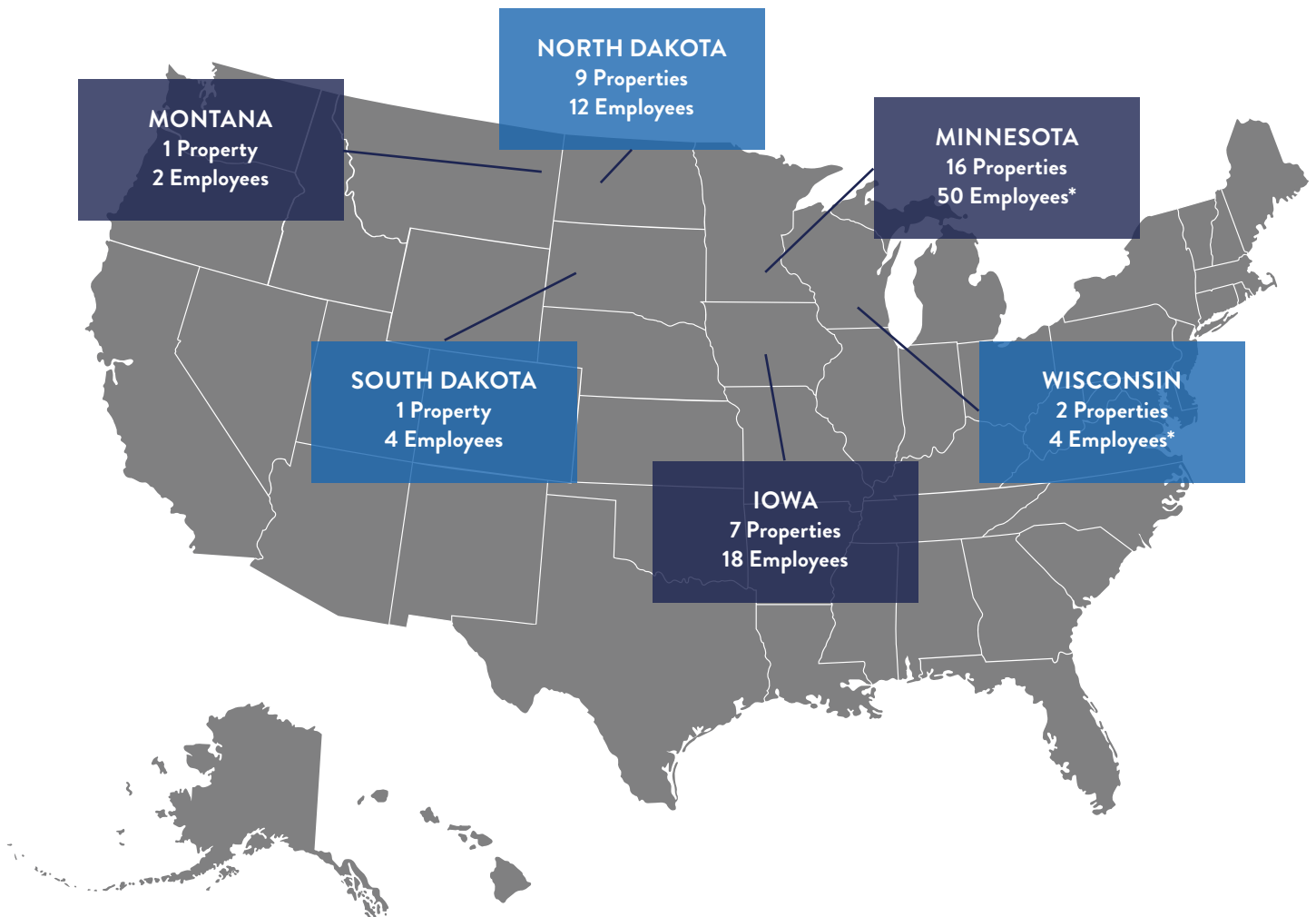
Ownership Mindset

We are empowered to make smart decisions for the business

REFERENCES

Name & Title	Organization	Phone	Email
Cities			
Scott Hickok, Community Development Director	City of Fridley	763-572-3590	scott.hickok@fridleymn.gov
John Hall, Director of Economic Development	City of Westminster	303-658-2113	jhall@cityofwestminster.us
Sarah Nurmela, Neighborhood Planning & Implementation Manager	City of Denver	720-865-2921	sarah.nurmela@denvergov.org
Housing Finance Agencies/Public Housing Authorities			
Denise Tamulis, Tax Credit Officer	Colorado Housing & Finance Authority	303-297-7386	dtamulis@chfainfo.com
Diane Leavesley, Executive Director	Douglas County Housing Partners	308-784-7824	dleaves@douglas.co.us
Lenders			
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Dan Smith, Senior Vice President	US Bank	612-303-3689	daniel.smith1@usbank.com
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Frank Hogan, Senior Vice President	Colliers	612-376-4042	frank.hogan@colliers.com
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Josh Meyer, Partner	Kutak Rock	402-231-8919	joshua.meyer@kutakrock.com

GEOGRAPHICAL FOOTPRINT



Roers Cos. & Core Living do business in six states with more than 90 employees between the two companies. This map represents properties and offices currently open and either owned by Roers or managed by Core Living.

** The employee count reflects Roers and Core Living employees only. Additionally, eight Roers-owned properties, including our Havenwood Senior Living portfolio, are operated by third-party providers who oversee on-site staff at each location.*



EXPERIENCE OVERVIEW

Completed & Operating Projects

RESIDENTIAL

Alo Apartments

Buffalo, MN; 60 units (October 2020)

Cove Apartments

Duluth, MN; 48 units (September 2020)

Havenwood Buffalo Senior Living

Buffalo, MN; 90 units (July 2020)

Maven Apartments*

Burnsville, MN; 137 units (April 2020)

N&E*

Minneapolis, MN; 93 units (March 2020)

Carlton Lofts

Cloquet, MN; 57 units (2020)

Havenwood Burnsville Senior Living

Burnsville, MN; 134 units (2020)

Maxwell Lofts

Milwaukee, WI; 116 units (2019)

Havenwood Onalaska Senior Living

Onalaska, WI; 128 units (2019)

Venue Apartments

Chanhassen, MN; 134 units (2019)

Havenwood Minnetonka Senior Living

Minnetonka, MN; 100 units (2019)

Mezzo Apartments*

Minneapolis, MN; 110 units (2018)

Flux Apartments

Des Moines, IA; 90 units (2018)

Soll Apartments

Des Moines, IA; 162 units (2018)

Havenwood Richfield Senior Living

Richfield, MN; 88 units (2018)

Hickman Flats

Des Moines, IA; 203 units (2018)

Red44

Rochester, MN; 159 units (2017)

Confluence on Third

Des Moines, IA; 211 units (2017)

The Pines at Rapid

Rapid City, SD; 124 units (2016)

The Bluffs of Williston

Williston, ND; 148 units (2015)

Hunters Run Apts I & II

Watford City, ND; 201 units (2014-15)

Tioga Square

Tioga, ND; 25 units (2014)

Sidney Apartments

Sidney, MT; 66 units (2014)

28th Street Apartments

Williston, ND; 93 units (2014)

Stanley Square

Stanley, ND; 25 units (2014)

Tioga Townhomes

Tioga, ND; 30 units (2013)

Tioga Apartments

Tioga, ND; 33 units (2013)

Stanley Apartments

Stanley, ND; 40 units (2012)

* Starred properties were built and sold by Roers Cos.



STUDENT HOUSING

College Living St. Cloud

St. Cloud, MN 391 beds (2016)

CORE

Ames, IA 132 beds (2018)

Spectrum*

Minneapolis, MN 180 beds (2017)

COMMERCIAL

Soll Retail

Des Moines, IA 13,000 SF (2018)

Watford Center

Watford City, ND 16,000 SF (2015)

Tioga Square

Tioga, ND 9,900 SF (2014)

Onyx Workspace Retail

Des Moines, IA 2,500 SF (2018)

Graybar Electric

Watford City, ND 20,388 SF (2015)

Stanley Square

Stanley, ND 9,000 SF (2014)

Harvest Hills I

Williston, ND 40,000 SF (2015)

Build-to-Suit: Fortune 500 company

Projects Underway

1,598+ UNITS

Havenwood Senior Living — Maple Grove, MN

150 units of senior housing
Estimated completion Spring 2021

Beyond — Woodbury, MN

255 units of market-rate rental apartments
Estimated completion Fall 2021

Northlake Lofts — Lakeville, MN

208 units of market-rate rental apartments
Estimated completion Spring 2022

Axle Apartments — Fridley, MN

262 units of workforce apartments
Estimated completion Summer 2022

Savor — West St. Paul, MN

200 units of market-rate apartments
Estimated completion Summer 2022

Risor of Apple Valley, MN

176 units of active 55+ apartments and townhomes
Estimated completion Summer 2022

Risor of Bloomington, MN

150+ units of active 55+ apartments and townhomes
Estimated completion Summer 2022

Community Within the Corridor — Milwaukee, WI

197 units of historic redevelopment plus commercial spaces
Estimated phase one completion Summer 2022

TAX CREDIT

Roers has a wide background of leveraging numerous financing sources including low-income-housing tax credits, historic tax credits, TIF, and utilizing the benefit of opportunity zones. With a commitment to providing a variety of housing types to all communities, Roers utilizes innovative financing sources to develop affordable housing.



Alo Apartments

204 First Avenue NW, Buffalo, MN 55313

Inspired by the beauty of Buffalo Lake, Alo Apartments brings a wave of luxury to affordable living in Buffalo, Minnesota. The 60-unit community offers a mix of studio, one-, two-, and three-bedroom apartment homes and abundant amenities. Alo opened its doors to the first residents in October 2020 and is now 100% leased.

Completed Fall 2020

Square Feet: 97,000

Architect: Kaas Wilson

Cost: \$15 million

Manager: CommonBond



Maxwell Lofts

214 E Florida Street, Milwaukee, WI 53204

Roers' redevelopment of the 100-year-old industrial building marked its first historic rehab project as well as the first venture in Milwaukee. Located in the Walker's Point neighborhood, Maxwell is just one mile from Lake Michigan. The five-story building consists of 116 apartments and 46 unique floor plans. The property has immense character that blends historic features with modern finishes and amenities to make it one of Roers' most unique and popular developments.

Completed December 2019

Square Feet:

119,000

Architect:

Continuum Architects

Contractor:

Greenfire Construction

Manager:

Core Living



Cove Duluth

1 E First Street, Duluth, MN 55802

Nestled near the shores of Lake Superior in the heart of Duluth, Cove Apartments celebrates the harbor city with nautical-inspired interior spaces. On the corner of Lake Avenue and East First Street, two 1910-era commercial buildings have been reinvented as a cozy 48-unit apartment community. One of Cove's most unique features is a repurposed skyway lounge boasting lake and downtown views.

Completed September 2020

Square Feet:

55,000

Builder & Architect:

Gardner

Cost:

\$11 million

Manager:

ShipRock



Carlton Lofts

509 Carlton Avenue, Cloquet, MN 55720

This historic preservation development brings affordable housing and office space to Cloquet. The 57 rental units provide a much-needed housing option for local working families within the footprint of a historic school.

Completed December 2019

Square Feet:

55,000

Builder & Architect:

Kaas Wilson

Cost:

\$16 million

Manager:

CommonBond

WORKFORCE HOUSING

Since most multi-family developers focus heavily on market-rate and luxury apartments, many markets are left without quality rental housing options at a price point that's attainable for the average worker. Roers aims to meet the needs of communities where skyrocketing rental prices are making it harder for individuals to live and work in their preferred city.



Axle Apartments Fridley, Minnesota

With 262 apartments, Axle is the largest Roers development to-date. This community will offer studio, 1-, and 2-bedroom apartments. Rental rates will be set to approximately 80% of market rate to offer an affordable housing option to renters in the northern Twin Cities metro area with beautiful finishes and convenient amenities typically found in more expensive properties.

Coming Summer 2022

Square Feet: 135,000

Architect: Brunton Architects & Engineers

Contractor: Ironmark

Cost: \$50 million



Exceptional Interiors

A lower monthly rent price doesn't mean skimping on quality. Every apartment home features desirable modern materials and fixtures for our workforce and affordable apartments.



MARKET RATE & MIXED USE

Roers' mixed-use and multifamily properties employ the full scope of the team's resources, infrastructure, and experience to integrate the residential and commercial functions into cohesive developments that fulfill the company's commitment to contribute value to the community with every project.



Confluence on 3rd Apartments 103 SW 3rd Street, Des Moines, IA 50309

Confluence on 3rd is the first luxury living apartment complex in downtown Des Moines. We used virtual reality as an innovative strategy for marketing the property's 211 units while the project was still under construction. This innovation paid off — Confluence reached 97% occupancy just eight months after opening. Centrally situated in one of the fastest-growing cities in the U.S., Confluence delivers the best convergence of luxury and location in downtown Des Moines. This was Roers' first and largest development in downtown Des Moines.

Completed Spring 2017

Square Feet: 280,000
Architect: Urbanworks

Contractor: Frana
Cost: \$42 million



Flux

1400 Walnut Avenue, Des Moines, IA 50309

Flux delivers resort-style living with a boutique flair in the heart of downtown Des Moines. Flux's 90-unit property features open-layout floor plans with nine-foot ceilings, an outdoor courtyard with a hot tub and grill, and a rooftop lounge that highlights the impressive skyline. On the main floor, the Onyx office suites offer convenience for those who want to live and work downtown.

Completed 2018

Square Feet:

96,000

Architect:

Urbanworks Architecture, LLC

Contractor:

Bauer Design Build

Cost:

\$17 million



Soll

2301 Ingersoll Avenue, Des Moines, IA 50312

Located within walking distance of downtown Des Moines and the Western Gateway, Soll is a welcome retreat from the hustle of the workday with easy access to nightlife and dining. Soll was Des Moines' first rooftop pool and whirlpool spa. Soll is a 165-unit mixed-use project with studio, one-, and two-bedroom apartments and over 5,000 square feet of retail space.

Completed Summer 2018

Square Feet:

196,000

Architect:

Urbanworks Architecture, LLC

Contractor:

Estes Construction

Cost:

\$34 million



Spectrum

815 9th Avenue SE, Minneapolis, MN 55414

Spectrum is a 118-unit resort-style living experience for student and young professional residents. Adjacent to downtown, Dinkytown, and Northeast, this community is an all-inclusive social destination for residents and their guests. An array of on-site amenities make Spectrum's apartments and townhomes a popular place to call home. A year-round hot tub, patio cinema, rooftop deck and grill, and fireside lounge give residents an unparalleled experience.

Completed Summer 2017

Square Feet:

117,000

Architect:

DJR Architecture, Inc

Contractor:

Reuter Walton Commercial

Cost:

\$24 million



Bluffs of Williston

3009 31st Street W, Williston, ND 58801

The Bluffs of Williston is a 148-unit apartment community serving the Bakken oil workforce. The Class A, four-story buildings offer high-end finishes and heated underground parking. The property's location, right off of a major transportation artery for the Bakken oil region along with its rich amenities make the Bluffs of Williston a true legacy in the North Dakota real estate market. This was Roers' third North Dakota development in the Bakken region.

Completed 2014

Square Feet:

259,000

Architect:

Cole Group Architects

Contractor:

Cole Group Contractors

Cost:

\$29 million

SENIOR HOUSING

Roers first earned a reputation for success with its innovative developments in the senior housing sector, which remain among the team's proudest accomplishments. To date, the company has developed and built a collective 1 million square feet of senior housing. The sixth Havenwood Senior Living property will open in Spring 2021.



Havenwood of Richfield 245 76th Street West, Richfield, MN 55423

Havenwood of Richfield, with 88 apartments, was our first senior living development under the Havenwood brand and was a huge success — meeting a big demand for senior housing in the Richfield market. Residents can choose from studio, one-bedroom, and two-bedroom floor plans, and enjoy access to a full continuum of care services.

Completed Summer 2018

Square Feet: 135,000

Architect: Brunton Architects & Engineers

Contractor: CBS Construction

Cost: \$20 million



Havenwood of Burnsville

14401 Grand Avenue, Burnsville, MN 55306

Havenwood of Burnsville is a 134-unit senior living community in a third-ring Minneapolis suburb. It offers a mix of 74 independent living units, 42 assisted living units, and 18 memory care suites. The community provides a wide variety of studio, one-bedroom, and two-bedroom floor plans. Community amenities include a mail lounge, private dining rooms, a community patio, a salon and spa, a fitness center, pet wash, car wash, woodworking shop, arts and crafts room, library, pub room, and chef-run restaurant.

Completed Winter 2020

Square Feet: 191,000

Architect: Kaas Wilson Architects

Contractor: Bauer Design Build

Cost: \$28 million



Havenwood of Onalaska

3770 Emerald Drive East, Onalaska, WI, 54650

Havenwood of Onalaska is a 128-unit independent and assisted living community in a suburb of La Crosse, Wisconsin. This four-story building offers residents an array of social, wellness, and spiritual activities as well as modern and convenient amenity spaces for dining, fitness, social activities, pet care, and more. Residents can live independently or with health care services provided by the Havenwood clinical team.

Completed Winter 2019

Square Feet: 180,000

Architect: Kaas Wilson Architects

Contractor: CBS Construction

Cost: \$26 million



Havenwood of Minnetonka

17724 Old Excelsior Boulevard, Minnetonka, MN 55345

Havenwood of Minnetonka is an innovative age-in-place community offering a wide range of rental living options for seniors, including memory care services along with independent and assisted living. The 97 apartments range from studios to two-bedrooms, and seniors enjoy amenities such as a wellness center, coffee shop, fitness classes, and a dining room catered by an on-site chef.

Completed Spring 2019

Square Feet: 133,000

Architect: InSite Architects

Contractor: CBS Construction

Cost: \$25 million

Roers' portfolio includes six Havenwood Senior Living communities in Minnesota and Wisconsin that offer independent and assisted living, plus additional care in select facilities.



CORE LIVING

PROPERTY MANAGEMENT

Core Living is a full-service property management company with one simple vision: to elevate the multifamily rental market. Core Living manages residential and mixed-use properties that enhance neighborhoods and provide an exceptional living experience. Property owners and investment partners rely on our team to improve cash flow and grow the long-term value of each asset we manage, while residents appreciate a high level of service, comfort, and quality from our communities.

Achievements

Inc. 5000 Fastest-Growing Private Companies in the U.S. (#801 in 2020, #1108 in 2019)

Inc. 250 Most Successful Companies in the Midwest (#72)

Minneapolis/St. Paul Business Journal Twin Cities Largest Commercial Property Management Firms (#19)

Minnesota Multi Housing Association MADACS Awards for maintenance individual and best overall marketing campaign

Minneapolis/St. Paul Business Journal Fast 50 (#8 in 2019)

CORE SERVICES

Property Management

Growing Value Through Proactive Management

Core Living provides full-service property management services for Roers-owned assets and third-party clients. Our team brings a formidable combination of financial savvy and operational excellence to the buildings we manage and maintain.

Marketing & Leasing

Building & Sustaining Irresistible Brands

From design consultation through brand development and comprehensive lease-up support, we ensure our communities appeal to renters with the right message at the right time. Our team fills new buildings twice as fast as the industry average.

Asset Management

Safeguarding Owner Investments

With intimate local market knowledge and experience in almost every facet of real estate, we employ an owner's mentality to increase value in the assets we manage.

Accounting

Assuring Accuracy & Budget Alignment

With a robust accounting department, each property's financial information is accurately recorded, packaged, and delivered in a timely manner each month.

LEADERSHIP TEAM



Todd Eatmon

President

As President of Core Living, Todd is responsible for all aspects of the business, for both owned and fee-managed properties across the Midwest. He works closely with ownership and partners to ensure that their goals and visions are realized. Todd has over 20 years of property management experience and has overseen the operations of 20,000+ apartment units throughout the United States. His background in tax credit, Section 8, market rate and senior housing — as well as his extensive experience in financial planning, utilizing new technologies and strategies in the multi-housing industry, and employee recruitment and development — is vital to the success of Core Living.



Jamie Luehrs

Director of Property Management

As the Core Living Director of Property Management, Jamie leads our residential and commercial operations, consisting of over 4,000 apartment units and 150,000 sq. ft. of retail and commercial space in six states. Jamie's affordable housing knowledge covers LIHTC, HOME, senior, artist, and historic rehab lease-ups and management, with direct oversight of portfolios consisting of 2,000+ units. She has played a large role in compliance management at the site level along with training and facilitation of resyndication processes. Jamie currently holds the Novogradac Property Compliance Certification and is a CPM Candidate.

Jamie spent six years at Dominion and was focused on regional management and operations. While there, she supported three historical rehab projects, along with the lease-up of three senior affordable developments. She assisted in preparing assets for disposition and stabilized suffering LIHTC acquisitions in Florida, Georgia, Minnesota, Oregon, and Texas.



Amy Johnson

Director of Marketing & Leasing

As Director of Marketing & Leasing, Amy oversees Roers and Core Living corporate and property branding and marketing strategies, including all lease-ups, digital marketing, media relations, advertising, and brand strategies. Amy works closely with Roers' development and construction team members to develop unique and inviting brands that ensure each community is highly desired within the local market. She incorporates new technologies and leasing trends to help our leasing staff fill our assets as fast as we can build them. Her dedication, tenacity, and lease-up success earned her a place on the Finance & Commerce Rising Young Professionals list in 2020.

Core Living's extended team includes accountants, marketing support, administrative staff, regional managers, property managers, leasing agents, maintenance technicians, and caretakers.



PORTFOLIO OVERVIEW

Properties Currently Managed

MULTI-FAMILY RESIDENTIAL, STUDENT, AND MIXED-USE

Bici Flats*

Market rate
Des Moines, IA | 154 units

The Bluffs of Williston

Market rate
Williston, ND | 148 units

Confluence on Third

Luxury market rate
Des Moines, IA | 211 units

College Living St. Cloud

Student apartments
St. Cloud, MN | 391 beds

CORE

Student apartments
Ames, IA | 132 beds

Eagle Crest*

Market rate
Williston, ND | 168 units

Flux Apartments

Market rate
Des Moines, IA | 90 units

Fox Run*

Market rate
New Town, ND | 77 units

Hickman Flats

Affordable apartments
Des Moines, IA | 203 units

Killdeer Highlands*

Market rate
Killdeer, ND | 42 units

Maxwell Lofts

Historic redevelopment
Milwaukee, WI | 116 units

Mezzo Apartments*

Market rate
Minneapolis, MN | 110 units

N&E*

Market rate
Minneapolis, MN | 93 units

The Pines at Rapid

Market rate
Rapid City, SD | 124 units

Rowat Lofts*

Market rate
Des Moines, IA | 162 units

Sidney Apartments

Market rate
Sidney, MT | 66 units

Stanley Square

Mixed use
Stanley, ND | 25 units

Stanley Apartments

Market rate
Stanley, ND | 40 units

Soll Apartments

Market rate
Des Moines, IA | 162 units

Spectrum Apts. & Townhomes*

Student housing
Minneapolis, MN | 180 beds

Tioga Apartments

Market rate
Tioga, ND | 33 units

Tioga Square

Mixed use
Tioga, ND | 25 units

Tioga Townhomes

Rental townhomes
Tioga, ND | 30 units

Venue Apartments

Market rate
Chanhassen, MN | 134 units

* Starred properties are third-party owned. All others are Roers' properties.



ROERS
COMPANIES

110 Cheshire Lane, Suite 120
Minnetonka, MN 55305

763.285.8808
info@roerscompanies.com
roerscompanies.com



(3) Engineer/Architect Certification Form. The certification, addressing all of the accessibility requirements applicable to the Development Site, must be executed by the Development engineer or accredited architect after careful review of the Department's accessibility requirements, and including Tex. Gov't Code §2306.6722 and §2306.6730.

(4) Notice, Hearing, and Resolution for Tax-Exempt Bond Developments. In accordance with Tex. Gov't Code, §2306.67071, the following actions must take place with respect to the filing of an Application and any Department awards for a Tax-Exempt Bond Development.

(A) Prior to submission of an Application to the Department, an Applicant must provide notice of the intent to file the Application in accordance with §11.203 of this chapter (relating to Public Notifications (§2306.6705(9))).

(B) The Governing Body of a municipality must hold a hearing if the Development Site is located within a municipality or the extra territorial jurisdiction (ETJ) of a municipality. The Governing Body of a county must hold a hearing unless the Development Site is located within a municipality. For Development Sites located in an ETJ the county and municipality must hold hearings; however, the county and municipality may arrange for a joint hearing. The purpose of the hearing(s) must be to solicit public input concerning the Application or Development and the hearing(s) must provide the public with such an opportunity. The Applicant may be asked to substantively address the concerns of the public or local government officials.

(C) An Applicant must submit to the Department a resolution of no objection from the applicable Governing Body. Such resolution(s) must specifically identify the Development whether by legal description, address, Development name, Application number or other verifiable method. In providing a resolution, a municipality or county should consult its own staff and legal counsel as to whether such resolution will be consistent with Fair Housing laws as they may apply, including, as applicable, consistency with any FFAST form on file, any current Analysis of Impediments to Fair Housing Choice, or any current plans such as one year action plans or five year consolidated plans for HUD block grant funds such as HOME or CDBG funds. For an Application with a Development Site that is:

- (i) within a municipality, the Applicant must submit a resolution from the Governing Body of that municipality;
- (ii) within the ETJ of a municipality, the Applicant must submit both:
 - (I) A resolution from the Governing Body of that municipality; and
 - (II) A resolution from the Governing Body of the county; or
- (iii) within a county and not within a municipality or the ETJ of a municipality, a resolution from the Governing Body of the county.

(D) For purposes of meeting the requirements of subparagraph (C) of this paragraph, the resolution(s) must be submitted no later than the Resolutions Delivery Date described in §11.2(b) of this chapter (relating to Tax-Exempt Bond and Direct Loan Development Dates

and Deadlines). An acceptable, but not required, form of resolution may be obtained in the Multifamily Programs Procedures Manual. Applicants should ensure that the resolutions all have the appropriate references and certifications or the resolution may be determined by staff to be invalid. The resolution(s) must certify that:

- (i) notice has been provided to the Governing Body in accordance with Tex. Gov't Code §2306.67071 (a);
- (ii) the Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development;
- (iii) the Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code §2306.67071(b); and
- (iv) after due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application.

(5) Designation as Rural or Urban.

(A) Each Application must identify whether the Development Site is located in an Urban Area or Rural Area of a Uniform State Service Region. The Department shall make available a list of Places meeting the requirements of Tex. Gov't Code §2306.004(28-a)(A) and (B), for designation as a Rural Area and those that are an Urban Area in the Site Demographics Characteristics Report. Some Places are municipalities. For any Development Site located in the ETJ of a municipality and not in a Place, the Application shall have the Rural Area or Urban Area designation of the municipality whose ETJ within which the Development Site is located. For any Development Site not located within the boundaries of a Place or the ETJ of a municipality, the applicable designation is that of the closest Place.

(B) Certain areas located within the boundaries of a primary metropolitan statistical area or a metropolitan statistical area can request a Rural designation from the Department for purposes of receiving an allocation Housing Tax Credits (§2306.6740). In order to apply for such a designation, a letter must be submitted from a duly authorized official of the political subdivision or census designated place addressing the factors outlined in clauses (i) - (vi) of this subparagraph. Photographs and other supporting documentation are strongly encouraged. In order for the area to be designated Rural by the Department for the current Application Round, such requests must be made no later than December 15 of the previous year. If staff is able to confirm the findings outlined in the request, the Rural designation will be granted without further action and will remain in effect until such time that the population as described in clause (i) of this subparagraph exceeds 25,000. In the event that staff is unable to confirm the information contained in the request, the Applicant will be given an opportunity to supplement their case. If, after receiving any supplemental information, staff still cannot confirm the rural nature of the Application, a recommendation for denial will be presented to the Board.

- (i) the population of the political subdivision or census designated place does not exceed 25,000;
- (ii) the characteristics of the political subdivision or census designated place and how



2021 Uniform Multifamily Application Templates

221 East 11th Street
Austin, TX 78701

Notice, Hearing and Resolution for Tax-Exempt Bond Developments

Pursuant to Tex. Gov't Code §2306.67071, Tax-Exempt Bond Applications applying for Housing Tax Credits after September 1, 2013 must submit a resolution of no objection from the applicable Governing Body. Such resolution must specifically identify the Development whether by legal description, address, Development name, Application number or other verifiable method. For an application with a Development Site that is located within a municipality, the resolution must come from the Governing Body of that municipality; if within the ETJ of a municipality a resolution must be submitted from both the Governing Body of that municipality and the Governing Body of the county; if within a county and not within a municipality or the ETJ of a municipality, a resolution must be submitted from the Governing Body of the county. The resolution must confirm that each applicable Governing Body has held a public hearing in accordance with Tex. Gov't Code §2306.67071(b) and 10 TAC §11.204(4)(B). A sample resolution is provided below.

WHEREAS, **[Applicant]** has proposed a development for affordable rental housing of **[xxx]** units that will be located at **[address of proposed site]** in the **[city/county of xxxx]** and

WHEREAS, **[Applicant]** has submitted an application to the Texas Department of Housing and Community Affairs for **2021** Housing Tax Credits for **[name of development]**

It is hereby

RESOLVED, that in accordance with the requirements of Tex. Gov't Code §2306.67071 and 10 TAC §11.204(4), it is hereby found that:

1. Notice has been provided to the Governing Body in accordance with Tex. Gov't Code, §2306.67071(a); and
2. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
3. The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code, §2306.67071(b); and
4. After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

FURTHER RESOLVED that for and on behalf of the Governing Body, **[name, position of authorized person]** are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on Resolution No. R- 2021-054 authorizing the City Manager to execute a License Agreement between the City of Hutto, Texas and Durango Farms Homeowners Association, Inc. (City Attorney)
Meeting: Thursday, April 15, 2021
Department: Legal
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Resolution 2021-054 License Agreement Durango Farms HOA 4.12.21
2. License Agreement_Durango 3.25.21 FINAL R-2021-054 Exhibit A

RESOLUTION NO. R-2021-054

**A RESOLUTION OF THE CITY OF HUTTO, TEXAS
APPROVING A LICENSE AGREEMENT BETWEEN THE
CITY OF HUTTO AND DURANGO FARMS
HOMEOWNERS ASSOCIATION, INC.; AUTHORIZING
THE CITY MANAGER TO EXECUTE THE AGREEMENT;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council desires to enter into a License Agreement between the City of Hutto and Durango Farms Homeowner's Association, Inc.

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

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: That the Hutto City Council hereby approves and authorizes the City Manager to execute the License Agreement between the City of Hutto and Durango Farms Homeowner's Association, Inc., attached as Exhibit "A", a copy of same being attached hereto and incorporated herein for all purposes.

SECTION 3: The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION 4. This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

PASSED & APPROVED by the CITY COUNCIL of the CITY OF HUTTO on the 15th day of April, 2021 on vote of ____ AYES; ____ NAYS; ____ ABSTENTIONS.

CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy, City Secretary
City of Hutto, Texas

LICENSE AGREEMENT

This License Agreement is made this ____ day of _____, 2021, by and between the CITY OF HUTTO, TEXAS (hereinafter "Licensor"), and DURANGO FARMS HOMEOWNERS ASSOCIATION, INC. (hereinafter, "Licensee," whether one or more).

WHEREAS, Licensor is the owner of the real property (hereinafter, "Property"), which is the public right-of-way as depicted in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, Licensee desires to exercise certain rights and privileges upon public rights-of-way located within the Property; and

WHEREAS, Licensor desires to grant Licensee certain rights and privileges upon public rights-of-way within the Property; and

NOW, THEREFORE, it is agreed as follows:

I. License

- 1.1 Licensee shall have the right to survey, install, construct, maintain, repair, and replace the following structures as indicated on Exhibit "A":
 - a. One (1) monument sign and associated landscape and irrigation at the corner of Mager Lane and FM 1660;
 - b. Marketing signs disbursed as needed;
 - c. Four (4) Cluster mailbox Kiosks;
 - d. Landscape and irrigation improvements as shown;
 - e. Street trees and irrigation as required by the PUD;
 - f. Such other signs, fixtures, and improvements approved by Licensor.
- 1.2 In addition to the above improvements, the water and wastewater services provided to each lot shall be located within public ROW, as shown in the attached Exhibit "B". The City responsibility for maintenance will be from the private water meter to the water main and from the sewer cleanout to the sewer main. The individual lot owner shall be responsible for water and sewer maintenance from the water meter and sewer cleanout to the home. The Licensee shall be responsible for repair of any sidewalk damage as a result of repair of water or wastewater service, which is the responsibility of the homeowner. Sidewalk repair shall be completed in accordance with the most current City construction standards.
- 1.3 It is understood that this Agreement creates a license only and that Licensee does not and shall not claim at any time any interest or estate of any kind in the public rights-of-way located within the Property by virtue of this license.
- 1.4 It is further understood that before the installation of any of the current or subsequent improvements pursuant to this License, Licensee shall present a detailed plan to the Licensor for review and approval.
- 1.5 It is further understood that Licensee must comply with all other requirements of the Code of Ordinances of the City of Hutto, Texas.

- 1.6 It is further understood the Licensor has no duty to maintain, operate, replace, upgrade, or repair any improvement in or upon the Property, including the payment of any fees of any kind associated with any improvements.

II. Consideration

- 2.1 In consideration for this license, Licensee shall pay Licensor \$10.00 and other good and valuable consideration.

III. Nonassignability

- 3.1 The license granted in this Agreement is personal to Licensee. This Agreement is not assignable for the purpose of off-premise advertising or signage. Any assignment in violation of this Agreement will automatically terminate the license. Notwithstanding the foregoing, Licensee shall be permitted to assign Licensee's license under this Agreement to any assignee acquiring all or a portion of Licensee's property adjacent to the Property, or to the respective homeowners or property owner's association, provided such assignee assumes Licensee's obligations and rights granted under this Agreement, and Licensee shall be released from any and all obligations hereunder accruing after such assignment.

IV. Terminable at Will

- 4.1 This Agreement is terminable by either party at will by the giving of 60 days actual notice to the other party. Upon termination, if Licensee does not remove any improvements prior to the termination date any improvements to the Property will become the property of Licensor and it is agreed that Licensor will not need to reimburse Licensee for any costs expended for said improvements.

V. Indemnity

- 5.1 **LICENSEE SHALL COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES AND REGULATIONS, AND SHALL INDEMNIFY AND HOLD HARMLESS LICENSOR AND ITS PAST, PRESENT, AND FUTURE OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY, ARISING OUT OF OR IN CONNECTION WITH LICENSEE'S EXERCISE OF THE LICENSE UNDER THIS AGREEMENT.**

VI. Release

- 6.1 **LICENSEE ASSUMES FULL RESPONSIBILITY FOR ITS EXERCISE OF THE LICENSE, AND HEREBY RELEASES, RELINQUISHES AND DISCHARGES LICENSOR AND ITS PAST, PRESENT, AND FUTURE OFFICERS, AGENTS AND EMPLOYEES, FROM ALL CLAIMS, DEMANDS, AND CAUSES OF ACTION OF EVERY KIND AND CHARACTER, INCLUDING THE COST OF DEFENSE THEREOF, FOR ANY INJURY TO, INCLUDING DEATH, OF PERSON (WHETHER THEY BE THIRD PERSONS, CONTRACTOR, OR EMPLOYEES OF EITHER OF THE PARTIES HERETO) AND ANY LOSS OF OR DAMAGE TO PROPERTY (WHETHER THE SAME BE THAT EITHER OF THE PARTIES**

HERETO OR OF THIRD PARTIES) CAUSED BY OR ALLEGED TO BE CAUSED, ARISING OUT OF, OR IN CONNECTION WITH LICENSEE'S EXERCISE OF THE LICENSE UNDER THIS AGREEMENT WHETHER OR NOT SAID CLAIMS, DEMANDS AND CAUSES OF ACTION IN WHOLE OR IN PART ARE COVERED BY INSURANCE.

VII. Venue

- 7.1 This Agreement shall be construed under and accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Williamson County, Texas. Venue for any dispute under this Agreement shall lie exclusively in the courts of Williamson County, Texas.

VIII. Notice

- 8.1 Notice shall be mailed to the addresses designated herein or as may be designated in writing by the parties from time to time and shall be deemed received when sent postage prepaid U.S. mail to the following addresses:

LICENSOR: City of Hutto

ATTN: Warren Hutmacher, City Manager
500 W. Live Oak
Hutto, Texas 78634

With a copy to:

Alan Bojorquez
Bojorquez Law Firm, PC.
11675 Jollyville Road, Suite 300
Austin, TX 78759

LICENSEE: Durango Farms Homeowners Association, Inc

Attn: Wyatt Henderson
230 Klattenhoff Lane, Ste. 102
Hutto, Texas 78634

(signatures on following page)

IN WITNESS WHEREOF, this AGREEMENT is executed on this _____ day of _____, 2021.

**LICENSOR:
CITY OF HUTTO , TEXAS**

By: _____

Date : _____

**LICENSEE:
DURANGO FARMS HOMEOWNERS ASSOCIATION,
INC**

By: _____
Wyatt Henderson, President

Date : _____

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this _____ day of _____ 2021,
by _____ as _____ for the City of Hutto, Texas, in the capacity
and for the purposes and consideration therein indicated.

Notary Public in and for the State of Texas

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

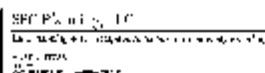
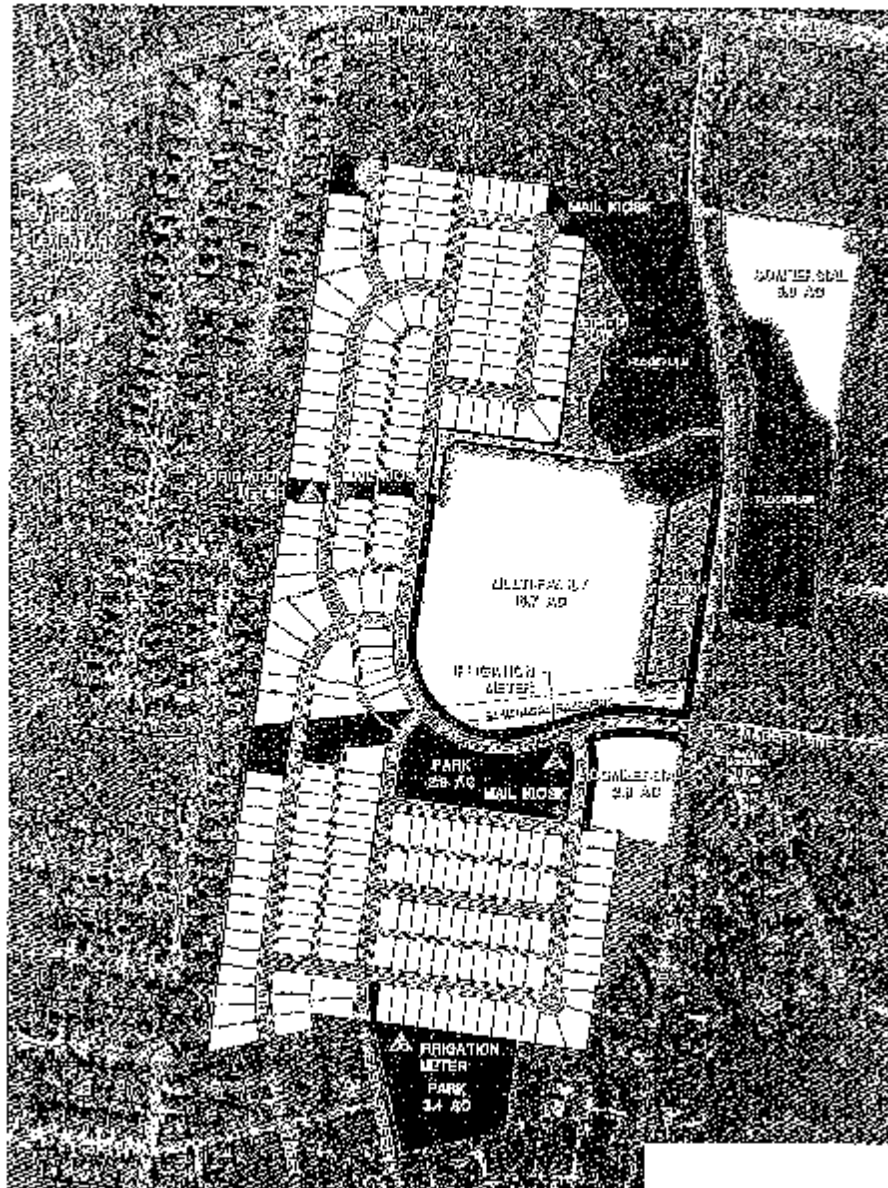
This instrument was acknowledged before me on this _____ day of _____ 2021,
by Wyatt Henderson, as President of Durango Farms Homeowners Association, Inc. whose name is
subscribed to the preceding instrument, and acknowledged in the capacity and for the purposes and
consideration therein indicated.

Notary Public in and for the State of Texas

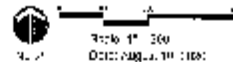
EXHIBIT "A"

Legend

-  Karl Bloch
 Bau- und Holzhandlung
 Tapezier-Möbel
 Karl Bloch
 Bau- und Holzhandlung

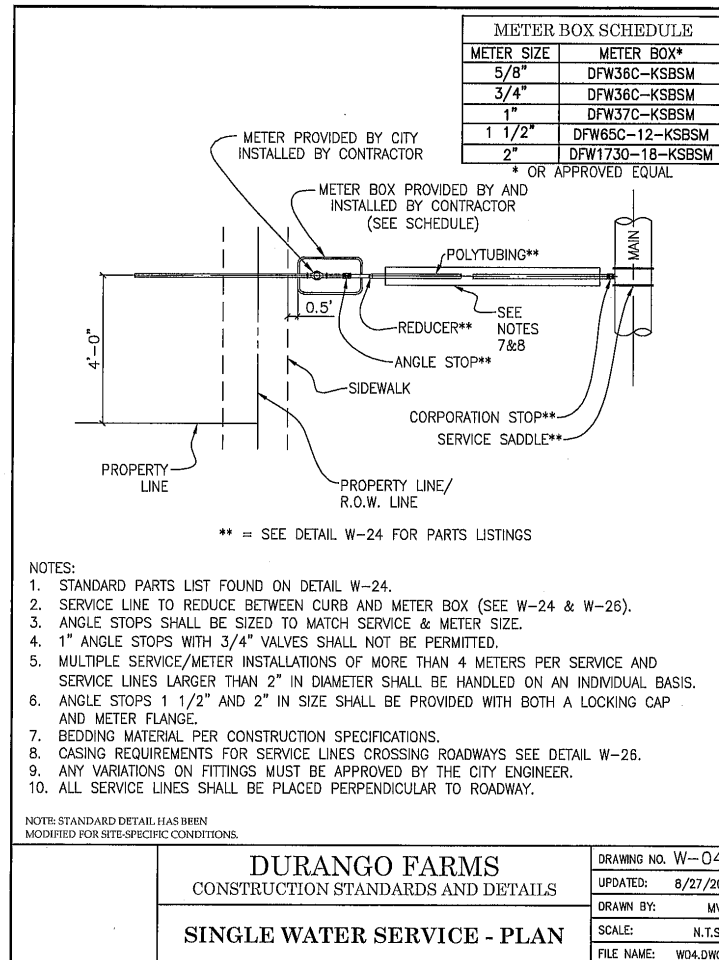


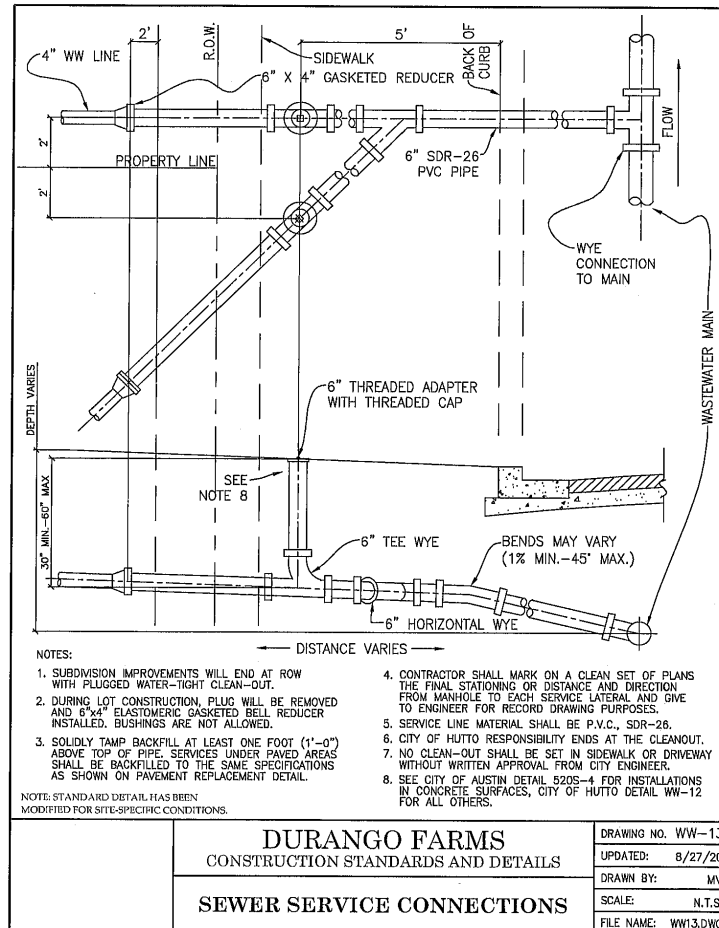
MAINTENANCE PLAN
DURANGO FARMS
14 DE 1986



THE UNIVERSITY OF CHICAGO PRESS

EXHIBIT "B"





City Council

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on Resolution No. R-2021-055 authorizing the City Manager to enter into an agreement for a Noise Abatement Study for the Brushy Creek Amphitheater.
Meeting: Thursday, April 15, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. 2021-03-08 City of Hutto (21-008) RFP 21-01

Roland, Woolworth & Associates, LLC

356 CR 102
Oxford, MS 38655
www.rwaconsultants.net
662.513.0665



PROPOSAL: Noise Abatement Study Project: Brushy Creek Amphitheater RWA Project No: 21-008

March 8, 2021

Purchasing Division, Financial Services Department
City of Hutto
500 West Live Oak Street
Hutto, TX 78634

Purchasing Division-City of Hutto:

This proposal is accordance with RFP 21-01 It covers a noise abatement study for Brushy Creek Amphitheater located on CR 137 in Hutto, Texas. This proposal includes our standard proposal form with additional pages at the end to address Section IV Qualifications of the RFP (pp 6-9), and an outline of potential methods for the investigation (pp10-11).

PROJECT DESCRIPTION

We understand that the project is an investigation into determining the most cost effective method(s) to reduce the impact of concert sound from the Brushy Creek Amphitheater to acceptable levels in the surrounding cities while ensuring a quality concert experience for the artists and patrons. The solution to the noise impact problem will require consideration for architectural noise control, sound system directivity and sound level limits, and potentially other approaches including topographical and layout.

PROJECT LOCATION

Brushy Creek Amphitheater is located at 1001 CR 137 in Hutto, Texas.

ACOUSTICAL CONDITIONS

Based on the information/drawings you have provided the acoustical conditions are considered to be outdoor and flat. There are no architectural or landscaping features to significantly affect sound or sound propagation.

PURPOSE

The purposes of this investigation are to explore the acoustical conditions at the project site, and to provide engineering analysis leading to recommendations for design and construction of appropriate acoustical treatments and/or sound system design and operation.

SCOPE OF SERVICES (also see recommended scope of services, pages 10-11)

1. Data Collection and Planning – Our work will include site reconnaissance, and a review the location and nature of complaints, history of venue programming and sound management, and any measurement data available. Wherever possible, we will meet with the current operators of the facility to ensure a clear definition of operational needs.

2a. Acoustical Modeling- The project scope includes modeling the Brushy Creek Amphitheater and a 2 mile radius using the Noizecalc/SoundPLAN sound propagation program, which can provide single number

(dBA/dBC) results at locations of interest, and can include atmospheric effects (wind and temperature gradients) for worst case. The accuracy of these models is reduced over larger distances, however they should be sufficient to initially inform the best methods of noise abatement.

We intend to model different subwoofer configurations from no pattern control to significant pattern control. The modeling of the sound system and subwoofer configurations will be subcontracted to Big House Sound in Austin in order to use examples of the actual systems and options used at Brushy Creek. These sound system models will then be used by RWA to analyze impact on the 2 mile radius.

2b. Acoustical Measurements Program- In the suggested **Recommended Scope** (p10-11), we have proposed field tests to evaluate sound systems with varying subwoofer configurations and operational sound levels to establish subwoofer configurations/levels that are acceptable at reception points, verify acoustical modeling (2a above), and inform any other noise abatement measures that need to be considered. We believe that the field tests are best served by a set of controlled and repeatable test signals, including specific low frequency (bass) signals. Using a live act with an audience may provide some useful data, but we do not think this would provide us with the flexibility and repeatability needed to compare approaches and set limits.

Field testing would engage Austin companies Bai to aid in collection and post processing of sound level data within the 2 mile radius specified in the RFP, and Big House Sound to provide and operate the test rigs. Approximate magnitude of field test costing is provided under **Fees, Charges and Payments**.

3. Data Analysis Program – All field data gathered will be evaluated at our office in Oxford, Mississippi and at Bai in Austin in coordination with Big House Sound to inform our recommendations.

Should a special case arise from the initial analysis, you will be informed of the need for an additional visit to be performed in a timely manner at the convenience of both parties.

All data taken for this proposal will be stored indefinitely by Roland, Woolworth & Associates and is property thereof. Copies of the raw data are available on request.

4. Evaluation and Report – Any field data, models, and collected information will be evaluated with respect to the Project Description, and an electronic engineering report will be submitted including data obtained, a discussion of their evaluation, and our conclusions and recommendations of the following:

- a. A summary of the options to reduce the impact of outdoor concert sound at Brushy Creek Amphitheater on the surrounding area, and the potential sound reduction of each approach.
- b. Recommendations and explanation on the best method/combination of methods for sound reduction.
- c. Design and construction criteria for any architectural noise control recommendations including drawings, markups, and technical specifications where applicable.
- d. Recommended targets for noise reduction based on the existing receiver background levels, city ordinances at the receiver locations, and standard practice.
- e. Analysis of paths for propagation of noise.
- f. Estimated acoustic conditions at selected receiver points following adherence to all recommendations/recommendation scenarios.
- g. Estimated costs of abatement options. (Please see Conditions and Limitations.)
- h. Presentation of our results and/or response to questions at the City Council Meeting.

5. Construction Administration- CA is not included in this proposal and can be added on an hourly basis if it serves the noise abatement measures taken by the City of Hutto.

6. Post Construction Evaluation: Post Construction Evaluation is not included in this proposal and can be added under an addenda or a separate contract.

The scope of work under this Proposal consists of those items explicitly set forth above. Additional services listed can be provided under a separate contract.

We will maintain telephone and email contact with you during the investigation to keep you informed of our findings. Telephone or computer conferences will be scheduled as necessitated by progress of the investigation.

FEES, CHARGES AND PAYMENTS

Our fees and charges for this work and the subcontract work is broken down as follows. Please refer to the end of this proposal (pp 11-12) for the breakdown and recommended investigation and phases.

RWA-Roland, Woolworth & Assoc.

BAI-Boner and Assoc. (Austin)

BHS- Big House Sound (Austin)

Option 1 Phase 1

RWA: Investigation, modeling, reporting (est. 73 hours).....	NTE \$10,350
RWA travel (1 trip, hotel, car rental).....	NTE \$1200
BHS Subwoofer array modeling.....	NTE \$500
Total NTE.....	\$12,050

Option 1 Phase 2

RWA: Field work, analysis, reporting (est 76 hours).....	NTE \$10,775
RWA travel (1 trip with gear, 1 without).....	NTE \$3200
BAI: Field monitoring and reporting.....	NTE \$5000
BHS: Setup and operation of sound systems for field tests.....	NTE \$10,000
Total NTE.....	\$28,975

Option 2 Phase1

RWA: Investigation, modeling, field work, analysis, reporting (est 135 hours).....	NTE \$19,150
RWA travel (1 trip with gear, 1 without).....	NTE \$3200
BHS Subwoofer array modeling.....	NTE \$500
BAI: Field monitoring and reporting.....	NTE \$5000
BHS: Setup and operation of sound systems for field tests.....	NTE \$10,000
Total NTE.....	\$37,850

All subcontractor's prices are based on estimated work scope, and provide an approximate costing.

An invoice will be submitted at the completion of said item(s) from the scope of services. Payment is due 15 days after the date of invoice unless otherwise arranged with the City of Hutto based on their invoice/payment cycle. Subcontractor's invoices will be presented to the City on completion of their specific tasks.

If it should be necessary to modify the proposed scope of work because of changes in construction plans, or the presence of unanticipated (working) conditions, or other reasons beyond our control, thereby causing projected costs to exceed our estimate by more than 5%, we will notify you immediately of the circumstances, and will prepare an estimate of the charges for any additional work required. We will not proceed with the additional work without authorization from you.

This offer is valid for a period of three months, and assumes we will be allowed to begin work within three months of this Proposal. Acceptance after three months or commencement of work after three months may require changes in professional fees and subcontractor's charges.

TERMINATION

In the event you request termination prior to the completion of the work described herein, you will be liable on a unit price for the work completed, charged in accordance with the attached Schedule of Fees.

GENERAL CONDITIONS AND LIMITATIONS

The General Conditions shown on the attached sheet are part of this Proposal. In addition, the following limitations apply to this Proposal:

1. Estimate of construction costs will be made on the basis of our experience and communications with contracting organizations. However, since we have no control over labor and material costs, competitive bidding, and market conditions, we do not guarantee the accuracy of such estimates compared to contractors' bids for project construction.
2. This Proposal is submitted solely and exclusively for the use of the City of Hutto, Texas in deciding whether or not to retain Roland, Woolworth & Associates to perform the requested services. Disclosure of this proposal's content to any third party without prior written authorization from Roland, Woolworth & Associates is expressly prohibited.
3. If awarded, RWA will not discriminate under this proposal, against any person as provided in any federal, state, or local government laws and regulations.

COMMENCEMENT AND COMPLETION

If authorization is received for this Proposal, we are prepared to begin work within 30 days following. We expect that our report will be submitted within 30 days after receipt of authorization to proceed, or completion of any field work.

PROVISIONS BY CLIENT

To assist us in proceeding with this investigation, we would like to receive from you as much of the following information pertinent to design plans as is presently available:

(Noise)

- a. Plans showing existing structure(s) and noise source(s) (AutoCAD and/or pdf).
- b. Schedule of operation
- c. Specific areas of complaint or sources to be arrested or controlled
- d. (If applicable) Contacts for chief owners/operators of the space.
- e. Comments and requests of the client regarding the project.

General

- a. Information on adjacent structures including location, uses, and any associated problems.
- b. Sources of additional noise including HVAC, traffic, train, airport, adjacent manufacturing, etc.
- c. Permission to enter the site and perform the investigation.
- d. Any other data which might be useful to the investigation.

Special forms, if required for invoicing to you, should be returned with this signed Proposal.

AUTHORIZATION**RWA Job No. 21-008**

If the conditions of this Proposal are acceptable to you, please sign one copy on behalf of The City of Hutto and return it to our office.

Thank you for permitting us to present this Proposal; we anticipate the pleasure of assisting you in this investigation. If you have any questions, please call or email me.

Very truly yours,



David S. Woolworth
Principal
Roland, Woolworth & Associates, LLC

Enclosure: RFP Section IV Qualifications Responses
Recommended Scope of Services
Schedule of Fees

RECEIPT OF THIS PROPOSAL IS ACKNOWLEDGED AND THE CONDITIONS CONTAINED HEREIN ARE ACCEPTED.

APPROVED FOR: City of Hutto, Purchasing Division

BY: _____ **TITLE:** _____

SIGNATURE: _____ **DATE:** _____

IV Qualifications

A. Firm and office from which services will be provided:

Roland, Woolworth & Associates, LLC
David S. Woolworth, 356 CR 102, Oxford, MS 38655
662-513-0665, fax or e-fax available on request.
dwoolworth@rwaconsultants.net

B. Firm History:

Roland, Woolworth & Associates (RWA) was formed in 2015, combining Oxford Acoustics (Woolworth) and Gracenote Consulting (Roland). Both of the mother companies formed 2003 and were collaborating since 2008 on multiple projects, and both company principals provided audio visual, architectural acoustics and noise control services. RWA divides the work between the greatest depth of experience/education (Woolworth-acoustics, Roland-AV), and the crossover of experience ensures dovetailing of acoustics and audio systems concerns together to minimize costs and maximize performance for the desired application. Will Roland is an AV designer who, prior to forming Gracenote Consulting, has worked as an AV installer, field integrator/engineer, and designer for many years in Los Angeles, California before coming to Mississippi in 1994 to work for Peavy Electronics on the very first digital audio processing systems.

Woolworth Relevant Experience to the Hutto RFP 21-01:

David Woolworth, in addition to consulting, is a teacher and researcher in acoustics, with research topics that include amplified entertainment sound and community noise. His experience in audio systems includes 10 years touring as a musician in the US with professional acts, ownership and operation of a sound company (6 years), building and testing sound system elements, as well as modeling amplified sound venues worldwide for a loudspeaker manufacturer. This experience is a powerful asset to communicating with audio designers, installers, and live reinforcement personnel.

Mr Woolworth worked for the City of New Orleans 2010 to 2014 to holistically evaluate the city soundscape and lay out the best steps forward to improving the quality of life for residents (noise-wise) while balancing the entertainment and cultural economy. The first study focused on the city soundscape and entertainment as a whole with emphasis on the French Quarter, and the second study focused on the Vieux-Carre Entertainment District (Bourbon St). The 2nd effort resulted in 80% of the establishments agreeing to a sound level “cap” in a well established culture of loudness. Early work in 2010 established a loudspeaker ordinance that reduced ambient sound in the streets in some cases over 10-20 dBA. Both New Orleans studies are referenced at the end of this section in **H. Additional Information**.

Further experience includes design, testing and legal action regarding live music venues, and working with communities on crafting of sound ordinances. This includes lawsuits to represent community and entertainment stakeholders, based on the potential disruption or the egregiousness of the lawsuit. The bulk of the legal work was performed in Memphis, Mobile, and New Orleans, representing those with reasonable or rational complaints or defending against spurious lawsuits. David Woolworth currently advises the City of New Orleans City Planning Commission on Outdoor sound policy and has just completed an approved legislation in Oxford, MS to manage outdoor sound including live music venues.

Mr. Woolworth has been involved in national standards for outdoor sound, low frequency sound and sound ordinances since 2013 and currently is the chair of the national standards relating to these topics (see **H. Additional Information**).

RWA is currently not registered to do business in the State of Texas, however RWA is registered with the Secretary of State of Texas SOSDirect User #804930145, and we are prepared to register to do business immediately as a LLC (Form 313) if selected for the project.

C. RWA's services include but are not limited to:

Acoustics and Noise:

- Architectural acoustics and noise control (indoor and outdoor)
- Field testing for sound, vibration, and impact including all building types, entertainment venues, community noise, industrial and other applications.
- Modeling of indoor and outdoor sound and sound propagation.
- Environmental Impact Statements
- Development of Sound Ordinances for City/Community.
- Expert Investigations and Expert Witness Work in Sound.

Audio and Video Design:

- Design of audio and video systems
- Commissioning and testing of audio and video systems
- Troubleshooting audio and video systems

All of the above are relevant to the sonic footprint issues facing the City of Hutto/Brushy Creek Amphitheater. The solution will likely require a combination of approaches: a physical noise control effort (architectural modifications), sound reinforcement standardization, modeling, field testing and documentation to ensure the operation of the venue has little or no negative impact on the surrounding communities. Our experience with audio systems allows us to fully investigate options (technical and pricing) for reducing the sonic footprint of the Brushy Creek Amphitheater using techniques to control the pattern of sound from the sound system. This also gives us the ability to communicate readily with sound reinforcement companies that the City of Hutto might engage to provide future service to Brushy Creek.

D. Engagements in the State of Texas:

None to date, work for the City of Austin on live outdoor sound and city sound ordinance was pending at the time COVID hit.

E. State of Texas References:

- David Murray, David.Murray@austintexas.gov, 512-657-6852
 - Sound Engineering Consultant for Development Services Department of City of Austin
 - One Texas Center, 505 Barton Springs Rd, Austin, TX 78704
- Andy Miller, andy@baiaustin.com, 512-538-5919
 - Director of Austin Office Bai, 4006 Speedway, Austin, TX 78751
- Brian Block, Brian.Block@austintexas.gov, 512-922-7731
 - Entertainment Services Group for Development Services Department of City of Austin
 - One Texas Center, 505 Barton Springs Rd, Austin, TX 78704

F. No record of litigation (pending or past).

G. Conflict of interest

See below.

Roland, Woolworth & Associates, LLC

356 CR 102
Oxford, MS 38655
www.rwaconsultants.net
662.513.0665



Project: Brushy Creek Amphitheater
RWA Project No: 21-008

March 8, 2021

Purchasing Division, Financial Services Department
City of Hutto
500 West Live Oak Street
Hutto, TX 78634

To the Purchasing Division-City of Hutto:

This letter is to verify that the selection of RWA for the execution of City of Hutto RFP 21-01 will not result in any conflict of interest with any other party which may be affected by the work to be undertaken. RWA is not currently working for or representing any firms or entities in Texas.

Should any potential or existing conflict be known by RWA, we will specify the party with which the conflict exists or might arise, the nature of the conflict, and whether or not the RWA will step aside or resign from the engagement or representation creating the conflict.

Please let us know if you have any questions.

Sincerely,

David S. Woolworth
Principal
Roland, Woolworth & Associates, LLC

H. Additional Information:

David Woolworth holds a BSME from Rensselaer Polytechnic Institute and a MA in Physics from the University of Mississippi, both degrees are specialized in acoustics and vibrations.

Mr Woolworth is the chairperson of the following working groups (WG) for the American National Standards Institute (ANSI):

- WG 27 ANSI/ASA S12.18 Outdoor Measurement of Sound Pressure Level
- WG 54 ANSI/ASA S12.9-2016-Part 7 Measurement of Low Frequency Noise and Infrasound Outdoors in the presence of wind and indoors in occupied spaces
- WG 41 ANSI/ASA S12.66 Technical Report: Guidance on creating sound ordinances based on community needs and resources

The following publications/presentations by Mr Woolworth are relevant to the Brushy Creek Amphitheater project:

- “New Orleans Sound Ordinance and Soundscape: Evaluation and Recommendations”, 3 year holistic study of city soundscape for the New Orleans City Council, October 2013.
- VCE Sound Ordinance Investigation and Recommendations”, 4 month study of Vieux Carre Entertainment District (Bourbon St.), providing recommendations on revisions of methods, metrics and ordinance language, building on the soundscape study 2013, for the New Orleans City Council, April 2014
- “Low frequency sounds from entertainment and exercise venues: methods for prediction, measurement, and annoyance”, David Woolworth, ASA San Diego, December 2019, invited paper.
- “Using realistic test signals to evaluate existing structures for low frequency sound transmission from clubs, live music venues, discos, and exercise facilities”, David Woolworth, International Congress on Acoustics, Aachen, Germany, September 2019.
- “Benefits of managing source sound levels in amplified indoor entertainment venues”, David Woolworth, ASA New Orleans, Louisiana, December 2017. Invited speaker.
- “Evaluating building envelopes for containment of modern amplified music sound levels”, David Woolworth, ASA New Orleans, Louisiana, December 2017. Invited speaker.
- “Sound systems in reverberant spaces: Approaches in practice” David Woolworth ASA/European Acoustical Association joint conference, Boston, Massachusetts, June 2017, invited paper.
- “Characterization of low frequency sounds emanating from entertainment venues” David Woolworth, ASA/ASJ Joint conference, Honolulu, Hawaii, December 2016, invited paper
- “The state of low frequency noise regulation in the United States” Les Blomberg and David Woolworth, ASA/ASJ Joint conference, Honolulu, Hawaii, December 2016, invited paper.
- “An abbreviated history and recent developments regarding community noise and soundscape management in New Orleans”, David Woolworth, ASA Salt Lake City, Utah, May 2016.
- “Experimental verification of computer modeled loudspeaker sound level performance based on excitation signal”, David Woolworth, Vahid Naderyan, ASA Providence, Rhode Island, May 2014.
- “Sound transmission testing of historical facades of New Orleans” David Woolworth, 41st International Congress and Exposition on Noise Control Engineering, New York, August 2012.
- “Examining a-weighted and c-weighted sound levels and noise code limits in respect to annoyance due to music sources.” David Woolworth, ASA Hong Kong May 2012
- “Preliminary suggestions for limitation of pulsing low frequency content in noise ordinances”, David Woolworth Mid South ASA Conway AR October 2011
- “Low Frequency Noise Complaints in Residential Applications” Mid South ASA Memphis October 2010

**RWA Recommended Scope of Services for City of Hutto RFP 21-01
Noise Abatement Brushy Creek Amphitheater**

Option 1 Phase 1		Option 2 Phase1	
Investigation	• Evaluation of complaints (location and nature) • Evaluation of any sound level data • Venue programming/sound systems/operations • Owner preferences on facility modifications • Owner budget concerns • Modeling of sound system options • Comparative sound propagation models • Analysis of model data and noise control options	Investigation	• Evaluation of complaints (location and nature) • Evaluation of any sound level data • Venue programming/sound systems/operations • Owner preferences on facility modifications • Owner budget concerns • Modeling of sound system options • Comparative sound propagation models • Analysis of model data and noise control options
		Field Testing (travel)	• Variable configuration of sound systems and sound levels • Objective and subjective data taken at remote receiver locations • Community participation (if desired)
Reporting: recommendations, effectiveness and costing		Reporting: recommendations, effectiveness and costing	
	• Layman's explanation of issues • Sound system design • Architectural noise control • Topographical noise control • Layout noise control • Sound level limiting • Sound monitoring • Active noise control • Hours of operation		• Layman's explanation of issues • Sound system design • Architectural noise control • Topographical noise control • Layout noise control • Sound level limiting • Sound monitoring • Active noise control • Hours of operation • Insights/results from Field Tests
City Council meeting #1 (travel)		City Council meeting #1 (travel)	
Phase 2		No Phase 2	
Field Testing (travel)	• Variable configuration of sound systems and sound levels • Objective and subjective data taken at remote receiver locations • Community participation (if desired)		
Reporting Phase 2			
	• Insights/results from field tests • Revision of recommendations		
City Council meeting #2 (travel)			

We note that the above recommended scope of work incorporates field testing. It has been included in two options since we believe it an important part of the project, but it is not clear in the RFP whether the City of Hutto has this in mind for the noise abatement study. In Option 1, it is the natural progression to follow the Phase 1 study, based on the outcome of the theoretical abatement impact and cost analysis. In Option 2, we include it in the initial study to follow modeling and allow for early in-person iterative work to inform the study, and to reduce fees and timeline. Either approach is acceptable.

The advantages to running a field test:

- 1) While the computer model can provide some useful information, it is based on approximations of terrain, is less accurate over greater distances, and generalizes atmospheric effects which can be significant after 300' from the sound source. Hutto's RFP is to evaluate sound levels at a distance of 2 miles; atmospheric, wind, and temperature effects defined by a measurement would serve to correct assumptions in computer simulations.
- 2) Real data with different subwoofer loudspeaker configurations (see below), along with recordings and field observers providing perceptions can be gathered. Data taken on the same evening can be more readily compared for relative performance.
- 3) Alerting residents/stakeholders to the tests and their potential participation for feedback (all optional) can improve relations and reduce anxiety about noise from the venue by (a) demonstrating that action is being taken to respond to complaints and (b) allowing residents to provide input. Efforts of good faith on the part of the city can also make good press.
- 4) Multiple configurations of low frequencies pattern control produced by subwoofer loudspeakers can be tested with a controlled and repeatable test signals, in order to establish the least expensive options to meet both (a) the intended performance standard for the concerts and (b) minimize impact on the surrounding area.
- 5) Data taken 180 degrees around the centerline at various distances can inform any layout or architectural noise abatement measures more accurately.
- 6) Preliminary recommended sound level limits for operations can be established from the data, observations, and feedback.



RWA CONSULTANTS SCHEDULE OF FEES 2020

Standard Investigation and Reporting (staff consultant).....\$79.00/hr

Standard Investigation and Reporting (principal consultant).....\$141.75/hr

- The above rates are subject to a multiplier of 1.5 if the work must be expedited.
- The above rates do not include travel or lodging expenses. Automobile travel is billed at \$65/hr plus mileage.
- Equipment fee is additional.

City Council **AGENDA ITEM REPORT**



To: City Council
Subject: Consideration and possible action on Resolution R-2021-056 declaring the office of Councilmember, Place 5, vacant.
Meeting: Thursday, April 15, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Hutto Resolution Declaring Place 5 vacant 4.9.21

RESOLUTION NO. R-2021-__

A RESOLUTION OF THE CITY OF HUTTO, TEXAS, DECLARING CITY COUNCIL PLACE 5 VACANT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hutto City Charter Section 3.06(b) provides for a forfeiture of Office when the Mayor or a Council Member fails to attend three (3) consecutive regular City Council meetings without being excused by the City Council; and

WHEREAS, pursuant to Hutto City Charter Section 3.06(b), Forfeiture of Office, Council Member Patti Martinez forfeited Place 5 by email delivered at 5:02 p.m. on April 1, 2021 to the City Council and City staff that she resigns her office and did not request to be excused by the City Council for not attending the March 4, March 18 and April 1, 2021 City Council meetings; and

WHEREAS, Hutto City Charter Section 3.06(b) provides that the City Council shall at its next regular meeting declare the office to be vacant and shall fill such vacancy as set forth in Subsection (c), which provides for the filing of vacancies; and

WHEREAS, the City Council desires to declare Place 5 forfeited pursuant to Hutto City Charter Section 3.06(b) for failing to attend three (3) consecutive regular City Council meetings without being excused by the City Council and to declare Place 5 vacant.

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

SECTION 1: The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Pursuant to Hutto City Charter Section 3.06 b), Forfeiture of Office, Council Member Patti Martinez forfeited Place 5 by email delivered at 5:02 p.m. on April 1, 2021 to the City Council and City staff that she resigns her office and not requesting to be excused by the City Council for not attending the March 4, March 18 and April 1, 2021 City Council meetings.

SECTION 3: The City Council does hereby declare Place 5 vacant on April 15, 2021 pursuant to Hutto City Charter Section 3.06(b) for failing to attend three (3) consecutive regular City Council meetings without being excused by the City Council.

SECTION 4: It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject to the meeting of the City Council of the City at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public at the regular meeting place of the City for the time required by law preceding this meeting, as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, and that the meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof have been discussed, considered and formally

acted upon. The City Council of the City further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 5: This Resolution shall be in full force and effect from and upon its adoption.

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the 15th day of April, 2021.

THE CITY OF HUTTO, TEXAS

Mike Snyder, Mayor

ATTEST:

Holly Nagy City Secretary

City Council **AGENDA ITEM REPORT**



To: City Council
Subject: Presentation of the State of the Court. (Honorable Lucas Wilson)
Meeting: Thursday, April 15, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

City Council
AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action regarding additional public safety training.
(Mayor Snyder)
Meeting: Thursday, April 15, 2021
Department: City Council
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None

City Council **AGENDA ITEM REPORT**



To: City Council
Subject: Consideration and possible action on a policy and procedure for the naming of City Parks, Recreational Areas and Facilities. (Anthony Host)
Meeting: Thursday, April 15, 2021
Department: Public Works
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. Original Park Naming Procedure
2. New Park Naming Procedure

**CITY OF HUTTO
POLICY FOR NAMING FACILITIES, EVENTS AND
PROPERTIES**

*(Approved By Hutto City Council per Resolution #2009-006-00)
PROPOSED Amendment to City Council 2/15/2018*

PURPOSE

To establish a systematic, fair, and consistent policy and process for the official naming of City facilities, events and properties such as public parklands, KOKEFEST, recreational areas, the library, rooms, municipal buildings, and property. The policy provides for citizen input, recommendations from a diverse committee, and City Council approval to adopt all names.

No commercial activity as defined or allowed by this policy shall be associated in any way with, among other things, the sale of tobacco, alcohol, illegal drugs, or weapons; contain vulgar and plainly offensive, obscene, or sexually explicit language; advocate the violation of law or City policy; advance any religious or political organization; promote, favor, or oppose a candidate for elected office or a ballot measure; or be associated with any company or individual whose actions are otherwise in violation of law.

The City has the exclusive discretion to determine whether to pursue, accept or decline an opportunity to name facilities. The factors to be considered by the City include, but are not limited to:

- The extent to which a naming opportunity limits or restrains the City's discretion or its ability to pursue other opportunities;
- The duration of the arrangement or agreement and the City's ability/discretion to terminate the arrangement/agreement;
- The extent to which the naming opportunity imposes any obligation on the City, either presently or in the future, financial or otherwise and whether the opportunity is subject to conditions acceptable to the City;
- The extent to which the naming opportunity constitutes a conflict of interest or creates the appearance of or potential for a conflict of interest; and
- The extent to which the naming opportunity affects the appearance of City property or disrupts the operation of the City.

PROCEDURES TO ESTABLISH NAMING RIGHTS

The City Manager or his designee, City Council, Board or Commission, City Council Subcommittee (if constituted) may submit proposed naming rights to be implemented as approved by resolution of the City Council.

1. All requests for naming and renaming city facilities, events, and properties shall be made in writing to the respective City Board, Commission, City Manager or his designee.
2. The Chairman of the respective board, i.e. Hutto Parks and Recreation Advisory Board, Library Advisory Board, Economic Development Corporation Board, shall name a sub-committee that will be responsible for recommending a name for the park lands, facilities, event, and/or properties to the Board.
3. The committee shall be responsible for research, study and recommendation of a proposed name to the Advisory Board. Rationale for the selection of the recommended name shall be given in writing.
4. The respective Board shall approve or disapprove of the name recommended by the sub-

committee.

5. If the sub-committee's recommendation is disapproved by the Advisory Board, then the matter may be referred back to the sub-committee for further action.
6. Upon approval, the recommended name will be forwarded to the City Council for their final consideration and action.

NAMING CRITERIA

For Parks

1. Regional / City level parks may be named after a geographical designation, a predominant physical feature of the land, a historical name, historical event, organizations, or the name of an individual.
2. Community and neighborhood level parks should be named after the subdivision, which dedicated the land, the name of the neighborhood, organizations, or the name of an individual.
3. The suffix "park" should be added to the name of the park.
4. Areas, facilities, and accessories such as playgrounds, pavilions or sport fields within a park can be named differently using the above stated criteria.

For Facilities & Properties

1. Consideration is given for naming for financial contributions, sponsorship or other commercial transactions, including the provision or supply of equipment, materials, land or services.
2. The City may partner with other community organizations, or Boards, to raise funds.
3. Major donations/sponsorships for physical spaces are given consideration, including, but not limited to: Amphitheaters/Auditoriums/Theaters, Libraries, Park Amenities, Gardens/Walks/City-owned streets and ways, Classrooms, Meeting Rooms, Conference Rooms, and Foyers.
- 4.

Other criteria may be based on the following:

1. A monetary, grant, donation or bequest to the City;
2. A substantial community service that has had a major impact or benefit to a large sector of the City from an individual who:
 - a. Demonstrates dedication to service in ways that brings special credit to the City, or
 - b. Volunteers and gives extraordinary help to individuals, families, groups, or community service;
3. Memoriam for an individual, who may be considered only after he/she has been deceased for a minimum of one year;
4. Honoring a living individual which will be subject to the most careful examination; and/or
5. Honoring City officials, management, staff or appointed public officials who may be considered after the employment or public service has concluded for a minimum of one year.

DURATION OF NAMING RIGHTS

The duration of naming rights shall be decided or negotiated on a case-by-case basis. However, all naming rights may be approved for a specific term, which shall not be longer than the useful life of the property or facility, as determined by the City Council, unless otherwise established in the contract with the donor and approved by the City Council and the donor. The duration of naming rights shall be proportionate to the value of a donation, endowment or other significant contributions to the City.

RENAMING OF A CITY FACILITIES OR PARK LANDS

Renaming of a City facility or parkland is strongly discouraged. Once it is named after an individual, the name of the public property should not be changed unless there are compelling reasons presented for the change. Requests to change a name should be subject to the most critical examination so as not to diminish the original justification for the name or discount the value of the prior contributors.

Physical Display of Naming Rights

The physical display of the naming rights shall be decided or negotiated on a case-by-case basis. In the case of buildings, the physical display of the naming rights will take into account the identification of the City and comply with all applicable laws and regulations including, but not limited to, zoning and sign requirements.

Transferability

Naming rights may only be transferred to any other naming rights by mutual agreement between all the named parties.

Assignment

"Naming Rights in Consideration" may be assigned by mutual agreement between all parties. Assigned is defined as "to exchange one naming right for another." For example when a company changes its name the naming right may be changed to reflect the new name.

LIMIT OF NAMING RIGHTS

On the part of the City

The City's right to use the name and other brand elements of the named party shall only be permitted by express agreement with the named party.

On the part of the Named Party

The named party after whom a building or part of a building is named shall have no right to use or control the use of that building or part of the building. Use will ordinarily be determined consistent with the City's facility use policy. The use of that building or part of the building may, however, be the subject of negotiated agreement in the specific contract between the parties. The City will not agree to any condition in a contract that could unnecessarily limit the following: progress towards the City's mission and purpose, statutory obligations, or the local authority of the City Council for the City of Hutto.

In turn, the named party shall bear no liability in respect of that building or part of a building unless provided for in a specific contract between the parties. Any limits should be included in any Naming Rights agreement.

EARLY TERMINATION OF NAMING RIGHTS

In the event of this policy and any specific contract entered into being breached, the parties may terminate a naming rights agreement in advance of the scheduled date, under the following conditions:

Termination by the City

The City reserves the right, in accordance with the terms of the applicable contract, to terminate naming rights without refund of consideration, prior to the scheduled termination date, should it feel it is necessary to do so to avoid the City being brought into disrepute.

Termination by the Named Party

The named party may without refund of consideration, in accordance with the terms of the applicable contract, terminate its acceptance of the naming rights prior to the scheduled termination date, in the event that the City directly brings the named party into disrepute.

In accordance with the terms of the applicable contract and this policy, the City Council shall have discretionary authority to rescind a naming right at any time based on any action by a private individual or corporate entity that is deemed by the City Council to be inappropriate and/or in conflict with the City's values.

GENERAL

1. When naming a City facility, event, or property, consideration must be given to any legal agreement or promises made when originally named.
2. City facilities, events, and property shall not be given the same name as existing school or public facility sites except where sites are adjacent to one another.
3. A recommendation to name a City facility, event, or property after an individual(s) should not be publicized (or assumed to be approved) until final action has been taken by the City Council.
4. Names, whenever possible, should be concise, easy to spell, and easily understood.
5. City facilities, events, and property previously named for individuals should not be renamed.
6. City facilities, events, and property may be named or renamed for deceased or living persons. For a living person to be considered, they must have established the most credible service to the community and the City of Hutto.

NAMING RIGHTS AS SPONSORSHIP OF CITY FACILITIES

The City of Hutto reserves the right to seek sponsorship for the naming rights to a City facility, event, or property such as a park or athletic facility, structure, playground or entire park, amphitheater, auditoriums, library, classroom, meeting room, conference room, and foyer as a method of obtaining funds to aid in the maintenance and operation of said facility, property, or event. This process may be done through a RFP (Request For Proposal) that is coordinated through the City. If a Board or Commission Chairperson is solicited with the request to obtain these naming rights, the Chairperson must notify the Staff Liaison of said interest. The existing committee will be utilized as well as City staff members to evaluate potential corporate and/or local sponsors if naming rights are sought. Careful scrutiny will be used in this process and a recommendation from the sub-committee to the Advisory Board as well as an evaluation and approval by City Council will be necessary for such action to occur.

Policy and Procedure for the

Naming of City Parks,

Recreational Areas and Facilities

Purpose:

The purpose of this policy is to establish a set of standard procedures and guidelines for the naming and renaming of parks, recreational areas and facilities owned and/or operated by the City of Hutto. This policy will guide name recognition and establish its uniform application. It is realized that responsibility for naming city parks, recreational areas and facilities lies with the City Council. The City Council will rely on the Parks Board for input and recommendation for the naming city parks, recreational areas and facilities.

Objectives:

- Naming of city parks, recreational areas and facilities enhances a sense of community within the city.
- Ensure that parks and recreational areas are easily identified and located.
- Ensure that names given are consistent with the values and characteristics of the City of Hutto.
- Assure the quality of the title/name, so that it will serve the purpose of the city in a permanent manner.
- Encourage public participation and input in order to fully represent the best interest of the area affected.
- Encourage and recognize the dedication of lands, or donations by individuals or groups.

Qualifying Names and/or Criteria:

- Geographical location of the facility including descriptive names.
- An outstanding feature of the area. (example: hill, river, vegetation)
- Commonly recognized subjects of historical significance such as; event, person (nonliving), group, culture, or place.
- A person (non-living) or group who significantly contributed to the acquisition or development of the park/facility.
- An individual (non-living) who provided an exceptional service in the interest of the park system as a whole or for the community as a whole.
- A person (living) whose contribution or significant gift is of a most extraordinary nature.
- Naming may be considered based on the provision of significant funding that underwrites the cost of renovation or construction of city property. Financial underwriting shall be broadly defined as substantial monetary contributions that completely or significantly

enable city projects such as parks, buildings or property acquisition to occur. This may include monetary gifts and/or grants that leverage federal, state and local funding for such projects or complete donation of land.

- Parks and facilities that are donated to the city can be named by deed restriction by the donor. The naming and acceptance of land is subject to approval by the Parks Board and City Council.
- Naming may not conflict with public grant funding policies established by state and/or federal grant funding programs.

Exclusions:

- Naming associations with tobacco, alcohol, contraceptives, religious organizations, political candidates or adjudicated felons are prohibited.
- The dedication of small park amenities with an identifiable lifespan and not intended to be permanent such as fixed park benches and tables shall be addressed under a separate parks policy.

Renaming:

- The intent of naming is for permanent recognition. The renaming of parks and facilities is strongly discouraged. It is recommended that efforts to change a name be subject to the most crucial examination so as not to diminish the original justification for the name or discount the value of the prior contributors. Parks named for subjects, other than individuals, may be changed in name only if the current name is ineffectual or inappropriate.

Procedure:

- Staff, city residents, community leaders and organizations interested in proposing a name for a park, recreational area or facility must submit written recommendations, petitions, etc. for presentation to the Parks and Recreation Director for consideration by the Parks Board. Recommendations need describe in detail why the candidate merits such recognition.
- When naming after a person or persons, written documentation of approval by next of kin to be honored (if available/possible) is required as part of the proposal.
- The Director of Parks & Recreation with budgetary responsibility for a park and/or facility shall forward naming recommendations to the Parks Board Chair.
- The Parks Board shall consider all requests and submit a formal recommendation for names deemed worthy of consideration to the Mayor and City Council.
- The City Council will allow for public input and comment.
- The City Council will confirm park, recreation areas and facility names by resolution.
- The City Council has final approval and may reject any naming or renaming request.

City Council
AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action on selecting a qualified replacement to fulfill the remainder of Council member Patti Martinez's remaining term.
Meeting: Thursday, April 15, 2021
Department: Legal
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

None