



AGENDA  
ELGIN CITY COUNCIL  
REGULAR MEETING  
TUESDAY, OCTOBER 12, 2021  
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS  
404 NORTH MAIN STREET  
6:30 PM

Members of the public may watch the meeting at:

[https://www.youtube.com/channel/UC3OGBV\\_loV0Nr3AqM1jTzA](https://www.youtube.com/channel/UC3OGBV_loV0Nr3AqM1jTzA)

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. INVOCATION**

**IV. PLEDGE OF ALLEGIANCE**

**V. PUBLIC HEARING**

- 1. Public Hearing On An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas To Wit: 68.314 Acres Of Land, Lying In And Being Situated Out Of The William Hines Survey, No. 345, In Travis County, Texas, And Being That Same 68.031-Acre Tract Of Land Described In The Deed To Joseph W. Winkley And Bodie L. Winkley Dated March 28, 2000, Recorded In Document No. 2000046598, Official Public Records Of Travis Co. Texas; Said 64.314 Acres Being More Particularly Described By Metes And Bounds In Exhibit A Attached Hereto; Including Adjacent Right-Of-Way; Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

- 2. Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone As Planned Development District (PDD), The Property Being Approximately 67.971 Acres Of Land And Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

3. **Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone As Planned Development District (PDD), The Property Being Approximately 35.94 Acres Of Land And Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

4. **Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone As R-3 Single Family, Two Family, And Industrialized Housing District, The Property Being Approximately 1.175 Acres Of Land And Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

5. **Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone As "A" Multiple Family Residential District, The Property Being Approximately 6.03 Acres Of Land And Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

6. **Public Hearing On An Ordinance Granting A Modification To An Already Approved Specific Use For A Medical Facility (Granted Under Ordinance 2021-08-03-22) To Remove A Condition That The Use Be Renewed In Five (5) Years On Property Located At 122 Fisher St. (0.484 Acres Of Land And 9.19 Acres Of Land, Lying In And Being Situated Out Of The Thomas Garretson Survey, Abstract 178), City Of Elgin, Bastrop Co., TX; And Providing A Savings Clause An Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

7. **Public Hearing On An Ordinance Granting A Specific Use For A Medical Facility On Property Located At 124 Fisher St. (0.480 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), City Of Elgin, Bastrop County, Texas; And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)



## **VI. PUBLIC COMMENT**

Individuals may request to speak on items on the agenda, and items not on the agenda, by requesting to speak during the meeting and under "PUBLIC COMMENT" and will be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material, handouts or information for Council, to the City Secretary prior to commencement of the Council meeting. Speaker comments are limited to three (3) minutes.

No formal action can be taken by the City Council on items not posted on the agenda. Items requiring a Public Hearing will allow a member of the public an opportunity to speak during the Public Hearing and does not require submission of a "PUBLIC COMMENT FORM." Speakers must address their comments to the Mayor or Presiding Officer rather than to an individual Council Member or member of Staff. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Council Member, member of Staff, other individual or group.

## **VII. PRESENTATION**

### **1. Hogeye Festival Proclamation**

Documents:

[EXECSUMHOGYEPROC.PDF](#)  
[PROCLAMATION HOGYE 2021.PDF](#)

### **2. Proclamation Declaring Día De Los Muertos Day In The City Of Elgin**

Documents:

[EXSUMMDIADELOSMUERTOSPROC.PDF](#)  
[DIA DE LOS MUERTOS PROCLAMATION.PDF](#)

### **3. Proclamation Declaring October 2021 As Prostate Cancer And Breast Cancer Awareness Month In The City Of Elgin**

Documents:

[EX SUMMARY- PROSTATE CANCER AND BREAST CANCER AWARENESS MONTH PROCLAMATION.PDF](#)  
[PROSTATE CANCER AND BREAST CANCER AWARENESS MONTH.PDF](#)

## **VIII. CITY MANAGERS REPORT**

### **1. Update On 2021A Certificates Of Obligation - Capital Investment Program**

Documents:

[EXSUMMARY - REPORT 2021A COS.PDF](#)

### **2. Review And Discussion Of Upcoming City Council Meeting Schedule**

Documents:

[EXSUMMARY - MEETING SCHEDULE2.PDF](#)

### **3. Appointment Of Sesquicentennial Celebration Committee**

Documents:

[EXSUM150THCOMMITTEE.PDF](#)  
[150TH COMMITTEE.PDF](#)

#### **4. General Activity Report And/Or Project Update**

Documents:

[EXSUMMARY - GENERAL ACTIVITY REPORT.PDF](#)

#### **5. Monthly Reports By Department - August 2021**

Documents:

[EX SUMMARY MONTHLY DEPT REPORT.PDF](#)  
[02 MONTHLY REPORTS AUG DATA FY2020-21.PDF](#)

### **IX. CONSENT AGENDA**

The Consent Agenda includes non-controversial and routine items that are considered to be self-explanatory by the City Council and will be enacted with one motion, one second, and one vote. Any member of the City Council may pull any item from the Consent Agenda in order that the City Council discuss and act upon it individually as a part of the Regular Agenda.

#### **1. City Council Regular Meeting Minutes - September 21, 2021**

Documents:

[EX SUMMARY- SEPTEMBER 21, 2021 REGULAR MEETING MINUTES.PDF](#)  
[9-21-21 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

#### **2. A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF AN ENGINEERING SERVICE PROVIDER CONTRACT FOR THE TEXAS HAZARD MITIGATION ASSISTANCE PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM).**

Documents:

[EX SUMMARY TRC CONTRACT.PDF.PDF](#)  
[RES2021-07-06-30 CONTRACT FOR HAZARD MITIGATION PROJECT.PDF](#)  
[TRC ENGINEERING SERVICES AGREEMENT WITH FEMA PROVISIONS.PDF](#)

### **X. NEW BUSINESS**

#### **1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE CITY OF ELGIN PARKS, RECREATION, AND OPEN SPACE MASTER PLAN; AND PROVIDING FOR RELATED MATTERS**

Documents:

[EXECSUMPROSPLAN.PDF](#)  
[RESOPKSMASMASTERP1012.PDF](#)

#### **2. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND 169 PROPERTIES LLC AND**

## **AUTHORIZING THE MAYOR TO APPROVE THE CONTRACT**

Documents:

[EXSUMMARY SOUTHSIDE CONTRACT.PDF](#)  
[RESOLUTION FOR SS REAL ESTATE CONTRACT \(CITY COUNCIL\).PDF](#)  
[SOUTHSIDE FOR EDC TRACT 5 CONTRACT SIGNED BY BUYER.  
9.27.21.PDF](#)

### **3. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF ELGIN AND ASHLEY & KYLE SMITH AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT**

Documents:

[EXSUMM114DEPOTSTSALE.PDF](#)  
[RESREALESTATECONTRACTSMITHANDCOE.PDF](#)  
[DEPOT--PURCHASE CONTRACT-- \(00481658XA08F8\)\\_SIGNED \(002\).PDF](#)

### **4. AN ORDINANCE AMENDING CHAPTER 42, SECTION 42, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING PAYMENT OF RATES AND CHARGES; DISCONTINUANCE OF SERVICE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS**

Documents:

[EXSUMMARY - ORD TO AMEND CHAPTER 42\\_SEC 42 SIGNED.PDF](#)  
[ORD TO AMEND CHAPTER 42\\_SEC 42.PDF](#)  
[CYCLE BILLING COUNCIL PROPOSAL.PDF](#)  
[CYCLE BILLING LETTER EXAMPLE.PDF](#)

### **5. AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 68.314 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE WILLIAM HINES SURVEY NO 345, IN TRAVIS COUNTY TEXAS AND BEING THAT SAME 68.031 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY DATED MARCH 28, 2000, RECORDED IN DOCUMENT NO. 2000046598, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 68.314 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", ATTACHED HERETO; INCLUDING ADJACENT RIGHT-OF-WAY; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[ANNEXATION ORDINANCE AND EXHIBIT A CREEKS CROSSING.PDF](#)

### **6. AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[WARD ASSIGNMENT ORDINANCE AND EXHIBIT A.PDF](#)  
[WARD MAP.PDF](#)

7. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT DISTRICT THE PROPERTY BEING 67.971 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES INC., OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 345 IN TRAVIS CO., TX AND BEING ALL OF A CALLED 68.031 ACRE TRACT DESCRIBED IN DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY RECORDED IN DOCUMENT NO. 2000046598 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS CO., TX, SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[CREEKS CROSSING COMBINED PACKET.PDF](#)

8. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS R-3 SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT, THE PROPERTY BEING APPROXIMATELY 1.175 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[316 S. AVE. C REZONING COMBINED PACKET.PDF](#)

9. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS "A" MULTIPLE FAMILY RESIDENTIAL DISTRICT, THE PROPERTY BEING APPROXIMATELY 6.03 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[BCAD PARCEL 111936 REZONING COMBINED PACKET.PDF](#)

10. AN ORDINANCE GRANTING A MODIFICATION TO AN ALREADY APPROVED SPECIFIC USE FOR A MEDICAL FACILITY (GRANTED UNDER ORDINANCE 2021-08-03-22) IN ORDER TO REMOVE A CONDITION THAT THE USE BE RENEWED IN FIVE (5) YEARS ON PROPERTY LOCATED AT 122 FISHER ST (0.484 ACRES OF LAND AND 9.19 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[122 FISHER ST SPECIFIC USE COMBINED PACKET.PDF](#)

- 11. AN ORDINANCE GRANTING A SPECIFIC USE FOR A MEDICAL FACILITY ON PROPERTY LOCATED AT 124 FISHER ST (0.480 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[124 FISHER ST. SPECIFIC USE COMBINED PACKET.PDF](#)

- 12. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT, THE PROPERTY BEING APPROXIMATELY 35.94 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)  
[EAGLES LANDING COMBINED PACKET.PDF](#)

- 13. Consideration Of A Request For Financial Support To Conduct A Land Survey Of The Historic Latin Cemetery – Mayor Ramirez**

Documents:

[EX SUMMARY - RAMIREZ ITEM2.PDF](#)  
[LATIN CEMETERY PACKET.PDF](#)

- 14. Request For Staff To Develop A City Of Elgin Emergency Sheltering Plan For Formal Consideration By The City Council - Councilmember Maldonado**

Documents:

[EX SUMMARY - MALDONADO ITEM.PDF](#)

- 15. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING MEMBERS FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS**

Documents:

[EX SUMMARY-BCAD.PDF](#)  
[BCAD ELECTION NOMINATION RESOLUTION - 2021.PDF](#)  
[BCAD ELECTION LETTER - 7.27.2021.PDF](#)  
[BCAD LETTER UPDATE-9.7.2021.PDF](#)  
[BOD ENTITY VOTES.PDF](#)

- 16. RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING A REPRESENTATIVE TO THE TRAVIS CENTRAL APPRAISAL DISTRICT**

Documents:

[EX SUMMARY-TCAD.PDF](#)

[TCAD RESOLUTION.PDF](#)

[TCAD BOARD OF DIRECTOR NOMINATION LETTER 9.8.2021.PDF](#)

**XI. EXECUTIVE SESSION**

**The City Council may announce that it will adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.**

**XII. RECONVENE**

The City Council will return to open session for possible discussion and action as a result of the Executive Session

**XIII. ANNOUNCEMENTS**

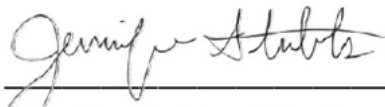
**XIV. ADJOURMENT**

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512)229-3222. Please provide forty-eight hours notice when feasible.

I, Jennifer Stubbs, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, October 8, 2021, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script, reading "Jennifer Stubbs". The signature is written in black ink and is positioned above a horizontal line.

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Jennifer Stubbs, City Secretary





## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Public hearing on an Ordinance annexing adjacent and contiguous territory to the City of Elgin, Texas to wit: 68.314 acres of land, lying in and being situated out of the William Hines Survey, No. 345, in Travis County, Texas, and being that same 68.031-acre tract of land described in the deed to Joseph W. Winkley and Bodie L. Winkley dated March 28, 2000, recorded in document No. 2000046598, official public records of Travis Co. Texas; said 64.314 acres being more particularly described by metes and bounds in Exhibit A attached hereto; including adjacent right-of-way; providing for a savings clause and repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the requested proposed annexation.

**BACKGROUND:** State law requires an annexation to have at least one (1) public hearing. This annexation is not part of any annexation development agreements.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

**{}** Staff will be making a detailed presentation on this agenda item at the meeting.

**{X}** Staff will provide brief comments and answer questions on this item at the meeting.

**{}** This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Public hearing on an Ordinance amending the Official Zoning Map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone as Planned Development District (PDD), the property being approximately 67.971 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law (Creeks Crossing Rezoning from R-1 to PDD).

**BACKGROUND:** The Planning & Zoning Commission held a workshop on July 26, 2021. At that meeting the Commission provided input on the request.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

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## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Public hearing on an ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone as Planned Development District (PDD), the property being approximately 35.94 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law (Eagles Landing Phase III Rezoning from R-3 to PDD).

**BACKGROUND:** The Planning & Zoning Commission held a workshop on July 26, 2021. At that meeting the Commission provided input on the request.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

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## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Public hearing on an ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 1.175 acres of land and being described in Exhibit "A", attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law.

**BACKGROUND:** The Planning & Zoning Commission held the first of two public hearings on the requested rezoning on September 27, 2021.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

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## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Public hearing on an ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 1.175 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law (BCAD Parcel 111936 Rezoning from C-3 and I to A).

**BACKGROUND:** The Planning & Zoning Commission held the first of two public hearings on the requested rezoning on September 27, 2021.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Public hearing on an ordinance granting a modification to an already approved specific use for a medical facility (granted under Ordinance 2021-08-03-22) to remove a condition that the use be renewed in five (5) years on property located at 122 Fisher St. (0.484 acres of land and 9.19 acres of land, lying in and being situated out of the Thomas Garretson Survey, Abstract 178), City of Elgin, Bastrop Co., TX; and providing a savings clause an repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law.

**BACKGROUND:** The Planning & Zoning Commission held the first of two public hearings on the requested specific use on September 27, 2021.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

Finance Approval:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Public hearing on an ordinance granting a specific use for a medical facility on property located at 124 Fisher St. (0.480 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), City of Elgin, Bastrop County, Texas; and providing a savings clause and repealing conflicting ordinances and resolutions.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law.

**BACKGROUND:** The Planning & Zoning Commission held the first of two public hearings on the requested specific use on September 27, 2021.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

Finance Approval:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** None.

**ATTACHMENTS:** None.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:**

Proclamation Hogeye Festival Weekend

**DEPARTMENT:** Community Services

**PROPOSED ACTION:** Approve proclamation and have picture with Hogunteers.

**BACKGROUND:** Celebrating 34 years, the Hogeye Festival will be October 21<sup>st</sup> to 23<sup>rd</sup> in downtown Elgin with a variety of celebrations and free fun for the whole family.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:**

**ATTACHMENTS:**

- ☒ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☐ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



# *Proclamation*

## *Hogeye Festival Weekend*

**Whereas**, the Annual Hogeye Festival was named for a small hamlet and stage stop called Hogeye which disappeared after the railroad came and Elgin was formed in 1872; and

**Whereas**, the hog theme is the centerpiece of this downtown community celebration; and

**Whereas**, Elgin has been recognized as a Nationally Accredited Main Street Community every year since 1999; and

**Whereas**, the State Legislature has declared Elgin the Sausage Capital of Texas for its prodigious supply of outstanding sausage – over 3 million pounds annually; and

**Whereas**, this is the 34<sup>th</sup> year for Elgin to host The Best Little Pig Gig in Texas; and

**Whereas**, more than 20,000 people join in this celebration of "A Time for Warm Hearts and Hot Guts" from across the Great State of Texas and beyond; and

**Whereas**, community hogunteers, business sponsors, the Elgin Main Street Board and the City of Elgin produce this hometown celebration including the Hogeye Stroll Thursday, October 21 with the Hogalicious Dessert Contest, Pearls Before Swine Art Show, and carnival; and on Friday, October 22 the Free Street Dance with Kenny Orts and No Chance, and carnival; and on Saturday, October 23 the Gordon Swenson Memorial BBQ Pork Cook-off, Cow Patty Bingo, live music, Lindsay Kay Wing Memorial Children's Costume Pet Parade, handmade arts and crafts, Road Hog Car Show, carnival, activities for children, Old Iron Farm Equipment Exhibit, In a Pigs Eye Corn Hole Contest and many more fun activities;

**Now, Therefore**, in official recognition whereof, this the 12<sup>th</sup> day of October 2021, I declare **October 21<sup>st</sup> - 23<sup>rd</sup> Hogeye Festival Weekend in Elgin, Texas** and encourage all citizens to share and enjoy this community celebration.

---

Ron M. Ramirez , MAYOR  
City of Elgin, Texas



## Elgin City Council Meeting Agenda Item Executive Summary

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### **ITEM: Proclamation Dia De Los Muertos Day in Elgin**

**DEPARTMENT:** Community Services

**PROPOSED ACTION:** Approve proclamation and have photo with volunteers.

**BACKGROUND:** Volunteers have worked with the Community Services division to create a new event to share Dia De Los Muertos with the community. Activities will be held at the library and museum parking lot with altars on display throughout downtown and a community altar at Firewild 201 North Main Street on Thursday, November 4 from 5pm to 8pm and the movie Coco will be shown at dusk.

### **BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A  
**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** Approve Proclamation.

### **ATTACHMENTS:**

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☒ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

## **PROCLAMATION**

### **Día de los Muertos Day in Elgin**

**WHEREAS**, November 1<sup>st</sup> and 2nd marks a traditional celebration in Mexico and Latin America celebrating life and death where mourning is exchanged for celebration; and

**WHEREAS**, the City of Elgin is excited to celebrate this holiday as a community; and

**WHEREAS**, we invite citizens from all cultures to join us downtown on Thursday, November 4, 2021 from 5:00 to 8:00 PM to celebrate Día de los Muertos with strolling mariachis, pan dulce & cookies, traditional Dia de los Muertos altars, and educational information; and

**WHEREAS**, citizens are invited to bring personal notes, flowers, and photos to share with the community altar at Firewild, located at 201 North Main Street; and

**WHEREAS**, citizens are invited to bring their families and friends to the Elgin Public Library for sugar skull painting and children's activities, and to the Depot Museum parking lot for children's activities and a showing at dusk of the movie Coco.

**NOW, THEREFORE, I, MAYOR RON M. RAMIREZ**, Mayor of the City of Elgin do hereby proclaim November 4, 2021, as

**“Día de los Muertos Day in Elgin”**

In the City of Elgin and invite the community to celebrate this holiday.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Elgin on this 12th day of October 2021.

---

RON M. RAMIREZ, MAYOR



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Proclamation Declaring October 2021 As Prostate Cancer And Breast Cancer Awareness Month In The City Of Elgin

**DEPARTMENT:** City Council

**PROPOSED ACTION:** Read and Present Proclamation

**BACKGROUND:** National Prostate Health Month is observed every September and National Health Breast Cancer Month is observed in October in the United States. The American Cancer Society estimates for 2021 there are about 248,530 new cases for prostate cancer and there are about 281,550 new cases of invasive breast cancer for women in the United States.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** N/A

**ATTACHMENTS:** Proclamation

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☐ Staff will provide brief comments and answer questions on this item at the meeting.

☒ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

# **PROCLAMATION DECLARING OCTOBER 2021 AS PROSTATE CANCER AND BREAST CANCER AWARENESS MONTH IN THE CITY OF ELGIN**

**WHEREAS**, prostate cancer and breast cancer are both the second most diagnosed cancer and the second leading cause of cancer deaths; and

**WHEREAS**, the American Cancer Society estimates for 2021 there are about 248,530 new cases for prostate cancer and there are about 281,550 new cases of invasive breast cancer for women in the United States. Both are one of the leading causes of death, and almost 34,130 men and 43,000 women are estimated to die from the disease; and

**WHEREAS**, National Prostate Health Month is observed every September and National Health Breast Cancer Month is observed in October in the United States by health experts, health advocates, and individuals concerned with men's prostate cancer and women's breast cancer; and

**WHEREAS**, designating a month for both prostate cancer and breast cancer issues serves the purpose of increasing public awareness of the importance of prostate and breast health; providing easily accessible prostate and breast health screenings; educating about risk factors and symptoms of prostate and breast related diseases; and advocating for further research on prostate and breast health issues; and

**WHEREAS**, cancer research will enhance our knowledge and improve prostate cancer and breast cancer prevention and treatment; and

**WHEREAS**, the City of Elgin will commemorate awareness throughout the month of October and by asking the community to wear blue and or pink on October 23, 2021.

**NOW, THEREFORE, I, MAYOR RON M. RAMIREZ**, Mayor of the City of Elgin, hereby declare October 2021 as Prostate Cancer and Breast Cancer Awareness Month. During the month-long observance, I urge all citizens and individuals, to raise awareness, support research, improve care, and to prevent prostate cancer and breast cancer.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Elgin on this 12th day of October 2021.

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RON M. RAMIREZ, MAYOR



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Update on 2021A Certificates of Obligation - Capital Investment Program

**DEPARTMENT:** City Manager

**PROPOSED ACTION:**

No Council action proposed or requested; This item is for a brief update and discussion with the City Council as warranted relative to the 2021A Certificates of Obligation - Capital Investment Program.

**BACKGROUND:**

The 2021A Certificates of Obligation - Capital Investment Program is designed to fund a wide range of capital improvement projects in support of general government – including the County Line Road Phase 1 Project and a new Elgin Police Department Station.

Certificates of Obligation (COs) and debt issuance in general are a necessary component to funding major capital improvement projects for cities where such funds are not available through the annual operating budget. It is also of particular need in rapidly growing cities like Elgin, where demands for improved services and facilities exceed currently available resources.

Although a program to fund these projects earlier this year was supported by a clear majority of the City Council, those efforts were compromised.

At their September 21 meeting, a clear majority of the City Council formally stated their intentions to issue the 2021A Certificates of Obligation as recommended by the City Manager.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**RECOMMENDATION:**

Review and discussion of the 2021A Certificates of Obligation - Capital Investment Program; and direction to staff, if any, regarding same.

**ATTACHMENTS:**

None

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{X} Staff will provide brief comments and answer questions on this item at the meeting.

{ } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Review and discussion of upcoming City Council Meeting Schedule

**DEPARTMENT:** City Manager

**PROPOSED ACTION:**

Review and discussion of Council Meeting schedule; and direction to staff regarding same.

**BACKGROUND:**

Due to a variety of factors including holidays and the rescheduling of meetings due to Election Day, the City Manager is recommending consideration be given to altering the upcoming City Council Meeting schedule for November.

In compliance with a schedule mandated by state law, the 2021A COs, are scheduled for final approval by Council on Tuesday November 16. The Regular Meeting of Council typically scheduled for 11/2 has already been moved to November 9 to avoid a conflict with Election Day.

To avoid having to schedule a Called Meeting for November 16, the staff recommends moving the 11/9 Regular Meeting to Tuesday November 16 have the 2021A COs vote be part of that agenda.

This revised schedule would not adversely affect any known city business to come before the Council.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**RECOMMENDATION:**

Direction to staff regarding the City Council Meeting schedule.

**ATTACHMENTS:** None

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{X} Staff will provide brief comments and answer questions on this item at the meeting.

{ } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience*



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** Appointment of Sesquicentennial Celebration Committee

**DEPARTMENT:** Community Services

**PROPOSED ACTION:** Appoint Committee

**BACKGROUND:** Elgin was founded in 1872 and will celebrate 150 years in 2022. Committee will work with City staff to determine celebrations to recognize this important milestone for the Community throughout 2022.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:**

**ATTACHMENTS:**

- {}** Staff will be making a detailed presentation on this agenda item at the meeting.
- {}** Staff will provide brief comments and answer questions on this item at the meeting.
- {X}** This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## **Elgin Sesquicentennial Committee**

Forest Dennis, Council Member Ward 4, Co-Chair  
Debbie Cartwright, Community Member, Co-Chair  
Ron Ramirez, Mayor  
Donna Snowden, County Commissioner Precinct 4  
Ed Rivers, Main Street Board & Chamber of Commerce  
Stacey Gruetzner Wilhite, Acme Brick & Main Street Board  
Brenda Brinsfield, Elgin Historical Association  
Gena Carter, Chamber of Commerce  
Tim Schultz, Bluebonnet Electric & Chamber of Commerce  
Ashley Smith, Mary Christian Burleson Foundation  
Bettye Lofton, Elgin Juneteenth Festival Committee  
Gwen Johnson, Elgin Texas NAACP Branch 6174  
Byron Mitchell, EISD School board  
Valarie Neidig, EISD School board  
Peter Perez, EISD  
Krista Marx, EISD  
Patience Blythe, EISD  
Veterans of Foreign Wars Post 6115  
Elgin Volunteer Department  
Sydna Arbuckle, Community Member  
Beth Rolingson, Advocacy Outreach  
Yennifer Ibarra, Library Advisory Board  
Judy Matetzschk-Campbell, Community Member  
Barbara Bogart, Community Member  
Judy Davis, Community Member  
Megan Stuart, Community Member  
Emma Clark, She Creates Union  
Theresa McShan, Main Street Board  
Karen Bernstein, Bernstein Documentaries  
Theresa Scott, Community Member  
Anna Rau, The Range  
Stacey VanLandingham, Parks & Recreation Advisory Board



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** General Activity Report and/or Project Update

**DEPARTMENT:** City Manager/Staff

**PROPOSED ACTION:**

No Council action proposed or requested; This item is to allow for general update and/or activities report relating to various on-going city projects or issues.

**BACKGROUND:**

This item is to provide opportunities for miscellaneous updates and comments by the staff; and general Q&A with the City Council relative to on-going projects and/or issues.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X}  
N/A

**RECOMMENDATION:**

N/A

**ATTACHMENTS:**

None.

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{X} Staff will provide brief comments and answer questions on this item at the meeting.

{ } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience*



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Departmental Monthly Report – Period ending August 31, 2021

**DEPARTMENT:** Administration

**PROPOSED ACTION:** No action required on this item

**BACKGROUND:** Monthly Reports by Department

Attached is the Monthly Operations Report as of August 30, 2021 representing changes in work load indicators for August 2020 and August 2021 and Year-to-Date for:

HR, Municipal Court, Development Services, Library, Rec Center, Public Works, Water, Wastewater, Trash Collection, and Police

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:**

**ATTACHMENTS:** Monthly Activity Report

**{}** Staff will be making a detailed presentation on this agenda item at the meeting.

**{}** Staff will provide brief comments and answer questions on this item at the meeting.

**{X}** This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



# Monthly Report of Operations

As of Aug 2021

| Administration                                  | Aug '20   | Aug '21    | %       | YTD 8-31-20 | YTD 8-31-21 | %      |
|-------------------------------------------------|-----------|------------|---------|-------------|-------------|--------|
| <b>Human Resources</b>                          |           |            |         |             |             |        |
| Total FTE - Filled Positions                    | 104       | 111        | ↑ 7%    |             |             |        |
| Vacancies - all funds                           | 1         | 12         | ↑ 1100% |             |             |        |
| New Hires                                       | 5         | 2          | ↓ -60%  | 23          | 42          | ↑ 87%  |
| Separations                                     | 5         | 8          | ↑ 60%   | 17          | 35          | ↑ 103% |
| <b>Municipal Court</b>                          |           |            |         |             |             |        |
| Total Active Cases Pending (beg. of Month)      | 15,890    | 15,719     | ↓ -1%   |             |             |        |
| New Cases Filed (incl reactivation of inactive) | 123       | 213        | ↑ 73%   | 2,496       | 1,511       | ↓ -39% |
| # of Magistrations                              | 23        | 25         | ↑ 9%    | 308         | 291         | ↓ -6%  |
| Total Cases Disposed of                         | 74        | 215        | ↑ 191%  | 2,139       | 1,364       | ↓ -36% |
| Cases placed on Inactive Status                 | -         | 120        | → 0%    | 495         | 139         | ↓ -72% |
| Total Active Cases Pending (end of Month)       | 15,928    | 15,703     | ↓ -1%   |             |             |        |
| Fines Collected                                 | \$ 15,377 | \$ 33,321  | ↑ 117%  | \$ 362,028  | \$ 262,928  | ↓ -27% |
| Retained by City                                | \$ 13,611 | \$ 30,362  | ↑ 123%  | \$ 281,233  | \$ 226,182  | ↓ -20% |
| <b>Development Services</b>                     |           |            |         |             |             |        |
| Construction Permits (all types)                | 118       | 167        | ↑ 42%   | 693         | 1,923       | ↑ 177% |
| Revenue from Bldg. Permits                      | \$ 40,231 | \$ 47,794  | ↑ 19%   | 246,061     | 818,919     | ↑ 233% |
| Inspections (all types)                         | 450       | 1,227      | ↑ 173%  | 2,818       | 9,105       | ↑ 223% |
| Revenue from Inspections                        | \$ 63,170 | \$ 107,882 | ↑ 71%   | 393,754     | 1,219,190   | ↑ 210% |
| Housing Plats approved (number of lots)         | 190       | -          | ↓ -100% | 538         | 441         | ↓ -18% |
| <b>Community Services</b>                       |           |            |         |             |             |        |
| <b>Library-</b>                                 |           |            |         |             |             |        |
| Materials circulated                            | 2,792     | 6,213      | ↑ 123%  | 45,467      | 44,354      | ↓ -2%  |
| # Visitors (incl. Progs)                        | 2,467     | 2,464      | ↓ 0%    | 33,995      | 23,211      | ↓ -32% |
| Public Computer Use hrs.                        | -         | 163        | → 0%    | 1,785       | 611         | ↓ -66% |
| Public Computer Use Persons                     | -         | 280        | → 0%    | 3,029       | 1,049       | ↓ -65% |
| Civic Center - Rentals (all)                    | 2         | 33         | ↑ 1550% | 168         | 114         | ↓ -32% |
| <b>Recreation Program -</b>                     |           |            |         |             |             |        |
| Annual Memberships                              | -         | 2          | → 0%    | 48          | 27          | ↓ -44% |
| Monthly Rec Memberships                         | 9         | 106        | ↑ 1078% | 974         | 635         | ↓ -35% |
| Facility Rental Fleming Center                  | -         | 5          | → 0%    | 251         | 33          | ↓ -87% |
| Facility Rental Recreation Center               | -         | 27         | → 0%    | 122         | 41          | ↓ -66% |
| Sponsored Events                                | \$ 30     | \$ 161     | ↑ 437%  | \$ 7,619    | \$ 1,503    | ↓ -80% |
| <b>Public Works</b>                             |           |            |         |             |             |        |
| <b>Streets:</b>                                 |           |            |         |             |             |        |
| Lane miles maintained                           | 57.8      | 57.8       | → 0%    | 231         | 231         | → 0%   |
| Pot holes patched - Square Yards                | 24        | 10         | ↓ -58%  | 367         | 588         | ↑ 60%  |
| Wide Area patching/renovation - SY              | 549       | 107        | ↓ -81%  | 1,777       | 1,398       | ↓ -21% |
| Tree Trimming - Yards (new)                     | -         | 80         | → 0%    | -           | 80          | → 0%   |
| Street Sign Installation/Repair (new)           | -         | 17         | → 0%    | -           | 17          | → 0%   |
| Crack Seal Lbs of Sealent                       | -         | -          | → 0%    | 6,870       | 7,092       | ↑ 3%   |
| Paint Striping Linear feet                      | 2,371     | 3,584      | ↑ 51%   | 2,371       | 3,584       | ↑ 51%  |
| <b>Drainage:</b>                                |           |            |         |             |             |        |
| Linear feet of drains cleaned                   | 9,419     | 8,290      | ↓ -12%  | 53,609      | 41,292      | ↓ -23% |
| # Culverts Cleared                              | -         | -          | → 0%    | 13          | 32          | ↑ 146% |



# Monthly Report of Operations

As of Aug 2021

## Parks:

|                           |     |     |   |     |     |       |   |      |
|---------------------------|-----|-----|---|-----|-----|-------|---|------|
| Acres Mowed/maintained    | 240 | 400 | ↑ | 67% | 880 | 1,916 | ↑ | 118% |
| Reserved Park Facilities  | -   | -   | → | 0%  | -   | 88    | → | 0%   |
| # Organized Sports Events | -   | -   | → | 0%  | -   | 186   | → | 0%   |

| Utilities | Aug '20 | Aug '21 | % | YTD 8-31-20 | YTD 8-31-21 | % |
|-----------|---------|---------|---|-------------|-------------|---|
|-----------|---------|---------|---|-------------|-------------|---|

## Water System:

|                                      |           |           |          |    |           |         |                 |
|--------------------------------------|-----------|-----------|----------|----|-----------|---------|-----------------|
| # Customers Total/Added by month *   |           | 3,570     | ➡        |    | 3,363     | 7,120   |                 |
| Amount Billed                        | \$287,919 | \$256,633 | ⬇️ -11%  | \$ | 2,453,225 | \$      | 2,443,780 ⬇️ 0% |
| Meters Replaced                      | -         | 27        | ➡️ 0%    |    | 331       | 635     | ⬆️ 92%          |
| # Leaks Repaired                     | 17        | 6         | ⬇️ -65%  |    | 65        | 62      | ⬇️ -5%          |
| Vol. water produced (x1,000 gallons) | 44,783    | 34,151    | ⬇️ -24%  |    | 339,111   | 318,916 | ⬇️ -6%          |
| Hydrants Tested (new)                | -         | -         | ➡️ 0%    |    | -         | 8       | ➡️ 0%           |
| Main Line Breaks                     | 4         | -         | ➡️ 0%    |    | 16        | 19      | ⬆️ 19%          |
| Service Line Breaks                  | 4         | -         | ⬇️ -100% |    | 32        | 26      | ⬇️ -19%         |

## Wastewater System:

|                                    |            |            |          |              |              |    |      |
|------------------------------------|------------|------------|----------|--------------|--------------|----|------|
| # Customers Total/Added by month * |            | 1          | ➡        | 3,073        | 3,152        | ⬆️ | 2.6% |
| Amount Billed                      | \$ 160,110 | \$ 160,226 | ⬆️ 0%    | \$ 1,578,236 | \$ 1,610,632 | ⬆️ | 2.1% |
| Main Lines repaired                | 2          | -          | ⬇️ -100% | 5            | 10           | ⬆️ | 100% |
| Lines replaced (Linear Feet.)      | 7          | -          | ⬇️ -100% | 28           | 110          | ⬆️ | 293% |
| Manholes Cleaned                   | 10         | 8          | ⬇️ -20%  | 45           | 57           | ⬆️ | 27%  |
| Average Daily Flow (MGD)           | 0.5353     | 0.6557     | ⬆️ 22%   | 0.5669       | 0.6332       | ⬆️ | 12%  |
| Total Monthly Flow (MGD)           | 16.0580    | 19.6724    | ⬆️ 23%   | 17.4234      | 19.2316      | ⬆️ | 10%  |

## Trash Collection:

|                                    |            |            |       |              |              |         |
|------------------------------------|------------|------------|-------|--------------|--------------|---------|
| # Customers Total/Added by month * |            | 30         | ➡     | 3,243        | 3,585        | ⬆ 10.5% |
| Amount Billed                      | \$ 103,263 | \$ 121,592 | ⬆ 18% | \$ 1,004,755 | \$ 1,147,523 | ⬆ 14.2% |

\* # Customers Total /Added by month - the purpose here is to track the increase or decrease of customers over the course of the year. **Current month** shows the number of customers added in the month. The amount in the first YTD column shows the current number of customers. The final column shows year to date additions.

| Police Department                   | Aug '20   | Aug '21   | %             | YTD 8-31-20 | YTD 8-31-21 | %            |
|-------------------------------------|-----------|-----------|---------------|-------------|-------------|--------------|
| <b>Part I Index Offenses</b>        |           |           |               |             |             |              |
| Murder ( # Victims)                 | -         | -         | → 0%          | -           | -           | → 0%         |
| Rape(# Victims)                     | 1         | 1         | → 0%          | 7           | 8           | ↑ 14%        |
| Robbery ( # Victims)                | -         | -         | → 0%          | 6           | 3           | ↓ -50%       |
| Aggravated Assault ( # Victims)     | -         | 2         | → 0%          | -           | 5           | → 0%         |
| <b>Total Violent Index Crimes*</b>  | <b>1</b>  | <b>3</b>  | <b>↑ 200%</b> | <b>13</b>   | <b>16</b>   | <b>↑ 23%</b> |
| Burglary ( # premises entered)      | 6         | 3         | ↓ -50%        | 22          | 34          | ↑ 55%        |
| Theft ( # offenses)                 | 12        | 9         | ↓ -25%        | 94          | 100         | ↑ 6%         |
| Auto Theft ( #vehicles)             | 3         | 1         | ↓ -67%        | 11          | 16          | ↑ 45%        |
| Arson ( # premises)                 | -         | -         | → 0%          | 2           | -           | ↓ -100%      |
| <b>Total Property Index Crimes*</b> | <b>21</b> | <b>13</b> | <b>↓ -38%</b> | <b>129</b>  | <b>150</b>  | <b>↑ 16%</b> |
| <b>Total Part I Index Crimes*</b>   | <b>22</b> | <b>16</b> | <b>↓ -27%</b> | <b>142</b>  | <b>166</b>  | <b>↑ 17%</b> |
| <b>Part II Index Offenses</b>       |           |           |               |             |             |              |
| Other Assaults                      | 7         | 9         | ↑ 29%         | 90          | 84          | ↓ -7%        |
| Weapons                             | -         | -         | → 0%          | 1           | 7           | ↑ 600%       |
| Narcotics                           | 7         | 2         | ↓ -71%        | 32          | 37          | ↑ 16%        |
| DUI                                 | 3         | 7         | ↑ 133%        | 41          | 57          | ↑ 39%        |
| All Other Part II Offenses          | 22        | 38        | ↑ 73%         | 403         | 492         | ↑ 22%        |
| <b>Total Part II Index Crimes*</b>  | <b>39</b> | <b>56</b> | <b>↑ 44%</b>  | <b>567</b>  | <b>677</b>  | <b>↑ 19%</b> |
| <b>Total All Index Crimes*</b>      | <b>61</b> | <b>72</b> | <b>↑ 18%</b>  | <b>709</b>  | <b>843</b>  | <b>↑ 19%</b> |

**NOTE: Data recorded for the Police Dept. is based on Fiscal Year-to- Date Totals and not Calendar Year.**



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** City Council Regular Meeting Minutes - September 21, 2021

**DEPARTMENT:** Administration

**PROPOSED ACTION:** Approval of the City Council Meeting Minutes- September 21, 2021

**BACKGROUND:** N/A

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

Finance Approval:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** Approval of the City Council Meeting Minutes- September 21, 2021

**ATTACHMENTS:** Minutes

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☐ Staff will provide brief comments and answer questions on this item at the meeting.

☒ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

MINUTES  
ELGIN CITY COUNCIL REGULAR MEETING  
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS  
404 NORTH MAIN STREET  
September 21, 2021

**CALL TO ORDER**

Mayor Ramirez called the meeting to order at 6:30 p.m.

**ROLL CALL**

**Present:** Ron Ramirez, Mayor  
Sue Brashar, Mayor Pro Tem  
Arthur Gibson III, Council Member  
Jessica Bega, Council Member  
Thomas Ibis, Council Member  
Matthew Callahan, Council Member  
Forest Dennis, Council Member  
Susie Arreaga, Council Member  
Skyler Maldonado, Council Member

Mayor Ramirez stated there was a quorum.

**Staff:** Thomas L. Mattis, City Manager  
Mysty Nauck, Acting Chief Financial Officer  
Pamela Sanders, HR Director  
Amy Miller, Community Development Director  
Chris Noble, Police Chief  
Jennifer Stubbs, City Secretary  
David Harrell, Development Services Director  
Michael Gonzalez, Public Works Director

**INVOCATION**

Mr. Maldonado provided the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Ramirez led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America and Pledge of Allegiance to the Texas Flag.

## **PUBLIC HEARING**

1. Public Hearing On The Proposed FY21-22 Annual Budget And Ad Valorem (Property) Tax Rate For The City Of Elgin

No one wished to speak under the Public Hearing Item.

## **PUBLIC COMMENT**

Morgan Peavey, 1011 Hwy 71 W Bastrop, Texas, stated he was here tonight regarding building permits in the City of Elgin. He stated he had a building permit request denied and requested code information.

## **CITY MANAGERS REPORT**

1. General Activity Report And/Or Project Update

Mr. Mattis stated there was a gas leak on Cleveland Street and several residents were evacuated. Mr. Mattis stated the leak is capped, and the situation has been addressed. He stated there are several new residential projects going on within the City and the projects must maintain compliance with the current rules.

## **CONSENT AGENDA**

1. City Council Regular Meeting Minutes – September 7, 2021

The item passed on the consent agenda.

2. Consider Waiving The Open Container Ordinance On Main Street From Lexington Road To Brenham Street; And On 2nd Street, First Street, Depot Street, Central Avenue, Austin Street, Brenham Street From Main Street To Avenue C; And On Avenue C From Brenham Street To 2nd Street For Día De Los Muertos Celebration On Thursday, November 4, 2021 From 5pm To 10pm.

The item passed on the consent agenda.

3. A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF A PURCHASING AGREEMENT CONTRACT WITH WALLER COUNTY ASPHALT FOR ASPHALT COLD MIX D-ASPPM GRADE 4 HIGH PERFORMANCE

The item passed on the consent agenda.

4. A RESOLUTION TO ADOPT A WRITTEN INVESTMENT POLICY AND INVESTMENT STRATEGY REGARDING THE INVESTMENT OF CITY FUNDS TO BE EFFECTIVE OCTOBER 1, 2021

The item passed on the consent agenda.



Mayor Pro Tem Brashar made a motion to approve the consent agenda. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

### **NEW BUSINESS**

1. (Second Reading And Final Action) AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, FOR THE 2021-22 FISCAL YEAR; AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2021 TAX YEAR.

Mr. Mattis stated this is the property tax rate and there is a decrease in the overall tax rate. He stated if City of Elgin property owners do not see a change in their evaluation, these homeowners will see a reduction in City property taxes. Mr. Ibis stated that this is a tax rate increase. Mr. Mattis stated the overall revenue will increase but the tax rate will not increase and is not a tax increase to the taxpayers. Mr. Dennis stated he was on the School Board Bond Council, and they set an amount that would not increase taxes. Mr. Dennis stated the ballot has to say it will increase revenue even though the tax rate will not increase. Discussion followed. Mr. Dennis made a motion to approve the Ordinance as discussed. Ms. Arreaga seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Ibis- no. The motion carried.

2. (Second Reading And Final Action) AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Mattis provided brief comments and stated this is a 23-million-dollar budget. The largest increase in the General Fund is through new development and growth that the City is experiencing. Ms. Bega asked if Mr. Mattis would provide a brief highlight of the budget and what it provides to the growing City and to staff. Mr. Mattis stated the General Fund is a significant amount of money that focuses on the growing demands for services and increased staffing. The cost of maintaining existing staff, supplies, routine expenses, and services is about 85% of the budget. This budget is predicated on a tax rate decrease. Out of the property taxes received, the City of Elgin receives 22 cents out of every dollar. There are a few items of new funding represented in this budget that will go towards capital projects and debt planning. A half of a million dollars will be devoted towards streets maintenance. Discussion followed. Ms. Bega made a motion to approve the Ordinance as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Ibis- no, Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes. The motion carried.

3. AN ORDINANCE AMENDING CHAPTER 42, SECTION 42 THROUGH 40, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING MONTHLY WATER AND SEWER RATES PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mr. Mattis stated this is the \$8 increase that has been discussed previously. Mr. Ibis stated he thinks people are struggling and this is not the time to raise water and sewer rates. Mr. Mattis stated there will be a deficit in the utility fund if the rates are not increased. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the Ordinance as discussed. Ms. Arreaga seconded the motion. The vote was: Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- no, Mr. Ibis- no, Mr. Dennis- yes. The motion carried.

4. AN ORDINANCE TO ESTABLISH A COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO AMEND ORDINANCE 2020-10-13-29 AND SUBSEQUENT AMENDMENTS TO THAT ORDINANCE; ESTABLISH CATEGORIES OF FEES AND CHARGES; REVISE EXISTING RATES; RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN.

Mr. Mattis stated that staff has reviewed this Ordinance and does not recommend any adjustments or increases. There were questions by Council Members and staff provided information regarding the Library, Pool, Court, and Rec Center fees. Mayor Ramirez stated Elgin is cost comparative to similar and surrounding cities. He stated we are not requesting increases. Mr. Ibis asked about the higher water rate fee increase. Mr. Mattis stated this is a separate provision within the code and a separate ordinance. Mr. Dennis made a motion to approve the Ordinance as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Ibis-no. The motion carried.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS ESTABLISHING OFFICIAL CITY OF ELGIN HOLIDAYS FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; AND PROVIDING FOR RELATED MATTERS

Mr. Mattis stated this is the last item associated with the budget. This is the same schedule as last year and the number of holidays. Mr. Mattis stated that last year, the City added Juneteenth. Veteran's Day was removed but has been discussed in the past. Mayor Ramirez stated he was in favor of adding Veteran's Day to the schedule. Ms. Arreaga wants to remove Columbus Day and swap it with Veteran's Day. Ms. Bega asked if we could ask staff for input. Mr. Mattis stated we could ask for staff's input. Mayor Pro Tem Brashar stated some staff was upset about Veteran's Day not being on the schedule. Discussion followed. Mayor Pro Tem Brashar made a motion to swap out Veteran's Day with Columbus Day. Mr. Ibis seconded the motion. Mayor Pro Tem

Brashar stated she needed to add to approve the rest as stated. Mr. Ibis seconded the amendment to the motion. All voted in favor. The motion carried.

6. A RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF CERTIFICATES OF OBLIGATIONS AND FURTHER DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021A

Mr. Callahan stepped away from the dais at 7:15 PM. Mr. Mattis provided a brief presentation on the Certificates of Obligations. He stated this item has been discussed previously. There are large demands from the growth that is occurring within the City. Mr. Callahan returned to the dais at 7:18 PM. Mr. Mattis stated the issues will not change if we wait. Most importantly, our inability to move forward has created damage by impacting City operations and employee morale. The Police Station is a major concern and has deteriorated even more. All the projects have been delayed 6 months to a year. The City has missed the opportunity to purchase adjacent City Hall property. The City can no longer purchase standalone buildings. Had the City issued COs earlier in the year, the tax rate would not have changed. There are bond issuance costs and interest rate increases. All the CO projects meet the definition and the requirements according to HB1869. Mr. Mattis recommends that the Council move forward now with the previously approved General Government Projects and Economic Development Funds. Discussion followed. Mr. Mattis stated if a CO Program is placed on the ballot and fails to be approved by the voters, the City cannot borrow funds in support of the projects for the next three years. The City will also lose \$5 million secured from County Line Road developers.

Public Comments:

Carlos Gandia, 1114 W 2<sup>nd</sup> Street, stated he moved here from Austin and selected Elgin because of the beautiful parks, activities, and the vibrant downtown. He stated he joined the Parks Advisory Board and wanted to increase the green space in Elgin. He stated the COs provide matching grant funds. Mr. Gandia stated he urges the Council to move forward for the benefit of residents.

Stephanie Lippke, 1112 N. Main, stated Texas has the largest CO debt in the Nation and she wants the voters to approve these projects. She stated County Line Road is not paid for if we take out 20 years of bond debt and pay interest. Ms. Lippke stated we need to focus on important infrastructure. Ms. Lippke stated she does not support the CO projects.

Dr. Jodi Duron, 1002 N. Ave C, stated she was here representing the School District, Elgin ISD. She thanked the Council for their service during the challenging times of growth. She stated the school has grown 350 students within one year and will continue to grow. The largest challenge since the start of school has been traffic on County Line Road. Dr. Duron stated there is an emergency now that needs to be addressed. The future of Elgin is right now, and we cannot put off tomorrow what we need to do today. She stated the ISD supports the City of Elgin CO projects.

Cathleen Menke, 211 Christensen Road, stated as a mother of three young children, she voices her support in favor of the CO projects. She stated she is very excited about the splash pad and that it would be a great improvement to the City.

James Sides, 12812 Wood Lily Trail, stated that he has served previously on the Parks & Rec Board and is President of the Elgin Youth Soccer Association. He stated that Parks are very important to the City and bring people to Elgin. The Parks provide opportunities for physical fitness and mental health. Mr. Sides stated he supports the other items on the list. He stated these developments and developers must pay a fee per lot if they are not building a park. This will cover the interests and obligations.

Grant Hennig, 1116 Robin Road, stated he believes in our voters and asked in May for these projects to go on the ballot. Mr. Hennig stated he wants these issues to go to the voters.

Joy Casnovsky, 534 Old McDade Road, stated she is upset, and she thinks we are the laughingstock of Bastrop County because we have projects right here, we can fund. She wants her son to have sidewalks to walk on to school. She stated she would like a splash pad, too. These are all projects that make this town a viable community. She stated people don't want to move to a town that does not have safe infrastructure. Ms. Casnovsky stated as a voter, she voted you all in to make these decisions and she urged the Council to vote yes on these projects.

Mayor Ramirez stated we cannot wait on these projects and that we must start. Mr. Callahan questioned why these projects did not go to the voters. Mayor Ramirez stated that his initial thought was that the City would put some of these items up for a vote in May. Things have developed much quicker than anticipated 6 months ago. Mr. Mattis stated to his knowledge the City of Elgin has never voted on COs. Mr. Mattis stated we could be the first City to take this to the voters. Mr. Mattis stated we can't wait, and we need to start now on these projects. Mayor Pro Tem Brashar stated she would have not supported this in a November election, because she would not want the City to compete with the School District. Ms. Bega stated we are in a reactive state when we should be in a proactive state. Ms. Bega stated this is a simple decision by Council. She stated we cannot wait, and we need to agree. Mr. Ibis questioned if the Elgin Public Library was brought to a vote. Mayor Ramirez stated it was. Mr. Ibis stated that the procedure should be to trust and go to the voters. Mr. Dennis stated the time is right and that the law is in our favor. Ms. Arreaga stated she agrees and that these projects can no longer wait. Mr. Maldonado stated he agrees to move forward, and we should work together as a Council. Mr. Gibson III agrees that we should act now, and we cannot fall further behind. Mayor Ramirez stated we are here to take care of the emergent needs of the City. Mr. Mattis stated given where we have been, he would urge the Council if the Council votes yes tonight, let's stay committed and strong. Mr. Mattis stated this is one step and there will be other projects in the future brought up to Council. Ms. Bega made a motion to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Ms. Bega- yes, Mr. Gibson III- yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- no, Mr. Ibis- no, Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes. The motion carried.

7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS SUPPORTING THE CITY OF ELGIN'S SUBMISSION OF AN EDA PUBLIC WORKS GRANT APPLICATION FOR TWO MILLION DOLLARS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTATION; AND ESTABLISHING AN EFFECTIVE DATE.

Stephanie Lippke, 1112 N. Main, stated this EDA application is asking for the same money as the 2021A COs and asked for fiscal responsibility.

Mr. Mattis stated this is another application for grant funds the City is qualified for. Mr. Rock came forward to the dais and provided brief comments. He stated this grant is for two million dollars instead of a million dollars. Discussion followed. Mr. Dennis made a motion to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor Ramirez- yes, Ms. Bega- yes, Mr. Gibson III - yes, Ms. Arreaga- yes, Mr. Maldonado- yes, Mr. Callahan- no, Mr. Ibis-yes. The motion carried.

8. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS  
APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE  
ELGIN ECONOMIC DEVELOPMENT CORPORATION AND PARAVEL  
CAPITAL LLC AND AUTHORIZING THE MAYOR TO APPROVE THE  
CONTRACT

Stephanie Lippke, 1112 N. Main, stated she objected to this item because this land was purchased and is taking commercial land and repurposing it to multi-family units. She stated this is against what y'all started it for and that it does not bring in businesses.

Grant Hennig. 1116 Robin Rd, stated he is concerned we zoned this commercial. He stated that the numbers do not add up per acre and the complex will be too dense.

Mr. Rock provided comments and answered questions of the Council. Mr. Callahan made a motion to approve the item as presented. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

9. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS  
APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE  
ELGIN ECONOMIC DEVELOPMENT CORPORATION AND TRINITY ELGIN  
PROPERTIES AND AUTHORIZING THE MAYOR TO APPROVE THE  
CONTRACT

Mr. Rock provided comments and answered questions of the Council. Mayor Pro Tem Brashar made a motion to approve the Resolution as presented. Mr. Maldonado seconded the motion. All voted in favor. The motion carried. Mr. Maldonado left the dais at 8:41 p.m.

10. RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING  
REPRESENTATIVES TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS

Mr. Mattis provided brief comments and stated this is to appoint two representatives. He stated typically elected officials serve on this policy-making board. Mayor Ramirez stated he would like to replace the previous Mayor and Mr. Dennis stated he would like to be on the board. Mr. Maldonado returned to the dais at 8:44 p.m. Mr. Callahan made a motion to add Mayor Ramirez and Mr. Dennis to the CAPCOG board. Ms. Bega seconded the motion. All voted in favor. The motion carried.

11. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING MEMBERS FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Mr. Mattis stated this is a routine item and this is an entity the City of Elgin is a member of. He stated this is an item to formally nominate members. He stated Mr. David Glass is on the board and does not have to be renominated. Discussion followed. Mr. Ibis made a motion to table this item. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

12. RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING A REPRESENTATIVE TO THE TRAVIS CENTRAL APPRAISAL DISTRICT

Mr. Mattis stated this is the same item as 11 but with Travis County. Mayor Pro Tem Brashar made a motion to table this item. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

13. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMANDA CARTER OF ELGIN, TEXAS APPOINTING HER AS JUDGE OF THE CITY OF ELGIN MUNICIPAL COURT IN ACCORDANCE WITH THE CITY CHARTER; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Judge Carter introduced herself and stated she has served as Judge since the end of 2016. Discussion followed. Mr. Ibis made a motion to approve the Resolution as presented. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

14. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMPLOYMENT AGREEMENT WITH CHRIS NOBLE REGARDING HIS APPOINTMENT AS CHIEF OF THE CITY OF ELGIN POLICE DEPARTMENT; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Grant Hennig, 1116 Robin Road, stated he did not realize the job for Police Chief was posted. He stated there should have been an application process to promote diversity and inclusion.

Stephanie Lippke, 1112 N. Main, stated she had concerns about the application process and asked why the Public Safety Advisory Committee was not involved in the interview process.

Mr. Mattis stated there have been some false allegations regarding the morale and functions of the Police Department. He stated the majority of the City Council supports the City Manager and staff. Mr. Mattis stated this decision is made by the City Manager, is not a public discussion, or a decision made by the City Council. He stated due to the climate, it is indicative to make a commitment and that this action is necessary to move forward. Mayor Ramirez stated Chief Noble has done a fantastic job and has stabilized and added new tactics to the Police Department. Ms. Bega stated she supports Chief Noble and that she feels the same way. She stated that Chief Noble has a high level of engagement and visibility, which is important for staff. Ms. Bega made a motion

to approve the Resolution as presented. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

### **EXECUTIVE SESSION**

**The City Council may announce that it will adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.**

### **ANNOUNCEMENTS**

Mr. Mattis stated he appreciated everyone's support at tonight's meeting. Mr. Dennis asked about the COVID vaccines. Mayor Pro Tem Brashar stated the public can get booster shots at the Fleming Center. The Clinic will continue every Thursday and Friday until October 22<sup>nd</sup> from 3:00 to 7:00 p.m. Mr. Mattis stated the next Council Meeting will be held on October 12<sup>th</sup> and National Night Out will be held on October 5<sup>th</sup>.

### **ADJOURNMENT**

Mayor Ramirez adjourned the meeting at 9:11 p.m.

\_\_\_\_\_  
Ron M. Ramirez, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Stubbs, City Secretary



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** TRC contract for Pre and Post Award cost related to the HMGP 4586 (Grant) Award Resolution RES2021-07-06-30, which authorized the Mayor or City Manager to execute the contract. The original contract signed was for pre-award costs only. FEMA requires the contract to include all pre-award and post award amounts along with in-depth legalities. This is a formality only notifying City Council of the change in the original contract amount to a Not to Exceed \$190,640.00

**DEPARTMENT:** Finance

**PROPOSED ACTION:** This is a formality only notifying City Council of the change in the original contract

**BACKGROUND:** HMGP 4586 Grant for City of Elgin Critical Facilities Generator Project.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

Finance Approval:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:**

**ATTACHMENTS:**

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



**RESOLUTION NO.2021-07-06-30**

**A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING  
THE AWARD OF AN ENGINEERING SERVICE PROVIDER  
CONTRACT FOR THE TEXAS HAZARD MITIGATION  
ASSISTANCE PROJECT FUNDED THROUGH THE TEXAS  
DIVISION OF EMERGENCY MANAGEMENT (TDEM).**

**WHEREAS**, Texas Division of Emergency Management Hazard Mitigation Grant contract requires qualified Engineering/ Architectural/Surveying Firm to prepare all preliminary and final design plans and specifications, and to conduct all necessary interim and final inspection for application implementation and completion of Texas Division of Emergency Management Hazard Mitigation Grant;

**WHEREAS**, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with Texas HMA requirements;

**WHEREAS**, a total of 2 (two) proposals were received by the due date and each reviewed to determine the most qualified and responsive providers for engineering services;

**NOW, THEREFORE, BE IT RESOLVED:**

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

**Section 2. Award:** That TRC Engineers be awarded a contract to provide assistance with the Texas Hazard Mitigation Grant application and project-related **engineering services**.

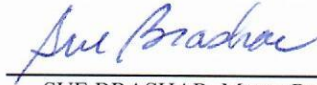
**Section 3. Contract Negotiations:** That any and all contracts or commitments made with the above- named services provider is dependent upon successful negotiation of a contract with the service provider;

**Section 4. Authorization:** That the City Council of the City of Elgin authorizes the Mayor and/or City Manager to execute the contract with TRC Engineers for this Project.

**Section 5. Open Meetings.** 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 55 I. Texas Government Code, as amended.

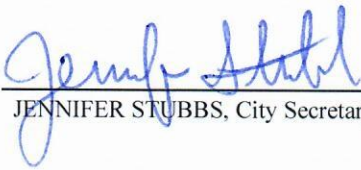
**Section 6. Effective Date.** This Resolution shall take effect immediately upon passage.

**PASSED AND ADOPTED** this 6<sup>th</sup> day of July 2021.



SUE BRASHAR, Mayor Pro Tem  
City of Elgin, Texas

ATTEST:



JENNIFER STUBBS, City Secretary



**ENGINEERING SERVICES  
PART I  
SERVICE AGREEMENT**

This AGREEMENT, entered this 27th day of July, 2021 by and between the CITY OF ELGIN, 310 North Main Street, Elgin, TX 78621, hereinafter called "City," acting herein by Ron M. Ramirez, Mayor hereunto duly authorized, and TRC Companies, Inc. hereinafter called "Firm," acting herein by Kevin Beau Perry, P.E., procured in conformance with Texas Government Code Chapter 2254, Subchapter A, "Professional Services."

WITNESSETH THAT:

WHEREAS, the City of Elgin desires to install an emergency generator to serve critical facilities under the general direction of the Federal Emergency Management Agency, hereinafter called "FEMA", and the Texas Division of Emergency Management, hereinafter called "TDEM", in accordance with the Hazard Mitigation Assistance, hereinafter called "HMA," grant programs administered by GrantWorks, Inc., hereinafter called "GrantWorks;" and WHERE the City desires to engage the Firm to render certain engineering services in connection with the City of Elgin Critical Facilities Generator project.

NOW THEREFORE, the parties do mutually agree as follows:

1. Scope of Services

The Firm will perform the services set out in Part II, Scope of Services.

2. Time of Performance

The services of the Firm shall commence on date above given. In any event, all of the services required and performed hereunder shall be completed no later than the ending date established by the Contract associated with the abovementioned project upon award. The contract award is contingent upon the receipt of HMA funds. If no such funds are awarded, the contract shall terminate.

3. Local Program Liaison

For the purposes of this Agreement, the City Manager of the City of Elgin, Thomas Mattis, or equivalent authorized person will serve as the Local Program Liaison and primary point of contact for the Firm. All required progress reports and communication regarding the project shall be directed to this liaison and other local personnel as appropriate.

4. Access to Records

GrantWorks, Inc., FEMA, TDEM, and the City, or any of their authorized representatives, shall have access to any documents, papers, or other records of the FIRM which are pertinent to the FEMA award, in order to make audits, examinations, excerpts, and transcripts, and to close out the City's FEMA contract.

5. Retention of Records

The FIRM shall retain all required records for three (3) years after the City makes its final payment and all pending matter are closed.

6. Compensation and Method of Payment

The maximum amount of compensation and reimbursement to be paid hereunder shall not exceed \$190,640.00. Payment to the Firm shall be based on satisfactory completion of identified milestones in Part III – Payment Schedule of this Agreement.

7. Indemnification

The Firm shall comply with the requirements of all applicable laws, rules and regulations, and shall exonerate, indemnify, and hold harmless the City and its agency members from and against any and all claims, costs, suits, and damages, including attorney's fees, arising out of the Firm's performance or nonperformance of the activities, services or subject matter called for in this Agreement, and shall assume full responsibility for payments of Federal, State and local taxes on contributions imposed or required under the Social Security, worker's compensation and income tax laws.

8. Miscellaneous Provisions

- a. 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 Bastrop County, Texas.
- b. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns where permitted by the Agreement.
- c. In any case one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- d. If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, costs, and necessary disbursements in addition to any other relief to which such party may be entitled.
- e. This Agreement may be amended by mutual agreement of the parties hereto and a writing to be attached to and incorporated into this Agreement.

9. Extent of Agreement

This Agreement, which includes Parts I – IV, represents the entire and integrated agreement between the City and the Firm and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by authorized representatives of both the City and the Firm.

IN WITNESSETH WHERE OF, the parties have executed this Agreement by causing the same to be signed on the date and year first above written.

BY: \_\_\_\_\_

City of Elgin, Texas

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

BY: \_\_\_\_\_

  
\_\_\_\_\_  
TRC Engineering, Inc.

\_\_\_\_\_  
Kevin Beau Perry, P.E.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Title

\_\_\_\_\_  
August 27, 2021

\_\_\_\_\_  
Date

**Part II**  
**Scope of Services**

The Firm shall render the following professional services necessary for the development of the project:

**PRE-AWARD SCOPE OF SERVICES**

1. Attend preliminary conference with City and GrantWorks regarding project requirements.
2. Assist, as may be needed, with preparation of the grant application.
3. Provide a preliminary engineering study to establish the following:
  - a. A need for property boundary or easement surveys
  - b. Proposed locations of permanent installation
  - c. Size/capacity of generators
  - d. Potential for other electrical installations that would economically reduce generator size/capacity
  - e. Requirements for site improvements necessary for generator operation and maintenance
4. Assist with preparation of preliminary environmental and historical assessments of project sites as applicable
5. Perform surveys as may be required
6. Prepare a preliminary Scope of Work
7. Assist with preparation of Preliminary Benefit/Cost Analysis for each installation using FEMA and BCA software program
8. Prepare preliminary plans and specifications for the proposed installations
9. Prepare a preliminary project budget

**POST-AWARD SCOPE OF SERVICES**

**BASIC SERVICES**

1. Assist with preparation of a comprehensive Benefit/Cost Analysis.
2. Prepare a final Engineering Study and Report
3. Assist with a comprehensive environmental and historical assessment as applicable
4. Prepare Preliminary Plans and Specifications and review with City
5. Prepare final project plans and specifications and review with City
6. Obtain approvals as required from reviewing authorities
7. Prepare a final budget for construction
8. Prepare bid packet and contract documents
9. During Bid Phase of Project:
  - a. Attend and assist with bid opening
  - b. Tabulate, analyze and review bids
  - c. Make recommendation for bid award

**ADDITIONAL SERVICES**

10. Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by City
11. During Construction Phase of Project:
  - a. Attend and assist with a Pre-Construction Conference.
  - b. Issue a Notice to Proceed to construction contractor.

- c. Make periodic visits, no less than every 30 days during the construction period, to the site to observe the progress and quality of the work, and to determine, in general, if the work is proceeding in accordance with the Agreement.
- d. Consult with and advise the City during construction; issue to contractors all instructions requested by the City; prepare routine change orders, if required, at no charge for engineering services to the City when the change order is required to correct errors or omissions by the Firm; provide price analysis for change orders; process change orders approved by City and the Firm and submit to GrantWorks for approval prior to execution with the construction contractor.
- e. Review shop and working drawings furnished by contractors for compliance with design concept and with information given in contract documents (contractors will be responsible for dimensions to be confirmed and correlated at job site).
- f. Resolve all payment requests within 14 days of receipt of signed pay request from the construction contractor.
- g. Based on the Firm's on-site observations and review of the contractor's applications for payment, determine the amount owed to the contractor in such amounts; such approvals of payment to constitute a representation to the City, based on such observations and review, that the work has progressed to the point indicated and that the quality of work is in accordance with the plans, specifications, and contract documents.
- h. Recommend that an appropriate retainage be withheld from all payments on construction contracts until final acceptance by the City and approval by GrantWorks, unless State or local law provides otherwise.
- i. Prepare Certificate of Construction Completion and Clean Lien Certificate. A Clean Lien Certificate may be prepared for each of the Prime Contractor(s) and each of the subcontractor(s).
- j. Conduct interim/final inspections.
- k. Revise contract drawings to show the work as actually constructed and furnish the City with "record drawings" in a format acceptable to City.
- l. Assist City and GrantWorks with documentation as necessary for project close-out.

## SUBCONTRACTS

1. No work under this Agreement shall be subcontracted by the Firm without prior approval, in writing, from the City.
2. The Firm shall, prior to proceeding with the work, notify the City in writing of the name of any subcontractors proposed for the work, including the extent and character of the work to be done by each.
3. If any time during progress of the work, the City determines that any subcontractor is incapable or undesirable, the City will notify the Firm who shall take reasonable and immediate steps to satisfactorily address the problem, substitute performance, or cancel such subcontract. Subletting by subcontractors shall be subject to the same regulations. Nothing contained in this Agreement shall create any contractual relation between any subcontractor and the City.
4. The Firm will include in all contracts and subcontracts in excess of \$10,000 provisions addressing termination for cause and for convenience by the City including the manner by which it will be affected and the basis for settlement.
5. The Firm will include in all contracts and subcontracts provisions requiring compliance with the following, if applicable:
  - a. Prime construction contracts in excess of \$2,000, compliance with the Davis-Bacon Act, as amended (40 U.S.C.3141-3144,3146-3148) as supplemented by Department of Labor regulations (29 CFR part 5);
  - b. Prime construction contracts in excess of \$2,000, compliance with the Copeland "Anti- Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR part 3)
  - c. Contracts greater than \$10,000, the inclusion of the Equal Opportunity clause provided under 41 CFR 60-1.4(b) (Executive Order 11246);
  - d. Section 3 of the Housing and Urban Development Act of 1968;
  - e. Contracts exceeding \$100,000, compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352);
  - f. For contracts in excess of \$100,000 that involve the employment of mechanics or laborers, compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701- 3708), including work week requirements and safety conditions for workers, as supplemented by Department of Labor regulations (29 CFR Part 5); and
  - g. For procurement of recovered materials where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000, compliance with 2 CFR 200.322 and section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, which requires procuring only items designated in guidelines of the EPA at 40 CFR part 247 that contain the highest percentage of recovered materials practicable.
6. The Firm will include in all negotiated contracts and subcontracts a provision which indicates that funds will not be awarded under this contract to any party which is debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549 and 2 CFR Part 2424. A certification



shall be provided and received from each proposed subcontractor under this contract and its principals.

7. The Firm will include in all negotiated contracts and subcontracts a provision to the effect that the City, FEMA, TDEM, GrantWorks, the Comptroller General of the State of Texas, Inspectors General, the Comptroller of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the contractor which are directly pertinent to that specific contract, for the purpose of making audit, examination, excerpts, and transcriptions.
8. The Firm will include in all contracts and subcontracts a requirement that the contractor maintain all relevant project records for three (3) years after the City has made final payment to the contractor and all other pending matters are closed.

#### STANDARD OF PERFORMANCE AND DEFICIENCIES

1. All services of the Firm and its independent professional associates, consultants and subcontractors will be performed in a professional, reasonable, and prudent manner in accordance with generally accepted professional practice. The Firm represents that it has the required skills and capacity to perform work and services to be provided under this Agreement.
2. The Firm represents that services provided under this Agreement shall be performed within the limits prescribed by the City in a manner consistent with that level of care and skill ordinarily exercised by other professional consultants under similar circumstances.
3. Any deficiency in Firm's work and services performed under this contract shall be subject to the provisions of applicable state and federal law. Any deficiency discovered shall be corrected upon notice from City and at the Firm's expense if the deficiency is due to Firm's negligence. The City shall notify the Firm in writing of any such deficiency and provide an opportunity for mutual investigation and resolution of the problem prior to pursuit of any judicial remedy. In any case, this provision shall in no way limit the judicial remedies available to the City under applicable state or federal law.
4. The Firm agrees to and shall hold harmless the City, its officers, employees, and agents from all claims and liability of whatsoever kind or character due to or arising solely out of the negligent acts or omissions of the Firm, its officers, agents, employees, subcontractors, and others acting for or under the direction of the Firm doing the work herein contracted for or by or in consequence of any negligence in the performance of this Agreement, or by or on account of any omission in the performance of this Agreement.

**PART III**  
**Payment Schedule**

**PRE-AWARD SERVICES**

City shall reimburse the Firm for Pre-Award Services on an hourly basis in accordance with the "PART V-SCHEDULE OF HOURLY RATES". Invoices will be presented to City for payment monthly that reflect the charges for the preceding billing period. The total of all Pre-Award Engineering charges will not exceed \$3,740\_without prior written approval from City.

**POST-AWARD SERVICES**

Upon the City receiving funding for one or more projects of construction for which the post-award engineering related services are to be performed as governed by this agreement, Firm shall prepare an Amendment to this agreement for approval by the City for each of the one or more separate projects to establish a reimbursement method and amount for the engineering services provided hereunder.

**PART IV**  
**TERMS AND CONDITIONS**

1. Termination of Agreement for Cause

If the Firm fails to fulfill in a timely and proper manner its obligations under this Agreement, or if the Firm violates any of the covenants, conditions, agreements, or stipulations of this Agreement, the City shall have the right to terminate this Agreement by giving written notice to the Firm of such termination and specifying the effective date thereof, which shall be at least five days before the effective date of such termination. In the event of termination for cause, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the Firm pursuant to this Agreement shall, at the option of the City, be turned over to the City and become the property of the City. In the event of termination for cause, the Firm shall be entitled to receive reasonable compensation for any necessary services actually and satisfactorily performed prior to the date of termination.

Notwithstanding the above, the Firm shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the Agreement by the Firm, and the City may set-off the damages it incurred as a result of the Firm's breach of the contract from any amounts it might otherwise owe the Firm.

2. Termination for Convenience of the City

City may at any time and for any reason terminate Contractor's services and work at City's convenience upon providing written notice to the Contractor specifying the extent of termination and the effective date. Upon receipt of such notice, Contractor shall, unless the notice directs otherwise, immediately discontinue the work and placing of orders for materials, facilities, and supplies in connection with the performance of this Agreement.

Upon such termination, Contractor shall be entitled to payment only as follows: (1) the actual cost of the work completed in conformity with this Agreement; plus, (2) such other costs actually incurred by Contractor as are permitted by the prime contract and approved by City; (3) plus ten percent (10%) of the cost of the work referred to in subparagraph (1) above for overhead and profit. There shall be deducted from such sums as provided in this subparagraph the amount of any payments made to Contractor prior to the date of the termination of this Agreement. Contractor shall not be entitled to any claim or claim of lien against City for any additional compensation or damages in the event of such termination and payment.

3. Changes

The City may, from time to time, request changes in the services the Firm will perform under this Agreement. Such changes, including any increase or decrease in the amount of the Firm's compensation, must be agreed to by all parties and finalized through a signed, written amendment to this Agreement.

4. Resolution of Program Non-Compliance and Disallowed Costs

In the event of any dispute, claim, question, or disagreement arising from or relating to this Agreement, or the breach thereof, including determination of responsibility for any costs disallowed as a result of non-compliance with federal, state or FEMA program requirements, the parties hereto shall use their best efforts to settle the dispute, claim, question or disagreement. To this effect, the parties shall consult and negotiate with each other in good faith within 30 days

of receipt of a written notice of the dispute or invitation to negotiate, and attempt to reach a just and equitable solution satisfactory to both parties. If the matter is not resolved by negotiation within 30 days of receipt of written notice or invitation to negotiate, the parties agree first to try in good faith to settle the matter by mediation administered by the American Arbitration Association under its Commercial Mediation Procedures before resorting to arbitration, litigation, or some other dispute resolution procedure. The parties may enter into a written amendment to this Amendment and choose a mediator that is not affiliated with the American Arbitration Association. The parties shall bear the costs of such mediation equally. If the matter is not resolved through such mediation within 60 days of the initiation of that procedure, either party may proceed to file suit.

5. Personnel

- a. The Firm represents that he/she/it has, or will secure at its own expense, all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the City.
- b. All of the services required hereunder will be performed by the Firm or under its supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and Local law to perform such services.
- c. None of the work or services covered by this Agreement shall be subcontracted without the prior written approval of the City. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Agreement.

6. Assignability

The Firm shall not assign any interest on this Agreement and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the City thereto: Provided, however, that claims for money by the Firm from the City under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to the City.

7. Reports and Information

The Firm, at such times and in such forms as the City may require, shall furnish the City such periodic reports as it may request pertaining to the work or services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement.

8. Records and Audits

The Firm shall insure that the City maintains fiscal records and supporting documentation for all expenditures of funds made under this contract in a manner that conforms to 2 CFR 200.300-.309, 24 CFR 570.490, and this Agreement. Such records must include data on the racial, ethnic, and gender characteristics of persons who are applicants for, participants in, or beneficiaries of the funds provided under this Agreement. The Firm and the City shall retain such records, and any supporting documentation, for the greater of three years from closeout of the Agreement or the period required by other applicable laws and regulations.

9. Findings Confidential

All of the reports, information, data, etc., prepared or assembled by the Firm under this

contract are confidential and the Firm agrees that they shall not be made available to any individual or organization without the prior written approval of the City.

10. Copyright

No report, maps, or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Firm.

11. Compliance with Local Laws

The Firm shall comply with all applicable laws, ordinances and codes of the State and local governments, and the Firm shall save the City harmless with respect to any damages arising from any tort done in performing any of the work embraced by this Agreement.

12. Conflicts of Interest

a. Governing Body

No member of the governing body of the City and no other officer, employee, or agent of the City, who exercises any functions or responsibilities in connection with administration, construction, engineering, or implementation of FEMA award between GrantWorks and the City, shall have any personal financial interest, direct or indirect, in the Firm or this Agreement; and the Firm shall take appropriate steps to assure compliance.

b. Other Local Public Officials

No other public official, who exercises any functions or responsibilities in connection with the planning and carrying out of administration, construction, engineering or implementation of the FEMA award between GrantWorks and the City, shall have any personal financial interest, direct or indirect, in the Firm or this Agreement; and the Firm shall take appropriate steps to assure compliance.

c. The Firm and Employees

The Firm warrants and represents that it has no conflict of interest associated with the FEMA award between GrantWorks and the City or this Agreement. The Firm further warrants and represents that it shall not acquire an interest, direct or indirect, in any geographic area that may benefit from the FEMA award between GrantWorks and the City or in any business, entity, organization or person that may benefit from the award. The Firm further agrees that it will not employ an individual with a conflict of interest as described herein.

13. Debarment and Suspension (Executive Orders 12549 and 12689)

The Firm certifies, by entering into this Agreement, that neither it nor its principals are presently debarred, suspended, or otherwise excluded from or ineligible for participation in federally assisted programs under Executive Orders 12549 (1986) and 12689 (1989). The term "principal" for purposes of this Agreement is defined as an officer, director, owner, partner, key employee, or other person with primary management or supervisory responsibilities, or a person who has a critical influence on or substantive control over the operations of the Firm. The Firm understands that it must not make any award or permit any award (or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension."

#### 14. Equal Opportunity Clause

During the performance of this contract, the Firm agrees as follows:

- a. The Firm will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The Firm will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:  
Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Firm agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- b. The Firm will, in all solicitations or advertisements for employees placed by or on behalf of the Firm, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.
- c. The Firm will not discourage or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.
- d. The Firm will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Firm's commitments under this section and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- e. The Firm will comply with all provisions of Executive Order 11246 of September 24, 1965, "Equal Employment Opportunity," and of the rules, regulations, and relevant orders of the Secretary of Labor.
- f. The Firm will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- g. In the event of the Firm's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Firm may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation,

or order of the Secretary of Labor, or as otherwise provided by law.

- h. The Firm will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Firm will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:

Provided, however, that in the event a Firm becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the Firm may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, That if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

#### 15. Economic Opportunities for Section 3 Residents and Section 3 Business Concerns

- a. The work to be performed under this contract is subject to the requirements of section

3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

- b. The parties to this Agreement agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this Agreement certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- c. The Firm agrees to send to each labor organization or representative of workers with which the Firm has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Firm's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d. The Firm agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The Firm will not subcontract with any subcontractor where the Firm has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- e. The Firm will certify that any vacant employment positions, including training positions, that are filled (1) after the Firm is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the Firm's obligations under 24 CFR part 135.
- f. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.
- g. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are



subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

16. Reporting Requirements

The Contractor shall comply with the requirements and regulations pertaining to reporting (24 CFR 85.36 (i) (7)).

17. Patent Rights

The Contractor shall comply with the requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract. (24 CFR 85.36 (i) (8)).

18. Copyrights and Rights in Data

The Contractor shall comply with the requirements and regulations pertaining to copyrights and rights in data. (24 CFR 85.36 (i) (9)).

19. Energy Efficiency

The Contractor shall comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871). (24 CFR 85.36 (i) (13)).

20. Suspension and Debarment

- a. This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935.)
- b. The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.
- c. This certification is a material representation of fact relied upon by (insert name of subrecipient). If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to (name of state agency serving as recipient and name of subrecipient,) the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.
- d. The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions."
- e. This certification is a material representation of fact relied upon by (insert name of subrecipient). If it is later determined that the contractor did not comply with 2 C.F.R.

pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to (name of state agency serving as recipient and name of subrecipient,) the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

- f. The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions."

## 21. Procurement of Recovered Materials

- a. Applicability: This requirement applies to all FEMA grant and cooperative agreement programs.
- b. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962). See 2 C.F.R. Part 200, Appendix II, ,I J; 2 C.F.R. § 200.322; POAT Supplement, Chapter V, ,I 7.
- c. The requirements of Section 6002 include procuring only items designated in guidelines of the EPA at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
  - 1. In the performance of this contract, the Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired—
    - a. Competitively within a timeframe providing for compliance with the contract performance schedule;
    - b. Meeting contract performance requirements; or
    - c. At a reasonable price.
  - 2. Information about this requirement, along with the list of EPA- designated items, is available at EPA's Comprehensive Procurement Guidelines web site, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.
  - 3. The Contractor also agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act."

## 22. Access to Records

The following access to records requirements apply to this contract:

- a. The contractor agrees to provide (insert name of state agency or local or Indian tribal

government), (insert name of recipient), the FEMA Administrator, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts, and transcriptions.

- b. The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.
- c. The contractor agrees to provide the FEMA Administrator or his authorized representatives access to construction or other work sites pertaining to the work being completed under the contract.

23. DHS Seal, Logo, and Flags

- a. All non-Federal entities must place in their contracts a provision that a contractor shall not use the OHS seal(s), logos, crests, or reproductions of flags or likenesses of OHS agency officials without specific FEMA pre-approval. See OHS Standard Terms and Conditions, v 3.0, I XXV (2013).
- b. The following provides a contract clause regarding OHS Seal, Logo, and Flags: "The contractor shall not use the OHS seal(s), logos, crests, or reproductions of flags or likenesses of OHS agency officials without specific FEMA pre- approval.

24. Compliance with Federal Law, Regulations, and Executive Orders

This is an acknowledgement that FEMA financial assistance will be used to fund the contract only. The contractor will comply will all applicable federal law, regulations, executive orders, FEMA policies, procedures, and directives.

25. No Obligation by Federal Government

The Federal Government is not a party to this contract and is not subject to any obligations or liabilities to the non-Federal entity, contractor, or any other party pertaining to any matter resulting from the contract.

26. Program Fraud and False or Fraudulent Statements or Related Acts

The contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to the contractor's actions pertaining to this contract."

27. Civil Rights Act of 1964

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, religion, sex, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

28. Section 504 of the Rehabilitation Act of 1973. as amended

The Firm agrees that no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be denied the benefits of, or be subjected to discrimination, including discrimination in employment, under any program or activity receiving federal financial assistance.

29. Age Discrimination Act of 1975

The Firm shall comply with the Age Discrimination Act of 1975 which provides that no person in the United States shall on the basis of age be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

30. Verification No Boycott Israel

As required by Chapter 2270, Government Code, the Firm hereby verifies that it does not boycott Israel and will not boycott Israel through the term of this Agreement. For purposes of this verification, "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

31. Foreign Terrorist Organizations

Pursuant to Chapter 2252, Texas Government Code, the Firm represents and certifies that, at the time of execution of this Agreement neither the Firm, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code, or Subchapter F of Chapter 2252 of the Texas Government Code, or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term "foreign terrorist organization" in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

32. Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

- a. The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- b. Affirmative steps must include:
  - i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  - vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (i) through (v) of this section.

33. Clean Air Act and Federal Water Pollution Control Act

Clean Air Act

- a. The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.
- b. The contractor agrees to report each violation to the (name of applicant entering into the contract) and understands and agrees that the (name of the applicant entering into the contract) will, in turn, report each violation as required to assure notification to the Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.
- c. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by FEMA.

Water Pollution Control Act

- a. The contractor agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.
- b. The contractor agrees to report each violation to the (name of the applicant entering into the contract) and understands and agrees that the (name of the applicant entering into the contract) will, in turn, report each violation as required to assure notification to the Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.
- c. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by FEMA.

34. Texas Department of Emergency Management

Firm agrees to comply with appropriate and applicable provisions of the “Grant Terms, Assurances, and Conditions” being a part of the City’s HMA contract for the emergency generator project.

35. Byrd Anti-Lobbying Amendment , 31 U.S. C. § 1352 (as amended)

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient who in turn will forward the certification(s) to the awarding agency.

If applicable, contractors must sign and submit to the non-federal entity the following certification.

**APPENDIX A, 44 C.F.R. PART 18 – CERTIFICATION REGARDING LOBBYING**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor, \_\_\_\_\_, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

\_\_\_\_\_  
Signature of Contractor's Authorized Official

\_\_\_\_\_  
Name and Title of Contractor's Authorized Official

\_\_\_\_\_  
Date

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

TRC Engineers, Inc.  
Austin, TX United States

Certificate Number:  
2021-795957

Date Filed:  
08/27/2021

Date Acknowledged:

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

City of Elgin, Texas

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

Critical Facilities Generator  
Engineering Services

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest<br>(check applicable) |              |
|---|--------------------------|------------------------------------------|------------------------------------------|--------------|
|   |                          |                                          | Controlling                              | Intermediary |
|   |                          |                                          |                                          |              |
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5 Check only if there is NO Interested Party.



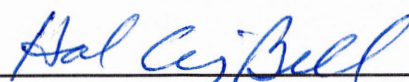
**6 UNSWORN DECLARATION**

My name is H. Craig Bell, P.E., and my date of birth is June 16, 1961.

My address is 505 East Huntland Dr., Suite 250, Austin, TX, 78752, US.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, State of Texas, on the 27th day of August, 20 21.  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)



## Elgin City Council Meeting Agenda Item Executive Summary

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### ITEM:

A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE CITY OF ELGIN PARKS, RECREATION, AND OPEN SPACE MASTER PLAN; AND PROVIDING FOR RELATED MATTERS

**DEPARTMENT:** Community Services

**PROPOSED ACTION:** Approve resolution and adopt plan.

**BACKGROUND:** The Parks Recreation and Advisory Board and city staff worked with the community for over 18 months developing this master plan to address future needs to meet the demands of our growing community. The plan is available at this link

<https://www.elgintx.com/DocumentCenter/View/6487/DRAFT-Parks-Recreation-and-Open-Space-Master-Plan-2021-2031>

and on this page on the website you can access the plan and a short survey <http://elgintx.com/239/Recreation-Programming>

### BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### RECOMMENDATION:

### ATTACHMENTS:

- ☒ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☐ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



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

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS  
APPROVING AND ADOPTING THE CITY OF ELGIN  
PARKS, RECREATION, AND OPEN SPACE MASTER  
PLAN; AND PROVIDING FOR RELATED MATTERS**

**WHEREAS**, the City Manager has prepared and submitted the proposed *Parks, Recreation and Open Space Master Plan 2021-2031*, describing park related improvements and expansions over the next ten years; and,

**WHEREAS**, the Parks & Recreation Advisory Board worked with the community for over 18 months by seeking community input to develop this plan, researched park and recreation standards nationwide, reviewed community demographics and projected growth, and developed this plan to address the needs of the community for the next ten years; and,

**WHEREAS**, the Mayor and City Council have considered and reviewed this proposal, and determined it to be an effective and accurate projection of anticipated parks and recreation needs for the next ten years;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:**

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

**Section 2.** The *City of Elgin Parks, Recreation, and Open Space Master Plan 2021-2031* is hereby approved and adopted, available on the City of Elgin Website at this link <https://www.elgintx.com/DocumentCenter/View/6487/DRAFT-Parks-Recreation-and-Open-Space-Master-Plan-2021-2031> and made part of this Resolution as if copied verbatim herein.

**Section 3.** It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Local Government Code.

**Section 4.** This Resolution shall take effect immediately upon passage.

**PASSED AND ADOPTED** this 12<sup>th</sup> day of October, 2021

\_\_\_\_\_  
RON M. RAMIREZ, Mayor  
City of Elgin, Texas

ATTEST:

\_\_\_\_\_  
JENNIFER STUBBS, City Secretary



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Resolution by the City Council approving a Real Estate Contract between the City of Elgin Economic Development Corporation and 169 Properties LLC and authorizing the Mayor to approve the Contract

**DEPARTMENT:** Economic Development

**PROPOSED ACTION:** Approve the resolution for the Real Estate Contract

**BACKGROUND:** The Economic Development Corporation is selling approximately 4.87 acres to 169 Properties to construct a 5,000 sq. ft office building for administrative, marketing, finance and executive staff. The office phase of the project is estimated to cost approximately one million dollars. The other phases of the project will include warehouse buildings for retail commissary, online fulfillment and other uses. The sale price for the property is \$552,123

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**RECOMMENDATION:** Approve the Resolution

**ATTACHMENTS:**

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

**RESOLUTION NO.**

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS  
APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE  
ELGIN ECONOMIC DEVELOPMENT CORPORATION AND 169 PROPERTIES  
LLC AND AUTHORIZING THE MAYOR TO APPROVE THE CONTRACT**

**WHEREAS**, the City of Elgin, Texas (the “City”) desires to sell property to 169 Properties LLC (the “Developer”) for the primary purpose of constructing a 5,000 sq. ft. office building for administrative, marketing, finance, and executive staff. Other phases will include warehouse buildings for retail commissary and online fulfillment.

**WHEREAS**, the City has found and determined that the Real Estate Contract will further the public interest and welfare and the potential economic benefits that will accrue to the City are consistent with the City’s economic development objectives to increase sales and use tax revenues accruing to the City and attract additional jobs, and is necessary to promote or develop new business enterprises, and

**WHEREAS**, the Developer has project costs including new construction costs of approximately one million dollars, for the office building, that will be beneficial to the City, and

**WHEREAS**, the land will be purchased for Five Hundred Fifty Two Thousand One Hundred Twenty Three Dollars (\$552,123.00) for approximately 4.87 Acres;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elgin, Texas:

1. That the above recitals are true and correct.
2. That the City hereby approves the Contract between the City of Elgin Economic Development Corporation and 169 Properties LLC
3. That the Mayor is authorized to approve the Real Estate Contract between the City of Elgin Economic Development Corporation and 169 Properties LLC

Adopted on this 12th day of October, 2021.

CITY OF ELGIN, TEXAS

\_\_\_\_\_  
Ron M. Ramirez, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Stubbs, City Secretary



## COMMERCIAL CONTRACT - UNIMPROVED PROPERTY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc. 2018

1. **PARTIES:** Seller agrees to sell and convey to Buyer the Property described in Paragraph 2. Buyer agrees to buy the Property from Seller for the sales price stated in Paragraph 3. The parties to this contract are:

Seller: Elgin Economic Development Corp

Attn: Mr. Owen Rock, Director

Address: 310 N Main St, Elgin, TX 78621

Phone: (512)229-3226

E-mail: orock@ci.elgin.tx.us

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

Buyer: 169 PROPERTIES, LTD, a Texas limited partnership

Attn: Mr. Bryan Bracewell, President

Address: 1212 U. S. Hwy 290, Elgin, TX 78621

Phone: (512)281-6415

E-mail: tabney@soutsidemarket.com

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

### 2. PROPERTY:

- A. "Property" means that real property situated in Bastrop County, Texas at Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

(address) and that is legally described on the attached Exhibit "A" or as follows:

**LEGAL DESCRIPTION: THAT CERTAIN 4.8 ACRES, MORE OR LESS, OUT OF ELGIN BUSINESS PARK III BLK B LOT 1 5.070, CITY OF ELGIN, BASTROP COUNTY, TEXAS**

- B. Seller will sell and convey the Property together with:

- (1) all rights, privileges, and appurtenances pertaining to the Property, including Seller's right, title, and interest in any minerals, utilities, adjacent streets, alleys, strips, gores, and rights-of-way;
- (2) Seller's interest in all leases, rents, and security deposits for all or part of the Property; and
- (3) Seller's interest in all licenses and permits related to the Property.

*(Describe any exceptions, reservations, or restrictions in Paragraph 12 or an addendum.)*

*(If mineral rights are to be reserved an appropriate addendum should be attached.)*

### 3. SALES PRICE:

- A. At or before closing, Buyer will pay the following sales price for the Property:

(1) Cash portion payable by Buyer at closing ..... \$ 552,123.00

(2) Sum of all financing described in Paragraph 4 ..... \$ \_\_\_\_\_

(3) Sales price (sum of 3A(1) and 3A(2)) ..... \$ 552,123.00

Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

**B. Adjustment to Sales Price:** (Check (1) or (2) only.)

- ☐ (1) The sales price will not be adjusted based on a survey.  
☒ (2) The sales price will be adjusted based on the latest survey obtained under Paragraph 6B.

(a) The sales price is calculated on the basis of \$ 2.50 per:

- ☒ (i) square foot of ☒ total area ☐ net area.  
☐ (ii) acre of ☐ total area ☐ net area.

(b) "Total area" means all land area within the perimeter boundaries of the Property. "Net area" means total area less any area of the Property within:

- ☐ (i) public roadways;  
☐ (ii) rights-of-way and easements other than those that directly provide utility services to the Property; and  
☐ (iii) \_\_\_\_\_

(c) If the sales price is adjusted by more than \_\_\_\_\_ % of the stated sales price, either party may terminate this contract by providing written notice to the other party within \_\_\_\_\_ days after the terminating party receives the survey. If neither party terminates this contract or if the variance is less than the stated percentage, the adjustment to the sales price will be made to the cash portion of the sales price payable by Buyer.

**4. FINANCING:** Buyer will finance the portion of the sales price under Paragraph 3A(2) as follows:

- ☒ A. **Third Party Financing:** One or more third party loans in the total amount of \$ \_\_\_\_\_ .  
 This contract:  
☒ (1) is not contingent upon Buyer obtaining third party financing.  
☐ (2) is contingent upon Buyer obtaining third party financing in accordance with the attached Commercial Contract Financing Addendum (TXR-1931).  
☐ B. **Assumption:** In accordance with the attached Commercial Contract Financing Addendum (TXR-1931), Buyer will assume the existing promissory note secured by the Property, which balance at closing will be \$ \_\_\_\_\_.  
☐ C. **Seller Financing:** The delivery of a promissory note and deed of trust to Seller under the terms of the attached Commercial Contract Financing Addendum (TXR-1931) in the amount of \$ \_\_\_\_\_.

**5. EARNEST MONEY:**

A. Not later than 3 days after the effective date, Buyer must deposit \$ \$10,000.00 as earnest money with Independence Title Company, 22 N Main Street, (title company) at Elgin, Texas 78721 (address) Attn: Ms. Cathy Ligon (closer). If Buyer fails to timely deposit the earnest money, Seller may terminate this contract or exercise any of Seller's other remedies under Paragraph 15 by providing written notice to Buyer before Buyer deposits the earnest money.

B. Buyer will deposit an additional amount of \$ \_\_\_\_\_ with the title company to be made part of the earnest money on or before:

- ☐ (i) \_\_\_\_\_ days after Buyer's right to terminate under Paragraph 7B expires; or  
☐ (ii) \_\_\_\_\_

Buyer will be in default if Buyer fails to deposit the additional amount required by this Paragraph 5B within 3 days after Seller notifies Buyer that Buyer has not timely deposited the additional amount.

C. Buyer may instruct the title company to deposit the earnest money in an interest-bearing account at a federally insured financial institution and to credit any interest to Buyer.

(TXR-1802) 4-1-18

Initialed for Identification by Seller \_\_\_\_\_ and Buyer [Signature]  
 Produced with Lone Wolf Transactions (zipForm Edition) 231 Shearson Cr. Cambridge, Ontario, Canada N1T 1J5 www.lw.com  
 C4AD100C4755479...

Page 2 of 14  
 Southside for

Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas**6. TITLE POLICY AND SURVEY:****A. Title Policy:**

- (1) Seller, at Seller's expense, will furnish Buyer an Owner's Policy of Title Insurance (the title policy) issued by any underwriter of the title company in the amount of the sales price, dated at or after closing, insuring Buyer against loss under the title policy, subject only to:
- (a) those title exceptions permitted by this contract or as may be approved by Buyer in writing; and
  - (b) the standard printed exceptions contained in the promulgated form of title policy unless this contract provides otherwise.
- (2) The standard printed exception as to discrepancies, conflicts, or shortages in area and boundary lines, or any encroachments or protrusions, or any overlapping improvements:
- ☐ (a) will not be amended or deleted from the title policy.
  - ☒ (b) will be amended to read "shortages in areas" at the expense of ☐ Buyer ☒ Seller.
- (3) Within \_\_\_\_\_ days after the effective date, Seller will furnish Buyer a commitment for title insurance (the commitment) including legible copies of recorded documents evidencing title exceptions. Seller authorizes the title company to deliver the commitment and related documents to Buyer at Buyer's address.

**B. Survey: Within 30 days after the effective date:**

- ☐ (1) Buyer will obtain a survey of the Property at Buyer's expense and deliver a copy of the survey to Seller. The survey must be made in accordance with the: (i) ALTA/NSPS Land Title Survey standards, or (ii) Texas Society of Professional Surveyors' standards for a Category 1A survey under the appropriate condition. Seller will reimburse Buyer \_\_\_\_\_ (insert amount) of the cost of the survey at closing, if closing occurs.
- ☒ (2) Seller, at Seller's expense, will furnish Buyer a survey of the Property dated after the effective date. The survey must be made in accordance with the: (i) ALTA/NSPS Land Title Survey standards, or (ii) Texas Society of Professional Surveyors' standards for a Category 1A survey under the appropriate condition.
- ☐ (3) Seller will deliver to Buyer and the title company a true and correct copy of Seller's most recent survey of the Property along with an affidavit required by the title company for approval of the existing survey. If the existing survey is not acceptable to the title company, ☐ Seller ☐ Buyer (updating party), will, at the updating party's expense, obtain a new or updated survey acceptable to the title company and deliver the acceptable survey to the other party and the title company within 20 days after the title company notifies the parties that the existing survey is not acceptable to the title company. The closing date will be extended daily up to 20 days if necessary for the updating party to deliver an acceptable survey within the time required. The other party will reimburse the updating party \_\_\_\_\_ (insert amount or percentage) of the cost of the new or updated survey at closing, if closing occurs.

**C. Buyer's Objections to the Commitment and Survey:**

- (1) Within 15 days after Buyer receives the last of the commitment, copies of the documents evidencing the title exceptions, and any required survey, Buyer may object in writing to matters disclosed in the items if: (a) the matters disclosed are a restriction upon the Property or constitute a defect or encumbrance to title other than those permitted by this contract or liens that Seller will satisfy at closing or Buyer will assume at closing; or (b) the items show that any part of the Property lies in a special flood hazard area (an "A" or "V" zone as defined by FEMA). If the commitment or survey is revised or any new document evidencing a title exception is delivered, Buyer may object to any new matter revealed in such revision or new document. Buyer's objection must be made within the same number of days stated in this paragraph, beginning when the revision or new



Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

document is delivered to Buyer. If Paragraph 6B(1) applies, Buyer is deemed to receive the survey on the earlier of: (i) the date of Buyer's actual receipt of the survey; or (ii) of the deadline specified in Paragraph 6B.

(2) Seller may, but is not obligated to, cure Buyer's timely objections within 15 days after Seller receives the objections. The closing date will be extended as necessary to provide such time to cure the objections. If Seller fails to cure the objections by the time required, Buyer may terminate this contract by providing written notice to Seller within 5 days after the time by which Seller must cure the objections. If Buyer terminates, the earnest money, less any independent consideration under Paragraph 7B(1), will be refunded to Buyer.

(3) Buyer's failure to timely object or terminate under this Paragraph 6C is a waiver of Buyer's right to object except that Buyer will not waive the requirements in Schedule C of the commitment.

## 7. PROPERTY CONDITION:

A. Present Condition: Buyer accepts the Property in its present condition except that Seller, at Seller's expense, will complete the following before closing: NOTHING

B. Feasibility Period: Buyer may terminate this contract for any reason within 60 days after the effective date (feasibility period) by providing Seller written notice of termination.

(1) Independent Consideration. (Check only one box and insert amounts.)

☒ (a) If Buyer terminates under this Paragraph 7B, the earnest money will be refunded to Buyer less \$ 1,000.00 that Seller will retain as independent consideration for Buyer's unrestricted right to terminate. Buyer has tendered the independent consideration to Seller upon payment of the amount specified in Paragraph 5A to the title company. The independent consideration is to be credited to the sales price only upon closing of the sale. If no dollar amount is stated in this Paragraph 7B(1) or if Buyer fails to deposit the earnest money, Buyer will not have the right to terminate under this Paragraph 7B.

☐ (b) Not later than 3 days after the effective date, Buyer must pay Seller \$ \_\_\_\_\_ as independent consideration for Buyer's right to terminate by tendering such amount to Seller or Seller's agent. If Buyer terminates under this Paragraph 7B, the earnest money will be refunded to Buyer and Seller will retain the independent consideration. The independent consideration will be credited to the sales price only upon closing of the sale. If no dollar amount is stated in this Paragraph 7B(2) or if Buyer fails to pay the independent consideration, Buyer will not have the right to terminate under this Paragraph 7B.

(2) Feasibility Period Extension: Prior to the expiration of the initial feasibility period, Buyer may extend the feasibility period for a single period of an additional \_\_\_\_\_ days by depositing additional earnest money in the amount of \$ \_\_\_\_\_ with the title company. If no dollar amount is stated in this Paragraph or if Buyer fails to timely deposit the additional earnest money, the extension of the feasibility period will not be effective.

## C. Inspections, Studies, or Assessments:

(1) During the feasibility period, Buyer, at Buyer's expense, may complete or cause to be completed any and all inspections, studies, or assessments of the Property (including all improvements and fixtures) desired by Buyer.

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B. Bullard

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Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

(2) Buyer must:

- (a) employ only trained and qualified inspectors and assessors;
- (b) notify Seller, in advance, of when the inspectors or assessors will be on the Property;
- (c) abide by any reasonable entry rules or requirements of Seller;
- (d) not interfere with existing operations or occupants of the Property; and
- (e) restore the Property to its original condition if altered due to inspections, studies, or assessments that Buyer completes or causes to be completed.

- (3) Except for those matters that arise from the negligence of Seller or Seller's agents, Buyer is responsible for any claim, liability, encumbrance, cause of action, and expense resulting from Buyer's inspections, studies, or assessments, including any property damage or personal injury. Buyer will indemnify, hold harmless, and defend Seller and Seller's agents against any claim involving a matter for which Buyer is responsible under this paragraph. This paragraph survives termination of this contract.

D. Property Information:

- (1) Delivery of Property Information: Within 5 days after the effective date, Seller will deliver to Buyer: *(Check all that apply.)*

- ☐ (a) copies of all current leases, including any mineral leases, pertaining to the Property, including any modifications, supplements, or amendments to the leases;
- ☐ (b) copies of all notes and deeds of trust against the Property that Buyer will assume or that Seller will not pay in full on or before closing;
- ☒ (c) copies of all previous environmental assessments, geotechnical reports, studies, or analyses made on or relating to the Property;
- ☒ (d) copies property tax statements for the Property for the previous 2 calendar years;
- ☒ (e) plats of the Property;
- ☒ (f) copies of current utility capacity letters from the Property's water and sewer service provider; and
- ☒ (g) any other information in Seller's possession that may assist Buyer in evaluating the Property, to the extent such is in Seller's or Agent's possession

- (2) Return of Property Information: If this contract terminates for any reason, Buyer will, not later than 10 days after the termination date: *(Check all that apply.)*

- ☒ (a) return to Seller all those items described in Paragraph 7D(1) that Seller delivered to Buyer in other than an electronic format and all copies that Buyer made of those items;
- ☒ (b) delete or destroy all electronic versions of those items described in Paragraph 7D(1) that Seller delivered to Buyer or Buyer copied in any format; and
- ☒ (c) deliver to Seller copies of all inspection and assessment reports related to the Property that Buyer completed or caused to be completed.

This Paragraph 7D(2) survives termination of this contract.

- E. Contracts Affecting Operations: Until closing, Seller: (1) will operate the Property in the same manner as on the effective date under reasonably prudent business standards; and (2) will not transfer or dispose of any part of the Property, any interest or right in the Property, or any of the personal property or other items described in Paragraph 2B or sold under this contract. After the feasibility period ends, Seller may not enter into, amend, or terminate any other contract that affects the operations of the Property without Buyer's written approval.

8. **LEASES:**

- A. Each written lease Seller is to assign to Buyer under this contract must be in full force and effect according to its terms. Seller may not enter into any new lease, fail to comply with any existing lease, or make any amendment or modification to any existing lease without Buyer's written consent. Seller



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must disclose, in writing, if any of the following exist at the time Seller provides the leases to the Buyer or subsequently occur before closing:

- (1) any failure by Seller to comply with Seller's obligations under the leases;
- (2) any circumstances under any lease that entitle the tenant to terminate the lease or seek any offsets or damages;
- (3) any advance sums paid by a tenant under any lease;
- (4) any concessions, bonuses, free rents, rebates, brokerage commissions, or other matters that affect any lease; and
- (5) any amounts payable under the leases that have been assigned or encumbered, except as security for loan(s) assumed or taken subject to under this contract.

B. **Estoppel Certificates:** Within \_\_\_\_\_ days after the effective date, Seller will deliver to Buyer estoppel certificates signed not earlier than \_\_\_\_\_ by each tenant that leases space in the Property. The estoppel certificates must include the certifications contained in the current version of TXR Form 1938 - Commercial Tenant Estoppel Certificate and any additional information requested by a third party lender providing financing under Paragraph 4 if the third party lender requests such additional information at least 10 days prior to the earliest date that Seller may deliver the signed estoppel certificates.

## 9. BROKERS:

A. The brokers to this sale are:

Principal Broker: CBRE, INC.

Cooperating Broker: McAllister & Associates

Agent: Greg Marberry, Neal Kieschnik, Roger Hanks

Agent: Brad Campbell

Address: 2100 McKinney Ave Ste 700

Address: 201 Barton Springs Road

Dallas, TX 75201

Austin, TX 78704

Phone & Fax: (512)499-4914

Phone & Fax: (512)426-6464

E-mail: greg.marberry@cbre.com/ roger.hanks@cbre.com

E-mail: brad@matexas.com

License No.: 299995

License No.: 401735

Principal Broker: (Check only one box)

- ☒ represents Seller only.  
☐ represents Buyer only.  
☐ is an intermediary between Seller and Buyer.

Cooperating Broker represents Buyer.

B. **Fees:** (Check only (1) or (2) below.)

(Complete the Agreement Between Brokers on page 14 only if (1) is selected.)

- ☐ (1) Seller will pay Principal Broker the fee specified by separate written commission agreement between Principal Broker and Seller. Principal Broker will pay Cooperating Broker the fee specified in the Agreement Between Brokers found below the parties' signatures to this contract.

- ☒ (2) At the closing of this sale, Seller will pay:

Principal Broker a total cash fee of:

☒ 3.000 % of the sales price.

Cooperating Broker a total cash fee of:

☒ 3.000 % of the sales price.

The cash fees will be paid in Travis County, Texas. Seller authorizes the title company to pay the brokers from the Seller's proceeds at closing.

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**NOTICE:** Chapter 62, Texas Property Code, authorizes a broker to secure an earned commission with a lien against the Property.

- C. The parties may not amend this Paragraph 9 without the written consent of the brokers affected by the amendment.

# 10. CLOSING:

- A. The date of the closing of the sale (closing date) will be on or before the later of:

(1) ☒ 30 days after the expiration of the feasibility period.

☐ \_\_\_\_\_ (specific date).

(2) 7 days after objections made under Paragraph 6C have been cured or waived.

- B. If either party fails to close by the closing date, the non-defaulting party may exercise the remedies in Paragraph 15.

- C. At closing, Seller will execute and deliver, at Seller's expense, a ☐ general ☒ special warranty deed. The deed must include a vendor's lien if any part of the sales price is financed. The deed must convey good and indefeasible title to the Property and show no exceptions other than those permitted under Paragraph 6 or other provisions of this contract. Seller must convey the Property:

- (1) with no liens, assessments, or other security interests against the Property which will not be satisfied out of the sales price, unless securing loans Buyer assumes;
- (2) without any assumed loans in default; and
- (3) with no persons in possession of any part of the Property as lessees, tenants at sufferance, or trespassers except tenants under the written leases assigned to Buyer under this contract.

- D. At closing, Seller, at Seller's expense, will also deliver to Buyer:

- (1) tax statements showing no delinquent taxes on the Property;
- (2) an assignment of all leases to or on the Property;
- (3) to the extent assignable, an assignment to Buyer of any licenses and permits related to the Property;
- (4) evidence that the person executing this contract is legally capable and authorized to bind Seller;
- (5) an affidavit acceptable to the title company stating that Seller is not a foreign person or, if Seller is a foreign person, a written authorization for the title company to: (i) withhold from Seller's proceeds an amount sufficient to comply with applicable tax law; and (ii) deliver the amount to the Internal Revenue Service (IRS) together with appropriate tax forms; and
- (6) any notices, statements, certificates, affidavits, releases, and other documents required by this contract, the commitment, or law necessary for the closing of the sale and issuance of the title policy, all of which must be completed by Seller as necessary.

- E. At closing, Buyer will:

- (1) pay the sales price in good funds acceptable to the title company;
- (2) deliver evidence that the person executing this contract is legally capable and authorized to bind Buyer;
- (3) sign and send to each tenant in a lease for any part of the Property a written statement that:
  - (a) acknowledges Buyer has received and is responsible for the tenant's security deposit; and
  - (b) specifies the exact dollar amount of the security deposit;
- (4) sign an assumption of all leases then in effect; and
- (5) execute and deliver any notices, statements, certificates, or other documents required by this contract or law necessary to close the sale.

- F. Unless the parties agree otherwise, the closing documents will be as found in the basic forms in the current edition of the State Bar of Texas Real Estate Forms Manual ~~without any additional clauses.~~

DS

*Bm*

Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

**11. POSSESSION:** Seller will deliver possession of the Property to Buyer upon closing and funding of this sale in its present condition with any repairs Seller is obligated to complete under this contract, ordinary wear and tear excepted. Any possession by Buyer before closing or by Seller after closing that is not authorized by a separate written lease agreement is a landlord-tenant at sufferance relationship between the parties.

**12. SPECIAL PROVISIONS:** The following special provisions apply and will control in the event of a conflict with other provisions of this contract. *(If special provisions are contained in an Addendum, identify the Addendum here and reference the Addendum in Paragraph 22D.)*

**A Special Provisions Addendum is attached to this contract and becomes a part hereto by reference being labeled as Exhibit "B"**

### 13. SALES EXPENSES:

A. Seller's Expenses: Seller will pay for the following at or before closing:

- (1) releases of existing liens, other than those liens assumed by Buyer, including prepayment penalties and recording fees;
- (2) release of Seller's loan liability, if applicable;
- (3) tax statements or certificates;
- (4) preparation of the deed;
- (5) one-half of any escrow fee;
- (6) costs to record any documents to cure title objections that Seller must cure; and
- (7) other expenses that Seller will pay under other provisions of this contract.

B. Buyer's Expenses: Buyer will pay for the following at or before closing:

- (1) all loan expenses and fees;
- (2) preparation of any deed of trust;
- (3) recording fees for the deed and any deed of trust;
- (4) premiums for flood insurance as may be required by Buyer's lender;
- (5) one-half of any escrow fee;
- (6) other expenses that Buyer will pay under other provisions of this contract.

### 14. PRORATIONS:

A. Prorations:

- (1) Interest on any assumed loan, taxes, rents, and any expense reimbursements from tenants will be prorated through the closing date.
- (2) If the amount of ad valorem taxes for the year in which the sale closes is not available on the closing date, taxes will be prorated on the basis of taxes assessed in the previous year. If the taxes for the year in which the sale closes vary from the amount prorated at closing, the parties will adjust the prorations when the tax statements for the year in which the sale closes become available. This Paragraph 14A(2) survives closing.
- (3) If Buyer assumes a loan or is taking the Property subject to an existing lien, Seller will transfer all reserve deposits held by the lender for the payment of taxes, insurance premiums, and other charges to Buyer at closing and Buyer will reimburse such amounts to Seller by an appropriate adjustment at closing.

B. Rollback Taxes: If Seller's use or change in use of the Property before closing results in the assessment of additional taxes, penalties, or interest (assessments) for periods before closing, the assessments will be the obligation of the Seller. If this sale or Buyer's use of the Property after closing results in additional assessments for periods before closing, the assessments will be the obligation of Buyer. This Paragraph 14B survives closing.

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- C. **Rent and Security Deposits:** At closing, Seller will tender to Buyer all security deposits and the following advance payments received by Seller for periods after closing: prepaid expenses, advance rental payments, and other advance payments paid by tenants. Rents prorated to one party but received by the other party will be remitted by the recipient to the party to whom it was prorated within 5 days after the rent is received. This Paragraph 14C survives closing.

# 15. DEFAULT:

- A. If Buyer fails to comply with this contract, Buyer is in default and Seller, as Seller's sole remedy(ies), may terminate this contract and receive the earnest money, as liquidated damages for Buyer's failure except for any damages resulting from Buyer's inspections, studies or assessments in accordance with Paragraph 7C(3) which Seller may pursue; ~~or~~

(Check if applicable)

- ☐ ~~enforce specific performance, or seek such other relief as may be provided by law.~~

DS  
Bm Bm

- B. If, without fault, Seller is unable within the time allowed to deliver the estoppel certificates, survey or the commitment, Buyer may:

- (1) terminate this contract and receive the earnest money, less any independent consideration under Paragraph 7B(1), as liquidated damages and as Buyer's sole remedy; or
- (2) extend the time for performance up to 15 days and the closing will be extended as necessary.

- C. Except as provided in Paragraph 15B, if Seller fails to comply with this contract, Seller is in default and Buyer may:

- (1) terminate this contract and receive the earnest money, less any independent consideration under Paragraph 7B(1), as liquidated damages and as Buyer's sole remedy; or
- (2) ~~enforce specific performance, or seek such other relief as may be provided by law, or both.~~

DS  
Bm Bm

16. **CONDEMNATION:** If before closing, condemnation proceedings are commenced against any part of the Property, Buyer may:

- A. terminate this contract by providing written notice to Seller within 15 days after Buyer is advised of the condemnation proceedings and the earnest money, less any independent consideration paid under Paragraph 7B(1), will be refunded to Buyer; or

- B. appear and defend in the condemnation proceedings and any award will, at Buyer's election, belong to:
- (1) Seller and the sales price will be reduced by the same amount; or
  - (2) Buyer and the sales price will not be reduced.

17. **ATTORNEY'S FEES:** If Buyer, Seller, any broker, or the title company is a prevailing party in any legal proceeding brought under or with relation to this contract or this transaction, such party is entitled to recover from the non-prevailing parties all costs of such proceeding and reasonable attorney's fees. This Paragraph 17 survives termination of this contract.

# 18. ESCROW:

- A. At closing, the earnest money will be applied first to any cash down payment, then to Buyer's closing costs, and any excess will be refunded to Buyer. If no closing occurs, the title company may require payment of unpaid expenses incurred on behalf of the parties and a written release of liability of the title company from all parties.

- B. If one party makes written demand for the earnest money, the title company will give notice of the demand by providing to the other party a copy of the demand. If the title company does not receive written objection to the demand from the other party within 15 days after the date the title company sent the demand to the other party, the title company may disburse the earnest money to the party making demand, reduced by the amount of unpaid expenses incurred on behalf of the party receiving the earnest money and the title company may pay the same to the creditors.

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- C. The title company will deduct any independent consideration under Paragraph 7B(1) before disbursing any earnest money to Buyer and will pay the independent consideration to Seller.
- D. If the title company complies with this Paragraph 18, each party hereby releases the title company from all claims related to the disbursement of the earnest money.
- E. Notices under this Paragraph 18 must be sent by certified mail, return receipt requested. Notices to the title company are effective upon receipt by the title company.
- F. Any party who wrongfully fails or refuses to sign a release acceptable to the title company within 7 days after receipt of the request will be liable to the other party for: (i) damages; (ii) the earnest money; (iii) reasonable attorney's fees; and (iv) all costs of suit.
- G. ☒ Seller ☒ Buyer intends to complete this transaction as a part of an exchange of like-kind properties in accordance with Section 1031 of the Internal Revenue Code, as amended. All expenses in connection with the contemplated exchange will be paid by the exchanging party. The other party will not incur any expense or liability with respect to the exchange. The parties agree to cooperate fully and in good faith to arrange and consummate the exchange so as to comply to the maximum extent feasible with the provisions of Section 1031 of the Internal Revenue Code. The other provisions of this contract will not be affected in the event the contemplated exchange fails to occur.

**19. MATERIAL FACTS:** To the best of Seller's knowledge and belief: (Check only one box.)

- ☐ A. Seller is not aware of any material defects to the Property except as stated in the attached Commercial Property Condition Statement (TXR-1408).
- ☒ B. Except as otherwise provided in this contract, Seller is not aware of:
- (1) any subsurface structures, pits, waste, springs, or improvements;
  - (2) any pending or threatened litigation, condemnation, or assessment affecting the Property;
  - (3) any environmental hazards or conditions that materially affect the Property;
  - (4) whether the Property is or has been used for the storage or disposal of hazardous materials or toxic waste, a dump site or landfill, or any underground tanks or containers;
  - (5) whether radon, asbestos containing materials, urea-formaldehyde foam insulation, lead-based paint, toxic mold (to the extent that it adversely affects the health of ordinary occupants), or other pollutants or contaminants of any nature now exist or ever existed on the Property;
  - (6) any wetlands, as defined by federal or state law or regulation, on the Property;
  - (7) any threatened or endangered species or their habitat on the Property;
  - (8) any present or past infestation of wood-destroying insects in the Property's improvements;
  - (9) any contemplated material changes to the Property or surrounding area that would materially and detrimentally affect the ordinary use of the Property;
  - (10) any condition on the Property that violates any law or ordinance.

(Describe any exceptions to (1)-(10) in Paragraph 12 or an addendum.)

**20. NOTICES:** All notices between the parties under this contract must be in writing and are effective when hand-delivered, mailed by certified mail return receipt requested, or sent by facsimile transmission to the parties addresses or facsimile numbers stated in Paragraph 1. The parties will send copies of any notices to the broker representing the party to whom the notices are sent.

- ☒ A. Seller also consents to receive any notices by e-mail at Seller's e-mail address stated in Paragraph 1.
- ☒ B. Buyer also consents to receive any notices by e-mail at Buyer's e-mail address stated in Paragraph 1.

**21. DISPUTE RESOLUTION:** The parties agree to negotiate in good faith in an effort to resolve any dispute related to this contract that may arise. If the dispute cannot be resolved by negotiation, the parties will submit the dispute to mediation before resorting to arbitration or litigation and will equally share the costs of a mutually acceptable mediator. This paragraph survives termination of this contract. This paragraph does not preclude a party from seeking equitable relief from a court of competent jurisdiction.

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## 22. AGREEMENT OF THE PARTIES:

- A. This contract is binding on the parties, their heirs, executors, representatives, successors, and permitted assigns. This contract is to be construed in accordance with the laws of the State of Texas. If any term or condition of this contract shall be held to be invalid or unenforceable, the remainder of this contract shall not be affected thereby.
- B. This contract contains the entire agreement of the parties and may not be changed except in writing.
- C. If this contract is executed in a number of identical counterparts, each counterpart is an original and all counterparts, collectively, constitute one agreement.
- D. Addenda which are part of this contract are: *(Check all that apply.)*
- ☒ (1) Property Description Exhibit identified in Paragraph 2;
  - ☐ (2) Commercial Contract Financing Addendum (TXR-1931);
  - ☐ (3) Commercial Property Condition Statement (TXR-1408);
  - ☐ (4) Commercial Contract Addendum for Special Provisions (TXR-1940);
  - ☐ (5) Notice to Purchaser of Real Property in a Water District (MUD);
  - ☐ (6) Addendum for Coastal Area Property (TXR-1915);
  - ☐ (7) Addendum for Property Located Seaward of the Gulf Intracoastal Waterway (TXR-1916);
  - ☐ (8) Information About Brokerage Services (TXR-2501);
  - ☐ (9) Information About Mineral Clauses in Contract Forms (TXR-2509); and
  - ☒ (10) Exhibit "B" (Special Provisions Addendum)  
Exhibit "C" (Proposed Project Layout)

*(Note: Counsel for Texas REALTORS® has determined that any of the foregoing addenda which are promulgated by the Texas Real Estate Commission (TREC) or published by Texas REALTORS® are appropriate for use with this form.)*

- E. Buyer ☒ may ☐ may not assign this contract. If Buyer assigns this contract, Buyer will be relieved of any future liability under this contract only if the assignee assumes, in writing, all obligations and liability of Buyer under this contract.

**23. TIME:** Time is of the essence in this contract. The parties require strict compliance with the times for performance. If the last day to perform under a provision of this contract falls on a Saturday, Sunday, or legal holiday, the time for performance is extended until the end of the next day which is not a Saturday, Sunday, or legal holiday.

**24. EFFECTIVE DATE:** The effective date of this contract for the purpose of performance of all obligations is the date the title company receipts this contract after all parties execute this contract.

## 25. ADDITIONAL NOTICES:

- A. Buyer should have an abstract covering the Property examined by an attorney of Buyer's selection, or Buyer should be furnished with or obtain a title policy.
- B. If the Property is situated in a utility or other statutorily created district providing water, sewer, drainage, or flood control facilities and services, Chapter 49, Texas Water Code, requires Seller to deliver and Buyer to sign the statutory notice relating to the tax rate, bonded indebtedness, or standby fees of the district before final execution of this contract.
- C. Notice Required by §13.257, Water Code: "The real property, described below, that you are about to purchase may be located in a certificated water or sewer service area, which is authorized by law to provide water or sewer service to the properties in the certificated area. If your property is located in a certificated area there may be special costs or charges that you will be required to pay before you can receive water or sewer service. There may be a period required to construct lines or other facilities necessary to provide water or sewer service to your property. You are advised to determine if the property is in a certificated area and contact the utility service provider to determine the cost that you

Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

will be required to pay and the period, if any, that is required to provide water or sewer service to your property. The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property described in the notice or at closing of purchase of the real property." The real property is described in Paragraph 2 of this contract.

- D. If the Property adjoins or shares a common boundary with the tidally influenced submerged lands of the state, §33.135 of the Texas Natural Resources Code requires a notice regarding coastal area property to be included as part of this contract (*the Addendum for Coastal Area Property (TXR-1915) may be used*).
  - E. If the Property is located seaward of the Gulf Intracoastal Waterway, §61.025, Texas Natural Resources Code, requires a notice regarding the seaward location of the Property to be included as part of this contract (*the Addendum for Property Located Seaward of the Gulf Intracoastal Waterway (TXR-1916) may be used*).
  - F. If the Property is located outside the limits of a municipality, the Property may now or later be included in the extra-territorial jurisdiction (ETJ) of a municipality and may now or later be subject to annexation by the municipality. Each municipality maintains a map that depicts its boundaries and ETJ. To determine if the Property is located within a municipality's ETJ, Buyer should contact all municipalities located in the general proximity of the Property for further information.
  - G. Brokers are not qualified to perform property inspections, surveys, engineering studies, environmental assessments, or inspections to determine compliance with zoning, governmental regulations, or laws. Buyer should seek experts to perform such services. Buyer should review local building codes, ordinances and other applicable laws to determine their effect on the Property. Selection of experts, inspectors, and repairmen is the responsibility of Buyer and not the brokers. Brokers are not qualified to determine the credit worthiness of the parties.
  - H. NOTICE OF WATER LEVEL FLUCTUATIONS: If the Property adjoins an impoundment of water, including a reservoir or lake, constructed and maintained under Chapter 11, Water Code, that has a storage capacity of at least 5,000 acre-feet at the impoundment's normal operating level, Seller hereby notifies Buyer: "The water level of the impoundment of water adjoining the Property fluctuates for various reasons, including as a result of: (1) an entity lawfully exercising its right to use the water stored in the impoundment; or (2) drought or flood conditions."
  - I. LICENSE HOLDER DISCLOSURE: Texas law requires a real estate license holder who is a party to a transaction or acting on behalf of a spouse, parent, child, business entity in which the license holder owns more than 10%, or a trust for which the license holder acts as a trustee or of which the license holder or the license holder's spouse, parent or child is a beneficiary, to notify the other party in writing before entering into a contract of sale. Disclose if applicable: \_\_\_\_\_.
- 26. CONTRACT AS OFFER:** The execution of this contract by the first party constitutes an offer to buy or sell the Property. Unless the other party accepts the offer by 5:00 p.m., in the time zone in which the Property is located, on October 13, 2021, the offer will lapse and become null and void.

Commercial Contract - Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas

**READ THIS CONTRACT CAREFULLY.** The brokers and agents make no representation or recommendation as to the legal sufficiency, legal effect, or tax consequences of this document or transaction. **CONSULT** your attorney **BEFORE** signing.

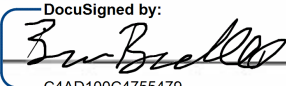
**Seller:** Elgin Economic Development Corp

**Buyer:** 169 PROPERTIES, LTD, a Texas limited partnership

**Attn:** Mr. Owen Rock, Director

**Attn:** Mr. Bryan Bracewell, President

By: \_\_\_\_\_  
By (signature): \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
By (signature):   
Printed Name: \_\_\_\_\_  
Title: CEO/Owner

By: \_\_\_\_\_  
By (signature): \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
By (signature): \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_



Commercial Contract -Unimproved Property concerning Tract 5, Business Park III on Roy Rogers Rd in Elgin, Texas**AGREEMENT BETWEEN BROKERS**

(use only if Paragraph 9B(1) is effective)

Principal Broker agrees to pay \_\_\_\_\_ (Cooperating Broker) a fee when the Principal Broker's fee is received. The fee to be paid to Cooperating Broker will be:

☐ \$ \_\_\_\_\_, or  
☐ \_\_\_\_\_ % of the sales price, or  
☐ \_\_\_\_\_ % of the Principal Broker's fee.

The title company is authorized and directed to pay Cooperating Broker from Principal Broker's fee at closing. This Agreement Between Brokers supersedes any prior offers and agreements for compensation between brokers.

Principal Broker: \_\_\_\_\_

Cooperating Broker: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

**ATTORNEYS**

Seller's attorney: \_\_\_\_\_

Buyer's attorney: J. BRADLEY GREENBLUM

Address: \_\_\_\_\_

Address: 3345 Bee Cave Rd. Suite 208

Phone &amp; Fax: \_\_\_\_\_

Phone & Fax: (512)610-6600 (512)391-0918

E-mail: \_\_\_\_\_

E-mail: brad@greenblum.com

Seller's attorney requests copies of documents, notices, and other information:

- ☐ the title company sends to Seller.  
☐ Buyer sends to Seller.

Buyer's attorney requests copies of documents, notices, and other information:

- ☐ the title company sends to Buyer.  
☐ Seller sends to Buyer.

**ESCROW RECEIPT**

The title company acknowledges receipt of:

- ☐ A. the contract on this day \_\_\_\_\_ (effective date);  
☐ B. earnest money in the amount of \$ \_\_\_\_\_ in the form of \_\_\_\_\_ on \_\_\_\_\_.

Title company: Independence Title CoAddress: 22 North Main StElgin, TX 78621

By: \_\_\_\_\_

Phone & Fax: (512)581-4510Attn: Cathy Ligon

Assigned file number (GF#): \_\_\_\_\_

E-mail: cligon@independencetitle.com

**DESCRIPTION of PROPERTY(SURVEY)**

(to be replaced upon receipt of Seller's existing Survey)

**EXHIBIT "A"**

**EXHIBIT B"**  
**TO COMMERCIAL CONTRACT**

**ELGIN BUSINESS PARK III**  
**BLOCK B, LOT 1**

**SPECIAL PROVISIONS ADDENDUM**

This Addendum is attached to and made a part of that certain Commercial Contract – Unimproved Property – dated as of September \_\_, 2021 ("**Contract**"), by and between ELGIN ECONOMIC DEVELOPMENT CORPORATION, a Texas not for profit corporation situated in Elgin, Bastrop County, Texas ("**Seller**") and 169 PROPERTIES, LTD., a Texas limited partnership and its assigns (collectively, "**Buyer**") regarding the purchase and sale of approximately 5.070 acres commonly known as Block B, Lot 1, of the Elgin Business Park III, in Elgin, Bastrop County, Texas ("**Property**"), as is more accurately described in the Contract, and is hereby incorporated into the Contract for all purposes. In addition to the terms and conditions set forth in the Contract, the parties hereby agree to the following:

1. **TERMS.** Any capitalized terms used herein shall have the same meaning given them in the Contract unless specifically defined otherwise herein.
2. **CONTROLLING PROVISIONS.** To the extent any provision set forth herein is inconsistent with or contrary to any provision set forth in the Contract or any of the exhibits thereto, the terms and provisions set forth herein shall be controlling.
3. **LEGAL DESCRIPTION of PROPERTY.** Notwithstanding provisions in Paragraph (2) of the Contract to the contrary, Buyer and Seller acknowledge that the legal description for the Property contained in this Contract technically may be legally insufficient for the purpose of supporting an action for specific performance or other provisions herein. Because the parties are desirous of executing this Contract to provide for the right of enforcement, Seller and Buyer agree that (i) they are familiar with the Property, (ii) each party waives any and all claims of an insufficient legal description, and (iii) upon completion of the Survey, Buyer and Seller agree that this Contract will be automatically amended to incorporate the metes and bounds legal description of the Property.
4. **PROPERTY CONDITION/"AS IS" SALE.** BUYER ACKNOWLEDGES AND AGREES THAT BUYER IS EXPERIENCED IN THE OWNERSHIP AND OPERATION OF PROPERTIES SIMILAR TO THE PROPERTY AND THAT PRIOR TO THE CLOSING DATE BUYER SHALL HAVE INSPECTED THE PROPERTY TO ITS SATISFACTION AND IS QUALIFIED TO MAKE SUCH INSPECTIONS. BUYER ACKNOWLEDGES THAT IT IS FULLY RELYING ON BUYER'S OR BUYER'S REPRESENTATIVES' INSPECTIONS OF THE PROPERTY AND NOT UPON ANY STATEMENTS, ORAL OR WRITTEN, WHICH MAY HAVE BEEN MADE OR MAY BE MADE OR PURPORTEDLY MADE BY SELLER

OR ANY OF ITS REPRESENTATIVES. BUYER ACKNOWLEDGES THAT BUYER HAS OR BUYER'S REPRESENTATIVES HAVE, OR PRIOR TO THE CLOSING DATE WILL HAVE, THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY BUYER IN ORDER TO ENABLE BUYER TO EVALUATE THE CONDITION OF THE PROPERTY AND ALL OTHER ASPECTS OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE ENVIRONMENTAL CONDITION OF THE PROPERTY, AND BUYER ACKNOWLEDGES THAT BUYER IS RELYING SOLELY UPON ITS OWN OR ITS REPRESENTATIVES' INSPECTION, EXAMINATION AND EVALUATION OF THE PROPERTY.

AS A MATERIAL PART OF THE CONSIDERATION FOR THIS CONTRACT AND THE PURCHASE OF THE PROPERTY, BUYER HEREBY AGREES TO ACCEPT THE PROPERTY ON THE CLOSING DATE IN ITS "AS IS", "WHERE IS", CONDITION AND WITH ALL FAULTS AND DEFECTS, AND WITHOUT REPRESENTATIONS AND WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, EXCEPT ONLY THE TITLE WARRANTIES EXPRESSLY SET FORTH IN THE DEED TO BE DELIVERED ON THE CLOSING DATE SET FORTH IN THE CLOSING DOCUMENTS TO BE EXECUTED AND DELIVERED BY SELLER TO BUYER AT CLOSING. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, BUYER ACKNOWLEDGES AND AGREES THAT SELLER AND SELLER'S OFFICERS, AGENTS, DIRECTORS, EMPLOYEES, ATTORNEYS, CONTRACTORS AND AFFILIATES ("SELLER'S RELATED PARTIES") HAVE MADE NO, AND SPECIFICALLY DISCLAIM, AND BUYER ACCEPTS THAT SELLER AND SELLER'S RELATED PARTIES HAVE DISCLAIMED, ANY AND ALL REPRESENTATIONS, GUARANTIES OR WARRANTIES, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, EXCEPT AS TO TITLE AS HEREINABOVE PROVIDED AND SET FORTH IN THE CLOSING DOCUMENTS, OF OR RELATING TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION, OF OR RELATING TO (i) THE USE, INCOME POTENTIAL, EXPENSES, OPERATION, CHARACTERISTICS OR CONDITION OF THE PROPERTY OR ANY PORTION THEREOF, INCLUDING WITHOUT LIMITATION, WARRANTIES OF SUITABILITY, HABITABILITY, MERCHANTABILITY, DESIGN OR FITNESS FOR ANY SPECIFIC OR A PARTICULAR PURPOSE; (ii) THE NATURE, MANNER, CONSTRUCTION, CONDITION, STATE OF REPAIR OR LACK OF REPAIR OF ANY IMPROVEMENTS LOCATED ON THE PROPERTY, ON THE SURFACE OR SUBSURFACE THEREOF, WHETHER OR NOT OBVIOUS, VISIBLE OR APPARENT; (iii) THE NATURE OR QUALITY OF CONSTRUCTION, STRUCTURAL DESIGN OR ENGINEERING OF THE PROPERTY; (iv) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY GOVERNMENTAL AUTHORITY OR BODY HAVING JURISDICTION, INCLUDING, WITHOUT LIMITATION, ALL APPLICABLE SUBDIVISION AND ZONING LAWS; (v) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND THE PRESENCE OR ABSENCE OF CONTAMINATION BY HAZARDOUS MATERIALS, OR THE COMPLIANCE OF THE PROPERTY WITH REGULATIONS OR LAWS PERTAINING TO THE HEALTH OR THE ENVIRONMENT; AND (vi) THE SOIL CONDITIONS, DRAINAGE, FLOODING CHARACTERISTICS, UTILITIES OR OTHER CONDITIONS EXISTING IN, ON, OR UNDER THE PROPERTY. BUYER HEREBY EXPRESSLY ASSUMES ALL RISKS, LIABILITIES, CLAIMS, DAMAGES, AND COSTS AND AGREES

THAT SELLER SHALL NOT BE LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, CONSEQUENTIAL, OR OTHER DAMAGES, RESULTING OR ARISING FROM OR RELATED TO THE OWNERSHIP, USE, CONDITION, LOCATION, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY.

5. **BUYER'S OBLIGATIONS.** As additional consideration for the Purchase of the Property, provided that Seller or an affiliated entity or municipal agency satisfies the conditions set forth below, Buyer (or an affiliate) agrees to use commercially reasonable efforts to construct an approximately 5000 square foot office building for its business purposes with space for up to 6 additional employees. Assuming that applicable municipal permits are timely issued and necessary utilities are available to the Property for the intended development, it is contemplated that construction of the proposed office building will begin within six (6) months of Closing, and be completed within eighteen (18) months from the commencement of construction, subject to market conditions. Possible future plans for the Property include an additional approximately 11,000 square foot of industrial warehouse(s) to support Buyer's (or its affiliates) retail and wholesale departments. The attached Exhibit B reflects preliminary conceptual depiction of these potential future development possibilities. Should Buyer fail to receive a Certificate of Occupancy within the time periods stated above (subject to Force Majeure), Seller shall have the option to repurchase the Property for the sales price of \$552,123.00. If Buyer has begun construction within the time period described herein and expended at least \$100,000 toward construction, Buyer shall be entitled to receive an extension of an additional twelve (12) months to obtain a Certificate of Occupancy from the City.
  
6. **SELLER'S OBLIGATIONS and CONDITIONS TO CLOSING.** EDC shall, at its sole cost and expense, construct an Offsite Regional Storm Water Detention Facility and Water Quality Pond (the "Detention Facility") of sufficient capacity for Buyer's complete build-out of the Property in the location shown on attached Exhibit "C" for the non-exclusive use by the Buyer. At Closing, EDC and the Buyer shall enter into an "Offsite Regional Storm Water Detention Facility Use Agreement" (the "Detention Facility Agreement") for Buyer's use of the Detention Facility, on mutually acceptable terms. The Detention Facility Agreement shall include an easement in favor of Buyer (or its Affiliates) from the Land to the Detention Facility. The Detention Facility Agreement shall provide that Buyer shall be allowed to flow all of its storm water from the Property to the Detention Facility via above ground drainage either thru Public or Private easement(s). In the event that the Detention Facility is or will not be completed within a time frame needed for the Project in order that Buyer can timely secure all required or needed permits for construction, development and occupancy, EDC, at its sole cost and expense, will work with the City Engineer to secure a solution that will allow sheet drainage off of the Land in a manner approved by the Buyer and sufficient for Buyer to timely secure all required permits and approvals for its intended development. Additionally, Seller agrees that it shall reasonably cooperate with and publicly support Buyer in its development related applications to all relevant municipal authorities.

7. EXECUTION of CONTRACT. Notwithstanding any provision herein to the contrary, this Contract may be executed simultaneously or in multiple counterparts by electronic facsimile (FAX) and/or electronic mailed (e-mailed) .pdf images of original signatures of the parties, which when taken together shall constitute one original document.
8. SURVIVAL. All covenants and agreements contained herein will survive the Closing and will not be deemed to have been merged into the closing documents, notwithstanding anything to the contrary contained in the Contract. All covenants, obligations, and agreements will be deemed to have been restated at the Closing.
9. COMPLETE AGREEMENT. The provisions of this Addendum and Contract (including Exhibits) to which it is attached and incorporated constitute the complete and full agreement between the parties hereto with respect to the Property.
10. AUTHORIZATION.
  - (a) Seller agrees that it will promptly take all appropriate action and steps necessary to secure approval of this Contract by the Board of Directors of the Elgin Economic Development Corporation in order that the proposed transaction be able to proceed and be timely consummated. Seller further agrees to keep Buyer timely informed in writing of all such action, including but not limited to, scheduled hearing(s) held by the Board.
  - (b) If Buyer is a corporation, limited partnership, or limited liability company, the person(s) executing this Contract including Addendum on behalf of Buyer and Seller, respectively, hereby represent and warrant to the other that Seller or Buyer, as applicable, (i) is a duly authorized and existing corporation, limited partnership or limited liability company in its state of formation, (ii) is qualified to conduct business in the state in which the Property is located; (iii) has full right and authority to enter into this Addendum and to perform and observe the obligations and covenants required to be performed and observed by such party as set forth in the Contract, including Addendum; and (iv) each and every person signing on behalf of such party has been duly authorized to do so by all requisite action of such respective party as required under its formation documents and applicable state law so that upon such execution this Contract, including Addendum, will be binding upon and enforceable against such party in accordance with its terms. Upon either party's request, the other party agrees to promptly provide evidence satisfactory to the requesting party or Title Company confirming these representations.
11. MULTIPLE COUNTERPARTS; FACSIMILE SIGNATURES. Multiple copies of this Contract may be executed by the handwritten signatures of the parties hereto. Each such executed copy shall have the full force and effect of an original executed instrument. To facilitate the execution of this Contract, the parties may execute and exchange scans or facsimiles of this Contract by telephone facsimile or e-mail transmission to the addresses and systems of the appropriate parties as provided in the Contract, and such scanned or facsimile shall be deemed effective for all purposes.
12. OFAC COMPLIANCE.



(a) Neither Buyer nor, to Buyer's knowledge, any of its affiliates or their respective partners, members, shareholders or other equity owners is or will be a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of OFAC (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute (including the USA Patriot Act), executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action.

(b) Neither Seller nor, to Seller's knowledge, any of its affiliates or their respective partners, members, shareholders or other equity owners is or will be a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of OFAC (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute (including the USA Patriot Act), executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism), or other governmental action.

13. **CHOICE OF LAW AND VENUE.** In the event that any litigation arises hereunder, it is specifically stipulated that this Contract shall be interpreted and construed according to the laws of the State of Texas, and shall be subject to exclusive venue in Bastrop County, Texas.
14. **DEADLINE.** This Contract is submitted with the understanding by Seller that Buyer is contemplating utilizing a 1031 exchange and that Buyer is currently operating under applicable deadlines. Accordingly, if this Contract is not accepted and returned to Buyer (and its broker) fully executed by Seller on or before 5:00 p.m., C.D.T. on Tuesday, September 21, 2021, it is subject to termination and/or revocation by Buyer.

(rest of page intentionally left blank)

IN WITNESS WHEREOF, the parties have executed this Addendum to Commercial Contract to be effective as of the Effective Date.

**SELLER:**

ELGIN ECONOMIC DEVELOPMENT CORPORATION

By: \_\_\_\_\_  
Owen Rock, Director  
Date: \_\_\_\_\_

(rest of page intentionally left blank)

(Buyer signature pages follows)



**ADDENDUM to COMMERCIAL CONTRACT**  
**Elgin Business Park III**

**BUYER:**

169 PROPERTIES, LTD.,  
a Texas limited partnership

By: Southside Management, LLC  
a Texas limited liability company,  
its general partner

by:   
Bryan Bracewell, President  
Date: 9/27/2021





## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF ELGIN AND ASHLEY & KYLE SMITH AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT

**DEPARTMENT:** Community Services

**PROPOSED ACTION:** Approve resolution

**BACKGROUND:** The City of Elgin issued a Request for Proposals related to the sale of 114 Depot Street on May 7, 2021. The RFP was advertised in the Elgin Courier, on the city website on downtowntx.org and was direct emailed to local realtors, investors, and individuals who had requested property available information this year. Proposals were due July 18 and the city received three. The proposals were to include information about purchase price, proposed renovation, budget, timeline, use of the space / proposed business occupancy, and experience. The proposals were reviewed and scored by Molly Alexander, Ed Rivers and Sarah O'Brien. The evaluation addressed areas and gave a percentage weight to each one: price 20%, proposed use plan 30%, proposed development plan 30%, buyer qualifications 20%. Interviews were conducted with the three proposing teams. Interview panel included Ed Rivers, Molly Alexander, Amy Miller and Tom Mattis. Sale price, renovation investment, downtown development, vision, mission and core values of the Elgin Main Street program were considered while evaluating these proposals. The committee recommended the proposal from Ashley & Kyle Smith with The Clever Tiger, Gallery.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A  
**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** Approve resolution.

**ATTACHMENTS:**

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☒ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

**RESOLUTION N0.**

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS  
APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF ELGIN  
AND ASHLEY & KYLE SMITH AND AUTHORIZING THE MAYOR TO SIGN THE  
CONTRACT**

**WHEREAS**, the City of Elgin, Texas (the "City") desires to sell 114 Depot Street to Ashley & Kyle Smith; and

**WHEREAS**, the City has found and determined that the Real Estate Contract will further the public interest and welfare and the potential economic benefits that will accrue to the City are consistent with the City's economic development objectives to support downtown development, and

**WHEREAS**, the property will be purchased for one hundred and fifteen thousand dollars \$115,000 (\$115,000) for 114 Depot Street;

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the  
City of Elgin, Texas:**

1. That the above recitals are true and correct.
2. That the City hereby approves the Contract between the City of Elgin and Ashley and Kyle Smith.
3. That the Mayor is authorized to sign the Real Estate Contract between the City of Elgin and Ashley and Kyle Smith.

**Adopted** on this 12<sup>th</sup> day of October, 2021.

CITY OF ELGIN, TEXAS

\_\_\_\_\_  
Ron M. Ramirez, Mayor

|

## **REAL ESTATE CONTRACT**

114 Depot Street

THIS REAL ESTATE CONTRACT ("Contract") is made by and between **ASHLEY SMITH and KYLE SMITH** (referred to in this Contract as "Purchaser") and the CITY OF ELGIN, TEXAS (referred to in this Contract as "Seller"), upon the terms and conditions set forth in this Contract.

### **ARTICLE I PURCHASE AND SALE**

By this Contract, Seller sells and agrees to convey, and Purchaser purchases and agrees to pay for, the tract(s) of land described as follows:

All of that certain in Bastrop County as listed in the Bastrop County Appraisal District as R#47867, Elgin City, Block 17, Lot 8 being more fully described by the survey in Exhibit "A", attached hereto and incorporated herein;

together with all and singular the rights and appurtenances pertaining to the property, including any right, title and interest of Seller in and to adjacent streets, alleys or rights-of-way (all of such real property, rights, and appurtenances being referred to in this Contract as the "Property"), and any improvements situated on and attached to the Property described in Exhibit "A" not otherwise agreed herein to be retained by Seller, for the consideration and upon and subject to the terms, provisions, and conditions set forth below.

### **ARTICLE II PURCHASE PRICE**

#### **Purchase Price**

2.01. The Purchase Price for the Property shall be the sum of ONE HUNDRED AND FIFTEEN THOUSAND and 00/100 Dollars (\$115,000.00).

#### **Payment of Purchase Price**

2.02. The Purchase Price shall be payable in cash at the Closing.

**ARTICLE III**  
**MISCELLANEOUS CONDITIONS**

Conditions to Purchaser's Obligations

3.01. The obligations of Purchaser hereunder to consummate the transactions contemplated hereby are subject to the satisfaction of each of the following conditions (any of which may be waived in whole or in part by Purchaser at or prior to the Closing).

Miscellaneous Conditions

3.02 Seller shall have performed, observed, and complied with all of the covenants, agreements, and conditions required by this Contract to be performed, observed, and complied with by Seller prior to or as of the closing. In particular, Seller has advertised the sale of the Property, received and reviewed various bid proposals and determined that Purchaser is the most appropriate developer of the Property.

**ARTICLE IV**  
**REPRESENTATIONS AND WARRANTIES**  
**OF SELLER**

Seller hereby represents and warrants to Purchaser as follows, which representations and warranties shall be deemed made by Seller to Purchaser also as of the Closing Date, to the best of Seller's current actual knowledge:

- (1) There are no parties in possession of any portion of the Property as lessees, tenants at sufferance, or trespassers, other than as previously disclosed to Purchaser;
- (2) Seller has complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions relating to the Property, or any part thereof;

**ARTICLE V**  
**CLOSING**  
Closing Date

5.01. The Closing shall be held at the office of \_\_\_\_\_ Title Company on or before October 15, 2021, or at such time, date, and place as Seller and Purchaser may otherwise agree, or within 10 days after the completion of any title curative matters if necessary, for items as shown on the Title Commitment or in the contract (which date is herein referred to as the "Closing Date").

### Seller's Obligations at Closing

5.02. At the Closing Seller shall:

(1) Deliver to Purchaser a duly executed and acknowledged Deed conveying good and indefeasible title to Williamson County, Texas in fee simple to all of the Property described in Exhibit "A", free and clear of any and all liens and restrictions, except for the following:

- (a) General real estate taxes for the year of closing and subsequent years not yet due and payable;
- (b) Any exceptions approved by Purchaser pursuant to Article III hereof; and
- (c) Any exceptions approved by Purchaser in writing.

(2) Provide reasonable assistance as requested, at no cost to Seller, to cause Title Company to issue Purchaser a Texas Owner's Title Policy at Purchaser's sole expense, in Grantee's favor in the full amount of the Purchase Price, insuring Purchaser's contracted interests in and to the Property subject only to those title exceptions listed herein, such other exceptions as may be approved in writing by Purchaser, and the standard printed exceptions contained in the usual form of Texas Owner's Title Policy, provided, however:

- (a) The boundary and survey exceptions shall be deleted;
- (b) The exception as to restrictive covenants shall be endorsed "None of Record", if applicable; and
- (c) The exception as to the lien for taxes shall be limited to the year of Closing and shall be endorsed "Not Yet Due and Payable".
- (d) Deliver to Purchaser possession of the Property if not previously done.

### Purchaser's Obligations at Closing

5.03. At the Closing, Purchaser shall:

- (a) Pay the cash portion of the Purchase Price.

### Prorations

5.04. General real estate taxes for the then current year relating to the Property shall be prorated as of the Closing Date and shall be adjusted in cash at the Closing. If the Closing shall occur before the tax rate is fixed for the then current year, the apportionment of taxes shall be upon the basis of the tax rate for the next preceding year applied to the latest assessed valuation, but shall otherwise be the continuing obligation of Seller to fully satisfy. Agricultural roll-back taxes, if any, which directly result from the completion of this transaction and conveyance shall be paid by Purchaser.

### Closing Costs

5.05. All costs and expenses of closing in consummating the sale and purchase of the Property shall be borne and paid as follows:

- (1) Owner's Title Policy and survey to be paid by Purchaser.
- (2) Deed, tax certificates, and title curative matters, if any, paid by Purchaser.
- (3) All other closing costs shall be paid by Purchaser.
- (4) Attorney's fees paid by each respectively.

## **ARTICLE VI BREACH BY SELLER**

In the event Seller shall fail to fully and timely perform any of its obligations hereunder or shall fail to consummate the sale of the Property for any reason, except Purchaser's default, Purchaser may request that the Escrow Deposit, if any, shall be forthwith returned by the title company to Purchaser.

## **ARTICLE VII BREACH BY PURCHASER**

In the event Purchaser should fail to consummate the purchase of the Property, the conditions to Purchaser's obligations set forth in Article III having been satisfied and Purchaser being in default and Seller not being in default hereunder, Seller shall have the right to receive the Escrow Deposit, if any, from the title company, the sum being agreed on as liquidated damages for the failure of Purchaser to perform the duties, liabilities, and obligations imposed upon it by the terms and provisions of this Contract, and Seller agrees to accept and take this cash payment as its total damages and relief and as Seller's sole remedy hereunder in such event. If no Escrow Deposit has



been made then Seller shall receive the amount of \$500 as liquidated damages for any failure by Purchaser.

## **ARTICLE VIII MISCELLANEOUS**

### Notice

8.01. Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States mail, postage prepaid, certified mail, return receipt requested, addressed to Seller or Purchaser, as the case may be, at the address set forth opposite the signature of the party.

### Texas Law to Apply

8.02. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Williamson County, Texas.

### Parties Bound

8.03. This Contract shall be binding upon and inure to the benefit of the parties and their respective heirs, executors, administrators, legal representatives, successors and assigns where permitted by this Contract.

### Legal Construction

8.04. In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, this invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Contract shall be construed as if the invalid, illegal, or unenforceable provision had never been contained herein.

### Prior Agreements Superseded

8.05. This Contract constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the within subject matter.

### Time of Essence

8.06. Time is of the essence in this Contract.

#### Gender

8.07. Words of any gender used in this Contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

#### Memorandum of Contract

8.08. Upon request of either party, the parties shall promptly execute a memorandum of this Contract suitable for filing of record.

#### Compliance

8.09 In accordance with the requirements of Section 20 of the Texas Real Estate License Act, Purchaser is hereby advised that it should be furnished with or obtain a policy of title insurance or Purchaser should have the abstract covering the Property examined by an attorney of Purchaser's own selection.

#### Effective Date

8.10 This Contract shall be effective as of the date it is approved by Williamson County, Texas which date is indicated beneath the County Judge's signature below.

#### Counterparts

8.11 This Contract may be executed in any number of counterparts, which may together constitute the Contract. Signatures transmitted by facsimile or electronic mail may be considered effective as originals for purposes of this Contract.

8.12 Purchaser is taking the property in an arm's length transaction between the parties. The consideration was bargained on the basis of an "as-is, where-is" transaction. There are no representations or express or implied warranties. Seller has not relied on any information other than Seller's inspection of the Property.

*[signature page follows]*

**SELLER:**

City of Elgin, Texas

By: \_\_\_\_\_

Mayor, Elgin, Texas

Date: \_\_\_\_\_

**PURCHASER:**

Kyle Smith  
\_\_\_\_\_  
Kyle Smith

Ash Smith  
\_\_\_\_\_  
Ashley Smith

Date: 10/04/2021



## Elgin City Council Meeting Agenda Item Executive Summary

**ITEM:** AN ORDINANCE AMENDING CHAPTER 42, SECTION 42, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING PAYMENT OF RATES AND CHARGES; DISCONTINUANCE OF SERVICE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS

**DEPARTMENT:** Finance

**PROPOSED ACTION:** Consider Ordinance for adoption

**BACKGROUND:** The Utility Billing department currently bills out approximately 4,000 accounts. With the continued growth of the city, it was determined the best way to continue the stellar service of the Utility Billing department is to separate the 12 service routes into two billing cycles instead of one. This will evenly distribute the reading of meters, payment dates, disconnects and re-reads throughout the month. Right now, all citizen utility bills are due on the same day which can cause long lines in the drive thru and at the front window.

Currently the Ordinance reads that bills are due on the 1<sup>st</sup> of the month, and past due as of the 16<sup>th</sup>, along with a cutoff date of the 25<sup>th</sup>. We want to amend it just to state the payment is due as of the date on the utility bill and that the cutoff date is 10 days after the due date of the bill. Which is how it is now, we are just removing the numerical dates since they will differ with two cycles.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** 

**Date:** 10/1/2021

**RECOMMENDATION:** Recommended for adoption

**ATTACHMENTS:** Draft Ordinance amending Chapter 42, Section 42

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

ORDINANCE NO: \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 42, SECTION 42, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING PAYMENT OF RATES AND CHARGES; DISCONTINUANCE OF SERVICE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS**

**WHEREAS**, the City Council adopted Ordinance 2015-1-6-1 on January, 2015 that updated the Payment of rates and charges;

**WHEREAS**, the City is switching to two cycle billing which would change the due dates of certain addresses;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS,**

That Chapter 42, Section 42, Payments of rates and charges; discontinue of service, Code of Ordinances, City of Elgin, Texas, is hereby amended to read as follows:

SECTION 42-42. – Payment of rates and charges; discontinue of service

- (a) *Due date.* Payments for water, wastewater and solid waste service rendered by the city are due and payable on the date of the bill. Payments not received by the date on the bill are considered past due.
- (b) *Past due.* Payments not received by the date on the bill will incur a late charge of ten percent of the total amount.
- (c) *Disconnect.* Any account with an outstanding balance of \$50.00 or more 10 days after the bill is past due (unless that 10<sup>th</sup> day falls on a weekend or city holiday) will be disconnected. Fees are:
  - 1) Regular business hours: a reconnect fee of \$25.00 will be added.
  - 2) After hours: a reconnect fee of \$50.00 will be added.
  - 3) Disconnect Fee: a disconnect fee of \$50.00 will be added.
  - 4) This fee is due once an account goes into cutoff status.
- (d) *Credit Card Processing Fee.* A processing or handling fee of \$3.00 for payments less than \$300.00 and 1% for any amount \$300.00 or greater will be charged by the city at the point of sale for processing or handling each time a credit card is used.

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 matter hereof was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

READ AND APPROVED ON THIS 12<sup>th</sup> DAY OF OCTOBER 2021.

BY:

---

Ron M Ramirez, Mayor

ATTEST:

---

Jennifer Stubbs, City Secretary



# Memorandum

**Date:** September 7, 2021

**To:** Mayor, City Council and City Manager

**Subject:** 2<sup>nd</sup> Cycle Billing

Over the years we have seen many changes in our small town. The greatest challenge is growth and development. A new person moves into Elgin city limits almost every day it seems. Below is a brief overview outlining the billing process and its effects.

Throughout the City, we service and bill out approximately 4,000 accounts for water/sewer/garbage. The accounts are classified into routes throughout the city. Currently there are 12 routes 2 of which are only billed for garbage. Route 8 is a combination of residential homes within Aqua's CCN and some commercial accounts that have a separate garbage account from the water. Route 11 is residential trash for the Homestead Estes that is in Aqua's CCN but within the city limits. Below is a breakdown of number of accounts in each route

- Route 1 – 242
- Route 2 – 443
- Route 3 – 346
- Route 4 – 371
- Route 5 – 297
- Route 6 – 266
- Route 8 – 500 (trash only) \* residential and commercial
  - 2465
- Route 7 – 520
- Route 9 – 963
- Route 10 – 221
- Route 11 – 128 (trash only) \* residential only
- Route 99 – 10 (construction hydrant meters)
  - 1842

These numbers include city and irrigation accounts that are not billed.

In the month of June 3646 payments were processed.

- 1913 were processed at City Hall – 52%
  - 522 cash pmts – 29%
  - 195 credit card pmts – 10%
  - 1096 checks – 57%
  - 70 money orders – 4%
- 498 Bank Drafts – 14%
- 933 Credit Cards Drafts – 26% (set up by customers individually thru the website)
- 302 Credit Card pmts online – 8%

- June 1<sup>st</sup> -4<sup>th</sup> - 347
- June 7<sup>th</sup> – 11<sup>th</sup> - 550
- June 14<sup>th</sup> – June 17<sup>th</sup> – 772
- June 21<sup>st</sup> – 25<sup>th</sup> – 130
- June 28<sup>th</sup> – 30<sup>th</sup> – 114

June 30, 2021, bills process \$512,542.35. New accounts opened in the month of June was 85. June 644 past due notice reminders was processed on 16, 2021. 76 accounts disconnected for non payment on June 28, 2021.

All development is routes 9-11 so it was determined that those routes would be ones to break out into the 2<sup>nd</sup> billing cycle. The 2<sup>nd</sup> billing cycle will be fewer accounts at the beginning but was done this way to leave room for the growth that will continue to come in that area.

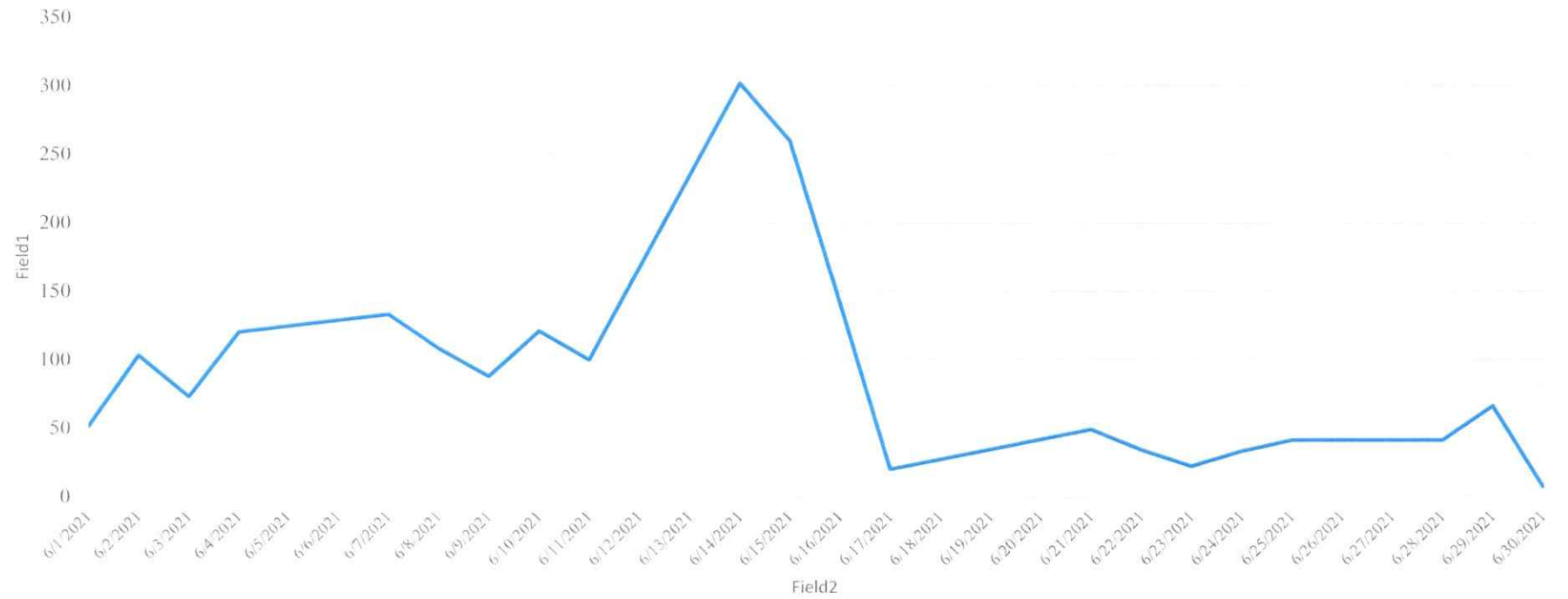
Please let me know if you have any questions.

*Dodie Navejas*

Dodie Navejas  
Utility Billing Supervisor

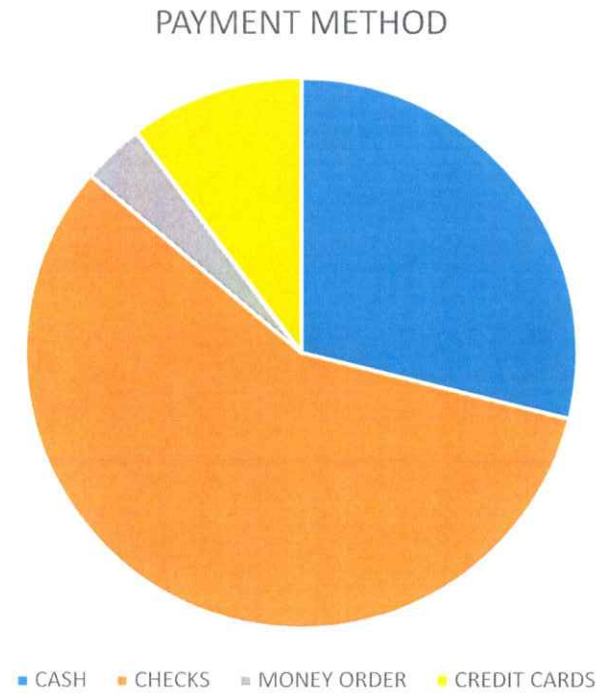


PAYMENTS PROCESSED AT CITY HALL  
JUNE 2021



PAYMENT METHOD -at City Hall  
JUNE 2021

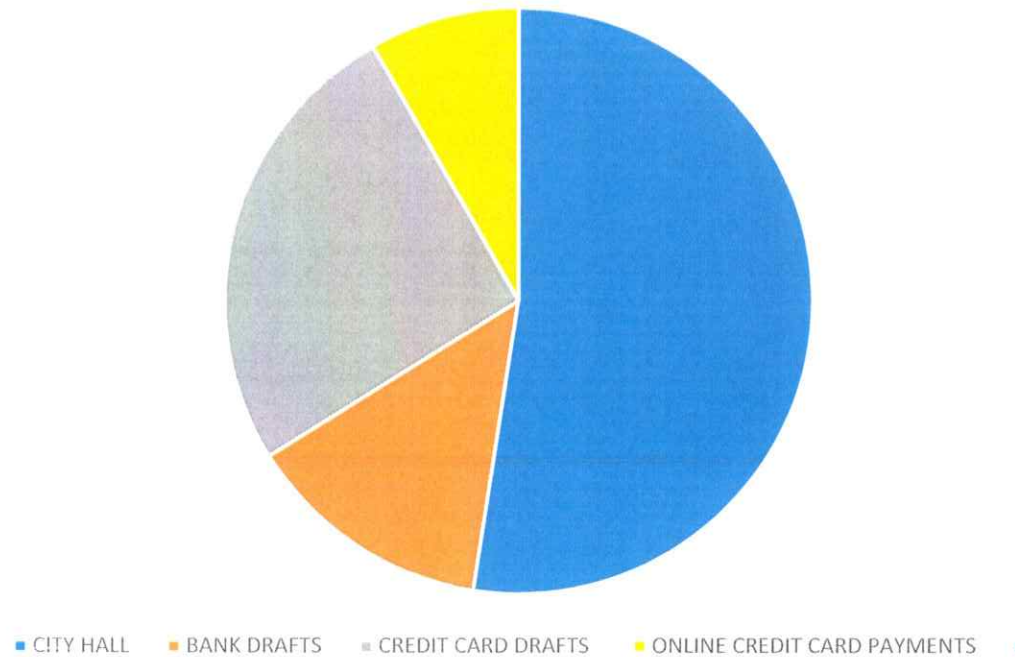
|              |            |            |
|--------------|------------|------------|
| CASH         | 552        | 29%        |
| CHECKS       | 1096       | 57%        |
| MONEY ORDER  | 70         | 4%         |
| CREDIT CARDS | <u>195</u> | <u>10%</u> |
|              | 1913       | 100%       |



PAYMENT LOCATION  
JUNE 2021

|                            |            |           |
|----------------------------|------------|-----------|
| CITY HALL                  | 1913       | 52%       |
| BANK DRAFTS                | 498        | 14%       |
| CREDIT CARD DRAFTS         | 933        | 26%       |
| ONLINE CREDIT CARD PAYMENT | <u>302</u> | <u>8%</u> |

PAYMENT LOCATION





October 13, 2021

**NEW BILLING CYCLE: IMPORTANT INFORMATION**

Beginning on January 1, 2022, we will implement the new billing cycle. Below you will see the impact for the first month only.

- Meters will be read on January 1, 2022 (service dates 12/15 – 1/1)
- Bills due on January 15, 2022 (service dates from 11/15- 12/15) this will be the last bill you have due on the 15<sup>th</sup> of each month.
- Bills due on February 1, 2022 (service dated from 12/15 - 1/1) **\*\*this will be a prorated bill\*\***

The first month will have the largest impact as we must adjust to the different read cycle and due date. Below is an overview of important dates for this new billing cycle.

- Due date: 1<sup>st</sup> of each month
- Past due/late on the 2<sup>nd</sup> of each month
- Disconnection for non payment 12<sup>th</sup> of each month
- Bills will generate and mail on the 15<sup>th</sup> of each month for the next month's bill
- Extensions still must be submitted in writing no later than the 11<sup>th</sup> of each month and will be due on the 16<sup>th</sup> of each month to avoid disconnection
- Trash service will NOT be impacted and will service the same day it is now

If you are set up on bank draft or credit card draft, please contact our office as soon as possible so that we can assist you in getting that updated to reflect the new billing due date. The city will work individually with each customer while adjusting to this new billing cycle.

As always, please feel free to contact me at (512) 229-3220 if you need further information regarding this change in your service.

Sincerely,

Dodie Navejas  
Customer Service Manager  
Utility Billing



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 68.314 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE WILLIAM HINES SURVEY NO 345, IN TRAVIS COUNTY TEXAS AND BEING THAT SAME 68.031 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY DATED MARCH 28, 2000, RECORDED IN DOCUMENT NO. 2000046598, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 68.314 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A”, ATTACHED HERETO; INCLUDING ADJACENT RIGHT-OF-WAY; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance for a voluntary annexation of 68.314 acres of land located on Travis Co. Appraisal District Parcel #248208.

**BACKGROUND:** The applicant is requesting voluntary annexation into the City Limits. Currently this parcel of land is located within the City’s Extraterritorial Jurisdiction (ETJ) and is contiguous with the City Limits at the Westwind development to the East. The parcel consists of vacant land with an abandoned home on it.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☐ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** Staff recommends approval of this item.

**ATTACHMENTS:** Ordinance with Exhibit “A”.

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☒ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

**ORDINANCE NO. 2021-10-12-**

**AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 68.314 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE WILLIAM HINES SURVEY NO 345, IN TRAVIS COUNTY TEXAS AND BEING THAT SAME 68.031 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY DATED MARCH 28, 2000, RECORDED IN DOCUMENT NO. 2000046598, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 68.314 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A”, ATTACHED HERETO; INCLUDING ADJACENT RIGHT-OF-WAY; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, the City is a duly constituted Home Rule City pursuant to Chapter 9, Local Government Code, as amended, and

**WHEREAS**, pursuant to Section 43.028, Local Government Code, the owners of a tract of land containing 0.484 acres of land out of the Thomas Garretson Survey, Abstract 178 of land (the “Property”) more fully described in Exhibit “A”, have petitioned the City Council in writing to annex the Property, and

**WHEREAS**, the property is (1) one-half mile or less in width; (2) contiguous to the City; and (3) vacant without residents, or on which less than three (3) qualified voters reside, and

**WHEREAS**, the City Council has determined that all requirements of Section 43.028. Local Government Code have been complied with and hereby consider it appropriate to grant the petition for annexation, Now Therefore

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

**I.**

That all the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

**II**

That the City Council has heard arguments for and against the annexation and has determined to grant the petition for annexation.

**III.**

That the Property described in Exhibit “A”, attached hereto, including adjacent right-of-way, and incorporated herein for all purposes, be and is hereby annexed and brought within the corporate limits of the City of Elgin, Travis County, Texas, and same is hereby made an integral part hereof.

**IV.**

That the owners and future inhabitants of the area herein annexed be entitled to all the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

**V.**

That the official map and boundaries of the City, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Elgin, Texas.

**VI.**

That the City Manager is hereby directed and authorized to perform or cause to be performed

all acts necessary to correct the official map of the City to add territory hereby annexed as required by law.

VII.

That this Ordinance shall become effective after its passage

VIII.

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Travis County, Texas.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found illegal, invalid, or unconstitutional or any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph, or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph, or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. 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 always required by law during which this Ordinance 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.

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

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October, 2021.

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Ron M. Ramirez, Mayor

**ATTEST:**

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Jennifer Stubbs, City Secretary



# Exhibit "A"

## PETITION REQUESTING ANNEXATION TERRITORY IN WHICH THERE ARE FEWER THAN THREE VOTERS

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF  
ELGIN, TEXAS.

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which less than three qualified voters reside, hereby petition your Honorable Body to extend the present city limits so as to include as part of the City of Elgin, Texas, the following described territory, to wit:

See Exhibit "A", attached hereto and incorporated herein.  
(Here describe territory by metes and bounds.)

We certify that the above-described tract of land is contiguous and adjacent to the City of Elgin, Texas, is not more than one-half mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

Signed: S. Todd Marshall MANAHOA CREEKS CROSSING LAND PARTNERS, LLC

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF Travis.

Before me, the undersigned authority, on this day personally appeared S. Todd Marshall, N/A, and N/A, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 10th day of September, 2021.

Notary Public, Kory Johanning  
Travis County, Texas





# LANDOWNER AUTHORIZATION AND AFFIDAVIT OF OWNERSHIP

## SUBJECT PROPERTY INFORMATION

Subdivision Name, Block, Lot, or legal description if not subdivided: 13211 Klaus Lane  
# of lots (if subdivided): 289+/- # of acres: 67.97+/-  
Site APN/Property ID #(s): Travis CAD #'s R248209 and R248208  
Location: near Klaus Ln/Western Sky Blvd; west side of Elgin County: Travis  
Development Name: Klaus Farms

## OWNER

Company/Applicant Name: Creeks Crossing Land Partners LLC  
Authorized Company Representative (if company is owner): S. Todd McCullough  
Type of Company and State of Formation: Texas limited liability company  
Title of Authorized Company Representative (if company is owner): \_\_\_\_\_  
Applicant Address: 311 Westwood Terrace, Austin, Texas 78746  
Applicant Fax: n/a  
Applicant Phone: 512-914-7800  
Applicant/Authorized Company Representative Email: todd@insite-austin.com

## APPLICANT REPRESENTATIVE

Check one of the following:

\_\_\_\_\_. I will represent the application myself; or

X I hereby designate John Hines (name of project representative) to act in the capacity as the agent for filing, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

I hereby certify that the above-named owner is the rightful owner of the Property. I am either the owner of the property identified above or a partner/manager/officer/director/member of the company who is authorized to act on behalf of the company. I further certify that the information provided herein and in the application for the development is true and correct. By signing below, I agree that the City of Elgin (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public.

Owner's Signature: S. Todd McCullough Date: 13 Sept 2021

State of Texas §

County of Travis §

This instrument was acknowledged before me on (date) by (name of authorized company representative) who is a(n) (member, manager, authorized officer, etc.) of (name of company), a (Texas) (limited liability company, corporation, partnership, etc.).

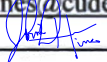


PROJECT REPRESENTATIVE

SUBSCRIBED AND SWORN TO before me, this  
the 13th day of September, 2021.

[Signature]  
Notary Public's Signature

9-13-2023  
My Commission Expires

**Representative Name:** John Hines, P.E. with Cude Engineers  
**Representative Address:** 12301 Research Blvd, Bldg. V, Suite 160, Austin, TX 78759  
**Representative Phone:** 512-534-7218  
**Representative Email:** jhines@cudeengineers.com  
**Representative's Signature:**  **Date:** 9-13-2021

# EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

[earllysurveying.com](http://earllysurveying.com)

TBPELS Firm No. 10194487

**68.314 ACRES**

**TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 68.314 ACRES OUT OF THE WILLIAM HINES SURVEY NO. 53, ABSTRACT NO. 345, IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME 68.031 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY DATED MARCH 28, 2000, RECORDED IN DOCUMENT NO. 2000046598, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 68.314 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found at the southeast corner of said 68.031 acre tract, same being an angle point in the north right-of-way line of Klaus Lane (right-of-way width varies);

**THENCE** with the south line of said 68.031 acre tract, same being the north right-of-way line of Klaus Lane, North 63°17'54" West, a distance of 78.66 feet to a 1/2" rebar found at the southwest corner of said 68.031 acre tract, same being the southeast corner of a called 1.25 acre tract of land conveyed to Amos J. Wenzel, et ux. In Volume 7867, Page 425 of the Deed Records of Travis County, Texas;

**THENCE** with the southwest line of said 68.031 acre tract, same being the northeast line of said 1.25 acre tract, North 05°52'36" West, a distance of 271.81 feet to a 1/2" rebar with "Early Boundary" cap set, being an angle point in the southwest line of said 68.031 acre, also being the northeast corner of said 1.25 acre tract, and being the east corner of a called 2.00 acre tract of land conveyed to Darrell Wenzel and Amanda Wenzel in Document No. 2001027311 of the Official Public Records of Travis County, Texas;

**THENCE** with the southwest line of said 68.031 acre tract, same being the northeast line of said 2.00 acre tract, North 28°34'48" West, at a distance of 433.99 feet passing a 1/2" rebar with "Arpentours" cap found at the northwest corner of the 2.00 acre tract, same being the northeast corner of a called 32.3739 acre tract of land conveyed to Randolph O. Wenzel, et ux. in Volume 5552, Page 229 of the Deed Records of Travis County, Texas, and continuing with the southwest line of said 68.031 acre tract, same being the northeast line of said 32.3739 acre tract, for a total distance of 1242.09 feet to a 5/8" rebar found for an angle point in the common line of the 68.031 acre tract and the 32.3739 acre tract;

**THENCE** continuing with said common line, North 23°54'27" West, a distance of 351.67 feet to a 5/8" rebar found at the southwest corner of the 68.031 acre tract, same being the north corner of the 32.3739 acre tract, also being an angle point in the east line of a called 90.00 acre tract of land described in Document No. 2013104420 of the Official Public Records of Travis County, Texas, conveyed to George Eckrich and Robert A. Cunningham as trustees of the Robert A. Cunningham Descendant's Trust in Document No. 2015102618 and corrected in Document No. 2015148058, both of the Official Public Records of Travis County, Texas;

**THENCE** with the west line of the 68.031 acre tract, same being the east line of said 90.00 acre tract, the following two (2) courses and distances:

1. North 44°48'23" East, a distance of 550.22 feet to a 5/8" rebar found;
2. North 23°43'01" East, a distance of 944.19 feet to a 5/8" rebar found at the northwest corner of the 68.031 acre tract, same being the northeast corner of the 90.00 acre tract, also being in the south line of a called 49.93 acre tract of land conveyed to Hwy 290 Austin, LLC in Document No. 2020197159 of the Official Public Records of Travis County, Texas;

**THENCE** with the north line of the 68.031 acre tract, same being the south line of said 49.93 acre tract, South 65°45'21" East, a distance of 502.27 feet to a 1/2" rebar found for an angle point in the north line of the 68.031 acre tract, same being the southeast corner of the 49.93 acre tract, also being the southwest corner of a called 11.365 acre tract of land conveyed to James C. Faison, et ux. in Volume 9264, Page 911 of the Real Property Records of Travis County, Texas;

**THENCE** continuing with the north line of the 68.031 acre tract, same being the south line of said 11.365 acre tract, South 66°09'56" East, a distance of 382.63 feet to a 1/2" rebar found for an angle point in the north line of the 68.031 acre tract, same being the southeast corner of the 11.365 acre tract, also being the southwest corner of a called 17.896 acre tract of land conveyed to Stan Johnson, Sr., et ux. in Volume 9145, Page 982 of the Real Property Records of Travis County, Texas;

**THENCE** continuing with the north line of the 68.031 acre tract, same being the south line of said 17.896 acre tract, South 65°08'05" East, a distance of 520.82 feet to a 3/4" inch iron pipe found at the northeast corner of the 68.031 acre tract, same being the southeast corner of the 17.896 acre tract, also being the southwest corner of a called 176.274 acre tract of land conveyed to LW Ranch, LP in Document No. 2005166991 of the Official Public Records of Travis County, Texas, also being the northwest corner of Lot 15, Block D, Westwind Subdivision Section 3, a subdivision of record in Document No. 201400175 of the Official Public Records of Travis County, Texas;

**THENCE** with the east line of the 68.031 acre tract, same being the west line of Blocks C and D, Westwind Subdivision Section 3, the west terminus of Willow Sage Lane (50' right-of-way), and the west line of Block C, Westwind Subdivision Section 2, a subdivision of record in Document No. 200600058 of the Official Public Records of Travis County, Texas, South 26°31'43" West, a distance of 950.33 feet to a 1/2" rebar with illegible cap found for an angle point in the common line of the 68.031 acre tract and Lot 5, Block C, Westwind Subdivision Section 2;

**THENCE** continuing with the east line of the 68.031 acre tract, same being the west line of Block C, Westwind Subdivision Section 2, the west terminus of Crestwind Lane (60' right-of-way), and the west line of Blocks C and A, Amended Plat of Westwind Subdivision Section 1, a subdivision of record in Document No. 200500135 of the Official Public Records of Travis County, Texas, South 26°37'44" West, a distance of 1233.13 feet to a 1/2" rebar with "Early Boundary" cap set at an angle point in the common line of the 68.031 acre tract and Lot 41, Block A, Amended Plat of Westwind Subdivision Section 1;

**THENCE** continuing with the aforementioned common line, South 28°11'40" West, a distance of 499.61 feet to the **POINT OF BEGINNING**, containing 68.314 acres of land, more or less.

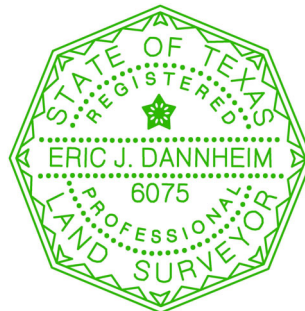
Based on a survey made on the ground on 5/13/2021

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

Attachments: Survey Drawing No. 1104-001-BASE

5/19/2021

Eric J. Dannheim      Date  
Registered Professional Land Surveyor  
State of Texas No. 6075







CALLED 90.00 ACRES  
 (89.579 ACRES PER SURVEY)  
 GEORGE EDORCH AND ROBERT A.  
 CUNNINGHAM AS TRUSTEES OF THE ROBERT  
 A. CUNNINGHAM DESCENDANTS' TRUST  
 (DESCRIBED 20131044420)  
 (CONVEYED 2015102618)  
 (CONVEYED 20151148004)



|                               |                                                                           |                   |
|-------------------------------|---------------------------------------------------------------------------|-------------------|
| PROJECT NO.:<br>1104-001      |                                                                           | SHEET<br>02 OF 02 |
| DRAWING NO.:<br>1104-001-BASE | PLOT DATE:<br>4/2/2011<br>PLOT SCALE:<br>1"=50' SCALE<br>DRAWN BY:<br>EJD |                   |











## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance assigning newly annexed property to City Council Ward Area No. 2; providing for a severability clause and providing an effective date; providing a savings clause and repealing conflicting ordinances and resolutions

**BACKGROUND:** When a parcel of land is annexed into the City limits, State law requires assignment of the area to an elected representative. The only Council Ward that can be assigned based on location is Ward No. 2.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** Recommend approval of item.

**ATTACHMENTS:** Ward Map.

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- { } Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

**ORDINANCE NO. 2021-10-12-??**

**AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, the City of Elgin, Texas is a duly constituted home-rule municipality and, as such, is authorized to unilaterally annex territory subject to the laws of the State of Texas and subject to its Charter; and

**WHEREAS**, the territory described on Exhibit “A” (the “Property”) attached hereto and made a part hereof by reference for all purposes, was unilaterally annexed by the City of Elgin by Ordinance No. 2021-10-12-\_\_\_\_\_ on October 12, 2021; and

**WHEREAS**, the procedures prescribed by the Charter of the City of Elgin and the applicable laws of the State of Texas have been duly followed with respect to the Property; and

**WHEREAS**, the Property is so situated as to be assigned to City Council Ward Area No. 3; and it is the intention of the City Council to add this parcel to Ward Area No. 2; now, therefore,

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

**I.**

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

**II.**

That the Property described in the attached Exhibit “A” is hereby assigned to Council Ward Area No. 2.

**III.**

That this Ordinance shall become effective after its passage.

#### IV.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

#### V.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. 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 matter thereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this 12<sup>th</sup> day of October 2021.

---

Ron M. Ramirez, Mayor

**ATTEST:**

---

Jennifer Stubbs, City Secretary

## Exhibit "A"





# WARD MAP

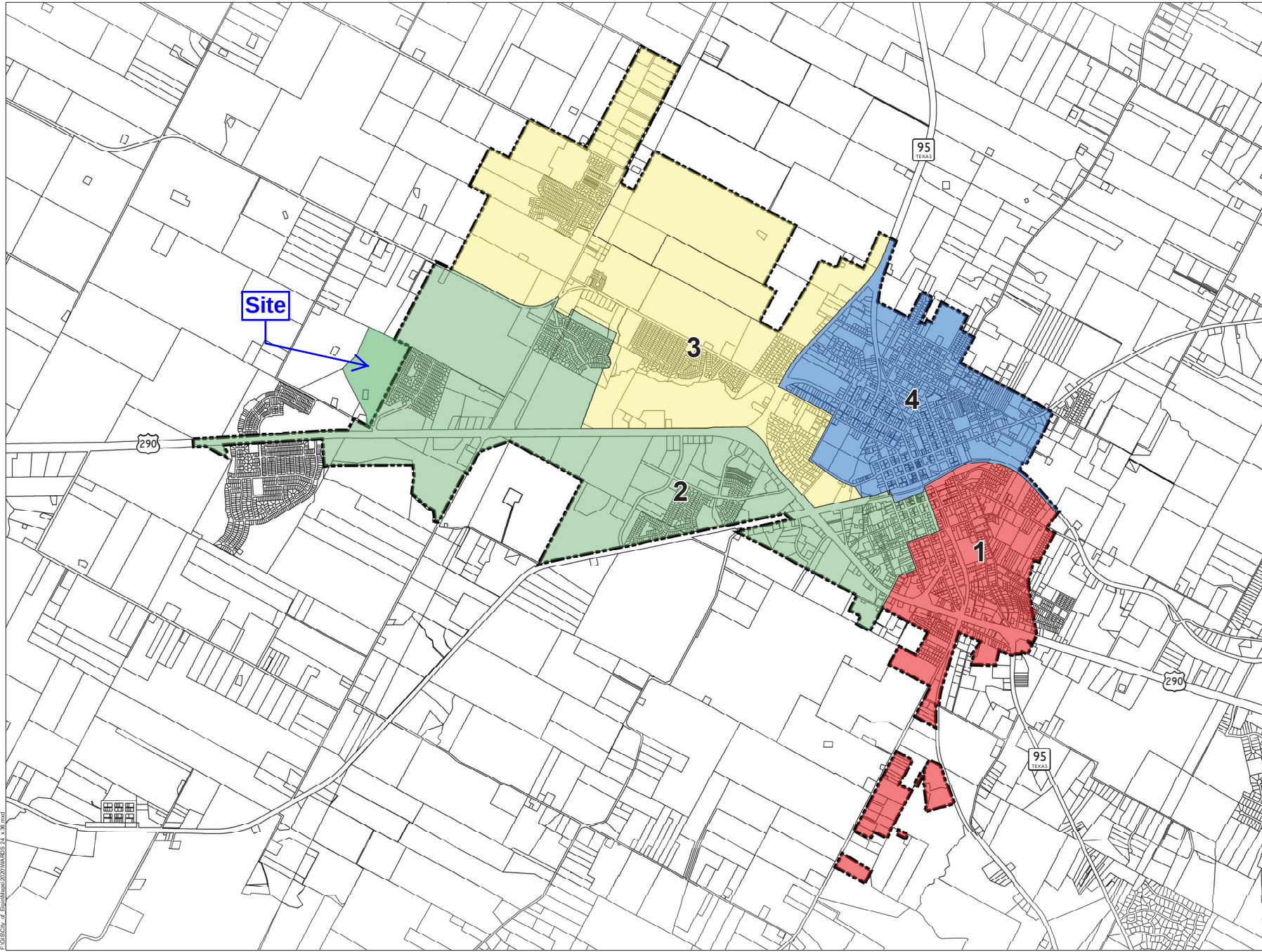
## ELGIN, TEXAS

### LEGEND

-  PARCEL
-  CITY LIMITS

### WARDS

-  1
-  2
-  3
-  4



0 1,250 2,500 3,750  
FEET  
1 INCH = 1,250 FEET  
July 23, 2021



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. No responsibility is assumed by the City of Elgin or TRC for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided. The map is reflective of information as of the date of printing.



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT DISTRICT THE PROPERTY BEING 67.971 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES INC., OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 345 IN TRAVIS CO., TX AND BEING ALL OF A CALLED 68.031 ACRE TRACT DESCRIBED IN DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY RECORDED IN DOCUMENT NO. 2000046598 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS CO., TX, SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, TX adopted in Ch. 46, Sec. 46-3, revised Code of Ordinances, City of Elgin, TX, 2013 and making this amendment a part of said official zoning map (Creeks Crossing Rezoning from R-1 to PDD).

**BACKGROUND:** See attached staff report.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

Finance Approval:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:** The Planning & Zoning Commission provided input of this item at their July 26, 2021, meeting. This has been included in the attached staff report.

**ATTACHMENTS:** Staff Report, Application w/ Owners Authorization, PDD Ordinance with Text and Maps, Staff added Comprehensive Plan Exhibits, Staff added Zoning Map, Staff Compliance Letter, Applicant Added Basis for Non-Payment of Parkland Fees with New Arterial Upgrade, Staff Added Approved and Extended Original Concept Plan.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

Attachment 1  
Application w/ Owners Authorization

## PDD REZONING APPLICATION

Date: 05/18/2021New ☒ Modification ☐

Modification of \_\_\_\_\_

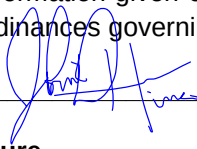
### SITE INFORMATION

Project Address: 13211 Klaus Ln., Elgin, TX 78621Parcel Identification Number (if no address): 248208, 248209

### APPLICANT

Name: John HinesPostal Address: 1620 La Jaita Dr., Ste. 250, Cedar Park, TX 78613E-Mail Address: jhines@cudeengineers.com; Phone Number: 512-260-9100

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

|                                                                                     |                            |                  |
|-------------------------------------------------------------------------------------|----------------------------|------------------|
|  | <u>John D. Hines, P.E.</u> | <u>4-20-2021</u> |
| Signature                                                                           | Printed Name               | Date             |

### Project Description:

67.971 Acre subdivision of 281 single family lots with street, drainage, storm sewer, water, and wastewater improvements.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



310 North Main Street  
P.O. Box 591  
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com



LANDOWNER AUTHORIZATION AND AFFIDAVIT OF OWNERSHIP

**SUBJECT PROPERTY INFORMATION**

Subdivision Name, Block, Lot, or legal description if not subdivided: 13211 Klaus Lane  
# of lots (if subdivided): 300 # of acres: 68.031  
Site APN/Property ID #(s): Travis CAD #'s R248209 and R248208  
Location: near Klaus Ln/Western Sky Blvd; west side of Elgin County: Travis  
Development Name: Klaus Farms

**OWNER**

Company/Applicant Name: Joseph and Bodie Winkley  
Authorized Company Representative (if company is owner): n/a  
Type of Company and State of Formation: n/a  
Title of Authorized Company Representative (if company is owner): n/a  
Applicant Address: 8313 Twilight Terrace Dr., Austin, Texas 78737  
Applicant Fax: n/a  
Applicant Phone: \_\_\_\_\_  
Applicant/Authorized Company Representative Email: \_\_\_\_\_

**APPLICANT REPRESENTATIVE**

Check one of the following:

\_\_\_\_. I will represent the application myself; or

☒ I hereby designate John Hines (name of project representative) to act in the capacity as the agent for filing, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

I hereby certify that the above-named owner is the rightful owner of the Property. I am either the owner of the property identified above or a partner/manager/officer/director/member of the company who is authorized to act on behalf of the company. I further certify that the information provided herein and in the application for the development is true and correct. By signing below, I agree that the City of Elgin (the "City") is authorized and permitted to provide information contained within this application, including the email address, to the public.

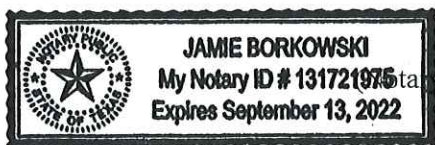
Owner's Signature: Charles Winkley Date: 3/10/21

State of Texas §

§

County of Travis §

This instrument was acknowledged before me on (date) by (name of authorized company representative) who is a(n) (member, manager, authorized officer, etc.) of (name of company), a (Texas) (limited liability company, corporation, partnership, etc.).



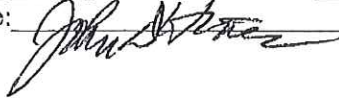
(Notary Seal)

SUBSCRIBED AND SWORN TO before me, this the 10<sup>th</sup> day of March, 2020.

[Signature]  
Notary Public's Signature

9/13/22  
My Commission Expires

PROJECT REPRESENTATIVE

Representative Name: John Hines, P.E. with Cude Engineers  
Representative Address: 1620 La Jaita Drive, Suite 250, Cedar Park, TX 78613  
Representative Phone: 512-534-7218  
Representative Email: jhines@cudeengineers.com  
Representative's Signature:  Date: 3-10-2021



Attachment 2

PDD Ordinance with Text and Maps

**ORDINANCE NO. 2021-10-12-??**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT DISTRICT THE PROPERTY BEING 67.971 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES INC., OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 345 IN TRAVIS CO., TX AND BEING ALL OF A CALLED 68.031 ACRE TRACT DESCRIBED IN DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY RECORDED IN DOCUMENT NO. 2000046598 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS CO., TX, SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated here in, from R-1 Single Family Dwelling District, and

**WHEREAS**, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its input, and

**WHEREAS**, the Planning and Zoning Commission held a workshop concerning the requested change on July 26, 2021, and

**WHEREAS**, the Planning and Zoning Commission has offered their input on the proposed change to the Official Zoning Map, and

**WHEREAS**, on October 12, 2021, after proper notification, the City Council held a public hearing on the requested zoning, and

**WHEREAS**, the City Council determines that the zoning provided for herein promote 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 Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

**IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:**

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is classified as PDD Planned Development District.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October 2021.

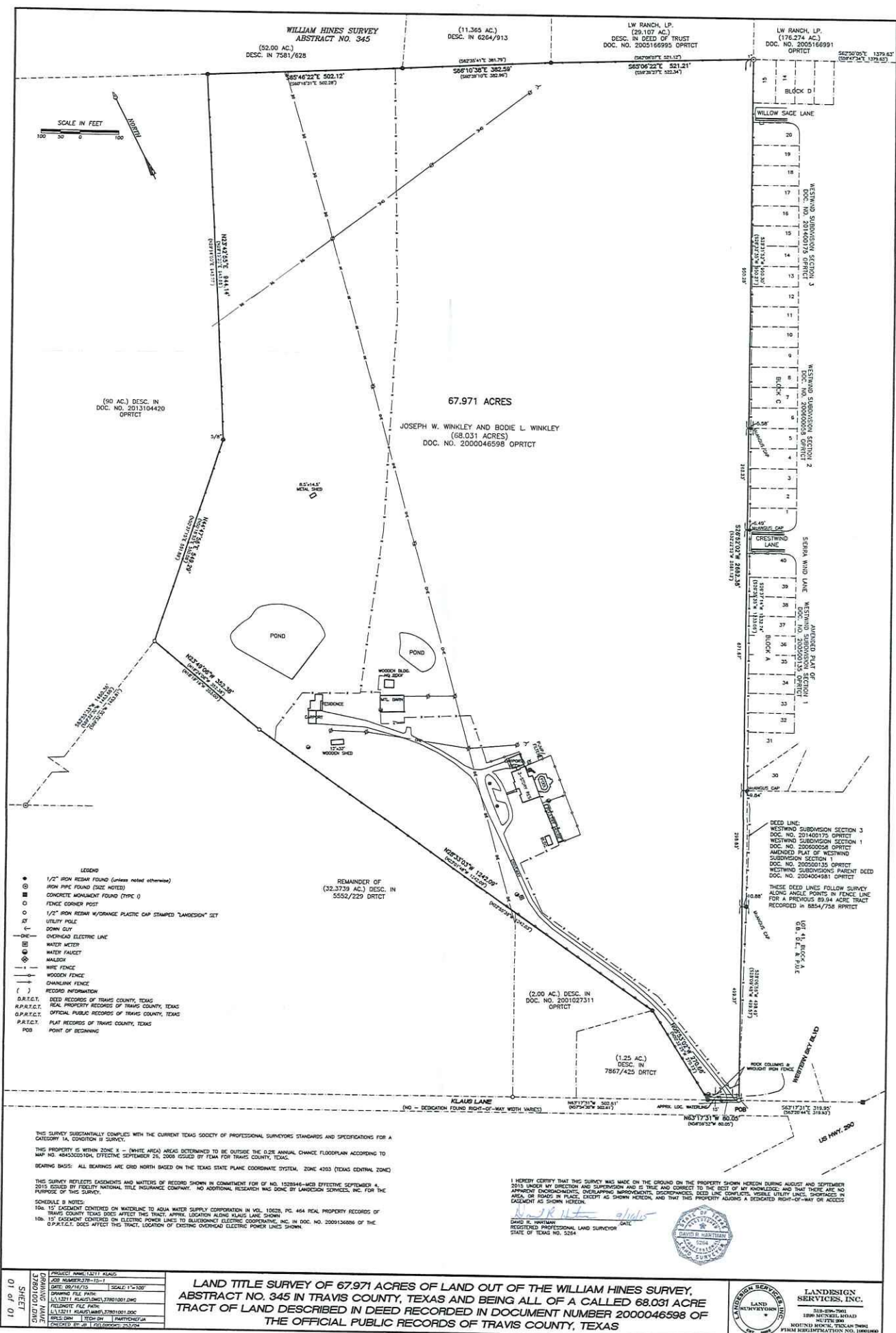
---

Ron M. Ramirez, Mayor

**ATTEST:**

---

Jennifer Stubbs, City Secretary



- LEGEND
- 1/2" IRON REBAR FOUND (unless noted otherwise)
  - IRON PIPE FOUND (SIZE NOTED)
  - CONCRETE MONUMENT FOUND (TYPE I)
  - FENCE CORNER POST
  - 1/2" IRON REBAR W/ ORANGE PLASTIC CAP STAMPED "LANDSIGN" SET
  - UTILITY POLE
  - DOWN CUT
  - OVERHEAD ELECTRIC LINE
  - WATER METER
  - WATER FAUCET
  - MALLOX
  - WIRE FENCE
  - WOODEN FENCE
  - CHAINLINK FENCE
  - ( ) RECORD INFORMATION
  - D.P.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
  - R.P.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
  - O.P.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
  - P.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
  - POB POINT OF BEGINNING

THIS SURVEY SUBSTANTIALLY COMPLES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CATEGORY B SURVEY.

THIS PROPERTY IS WITHIN ZONE 8 - (WHITE AREA) AREA DETERMINED TO BE OUTSIDE THE 100 YEAR FLOODPLAIN ACCORDING TO MAP NO. 4840000010A, EFFECTIVE SEPTEMBER 26, 2008 ISSUED BY FEMA FOR TRAVIS COUNTY, TEXAS.

BEARING BASIS: ALL BEARINGS ARE GRID NORTH BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, ZONE 4303 (TEXAS CENTRAL ZONE)

THIS SURVEY REFLECTS EXISTENTS AND MATTERS OF RECORD SHOWN IN COMMITMENT FOR OF NO. 1528846-MCB EFFECTIVE SEPTEMBER 4, 2015 ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY. NO ADDITIONAL RESEARCH WAS DONE BY LANDSIGN SERVICES, INC. FOR THE PURPOSE OF THIS SURVEY.

SCHEDULE B NOTES

104.15' EASEMENT GRANTED ON WADOLINE TO AQUA WATER SUPPLY CORPORATION IN VOL. 10023, PG. 464 REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS DOES AFFECT THIS TRACT. APPROX. LOCATION ALONG KLAUS LANE SHOWN.

106.15' EASEMENT GRANTED ON ELECTRIC POWER LINES TO BLUEGRASS ELECTRIC COOPERATIVE, INC. IN DOC. NO. 2009136086 OF THE O.P.T.C.T. DOES AFFECT THIS TRACT. LOCATION OF EXISTING OVERHEAD ELECTRIC POWER LINES SHOWN.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND ON THE PROPERTY SHOWN HEREON DURING AUGUST AND SEPTEMBER 2015 UNDER MY DIRECTION AND SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT THERE ARE NO APPARENT ENCUMBRANCES, OVERLAPPING IMPROVEMENTS, EASEMENTS, DEED LINE CONFLICTS, VISIBLE UTILITY LINES, SHOWN IN AREA OR ROAD IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY ADJOINS A DEDICATED RIGHT-OF-WAY OR ACCESS EASEMENT AS SHOWN HEREON.

DAVID E. HARTMAN  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS NO. 5264



|                                                   |                    |
|---------------------------------------------------|--------------------|
| PROJECT NAME: LANDSIGN                            | DATE: 09/16/15     |
| JOB NUMBER: 159-1                                 | SCALE: 1"=100'     |
| DRAWING FILE PATH: \\L12311\LANDSIGN\1591001.DWG  |                    |
| PLANNING FILE PATH: \\L12311\LANDSIGN\1591001.DWG |                    |
| APPROVAL: [Signature]                             | DATE: 09/16/15     |
| PROJECT NO.: 159-1                                | PROJECT NO.: 159-1 |

LAND TITLE SURVEY OF 67.971 ACRES OF LAND OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 345 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF A CALLED 68.031 ACRE TRACT OF LAND DESCRIBED IN DEED RECORDED IN DOCUMENT NUMBER 2000046598 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

LANDSIGN SERVICES, INC.

2415-SPR-7041

1800 MCNEIL ROAD

SUITE 200

HOUSTON, TEXAS 77058

PHONE: 281.466.2378

LAND SURVEY

DAVID E. HARTMAN

REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS NO. 5264

**AGREEMENT AND DEVELOPMENT PLAN**

**CREEKS CROSSING**

**PLANNED DEVELOPMENT DISTRICT (“PDD”)**

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

**THIS AGREEMENT AND DEVELOPMENT PLAN** (this “Agreement”) is made and entered by and between the CITY OF ELGIN, TEXAS, a Texas municipal corporation, (hereinafter referred to as the "City"), and CREEKS CROSSING LAND PARTNERS, LLC, a Texas Limited Liability Company, its successors and assigns, (hereafter referred to as the "Owner"); provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

**WHEREAS**, the Owner is the owner of certain real property consisting of 68.031 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the “Property”) attached hereto and made a part hereof.

**WHEREAS**, the Owner has submitted a request to the City to zone the Property as a Planned Development District (the "PDD"), and those portions of the Property currently lie within City Limits.

**WHEREAS**, pursuant to Chapter 46, Article IV, Division 10, Code of Ordinances, City of Elgin, Texas, the Owner has submitted a Development Plan setting forth the development conditions and requirements within the PDD, which Development Plan is contained in Section II of this Agreement; and

**WHEREAS**, the City has held public hearings required by law to solicit input from all interested citizens and affected parties; and

**WHEREAS**, on July 26, 2021, the City's Planning and Zoning Commission recommended approval of the Owner's application for a PDD; and

**WHEREAS**, the City Council has reviewed the proposed Development Plan and determined that it promotes the health, safety, and general welfare of the citizens of Elgin and that it complies with the intent of the Planned Development District Ordinance of the City;

**NOW THEREFORE BY THIS AGREEMENT WITNESSETH** that, in consideration of the covenants and conditions set forth herein, the City and the Owner agree as follows:



## **I.**

### **GENERAL PROVISIONS**

#### **1.CONFORMITY WITH DEVELOPMENT PLAN**

All uses and development within the Property shall conform to the Development Plan included in Section II herein the "Plan."

#### **2.ANNEXATION**

The Owner, as part of the City's consideration for the PDD, voluntarily requests that the Property be annexed into the City Limits of Elgin.

#### **3. CHANGES AND MODIFICATIONS**

No changes or modifications will be made to this Development Plan unless all provisions pertaining to changes or modifications as stated herein are followed.

#### **4.ZONING VIOLATION**

The Owner, its successors and assigns understand that any person, firm, corporation or other entity violating any conditions or terms of the Development Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in the Code of Ordinances, City of Elgin, Texas, as amended. This Plan will be filed in the Official Records of Travis County, thereby placing future purchasers of the property on notice of all of the terms and conditions of this Plan.

#### **5.MISCELLANEOUS PROVISIONS**

##### **5.1    Assignment.**

Neither party may assign its rights and obligations under this Agreement without having first obtained the prior written consent of the other which consent shall not be unreasonably withheld. This section shall not prevent the Owner from selling the Property or portions of the Property, together with all development rights and obligations contained in this Development Plan, and no consent shall be required in connection with any sale provided the purchaser assumes Owner's obligations in writing as to such portions of the Property.

##### **5.2    Necessary Documents and Actions.**

Each party agrees to execute and deliver all such other and further instruments and undertake such actions as are or may become necessary or convenient to effectuate the purposes and intent of this Agreement.

**5.3 Severability.**

In case one or more provisions contained herein are deemed invalid, illegal or unenforceable in any respect such invalidity, illegality or unenforceability shall not affect any other provisions hereof and in such event, this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**5.4 Entire Agreement.**

This Agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous oral or written understandings or representations of the parties respecting the subject matter hereof.

**5.5 Applicable Law.**

This Agreement shall be construed under and in accordance with the laws of the State of Texas.

**5.6 Venue.**

All obligations of the parties created hereunder are performable in Travis County, Texas and venue for any action arising hereunder shall be in Travis County.

**5.7 No Third Party Beneficiaries.**

Nothing in this Agreement, express or implied, is intended to confer upon any person or entity, other than the parties hereto (and their respective successors and assigns), any rights, benefits or remedies under or by reason of this Agreement.

**5.8 Duplicate Originals.**

This Agreement may be executed in duplicate original, each of equal dignity.

**5.9 Notices.**

Until changed by written notice thereof any notice required under this Agreement may be given to the respective parties, by certified mail, postage prepaid or by hand delivery to the address of the other party shown below:

OWNER

CITY OF ELGIN, TEXAS

Creeks Crossing Land Partners, LLC  
311 Westwood Terrace  
Austin, Texas 78746  
Attn: S. Todd McCullough

City of Elgin, Texas  
P.O. Box 591  
Elgin, Texas 78621  
Attn: City Manager

**5.10 Effective Date.**

This Agreement shall be effective from and after the date of due execution hereof by all parties.

**5.11 Appeal of Administrative Decisions.**

Administrative decisions provided for in this Agreement may be appealed to the City Council in writing within 30 days following receipt by the Owner of the written confirmation of the decision.

**5.12 Binding Effect.**

This Agreement and the Development Plan binds and benefits the Owner and its successors and assigns.

**5.13 Sunset Provision**

In the event that this Planned Development Plan is not recorded within five (5) years from the date the Planned Development Plan is approved by the City Council, then the Planned Development Plan shall be automatically voided and the zoning shall revert to R-1 (the zoning ordinances in effect at the time of approval of this PDD).

## II

### DEVELOPMENT PLAN (“Plan”)

#### 1. **DEFINITIONS**

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances, as amended, City of Elgin, Texas, hereinafter referred to as "the Code"

#### 2. **PROPERTY**

This Development Plan (hereinafter referred to as “Plan”) covers approximately 68.031 acres of land, all of which is located within the city limits of Elgin, Texas, and more particularly described by metes and bounds in **Exhibit "A"**, attached hereto.

#### 3. **PURPOSE**

The purpose of this Plan is to insure a PDD that 1) is equal to or superior to development that would occur under the standard ordinance requirements, 2) does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 3) is adequately provisioned by essential public facilities and services, and 4) will be developed and maintained so as not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

#### 4. **APPLICABILITY OF CITY ORDINANCES**

##### 4.1 **Zoning and Subdivision Ordinances**

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by applicable sections of the Code. This PDD serves to augment and/or modify the standards for development outlined in the Code to implement the vision for the Property and ensure a quality development not otherwise achieved solely by the underlying base zoning district. Refer to **Exhibit “C”, Development Standards**, for additional design standards set forth in the PDD document. If there is a conflict between this Agreement and Plan and the Code, this Agreement and Plan shall supersede the specific conflicting provisions of the Code. If there is a conflict between this Agreement and Exhibit “C”, this Agreement shall supersede the specific conflicting provisions of the Exhibit “C”.

##### 4.2 **Other Ordinances**

All other Ordinances within the Code shall apply to the Property, except as clearly modified by this Plan.

5. **PERMITTED USES**

The Property shall be used and developed as shown in the Concept Plan, **Exhibit "B"** attached hereto and incorporated herein. The Concept Plan depicts the Development Plan for the property. Minor alterations to the Concept Plan may be made administratively as part of the Final Plat and/or Construction Plan application processing.

**Exhibit "C", Development Standards**, depicts the development standards for the Residential parcels within the Property. A property owner's association governing the residential properties will be developed before any certificate of occupancy is issued.

6. **UNDERGROUND UTILITY SERVICE**

All utility lines must be underground to connection points provided by the utility service provider. All transformers must be visually screened.

7. **DRIVEWAY ACCESS TO WESTERN SKY BOULEVARD, CRESTWIND LANE, AND/OR WILLOW SAGE LANE**

The Owner agrees to provide two roadway connections into the Property. The Owner agrees to connect at the existing public right-of-way of Willow Sage and seek rights from the Westwind H.O.A. to convey to the City for a second driveway connection off of Western Sky Boulevard, as depicted in the Concept Plan (Exhibit B). Provided the Owner is unable to secure access at that location from the Westwind H.O.A., the Owner will be allowed by the City to utilize the existing public right-of-way connections to Crestwind Drive and Willow Sage Lane.

8. **PARKLAND DEDICATION**

The parkland dedication requirements for the Property shall be met in full by providing the following:

8.1 **Parkland Open Space and Trails**

The Project will provide approximately 12.5 acres of public open space (18% of the Project) as shown on **Exhibit "D", Public Open Space Plan**. The open space lands and associated improvements shall be accessible to the public. Improvements to the public open space shall at a minimum include 2,000 linear feet of six foot (6') wide decomposed granite or concrete trail combination, 3 park benches, 2 workout stations, 2 trash receptacles, and 2 pet waste stations along the trail system. The location of the park improvements will be incorporated into the construction plans for each phase of the Property. A sidewalk (5-feet wide) shall be provided to connect from existing sidewalks at Crestwind Lane to the proposed sidewalks on Creeks Crossing Drive.

Ownership and maintenance of the public open space shall be the responsibility of the private Homeowner's Association (HOA). The HOA will have the right to impose restrictions and enforce proper use of the public open space, including the right to add security measures (fences, cameras, or related), if necessary to prevent the misuse,

abuse, vandalism, or any other nuisance activities on the open space lands. An access and conservation easement will be entered into with the City or shown on the final plat to retain use of the land as parkland and the parkland will be accessible to the public.

## **8.2 Parkland Fee in Lieu of Required**

The Developer has agreed to donate the additional 30-foot wide right-of-way and fully fund the construction of a 4-lane major arterial through the project that is a greater contribution from the collector level road classification necessary to serve just the needs of the project. The Developer will also provide for six (6) Public parking spaces [5 standard stalls 9 ft wide x 18 feet deep; and 1 handicap space 11 feet x 18 feet deep] with direct access to the project's public trail system. The design and location will be part of the construction plan application.

## **8.3 Tree Preservation Plan**

A tree preservation plan per Section 36-29(n) will be provided with the preliminary plat application for the project.

## **8.4 Postal Station**

Postal delivery standards are met in accordance with Section 36-60 of the City Subdivision Ordinance.

## **9. SIGNS**

The Project shall incorporate the Development Standards as depicted on **Exhibit "C"**.

## **10. WATER AND WASTEWATER**

The City of Elgin will be the retail wastewater provider. Aqua Water Supply Corporation will be the retail water provider and is not part of this Agreement between the City and Owner.

Existing water and wastewater infrastructure is at or adjacent to the property and no additional major extensions or improvements are necessary to provide service to the Property. Additionally, the existing Westwind lift station that is also adjacent to and will be receiving the wastewater flows from the Property (for up to 287 LUE connections) has adequate pumping and storage capacity as shown in **Exhibit "F"**. No additional direct offsite improvements to the City's wastewater system is necessary to serve the project. A utility plan for wastewater service has been provided as **Exhibit "G"**.

## **11. WATER QUALITY, DETENTION, AND IMPERVIOUS COVER**

The Project will follow the City's Code and specifically will be required to provide stormwater runoff controls (detention), erosion control measures, permanent BMP's, grading, and related infrastructure to prevent increased or adverse affects downstream of the Project. Water quality

will not be required for this project.

The Project will be designed utilizing Atlas 14 rainfall intensities relative to the Project area. There is no existing FEMA floodplain reflected on the Property and therefore the Project will include grading, re-grading, channelization, and modification as needed to accommodate existing offsite upland flows passing through the Property, onsite drainage ways, and overall stormwater conveyance leaving the Property.

Impervious cover will be limited to sixty (60%) of the total gross acreage for the Project. Decomposed granite trails, mulch, or other pervious surfaces will not be counted as impervious cover. Pools with at least 4 inches of height between coping and water surface will not be counted as impervious cover.

## **12. DESIGN OF INGRESS OR EGRESS FOR DRIVEWAYS**

This project will not provide mutual access agreements on parking lots, driveways and adjoining properties as encouraged on Section 36-514.8 of the Code of Ordinances. This project will however provide connectivity to adjacent properties as shown in the Concept Plan, **Exhibit “B”**.

## **13. STREETS, BLOCKS, LOTS, SIDEWALKS, BUILDING LINES, AND SETBACKS, DRAINAGE AND STORM SEWERS AND OTHER MATTERS**

### **13.1 Development Standards**

The Project shall incorporate the Development Standards as depicted on **Exhibit “C”**.

### **13.2 Buffer Zones**

The City of Elgin required buffer zones per Sec. 36-312(b)(2) are hereby modified such that adequate buffer zones will generally comply with the City’s code, and may be modified as depicted in Exhibit C but in any case will provide sufficient space for drainage conveyance. All proposed buffer zones will be shown on the final plat and construction plans prior to approval.

### **13.3 Sidewalk-In-Lieu Fees**

Not applicable. No offsite sidewalks or related fees are required with this Project.

### **13.4 Traffic Impact**

The Owner will pay for and has provided the City a free copy of a Traffic Impact Analysis (TIA, see **Exhibit “H”**) as it relates to the direct impact of projected new traffic created by this Project, i.e. the addition of approximately 287 new homes. The impact or study area will be limited to existing public roadways within 0.5 miles of the Project. Any recommendation for improvements to existing **City roadways** will be evaluated and negotiated with the City, separate from this Agreement, however any such improvements that involve costs to the Owner will be prorated based on the direct



impact of this Project. Example: if this Project generates 1,000 trips out of 5,000 total trips on a roadway intersection where an improvement is recommended, the Owner would only be responsible for 20% of the costs for said improvement.

The Owner will also provide a copy of the TIA to the State, however, the State is not a party to this Agreement. The City agrees to not withhold or delay the Owner in the City entitlement process for the Project for any offsite State roadway improvement recommendation.

### **13.5 Perimeter Improvements**

No perimeter or offsite improvements are required for this Project, except those required for existing utility connections, connections to existing roadways, and signage for the subdivision.

### **13.6 City Thoroughfare Plan**

The Owner agrees to provide for a Major Arterial with 90 feet of Right of Way for and through Creeks Crossing beginning at Western Sky and traversing through the 68.031 acre Project site to the north boundary line, as reflected in the Concept Plan Exhibit “B”. The Major Arterial will include two paved lanes in each direction with onsite storm sewer, divided by an approximate 12-foot wide median (including xeriscape) and a five (5’) foot wide sidewalk on each side of the right-of-way, following the City Construction Detail included as **Exhibit “I”**. No residential lots will take direct driveway access from the Major Arterial, though alley access drives serving multiple lots may take direct access as depicted in Concept Exhibit “B”. No utility extensions, no additional drainage or detention for offsite areas, no pedestrian facilities, and no other pass through services that are not directly required for the Creeks Crossing development will be required of the Owner as it pertains to the dedication of the right-of-way and construction of the Major Arterial through the Project.

## **14. CHANGES TO AGREEMENT AND DEVELOPMENT PLAN**

### **14.1 Minor Changes**

Minor changes to this Agreement or Plan, which do not substantially alter the proposed street circulation, increase the lot count above the limit set in **Exhibit “C”** or alter the Residential Development Standards in **Table “B.1” of Exhibit “C”**, may be approved administratively, if approved in writing, by the City Engineer, the Director of Planning, the Director of Public Works, and the City Attorney.

#### **14.2 Major Changes**

All changes not permitted under section 14.1 above, shall be resubmitted following the same procedure required by the original PDD application; provided, however, that nothing herein or otherwise shall require an owner of a portion of the Property (the “Rezoning Owner”) to obtain the consent or approval of any other owner of a portion of the Property for a change in zoning (including amending this Agreement) as it applies to the land of the Rezoning Owner.

#### **14.3 Deed Restrictions and Creation of a Home Owner’s Association**

The Owner shall create a Homeowner’s Association responsible for, among other things, enforcement of deed restrictions required under this Agreement. The Association shall be created and deed restrictions recorded before the issuance of building permits for residential building construction on the Property. The deed restrictions shall be submitted to the City for review to determine consistency with this Agreement before recording. The Association shall be duly authorized, under applicable laws, to enforce the deed restrictions against all owners and developers of land within the Property. Any deed restrictions, and amendments thereto, regulating development of the Property shall be recorded in the Official Public Records of Travis County, Texas. Any deed restrictions regulating development of the Property, and any amendments thereto, shall be subject to this Agreement. Such deed restrictions shall further include a statement that they are subject to this Agreement and that, in the event of a conflict between the deed restrictions and this Agreement, this Agreement shall govern. City shall review any proposed changes for consistency.

**OWNER:**

**CREEKS CROSSING LAND PARTNERS, LLC**

**By: \_\_\_\_\_**  
**S. TODD MCCULLOUGH, Manager**

**STATE OF TEXAS**

**\_\_\_\_\_ COUNTY**

**Sworn and subscribed before me this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ by S. Todd McCullough, Manager of Creeks Crossing Land Partners, LLC.**

**SEAL**

**\_\_\_\_\_  
Signature of Notary**

**CITY OF ELGIN:**

**By:** \_\_\_\_\_  
**RON RAMIREZ, Mayor**

**ATTEST:**

**By:** \_\_\_\_\_  
**JENNIFER STUBBS, City Secretary**

**STATE OF TEXAS**

\_\_\_\_\_ **COUNTY**

**Sworn and subscribed before me this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ by Ron Ramirez, Mayor, City of Elgin, Texas.**

**SEAL**

\_\_\_\_\_  
**Signature of Notary**

**STATE OF TEXAS**

\_\_\_\_\_ **COUNTY**

**Sworn and subscribed before me this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ by Jennifer Stubbs, City Secretary, City of Elgin, Texas.**

**SEAL**

\_\_\_\_\_  
**Signature of Notary**

## **LIST OF EXHIBITS**

**EXHIBIT “A” – Metes Bounds Description of the Property**

**EXHIBIT “B” – Concept Plan**

**EXHIBIT “C” – Development Plan**

**EXHIBIT “D” – Public Open Space Plan**

**EXHIBIT “E” – Master Sign Plan**

**EXHIBIT “E-1” – Community Signage**

**EXHIBIT “F” – Wastewater Calculations**

**EXHIBIT “G” – Wastewater Utility Connection Plan**

**EXHIBIT “H” – Traffic Impact Analysis**

**EXHIBIT “I” – City Construction Standard for Major Arterial with Boulevard (90’)**

## **EXHIBIT "A"**

### **METES AND BOUNDS DESCRIPTION OF THE PROPERTY**

BEING 67.971 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 345 IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 68.031 ACRE TRACT DESCRIBED IN DEED TO JOSEPH W. WINKLEY AND BODIE L. WINKLEY RECORDED IN DOCUMENT NO. 2000046598 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" with a plastic cap stamped "Landesign" set in the existing north right-of-way line of Klaus Lane (no dedication found, right-of-way width varies) at the southernmost corner of said 68.031 acres and the westernmost corner of Lot 41, Block A of the Amended Plat of Westwind Subdivision Section 1 recorded in Document No. 200500135 of the O.P.R.T.C.T.), from which a concrete highway monument (type I) found in the north right-of-way line of U.S. Highway 290 bears South 63°17'31" East a distance of 319.95 feet [record (Doc. No. 2004004981, O.P.R.T.C.T., parent deed to Westwind Subd.) – South 63°20'44" East, 319.93 feet];

THENCE North 63°17'31" West a distance of 80.05 feet (record – North 58°59'52" West, 80.05 feet) with the southwest line of the 68.031 acres and the existing north right-of-way line of Klaus Lane to a 1/2" iron rebar found at the southernmost corner of a called 1.25 tract of land described in deed recorded in Volume 7867, Page 425 of the Deed Records of Travis County, Texas (D.R.T.C.T.), from which a fence corner post found at the westernmost corner of a called 2.00 acre tract described in deed recorded in Doc. No. 2001027311 of the O.P.R.T.C.T. tract bears North 63°17'31" West a distance of 502.61 feet (record – North 57°64'30" West, 502.61 feet);

**Metes and Bounds Continued,**

THENCE North 05°53'02" West a distance of 270.66 feet (record – North 00°32'25" West, 270.73 feet) with the southwest line of the 68.031 acres and the east line of said 1.25 acres to a 1/2" iron rebar found at an angle point in the southwest line of the 68.031 acres, the northeast corner of the 1.25 acres and the southeast corner of said 2.00 acres;

THENCE North 28°33'03" West a distance of 1242.09 feet (record – North 23°01'48" West, 1242.09 feet) with the southwest line of the 68.031 acres, the northeast line of 2.00 acres and the northeast line of the remainder of a called 32.3739 acre tract described in deed recorded in Volume 5552, Page 229 of the D.R.T.C.T. to a 1/2" iron rebar with plastic cap stamped "Landesign" set;

THENCE North 23°49'06" West a distance of 352.38 feet (record – North 18°24'06" West, 352.38 feet) with the southwest line of the 68.031 acres and the northeast line of the remainder of a called 32.3739 acre tract to a fence corner post found at the westernmost corner of the 68.031 acres, the northernmost corner of the remainder of 32.3739 acres and in the southeast line of a called 90 acre tract described in deed recorded in Doc. No. 2013104420 of the O.P.R.T.C.T.;

THENCE with the northwest line of the 68.031 acres and the southeast line of said 90 acres the following two (2) courses;

1. North 44°47'56" East a distance of 549.29 feet (record – North 50°18'53" East, 550.08 feet) to a 5/8" iron rebar found;
2. North 23°42'55" East a distance of 944.14 feet (record – North 29°10'20" East, 943.88 feet) to a 1/2" iron rebar found at the northernmost corner of the 68.031 acres, the easternmost corner of the 90 acres and in the southwest line of a called 52.00 acre tract described in deed recorded in Volume 7851, Page 628 of the D.R.T.C.T.;

THENCE South 65°46'22" East with the northeast line of the 68.031 acres and the southwest line of said 52.00 acres a distance of 502.12 feet (record – South 60°16'31" East, 502.28 feet) to a 1/2" iron rebar found at the southernmost corner of the 52.00 acres and the westernmost corner of a called 11.365 acre tract described in deed recorded in Volume 6264, Page 913 of the D.R.T.C.T.;

THENCE South 66°10'38" East with the northeast line of the 68.031 acres and the southwest line of said 11.365 acres a distance of 382.59 feet (record – South 60°39'10" East, 382.96 feet) to a 1/2" iron rebar found at the southernmost corner of the 11.365 acres and the westernmost corner of a called 29.107 acre tract described in deed recorded in Doc. No. 2005166995 of the O.P.R.T.C.T.;

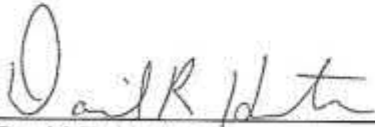
**Metes and Bounds Continued,**



THENCE South 65°06'22" East with the northeast line of the 68.031 acres and the southwest line of said 29.107 acres a distance of 521.21 feet (record – South 59°39'27" East, 522.34 feet) to a 1" iron pipe found at the easternmost corner of the 38.031 acres, the southernmost corner of the 29.107 acres, the westernmost corner of a called 176.274 acre tract described in deed recorded in Doc. No. 2005166991 of the O.P.R.T.C.T. and the northernmost corner of Lot 15, Block D of Westwind Subdivision Section 3 recorded in Doc. No. 201400175 of the O.P.R.T.C.T.;

THENCE South 26°52'02" West with the southeast line of the 38.031 acres, the northwest line of said Westwind Subdivision Section 3, the northwest line of Westwind Subdivision Section 2 recorded in Doc. No. 200600058 of the O.P.R.T.C.T. and the northwest line of the Amended Plat of Westwind Subdivision Section 1, passing 5.58 feet northwest of a 1/2" iron rebar with a "McAngus" cap found at a distance of 950.28 feet, passing 6.49 feet northwest of a 1/2" iron rebar with a "McAngus" cap found at a distance of 1212.51 feet, passing 9.84 feet northwest of a 1/2" iron rebar with a "McAngus" cap found at a distance of 1884.18 feet, passing 10.88 feet northwest of a 1/2" iron rebar with a "McAngus" cap found at a distance of 2183.01 feet, and continuing a total distance of 2682.38 feet (record – South 32°22'52" West, 2681.12 feet) to the POINT OF BEGINNING.

This parcel contains 67.971 acres of land out of the William Hines Survey, Abstract No. 345, in Travis County, Texas. Description prepared from an on-the-ground survey made during August 2015. All bearings are based on grid north of the Texas State Plane System Central Zone.

  
David R. Hartman  
Registered Professional Land Surveyor  
State of Texas No. 5264  
Firm Registration No. 10001800

9/1/2015  
Date



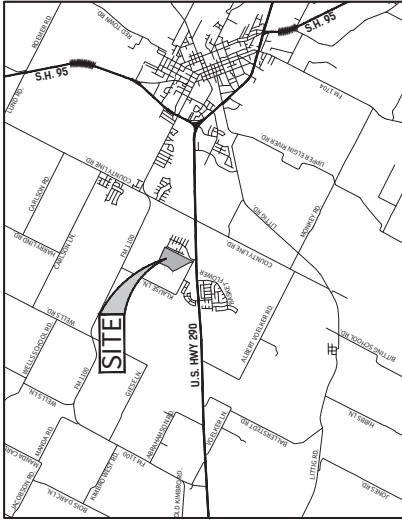
Job Number: 356-14-1

Attachments: Survey Drawing L:\13211 Klaus\dwg\37801001.dwg



**EXHIBIT “B”**  
**CONCEPT PLAN**

# CREEKS CROSSING CONCEPT PLAN



OWNER:  
CREEKS CROSSING LAND PARTNERS, LLC  
311 WESTWOOD TERRACE  
AUSTIN, TX 78746  
ATTN: S. TODD MCCULLOUGH

SURVEYOR:  
JOBY EARLY, R.P.L.S.  
ERIC DANNHEIM, R.P.L.S.  
EARLY LAND SURVEYING, LLC  
P.O. BOX 92388  
AUSTIN, TX 78709

0.41, 0.43, 0.45 ACRES  
(88, 97, 98 ACRES)  
GEORGE E. BROWN AND ROBERT A. CUNNINGHAM AS  
TRUSTEES OF THE CUNNINGHAM TRUST  
(DISBURSED 2013.10.04/20)  
CORRECTED 2013.10.04/20

| LAND USE SUMMARY                |             |
|---------------------------------|-------------|
| Gross Acreage:                  | 67.97 Acres |
| Linear Feet of New Streets      | 10,692      |
| Number of Blocks                | 10          |
| Single-Family (50'x120'+)       | 175 Lots    |
| Single-Family (45'x110'+-Alley) | 109 Lots    |
| Detention Pond/Open Space       | 4 Lots      |
| Total:                          | 288 Lots    |

LEGEND

- 50'x120'+ LOTS
- 45'x110' LOTS + ALLEY
- POND
- PARKLAND/OPEN SPACE
- PHASE LINE

SCALE: 1"=100'



CREEKS CROSSING  
CONCEPTUAL PLAN  
CONCEPT LAYOUT C

DATE  
9/13/2023  
PROJECT NO.  
B040397.000.0  
DRAWN BY  
CJB  
CHECKED BY  
JDB

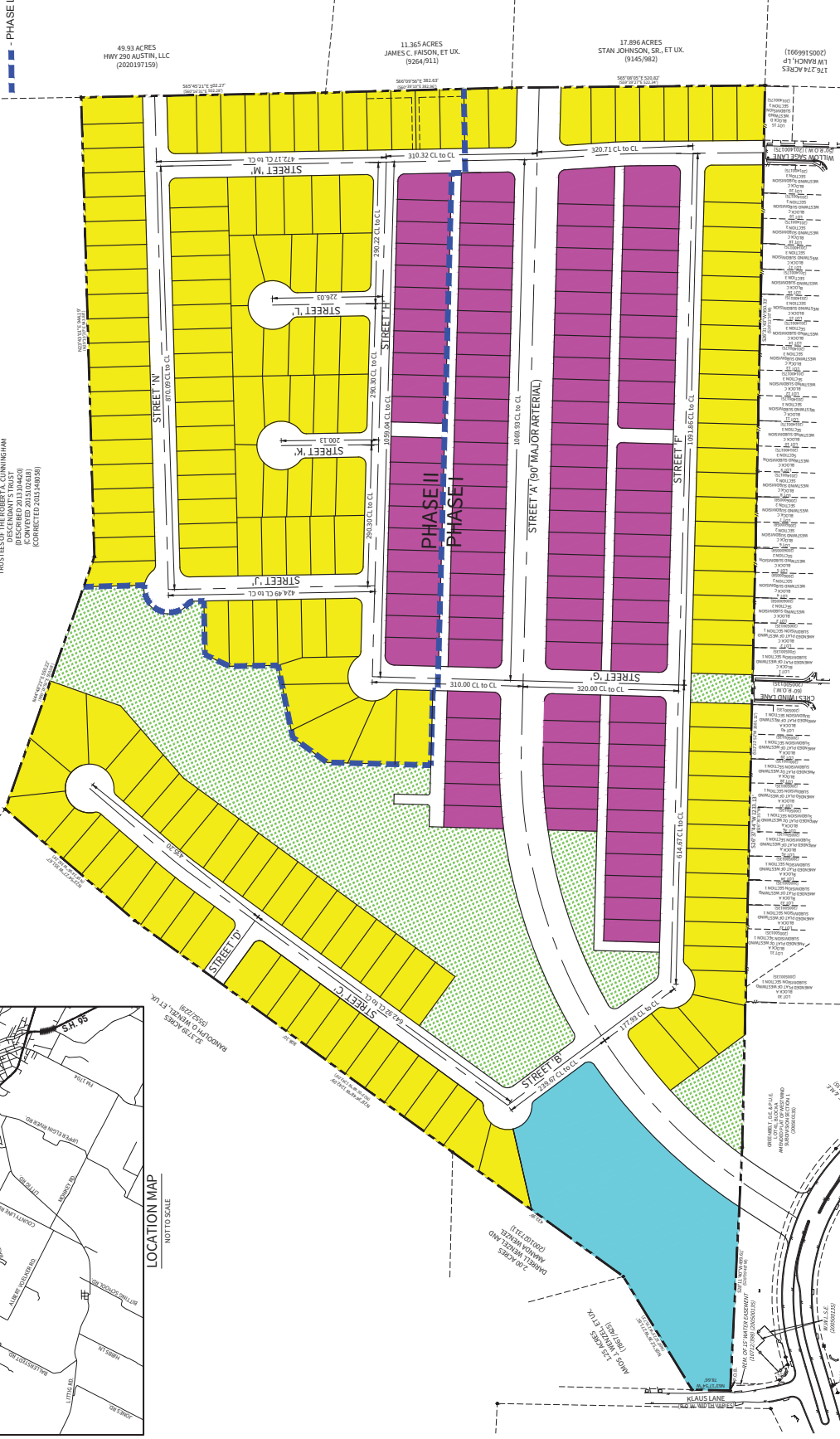
REVISIONS  
1.  
2.  
3.  
4.  
5.  
6.  
7.  
8.



CODE ENGINEERS  
DATE: 9/13/2023  
PLAT NO.

1

OF 1



REPRODUCTION OF THE ORIGINAL SURVEY AND BASE MAPS AND OTHER INFORMATION FROM THE PUBLIC RECORDS IS FOR INFORMATION ONLY. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**EXHIBIT “C”**  
**DEVELOPMENT PLAN**

**A. Applicability and Base Zoning**

All aspects regarding the development of this Property shall comply with the City of Elgin Code of Ordinances in effect on (THE EFFECTIVE DATE) except as established in this exhibit, titled Exhibit “C” and described in this Agreement.

All development within the Property will comply with the modified development standards of **Exhibit “C”**. In the case that this exhibit does not address a specific City requirement, the Elgin Code of Ordinances shall apply. In the event of a conflict between this exhibit and the Code of Ordinance on (THE EFFECTIVE DATE), this exhibit shall control.

**B. Single Family Residential Lot Design Standards**

The development of the Property will not exceed 287 single-family residential units. The potential product shall be developed in compliance with **Table B.1**.

In addition to the design standards outlined in **Table B.1**, the following standards shall also apply:

1. Residential lot widths shall be measured from the front setback building line as established below. Alley load lots: Lots along the Major Arterial shall be rear alley load, may be 45-feet in width or larger, and have a minimum Lot Area of 4,950 square feet. All other lots shall be Front load lots with driveways directly onto a public street and shall follow Table B.1 below;

| <b><u>Table B.1</u> Residential Development Standards</b> |                       |
|-----------------------------------------------------------|-----------------------|
|                                                           | <b>FRONT LOAD A</b>   |
| <b>Lot Width Minimum</b>                                  | 50 feet               |
| <b>Lot Depth Minimum</b>                                  | 110 feet*             |
| <b>Setbacks</b>                                           |                       |
| Front (Min.)                                              | 15 feet               |
| Rear (Min.)                                               | 10 feet               |
| Garage Setback (Min.)                                     | 20 feet               |
| Side (Min.)                                               | 5 feet (1 or 2 story) |
| Corner (Min.)                                             | 15 feet               |
| <b>Building Height</b>                                    | 35 feet               |
| <b>Minimum Lot Area</b>                                   | 5,500 square feet     |
| *Excluding cul-de-sacs/knuckles.                          |                       |

**C. Roadway Standards**

1. Collector streets shall have a minimum centerline radius of 300 feet (300'); 60-feet wide of right-of-way; and 40 feet face-to-face of pavement.
2. Local streets shall have a minimum centerline radius of 275 feet (275'); 50-feet wide of right-of-way; and 30 feet face-to-face of pavement.
3. Rollover curbs (6 inch) may be used on all roadway types consistent with the Typical Cross Section exhibits within this Agreement, provided no sidewalk may be located any closer than 3-feet behind rollover curbs (the clear zone).
4. The block length requirements per City of Elgin Sec. 36-202 are modified as shown in the Concept Plan and are approved with this Agreement. Approved modifications to the Concept Plan that affect block length will also be permitted per this Agreement.
5. Sidewalks in front of residential lots will be installed during the installation of the residential landscape on said residential lot and prior to issuance of certificate of occupancy.
6. Sidewalks along roadways in which there is not a residential lot shall be installed during the construction of each subdivision phase and roadway improvements.
7. Local and arterial roadways may cross at two (2) locations as shown on the concept plan and that a waiver is requested to Section 36-78(d), City Code to allow for full left turn ability.

**D. Drainage and Grading**

1. Drainage collection facilities dedicated to the public and within proposed right-of-way will be designed to City Codes. Drainage facilities on private lots or private drainage easements will be owned and maintained privately by lot owners and may be constructed with a mix of open channel and underground storm sewers. Design criteria shall be based on the City of Elgin Construction Standards, Atlas 14 rainfall intensities, SCS/Unit Hydrograph, Rational Method, TR-55, HEC HMS, and engineering recommendations provided by the design engineer for private drainage facilities, and per City Code for all public drainage facilities. Private drainage facilities will be clearly indicated on the construction plans.
2. All cut and fill land balancing shall be limited to a maximum of twelve feet (12'), except when filling of the existing stock tanks.

**E. Signage**

The control and placement of all signs is especially important to the aesthetic harmony of the Project. A critical component of a cohesive community is the sense of place and identity.

A Master Sign Plan has been prepared as a component of this Agreement. **Exhibit "E"** identifies the sign types, quantities and locations of signs that may be constructed within the Project. Approval of these development standards is intended to permit the number and locations for the community signs as indicated and allow a consistent signage package within the community.

Approval of the development standards shall permit signage at the indicated locations on **Exhibit "E"** but shall not be interpreted as approval of a sign permit. Each proposed sign within these development standards must be submitted to the inspection department for review and permit.

The Master Sign Plan shall include the following type of signs. The sign face area, sizes and quantities of signs shall be governed by the standards identified on **Exhibit "E"** and

**Exhibit “E-1”.** The graphics included in **Exhibit “E-1”** do not depict actual sign form, but rather the scale and massing that may be constructed.

Sign face area shall be defined as the area included within the smallest rectangle that can encompass the sign letters. The sign face area does not apply to logos, which will be considered a design feature separate from the sign face area.

### **1. Primary Community Entry Signs**

Primary community entry signs (total not to exceed two (2)) may be located at each entrance into the Project.

### **2. Special Signs**

The Directional/Lifestyle Signs category includes a series of signs (total not to exceed five (5)) used to create a strong sense of place and guide people within the Project.

## **F. Sign Lighting**

All signs constructed within the Project may be illuminated in order to increase visibility and/or enhance the aesthetics of the sign design. Sign lighting shall adhere to the following standards:

1. Illumination shall be shielded so there is no glass in the public right-of-way and adjacent properties.
2. Illumination may include lighted cabinet, halo lighting, wall wash up lighting, landscape upward-pointed lighting, and under cap lighting.
3. Illumination may be white or colored.
4. Illumination must be steady. Flashing, moving, and intermittent lights are prohibited.

**EXHIBIT “D”**  
**PUBLIC OPEN SPACE PLAN**





SHEET FILE: 1\21009-CODE\GIS\PLANNING\GIS\Trail Layout\Creeks Crossing Trail Layout.dwg  
 Base mapping compiled from best available information.  
 All map data should be considered as preliminary. In  
 order to ensure the accuracy of the information, the  
 plan is conceptual in nature and does not represent any  
 regulatory approval. Plan is subject to change.

# PARKLAND CONCEPT CREEK'S CROSSING ELGIN, TEXAS

SEC Planning, LLC  
 Land Planning + Landscape Architecture + Community Branding  
 AUSTIN, TEXAS  
 (512) 466-7803  
 www.secplanning.com + info@secplanning.com



**EXHIBIT “E”**  
**MASTER SIGN PLAN**



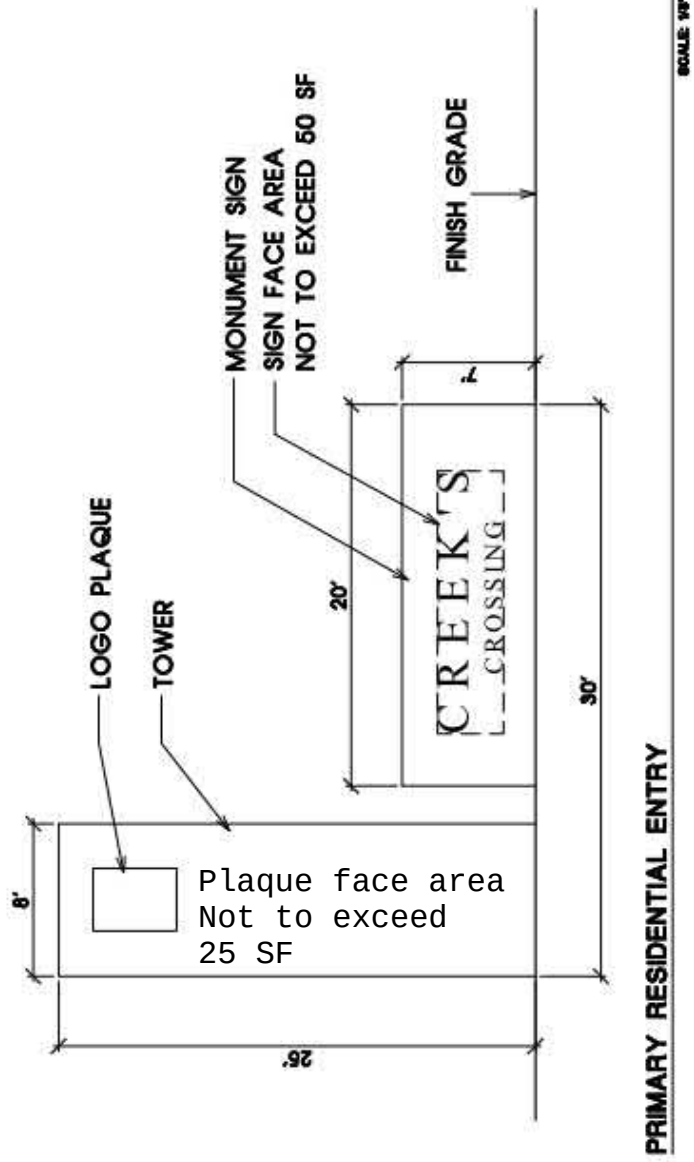


Exhibit A-1  
Community Signs

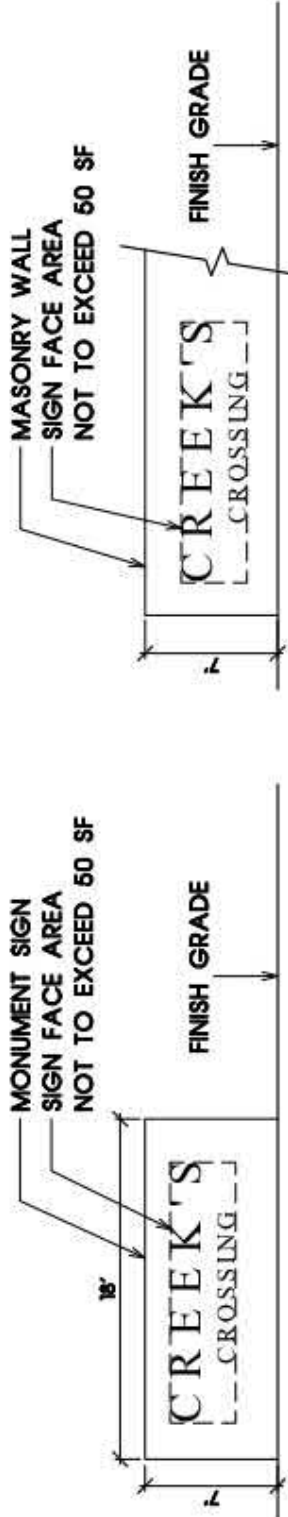


# Creek's Crossing

This drawing and the design herein are the property of SFC Planning, LLC. The reproduction, copying or other use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.

# EXHIBIT "E-1"

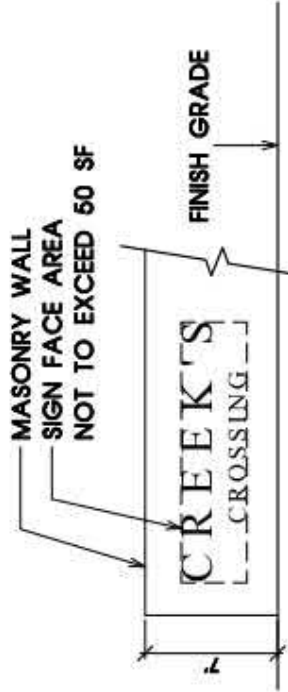
## COMMUNITY SIGNAGE



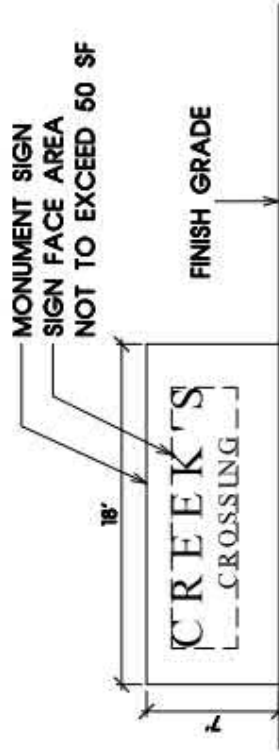
**OPTION A - MONUMENT SIGN**

**SECONDARY COMMUNITY ENTRY**

SCALE 1/8" = 1'



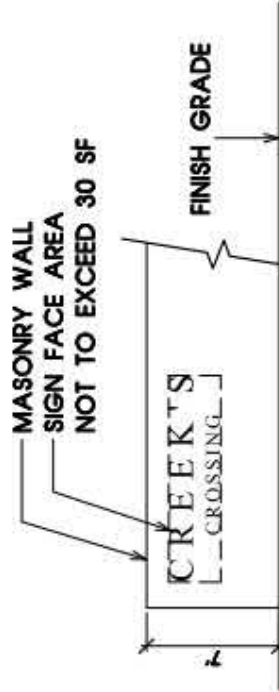
**OPTION B - WALL SIGN**



**OPTION A - MONUMENT SIGN**

**SECONDARY COMMUNITY ENTRY**

SCALE 1/8" = 1'



**OPTION B - WALL SIGN**

## Creek's Crossing

SEC Planning, LLC

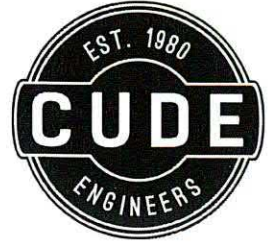
1000 West 10th Street, Suite 100  
Tulsa, Oklahoma 74103  
Phone: (918) 438-1234  
Fax: (918) 438-1235  
www.secplanning.com

**Exhibit A-2**  
**Community Signs**

Scale: 1/8" = 1'  
Date: April 08, 2021

This drawing and the design shown are the property of SEC Planning, LLC. The reproduction, copying or other use of this drawing without prior written permission is prohibited and any infringement will be subject to legal action.

**EXHIBIT “F”**  
**WASTEWATER CALCULATIONS**



August 3, 2021

David Harrell, AICP  
Development Services Director  
City of Elgin  
1135 Swenson Boulevard  
Elgin, Texas 78621

RE: Proposed Creeks Crossing Subdivision @ Klaus Lane

SUBJECT: Westwind Lift Station Evaluation Letter

Dear Mr. Harrell,

In review of the existing Westwind Lift Station and what capacity might be available to serve the new Creek's Crossing subdivision, please find the following summary of calculations:

There are 154 existing homes west and 134 homes east that comprise the Westwind Subdivision. This equates to approximately 190 gpm of peak wet weather flow. The existing design pump from Odessa has a capacity of 379 gpm. Using the TCEQ minimum cycle time of 10 minutes, as-built construction drawing elevations, a 6-ft diameter wet well and depth of 15 feet, the required storage height is 2.25 feet. The actual storage height provided is 8.85 feet with a supplemental overflow basin at the incoming line that provides an additional 16,157 gallons of storage (or 1.5 hours of full flow).

Based on the analysis of the existing lift station capacities above, **there is available capacity to serve the proposed 287 new home LUE's from the Creeks Crossing subdivision**, which would raise the peak wet weather flow to 377 gpm which is still below the normal operating capacity of the Odessa pump curve at 379 gpm, require 4.46 feet of storage which is also well below the 8.85 feet provided, and leaves adequate amount of flexibility from the contributing variables.

Additional evaluation of the 12-inch gravity main that the Westwind force main discharges to [MH#10; Record Drawings October 7, 2005; #42632-0010 by Hunter Associates] also has capacity for around 1,100 LUE's total and therefore is capable of handling the additional 287 proposed LUE's from Creeks Crossing.

Sincerely,

John D. Hines, P.E.  
Vice-President (Austin)



Attachments: Concept Plan and As-Built Clips of the Westwind Lift Station & 12-inch Gravity Main

Item number : 008  
Service :  
Quantity : 1  
Quote number : 359979

Size : Hydromatic - S4N/S4NX  
Stages : 1  
Based on curve number : SUB\_S\_E\_AH\_00005\_B\_4 Rev  
2016-01-14  
Date last saved : 25 Apr 2019 10:38 AM

**Operating Conditions**

Flow, rated : 379.2 USgpm  
Differential head / pressure, rated (requested) : 19.03 ft  
Differential head / pressure, rated (actual) : 19.03 ft  
Suction pressure, rated / max : 0.00 / 0.00 psi.g  
NPSH available, rated : Ample  
Frequency : 60 Hz

**Performance**

Speed, rated : 1750 rpm  
Impeller diameter, rated : 6.25 in  
Impeller diameter, maximum : 8.00 in  
Impeller diameter, minimum : 5.50 in  
Efficiency : 57.39 %  
NPSH required / margin required : - / 0.00 ft  
nq (imp. eye flow) / S (imp. eye flow) : 43 / - Metric units  
Minimum Continuous Stable Flow : 68.50 USgpm  
Head, maximum, rated diameter : 31.48 ft  
Head rise to shutoff : 65.40 %  
Flow, best eff. point : 372.3 USgpm  
Flow ratio, rated / BEP : 101.85 %  
Diameter ratio (rated / max) : 78.13 %  
Head ratio (rated dia / max dia) : 41.78 %  
Cq/Ch/Ce/Cn [ANSI/HI 9.6.7-2010] : 1.00 / 1.00 / 1.00 / 1.00  
Selection status : Acceptable

**Liquid**

Liquid type : Water  
Additional liquid description :  
Solids diameter, max : 0.00 in  
Solids diameter limit : 3.00 in  
Solids concentration, by volume : 0.00 %  
Temperature, max : 68.00 deg F  
Fluid density, rated / max : 1.000 / 1.000 SG  
Viscosity, rated : 1.00 cP  
Vapor pressure, rated : 0.34 psi.a

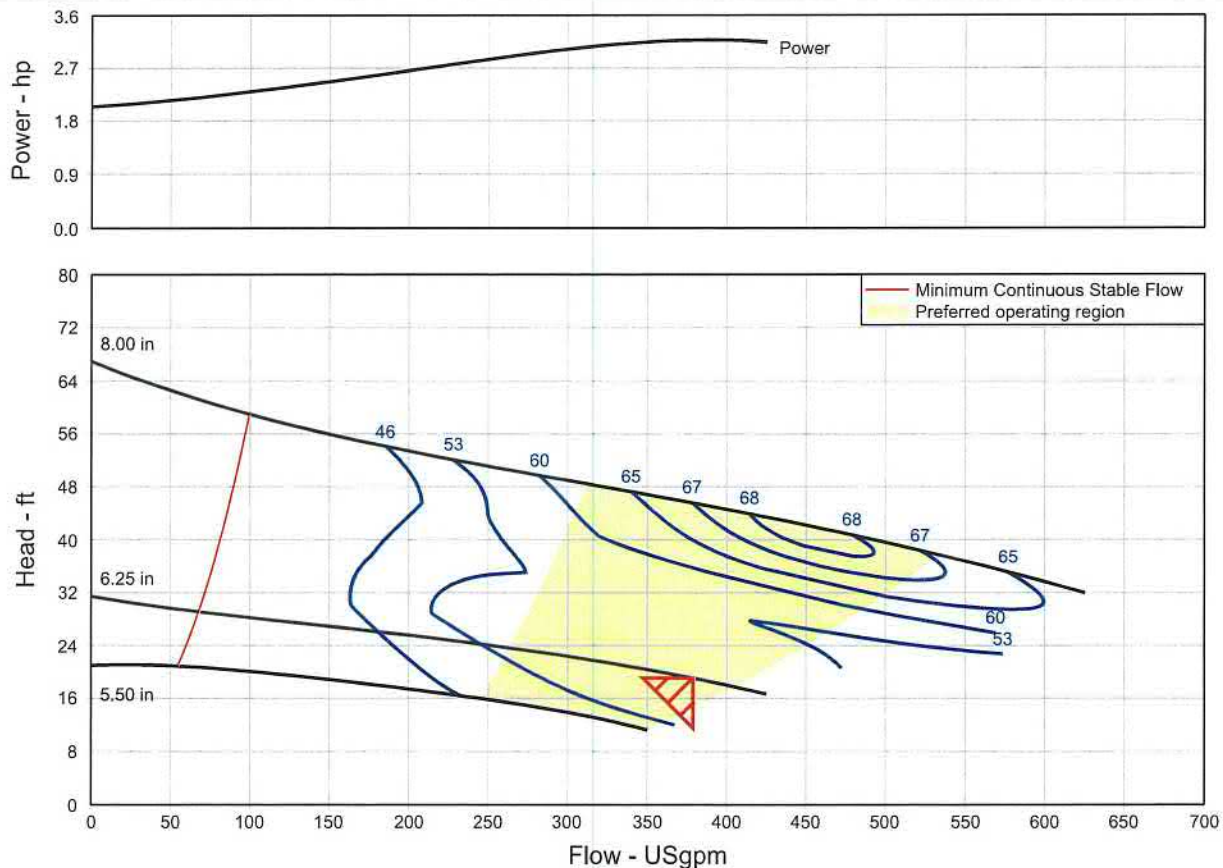
**Material**

Material selected : Standard

**Pressure Data**

Maximum working pressure : 13.63 psi.g  
Maximum allowable working pressure : N/A  
Maximum allowable suction pressure : N/A  
Hydrostatic test pressure : N/A

**Driver & Power Data (@Max density)**

Driver sizing specification : Maximum power  
Margin over specification : 0.00 %  
Service factor : 1.00  
Power, hydraulic : 1.82 hp  
Power, rated : 3.18 hp  
Power, maximum, rated diameter : 3.18 hp  
Minimum recommended motor rating : 5.00 hp / 3.73 kW






FL = 485.99  
STUDIOS/ITL = 485.00

RECORD DRAWING

DATE: OCTOBER 7, 2005

TRACTOR: SUEPAK CONSTRUCTION

DRAWING SUBJECTS THE CONSTRUCTION WORK AS PROJECT ACCORDING TO AVAILABLE INFORMATION AND FIELD OBSERVATIONS DURING PROGRESS OF THE CONSTRUCTION.

SCALE: 1" = 200'

TO L.F.



|                                                                                   |                                                                                                                                            |                                                                                                    |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
|  | <b>HUNTER ASSOCIATES TEXAS, LTD.</b><br>100 KENTZLE / JAMES R. FORTNEY<br>100 KENTZLE / JAMES R. FORTNEY<br>100 KENTZLE / JAMES R. FORTNEY |                                                                                                    |
|                                                                                   | 100 KENTZLE / JAMES R. FORTNEY<br>100 KENTZLE / JAMES R. FORTNEY<br>100 KENTZLE / JAMES R. FORTNEY                                         | 100 KENTZLE / JAMES R. FORTNEY<br>100 KENTZLE / JAMES R. FORTNEY<br>100 KENTZLE / JAMES R. FORTNEY |

City of Austin Wastewater Design Flow Calculation

| From                       | To        | Description | Dwelling Units | F (gpd) | F (gpm) | PF   | PDWF (gpd) | PDWF (gpm) | Infiltration Area (ac) | Infiltration Flow (l/h) | PWWF (gpd) | PWWF (gpm) | Dia. (in) | S (%) | A (sq. ft.) | R Full | Q Full (cfs) | V Full (fps) | Q Full (gpm) | PDWF Capacity | PWWF Capacity | (V <sub>p</sub> /V) <sub>dry</sub> | V <sub>p,dry</sub> (fps) | (V <sub>p</sub> /V) <sub>limit</sub> | V <sub>p,limit</sub> (fps) |      |
|----------------------------|-----------|-------------|----------------|---------|---------|------|------------|------------|------------------------|-------------------------|------------|------------|-----------|-------|-------------|--------|--------------|--------------|--------------|---------------|---------------|------------------------------------|--------------------------|--------------------------------------|----------------------------|------|
|                            |           |             |                |         |         |      |            |            |                        |                         |            |            |           |       |             |        |              |              |              |               |               |                                    |                          |                                      |                            |      |
| BASE DESIGN - WWL REQUIRED |           |             |                |         |         |      |            |            |                        |                         |            |            |           |       |             |        |              |              |              |               |               |                                    |                          |                                      |                            |      |
| Collector 1                | 12in Main | Hwy290      | 1,116.00       | 273,420 | 327.15  | 3.15 | 861,046    | 598        | 76.86                  | 57,645                  | 918,691    | 638        | 12        | 0.33% | 0.79        | 0.25   | 2.05         | 2.61         | 920.40       | 65%           | < 65%         | 69%                                | 1.08                     | 2.82                                 | 1.10                       | 2.88 |

Dwelling Units - Refers to the number of units being serviced by the wastewater line  
F= is the average dry-weather wastewater flow (ADWF) in gal/min based on 70 gal/day/capita for the service population. In this case, for single-family residential land use it is 245 gal/day/dwelling unit - (based on City of Austin Utility Criteria Manual 2.9.4 )

PF=  $(16 \times 139 \times F^{-0.77}) / (4 \times 139 \times F^{-0.77})$  - (based on City of Austin Utilities Criteria Manual 2.9.4.A.4)

PDWF=Peak-dry weather flow: PDWF (gal/day) = ADWF (gal/day) x PF - (based on City of Austin Utilities Criteria Manual 2.9.4)

Infiltration (l/h) (gpd) = 750 (gpm) x (based on City of Austin Utilities Criteria Manual 2.9.4.B.1)

PWWF= Peak wet-weather flow: PWWF (gal/day) = ADWF x PF + I/I - (based on City of Austin Utilities Criteria Manual 2.9.4)

S = Pipe Slope

A = Pipe Area

R Full = Hydraulic radius for a pipe flowing full

Q Full = Pipe capacity based on Manning's equation

PDWF Capacity = Test to ensure that PDWF pipe capacity does not exceed 65% - (based on City of Austin Utilities Criteria Manual 2.9.4.B.2.a)

PWWF Capacity = Test to ensure that PWWF pipe capacity does not exceed 85% - (based on City of Austin Utilities Criteria Manual 2.9.4.B.2.b)

V<sub>p</sub>/V<sub>i</sub> = Partially Full to Full pipe velocity ratio

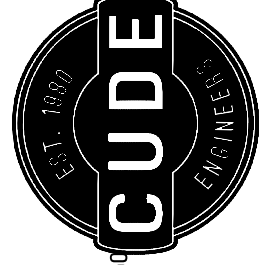
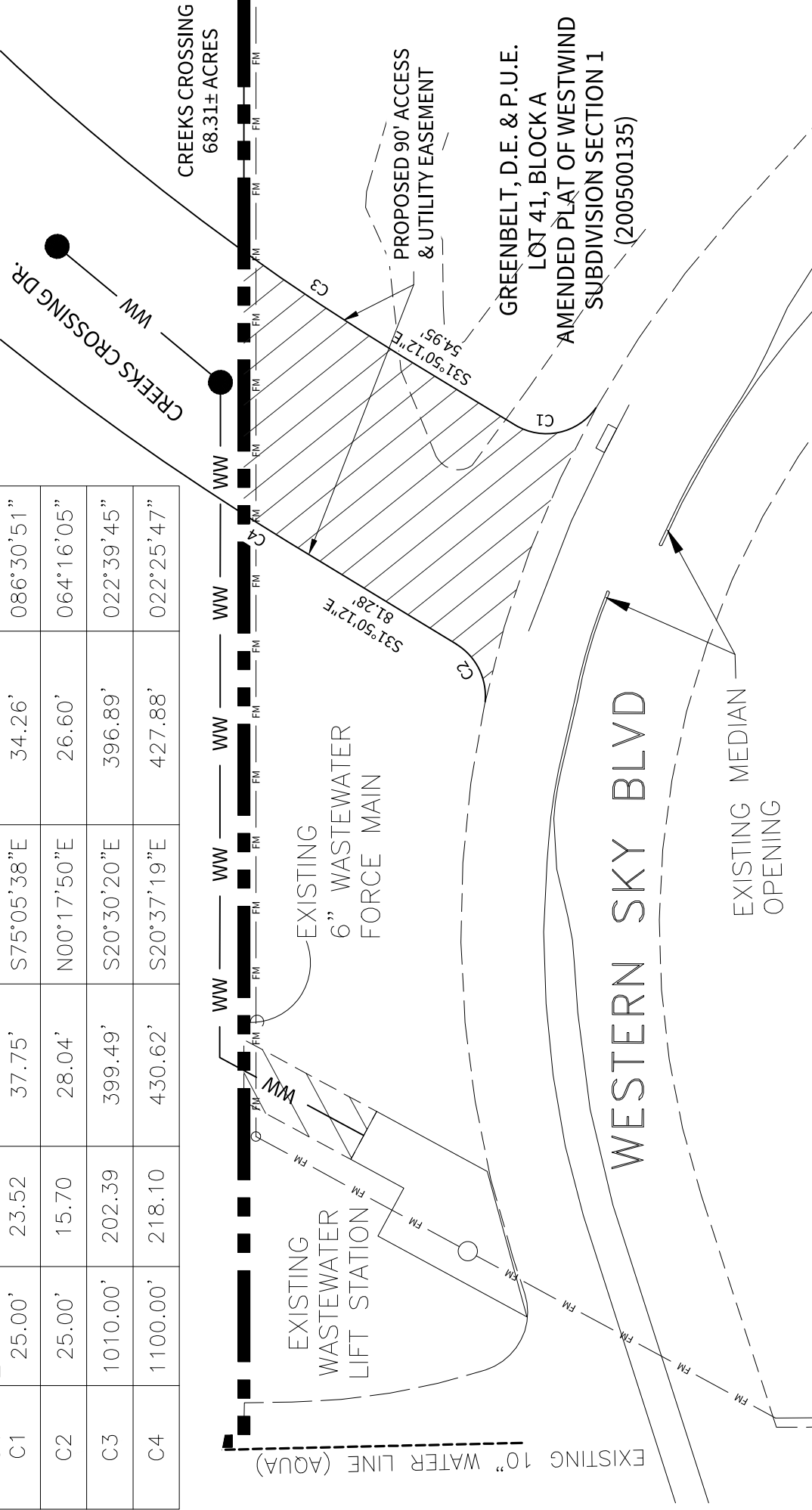
V<sub>p</sub> = Partial Velocity for calculated flow demand



**EXHIBIT “G”**  
**WASTEWATER UTILITY CONNECTION PLAN**

Curve Table

| CURVE # | RADIUS   | TANGENT | ARC LENGTH | BEARING     | CHORD LENGTH | DELTA      |
|---------|----------|---------|------------|-------------|--------------|------------|
| C1      | 25.00'   | 23.52   | 37.75'     | S75°05'38"E | 34.26'       | 086°30'51" |
| C2      | 25.00'   | 15.70   | 28.04'     | N00°17'50"E | 26.60'       | 064°16'05" |
| C3      | 1010.00' | 202.39  | 399.49'    | S20°30'20"E | 396.89'      | 022°39'45" |
| C4      | 1100.00' | 218.10  | 430.62'    | S20°37'19"E | 427.88'      | 022°25'47" |



**CUDE ENGINEERS**  
 12301 Research Blvd., Bldg. V, Ste. 160  
 Austin, Texas 78759  
 P:(512) 260.9100 F:(512) 260.9101

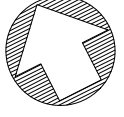
## CREEKS CROSSING / ACCESS & UTILITY EASEMENT EXHIBIT B

SCALE: 1"=60'



3 Aug 2021

ELGIN, TX



**EXHIBIT “H”**  
**TRAFFIC IMPACT ANALYSIS (TIA)**



**Creeks Crossing**

**Western Sky Blvd  
&  
Creeks Crossing  
Dr.**

## **TRAFFIC IMPACT ANALYSIS**

**PREPARED FOR:**



**PREPARED BY:**



**City of Elgin**

**June 2021**

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APPENDIX B – TRAFFIC DATA

APPENDIX C – SYNCHRO OUTPUT REPORTS

APPENDIX D – TRAFFIC SIGNAL WARRANT ANALYSIS WORKSHEETS

## PROJECT DESCRIPTION

### INTRODUCTION

Legacy Engineering Group, PLLC was retained by Cude Engineers to prepare a Traffic Impact Analysis for the proposed Creeks Crossing residential subdivision located north of US 290 along Western Sky Blvd in Elgin, Texas. A general project location map is shown in Figure 1 with a zoom-in of the study area.

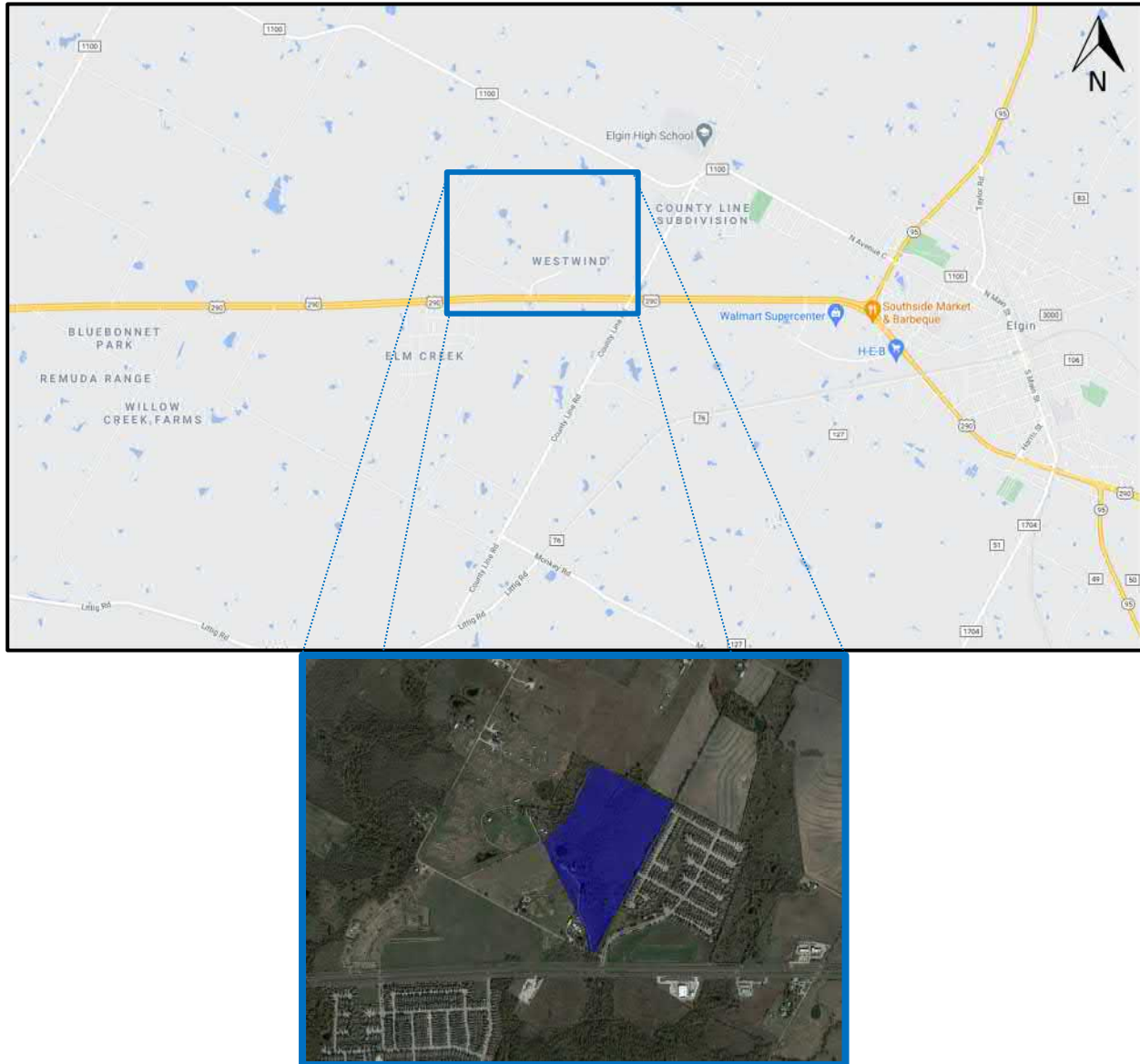


Figure 1 – Project Location Map



As per the Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> Edition), the proposed development will generate as many as 208 trips during the weekday AM peak hour and 278 trips during the weekday PM peak hour.

In accordance with TxDOT and City of Elgin requirements, a Traffic Impact Analysis (TIA) has been prepared for this project. Figure 2 shows the proposed site plan.



Figure 2 – Creeks Crossing Site Plan

The proposed development will include a 281-unit Single-Family Detached Housing (ITE Code: 210) Subdivision with one access point along Western Sky Blvd. Access #1 will be located approximately 500 LF north of US 290.

## PROJECT STUDY AREA

The proposed project study area is highlighted in Figure 3 (an aerial image taken in November 2019 obtained from Google Earth Pro) and includes the study intersections (US 290 & Western Sky Blvd, Western Sky Blvd & Klaus Ln and the proposed access intersections).

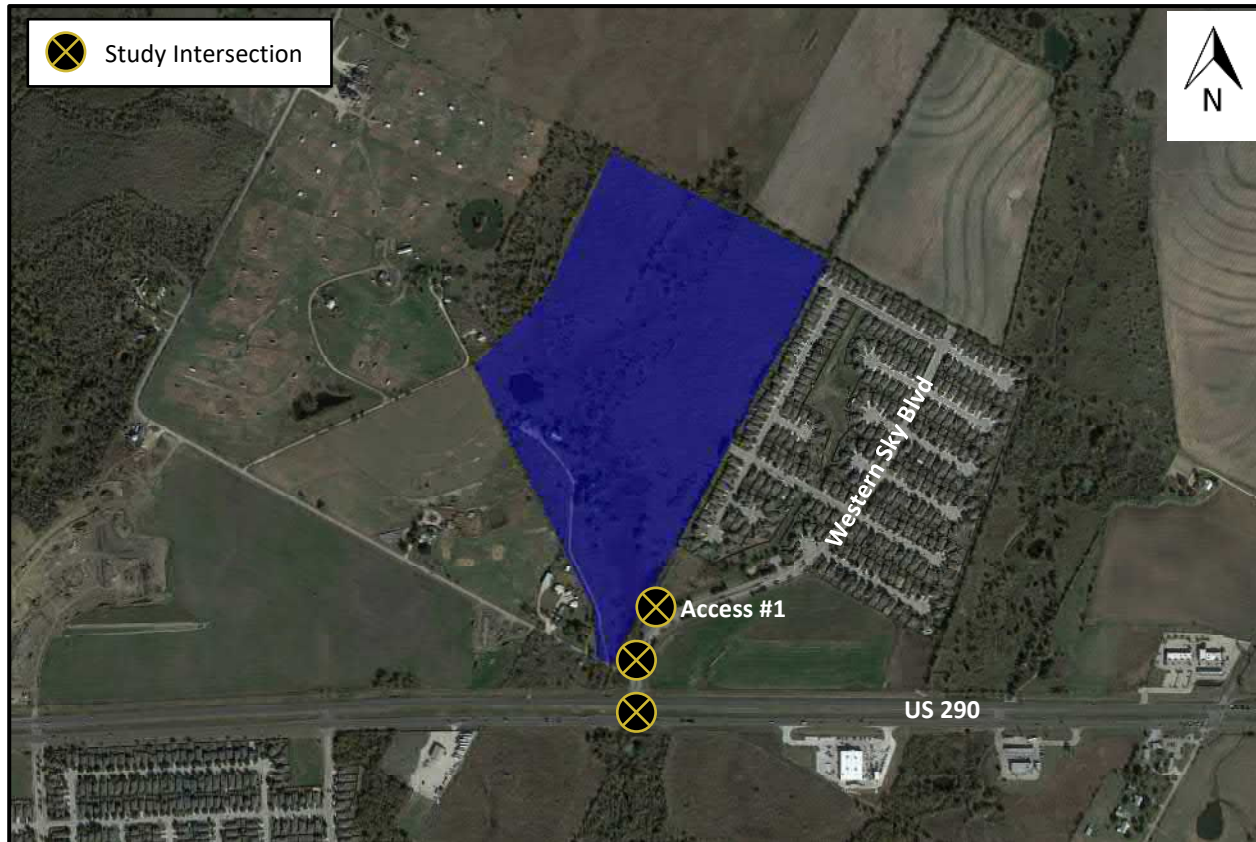


Figure 3 – Aerial Image of Creeks Crossing & Study Intersections

## PHASE TIME-LINE

The proposed development is anticipated to be constructed in two phases over two years. A full build-out year of 2023 (**with a 3% growth rate per year**) will be analyzed within the study. Using the TxDOT Transportation Planning Maps, the Average Annual Growth Rate (AAGR) was determined to be 3.3% utilizing the data shown below, however, **3.0%** will be utilized. Data was taken from US 290, east of County Line Rd, and is shown below.

- 2019 ~ 31,096 AADT
- 2016 ~ 28,544 AADT

Average Annual Growth Rate ~ (3.3%), **Proposed Growth Rate ~ 3.0%**

LOS analysis will be conducted in two phases as follows:

1. 2022 – 174 Units, Phase 1
2. 2023 – 281 Units, Full Build-Out

## EXISTING CONDITIONS

### EXISTING ROADWAYS

#### US 290

US 290 is a four-lane divided roadway that extends in a general east-west direction near the proposed development. US 290 has a posted speed limit of 65 mph. In 2019, US 290 had an average annual daily traffic (AADT) volume of 31,096 east of the development. Based on the TxDOT Statewide Planning Map, US 290 is identified as a Principal Arterial.



Figure 4 – US 290 and Western Sky Blvd Facing East

#### Western Sky Blvd

Western Sky Blvd is a two-lane roadway that extends in a general north-south direction adjacent to the proposed development. Western Sky Blvd has a posted speed limit of 30 mph and is stop-controlled at the US 290 intersection.



Figure 5 – Western Sky Blvd Facing North Adjacent to the Proposed Development



### **Klaus Ln**

Klaus Ln is a two-lane roadway that extends in a general east-west direction adjacent to the proposed development. Klaus Ln has a posted speed limit of 30 mph and is stop-controlled at the Western Sky Blvd intersection.



**Figure 6 – Klaus Ln Facing West Adjacent to the Proposed Development**

### **TRAFFIC DATA**

Existing traffic data in the form of Turning Movement Counts (TMC's) were collected on Thursday April 22, 2021 at the intersection of US 290 and Western Sky Blvd as well as Western Sky Blvd and Klaus Ln. Collected traffic data was compared to 2019 data found in TxDOT's Traffic Count Database System (TCDS) to determine the COVID-19 impacts on the surrounding roadway system. Data showed that the 2021 data was, on average, higher than the 2019 data along US 290 just east of County Line Rd. All traffic data can be found in the appendix.

**A COVID-19 Adjustment factor was not considered based on the traffic data analyzed.**

The following traffic exhibits summarize the existing volumes without the proposed development.



**Legend**  
 AM Peak  
 (PM Peak)

|                             |                  |                  |                  |
|-----------------------------|------------------|------------------|------------------|
| US 290 & Western Sky Blvd   |                  | US 290           |                  |
| 20 (38)                     | 807 (1641)       | 27 (45)          | 1280 (1117)      |
| 67 (23)                     | 3 (16)           | 38 (27)          | 3 (16)           |
| Western Sky Blvd            | Western Sky Blvd | Western Sky Blvd | Western Sky Blvd |
| Western Sky Blvd & Klaus Ln |                  | Western Sky Blvd |                  |
| 16 (14)                     | 47 (83)          | 47 (83)          | 47 (83)          |
| Klaus Ln                    | 80 (51)          | 33 (12)          | 113 (63)         |
| Western Sky Blvd            |                  | Western Sky Blvd |                  |



**Legend**  
 AM Peak  
 (PM Peak)

|                             |                  |                  |                  |
|-----------------------------|------------------|------------------|------------------|
| US 290 & Western Sky Blvd   |                  | US 290           |                  |
| 21 (40)                     | 832 (1691)       | 28 (47)          | 1329 (1151)      |
| 40 (28)                     | 70 (24)          | 49 (86)          | 4 (17)           |
| Western Sky Blvd            | Western Sky Blvd | Western Sky Blvd | Western Sky Blvd |
| Western Sky Blvd & Klaus Ln |                  | Klaus Ln         |                  |
| 17 (15)                     | 49 (86)          | 83 (53)          | 34 (13)          |
| Western Sky Blvd            |                  | Western Sky Blvd |                  |
| 117 (66)                    |                  | 49 (86)          |                  |



**Legend**  
 AM Peak  
 (PM Peak)

|                             |                  |                  |                  |
|-----------------------------|------------------|------------------|------------------|
| US 290 & Western Sky Blvd   |                  | US 290           |                  |
| 857 (1741)                  | 22 (41)          | 41 (29)          | 29 (48)          |
| 72 (25)                     | 72 (25)          | 41 (29)          | 29 (48)          |
| Western Sky Blvd            | Western Sky Blvd | Western Sky Blvd | Western Sky Blvd |
| Western Sky Blvd & Klaus Ln |                  | Western Sky Blvd |                  |
| 17 (15)                     | 17 (15)          | 50 (89)          | 50 (89)          |
| Klaus Ln                    |                  | Klaus Ln         |                  |
| 36 (13)                     | 36 (13)          | 85 (55)          | 85 (55)          |
| Western Sky Blvd            |                  | Western Sky Blvd |                  |
| 121 (68)                    | 121 (68)         | 50 (89)          | 50 (89)          |



## INTERSECTIONS TO BE ANALYZED

The 3 total intersections to be analyzed are shown in Figure 7 and numbered as follows:

1. US 290 and Western Sky Blvd
2. Western Sky Blvd and Klaus Ln
3. Western Sky Blvd and Access #1



Figure 7 – Aerial with Intersections to be Analyzed

## ANALYSIS & IMPACT

### TRIP GENERATION

The proposed development's trip generation was calculated utilizing the ITE Trip Generation Manual (10<sup>th</sup> Edition). Trips were calculated using the total number of dwelling units within the residential subdivision. Table 1 shows the calculated trips for Phase 1 while Table 2 shows calculated trips for Full Build Out.

Table 1 – Trip Generation, Phase 1

| Proposed Creeks Crossing Development |     |                                                |            |                 |           |                 |           |
|--------------------------------------|-----|------------------------------------------------|------------|-----------------|-----------|-----------------|-----------|
|                                      |     | Single-Family Detached Housing (ITE Code: 210) |            |                 |           |                 |           |
| Dwelling Units                       | 174 | Weekday 24 hrs                                 |            | Weekday AM Peak |           | Weekday PM Peak |           |
| Trips/D.U.                           |     | 9.44                                           |            | 0.74            |           | 0.99            |           |
| % Enter / % Exit                     |     | 50%                                            | 50%        | 25%             | 75%       | 63%             | 37%       |
| <b>Total Trips</b>                   |     | <b>1,643</b>                                   |            | <b>129</b>      |           | <b>172</b>      |           |
| <b>Enter / Exit</b>                  |     | <b>822</b>                                     | <b>821</b> | <b>32</b>       | <b>97</b> | <b>108</b>      | <b>64</b> |

Table 2 – Trip Generation, (Full Build-Out)

| Proposed Creeks Crossing Development |     |                                                |              |                 |            |                 |            |
|--------------------------------------|-----|------------------------------------------------|--------------|-----------------|------------|-----------------|------------|
|                                      |     | Single-Family Detached Housing (ITE Code: 210) |              |                 |            |                 |            |
| Dwelling Units                       | 281 | Weekday 24 hrs                                 |              | Weekday AM Peak |            | Weekday PM Peak |            |
| Trips/D.U.                           |     | 9.44                                           |              | 0.74            |            | 0.99            |            |
| % Enter / % Exit                     |     | 50%                                            | 50%          | 25%             | 75%        | 63%             | 37%        |
| <b>Total Trips</b>                   |     | <b>2,653</b>                                   |              | <b>208</b>      |            | <b>278</b>      |            |
| <b>Enter / Exit</b>                  |     | <b>1,327</b>                                   | <b>1,326</b> | <b>52</b>       | <b>156</b> | <b>175</b>      | <b>103</b> |

### TRIP DISTRIBUTION

The trip distribution for the proposed development was established based upon four factors:

- 1) Traffic engineering judgment
- 2) Existing traffic data / travel patterns
- 3) Anticipated development circulation and driveway utilization
- 4) Existing travel demand patterns within the study area

The global trip distribution entailed distributing the development traffic in general directions (North, South, East, West) into and out of the development and network. Figure 8 shows the Trip Distribution for the proposed development.



Figure 8 – Trip Distribution for the Proposed Creeks Crossing Development

After analyzing the AM Peak TMC's and evaluating intersection footage for traffic patterns, it was determined that a 60%/40% trip distribution would be established for the proposed development. Of the 106 vehicles exiting Western Sky Blvd during the AM Peak, 38 vehicles made a left-hand turn while the remaining 68 vehicles took a right-hand turn.

The following exhibits show the detailed trip distribution percentages and volumes for the proposed development as well as the Projected with Development exhibits.



|                                    |  |                  |             |             |        |
|------------------------------------|--|------------------|-------------|-------------|--------|
| US 290 & Western Sky Blvd          |  | 1                | 60% (60%)   | 40% (40%)   | US 290 |
| Western Sky Blvd                   |  | Western Sky Blvd | 60% (60%)   | 40% (40%)   |        |
| Western Sky Blvd & Klaus Ln        |  | 2                | 100% (100%) | 100% (100%) |        |
| Western Sky Blvd                   |  | Western Sky Blvd | 100% (100%) | 100% (100%) |        |
| Western Sky Blvd & Creeks Crossing |  | 3                | 100% (100%) | 100% (100%) |        |
| Creeks Crossing                    |  | Creeks Crossing  | 100% (100%) | 100% (100%) |        |





|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                     |                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Page 15                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Creeks Crossing Traffic Impact Analysis | Phase 1 Trip Distribution (Volumes) | Legacy Engineering Group, PLLC<br>TBPE Firm No. F-20623<br>7800 W Interstate 10, Ste. 830<br>San Antonio, Texas 78230<br>Phone: (210) 660-1960 |
| <div><div><div><div><div><div>US 290 &amp; Western Sky Blvd</div><div>11</div><div>19 (65)</div><div>58 (38)</div><div>39 (25)</div><div>32 (108)</div><div>13 (43)</div></div><div>US 290</div></div><div><div><div>Western Sky Blvd</div><div>2</div><div>97 (64)</div><div>32 (108)</div></div><div>Western Sky Blvd &amp; Klaus Ln</div></div><div><div><div>Western Sky Blvd</div><div>3</div><div>97 (64)</div><div>32 (108)</div></div><div>Western Sky Blvd &amp; Creeks Crossing</div></div></div></div></div> |                                         |                                     |                                                                                                                                                |
| <div><div><div><div><div><div>LEGACY</div><div>ENGINEERING GROUP</div></div><div><div><div></div><div></div><div></div></div></div><div><div>Legend</div><div>Entering / Exiting</div><div>AM (PM)</div></div></div><div><div><div><div><div><div>SITE</div><div>1</div><div>2</div><div>3</div></div><div><div></div><div></div><div></div></div></div><div><div></div><div></div><div></div></div></div></div></div></div></div></div>                                                                                |                                         |                                     |                                                                                                                                                |



|                                    |  |                  |             |             |   |             |             |
|------------------------------------|--|------------------|-------------|-------------|---|-------------|-------------|
| US 290 & Western Sky Blvd          |  | Western Sky Blvd | 60% (60%)   | 60% (60%)   | 1 | 40% (40%)   | 40% (40%)   |
| Western Sky Blvd & Klaus Ln        |  | Western Sky Blvd | 100% (100%) | 100% (100%) | 2 | 100% (100%) | 100% (100%) |
| Western Sky Blvd & Creeks Crossing |  | Western Sky Blvd | 100% (100%) | 100% (100%) | 3 | 100% (100%) | 100% (100%) |



|         |                                                                                                                                                                                                                                                                        |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Page 17 | <div>Creeks Crossing Traffic Impact Analysis</div> <div>Full Build Out Trip Distribution (Volumes)</div> <div>Legacy Engineering Group, PLLC<br/>TBPE Firm No. F-20623<br/>7800 W Interstate 10, Ste. 830<br/>San Antonio, Texas 78230<br/>Phone: (210) 660-1960</div> |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

US 290 & Western Sky Blvd

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31 (105)

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Western Sky Blvd

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US 290 & Western Sky Blvd

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ENGINEERING GROUP

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| Page 18                     |  | Creeks Crossing Traffic Impact Analysis |  | Projected w/Development Traffic (2022) |  | Legacy Engineering Group, PLLC<br>TRPE Firm No. F-20623<br>7800 W Interstate 10, Ste. 830<br>San Antonio, Texas 78230<br>Phone: (210) 660-1960 |  |
| US 290 & Western Sky Blvd   |  | US 290                                  |  | US 290                                 |  | US 290                                                                                                                                         |  |
| 40 (105) 832 (659)          |  | 41 (90) 1329 (115)                      |  | 49 (86) 32 (108)                       |  | 49 (86) 32 (108)                                                                                                                               |  |
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| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  | Western Sky Blvd                        |  | Western Sky Blvd                       |  | Western Sky Blvd                                                                                                                               |  |
| 17 (15)                     |  | 17 (15)                                 |  | 17 (15)                                |  | 17 (15)                                                                                                                                        |  |
| Western Sky Blvd            |  |                                         |  |                                        |  |                                                                                                                                                |  |

81

(194)

↳

↳



|                                     |  |                                           |  |                                        |  |                                                                                                                                                |  |
|-------------------------------------|--|-------------------------------------------|--|----------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Page 19                             |  | Creeks Crossing Traffic Impact Analysis   |  | Projected w/Development Traffic (2023) |  | Legacy Engineering Group, PLLC<br>TRPE Firm No. F-20623<br>7800 W Interstate 10, Ste. 830<br>San Antonio, Texas 78230<br>Phone: (210) 660-1960 |  |
| US 290 & Western Sky Blvd           |  | Western Sky Blvd                          |  | Western Sky Blvd & Klaus Ln            |  | Western Sky Blvd & Creeks Crossing                                                                                                             |  |
| US 290<br>857 (1741) ⇐ ⇐ 53 (146) ⇐ |  | Western Sky Blvd<br>166 (87) ⇐ ⇐ 103 (70) |  | Western Sky Blvd<br>17 (15) ⇐ ⇐        |  | Western Sky Blvd<br>52 (175) ⇐ ⇐ 50 (89)                                                                                                       |  |
| 1                                   |  | 2                                         |  | 3                                      |  | Creeks Crossing                                                                                                                                |  |
| 50 (118) ⇐ ⇐ 1369 (1196) ⇐ ⇐ 4 (17) |  | 241 (158) ⇐ ⇐ 36 (13)                     |  | 156 (103) ⇐ ⇐                          |  |                                                                                                                                                |  |
|                                     |  |                                           |  |                                        |  |                                                                                                                                                |  |

Legend  
AM (PM)

LEGACY  
ENGINEERING GROUP

## LEVEL OF SERVICE ANALYSIS

The traffic simulation analysis was conducted using Synchro 11.0 Traffic Simulation Software. The analysis process involved the development of a base model, calibration of the base model, and an alternative comparison to the base model. Development of the base model involves the creation of a system network, also referred to as the link-node diagram. The network development includes link-node assignments, traffic control, traffic signalization, roadway geometry, lane designations & assignments, traffic volumes, and turning movements. A traffic analysis was conducted for three scenarios which includes the Existing, Projected, and the Projected with Development traffic conditions for the morning (AM) and evening (PM) peak periods. A screenshot of the Synchro Model created for this study can be seen in Figure 9.



Figure 9 – Synchro Model Screenshot

Based on criteria found in the *Highway Capacity Manual 2010 (HCM)*, the critical minor street approach is used to determine the Levels of Service (LOS) for Two-Way Stop Controlled (TWSC) intersections. For signalized intersections, the LOS is determined based on the measures of effectiveness obtained from the traffic simulation output and the average control delay in seconds per vehicle (sec/veh) from the model.

Table 3 shows the average control delay ranges with the corresponding LOS for both TWSC and signalized intersections.

Table 3 – Average Control Delay Ranges

| Level of Service | Average Control Delay (sec/veh)<br>Intersection (Signalized) | Average Control Delay (sec/veh)<br>Per Approach (TWSC) |
|------------------|--------------------------------------------------------------|--------------------------------------------------------|
| A                | < 10                                                         | < 10                                                   |
| B                | > 10 – <20                                                   | > 10 – <15                                             |
| C                | > 20 – <35                                                   | > 15 – <25                                             |
| D                | > 35 – <55                                                   | > 25 – <35                                             |
| E                | > 55 – <80                                                   | > 35 – <50                                             |
| F                | > 80                                                         | > 50                                                   |

Tables 4 - 6 present a summary of the intersection and approach LOS values obtained from the traffic simulation.

Table 4 – US 290 and Western Sky Blvd LOS Results

| US 290<br>&<br>Western Sky Blvd | Intersection Analysis          |     |                                |     |                     |     |                     |     |                         |     |
|---------------------------------|--------------------------------|-----|--------------------------------|-----|---------------------|-----|---------------------|-----|-------------------------|-----|
|                                 | Northbound<br>Western Sky Blvd |     | Southbound<br>Western Sky Blvd |     | Eastbound<br>US 290 |     | Westbound<br>US 290 |     | Intersection<br>Average |     |
|                                 | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)      | LOS | Delay<br>(Sec)      | LOS | Delay<br>(Sec)          | LOS |
| AM Peak Period                  |                                |     |                                |     |                     |     |                     |     |                         |     |
| Existing (2021)                 |                                |     | 127.2                          | F   | 0.3                 | A   | 0.0                 | A   | 6.0                     | A   |
| Projected (2022)                |                                |     | 170.1                          | F   | 0.3                 | A   | 0.0                 | A   | 8.2                     | A   |
| Projected (2023)                |                                |     | 217.2                          | F   | 0.3                 | A   | 0.0                 | A   | 10.4                    | B   |
| Proj. w/ Dev (2022)             |                                |     | 662.2                          | F   | 0.6                 | A   | 0.0                 | A   | 56.1                    | F   |
| Proj. w/ Dev (2023)             |                                |     | 1221.4                         | F   | 0.9                 | A   | 0.0                 | A   | 126.6                   | F   |
| PM Peak Period                  |                                |     |                                |     |                     |     |                     |     |                         |     |
| Existing (2021)                 |                                |     | 319.5                          | F   | 0.3                 | A   | 0.6                 | A   | 5.9                     | A   |
| Projected (2022)                |                                |     | 409.3                          | F   | 0.3                 | A   | 0.7                 | A   | 7.6                     | A   |
| Projected (2023)                |                                |     | 552.6                          | F   | 0.3                 | A   | 0.8                 | A   | 10.2                    | B   |
| Proj. w/ Dev (2022)             |                                |     | 1641.2                         | F   | 0.8                 | A   | 0.7                 | A   | 60.8                    | F   |
| Proj. w/ Dev (2023)             |                                |     | 3386.7                         | F   | 1.3                 | A   | 0.7                 | A   | 159                     | F   |

Table 5 – Western Sky Blvd and Klaus Ln LOS Results

| Western Sky Blvd<br>&<br>Klaus Ln | Intersection Analysis          |     |                                |     |                       |     |                       |     |                         |     |
|-----------------------------------|--------------------------------|-----|--------------------------------|-----|-----------------------|-----|-----------------------|-----|-------------------------|-----|
|                                   | Northbound<br>Western Sky Blvd |     | Southbound<br>Western Sky Blvd |     | Eastbound<br>Klaus Ln |     | Westbound<br>Klaus Ln |     | Intersection<br>Average |     |
|                                   | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)        | LOS | Delay<br>(Sec)        | LOS | Delay<br>(Sec)          | LOS |
| AM Peak Period                    |                                |     |                                |     |                       |     |                       |     |                         |     |
| Existing (2021)                   | 0.0                            | A   | 0.0                            | A   | 9.6                   | A   |                       |     | 0.9                     | A   |
| Projected (2022)                  | 0.0                            | A   | 0.0                            | A   | 9.6                   | A   |                       |     | 0.9                     | A   |
| Projected (2023)                  | 0.0                            | A   | 0.0                            | A   | 9.6                   | A   |                       |     | 0.9                     | A   |
| Proj. w/ Dev (2022)               | 0.0                            | A   | 0.0                            | A   | 10.3                  | B   |                       |     | 0.6                     | A   |
| Proj. w/ Dev (2023)               | 0.0                            | A   | 0.0                            | A   | 10.8                  | A   |                       |     | 0.5                     | A   |
| PM Peak Period                    |                                |     |                                |     |                       |     |                       |     |                         |     |
| Existing (2021)                   | 0.0                            | A   | 0.0                            | A   | 9.3                   | A   |                       |     | 0.8                     | A   |
| Projected (2022)                  | 0.0                            | A   | 0.0                            | A   | 9.4                   | A   |                       |     | 0.8                     | A   |
| Projected (2023)                  | 0.0                            | A   | 0.0                            | A   | 9.4                   | A   |                       |     | 0.8                     | A   |
| Proj. w/ Dev (2022)               | 0.0                            | A   | 0.0                            | A   | 9.8                   | A   |                       |     | 0.4                     | A   |
| Proj. w/ Dev (2023)               | 0.0                            | A   | 0.0                            | A   | 10.1                  | A   |                       |     | 0.3                     | A   |

Table 6 – Western Sky Blvd and Access #1 LOS Results

| Western Sky Blvd<br>&<br>Access #1 | Intersection Analysis          |     |                                |     |                |     |                        |     |                         |     |
|------------------------------------|--------------------------------|-----|--------------------------------|-----|----------------|-----|------------------------|-----|-------------------------|-----|
|                                    | Northbound<br>Western Sky Blvd |     | Southbound<br>Western Sky Blvd |     | Eastbound      |     | Westbound<br>Access #1 |     | Intersection<br>Average |     |
|                                    | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)                 | LOS | Delay<br>(Sec) | LOS | Delay<br>(Sec)         | LOS | Delay<br>(Sec)          | LOS |
| AM Peak Period                     |                                |     |                                |     |                |     |                        |     |                         |     |
| Proj. w/ Dev (2022)                | 3.0                            | A   | 0.0                            | A   |                |     | 9.4                    | A   | 3.9                     | A   |
| Proj. w/ Dev (2023)                | 3.9                            | A   | 0.0                            | A   |                |     | 9.8                    | A   | 5.1                     | A   |
| PM Peak Period                     |                                |     |                                |     |                |     |                        |     |                         |     |
| Proj. w/ Dev (2022)                | 4.2                            | A   | 0.0                            | A   |                |     | 8.9                    | A   | 4.3                     | A   |
| Proj. w/ Dev (2023)                | 5.1                            | A   | 0.0                            | A   |                |     | 9.1                    | A   | 5.2                     | A   |

Please note that all LOS results are shown in detail within the Appendix (Synchro Output Reports).

## OPERATIONAL CONSIDERATIONS

### LOS ANALYSIS RESULTS

The results of the LOS analysis show that the intersection of US 290 and Western Sky Blvd is expected to demonstrate unacceptable values in the Projected with Development 2022 and 2023 scenario. The southbound stop-controlled approach to US 290 is currently operating at a LOS F in the Existing 2021 scenario for both the AM and PM peak periods. This southbound stop-controlled approach continues to operate at a LOS F as the delay further increase for the Projected 2022, Projected 2023, Projected w/Dev 2022, and the Projected w/Dev 2023 scenarios. Mitigation measures will be applied and analyzed at the intersection of US 290 and Western Sky Blvd.

The results of the LOS analysis show that all other study intersections including the proposed access point is expected to operate at acceptable LOS values during the AM and PM peak period in all scenarios analyzed.

### POTENTIAL MITIGATION MEASURES

Potential mitigation measures were analyzed and listed is as follows:

- US 290 and Western Sky Blvd (2022) – Apply pavement markings along WB approach at US 290 to include a right-turn lane. Apply pavement markings along the existing SB Western Sky Blvd approach to include a designated right-turn & left-turn lanes, Phase 1

Degradation of the US 290 and Western Sky Blvd intersection is expected during the Projected with Development (2022) and Projected Development (2023) phases as shown in Table 4. Since no other roadway improvements are feasible, a traffic signal warrant analysis will be conducted using the TMC's obtained for Full Build Out (2023). The growth rate, calculated in an earlier section of this report, of 3% will be applied to the traffic data to obtain analysis year data. Trips generated from the proposed development will be added to the analysis year data to obtain all approach volumes necessary to conduct a full warrant analysis.

All traffic data calculations used in the traffic signal warrant analyses can be found in the appendix. For the purposes of a thorough analysis, a traffic signal warrant will be conducted with Full Build Out (2023) volumes.

Table 7 – US 290 and Western Sky Blvd LOS Results (Mitigation)

| US 290<br>&<br>Western Sky Blvd | Intersection Analysis          |     |                                |     |                     |     |                     |     |                         |     |
|---------------------------------|--------------------------------|-----|--------------------------------|-----|---------------------|-----|---------------------|-----|-------------------------|-----|
|                                 | Northbound<br>Western Sky Blvd |     | Southbound<br>Western Sky Blvd |     | Eastbound<br>US 290 |     | Westbound<br>US 290 |     | Intersection<br>Average |     |
|                                 | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)                 | LOS | Delay<br>(Sec)      | LOS | Delay<br>(Sec)      | LOS | Delay<br>(Sec)          | LOS |
| AM Peak Period                  |                                |     |                                |     |                     |     |                     |     |                         |     |
| Projected (2022)                |                                |     | 170.1                          | F   | 0.3                 | A   | 0.0                 | A   | 8.2                     | A   |
| Proj. w/ Dev (2022)             |                                |     | 662.2                          | F   | 0.6                 | A   | 0.0                 | A   | 56.1                    | F   |
| Mitigation (2022)               |                                |     | 234.1                          | F   | 0.6                 | A   | 0.0                 | A   | 20.0                    | C   |
| Projected (2023)                |                                |     | 217.2                          | F   | 0.3                 | A   | 0.0                 | A   | 10.4                    | B   |
| Proj. w/ Dev (2023)             |                                |     | 1221.4                         | F   | 0.9                 | A   | 0.0                 | A   | 126.6                   | F   |
| Mitigation (2023)               |                                |     | 422.3                          | F   | 0.9                 | A   | 0.0                 | A   | 44.0                    | E   |
| PM Peak Period                  |                                |     |                                |     |                     |     |                     |     |                         |     |
| Projected (2022)                |                                |     | 409.3                          | F   | 0.3                 | A   | 0.7                 | A   | 7.6                     | A   |
| Proj. w/ Dev (2022)             |                                |     | 1641.2                         | F   | 0.8                 | A   | 0.7                 | A   | 60.8                    | F   |
| Mitigation (2022)               |                                |     | 792.8                          | F   | 0.8                 | A   | 0.7                 | A   | 29.7                    | D   |
| Projected (2023)                |                                |     | 552.6                          | F   | 0.3                 | A   | 0.8                 | A   | 10.2                    | B   |
| Proj. w/ Dev (2023)             |                                |     | 3386.7                         | F   | 1.3                 | A   | 0.7                 | A   | 159                     | F   |
| Mitigation (2023)               |                                |     | 1495.6                         | F   | 1.3                 | A   | 0.7                 | A   | 70.8                    | D   |



Table 7 shows the US 290 and Western Sky Blvd LOS results with mitigation measures for Phase 1 and Full Build Out for the proposed development. As shown, the mitigation measures utilized are expected to improve delays during the AM and PM peak periods. Values shown in the Mitigation scenario are an improvement from the Projected with Development delays. Further mitigation measures will be analyzed.

#### TRAFFIC SIGNAL WARRANT ANALYSIS (2023)

Since the trip generation tables for the proposed development only provide total entering and exiting volumes for the AM and PM peak periods as well as the 24-hour period, the time-of-day distribution taken from the ITE Trip Generation manual was utilized to determine hourly entering and exiting volumes. Again, all calculations will be provided in the appendix.

A traffic signal warrant analysis was conducted in accordance with the procedures and guidelines in the 2011 Texas Manual on Uniform Traffic Control Devices (TMUTCD). The TxMUTCD lists the following 9 signal warrants to justify the installation of a traffic signal.

- Warrant 1 – Eight-Hour Vehicular Volume
- Warrant 2 – Four-Hour Vehicular Volume
- Warrant 3 – Peak Hour
- Warrant 4 – Pedestrian Volume
- Warrant 5 – School Crossing
- Warrant 6 – Coordinated Signal System
- Warrant 7 – Crash Experience
- Warrant 8 – Roadway Network
- Warrant 9 – Intersection Near a Grade Crossing

According to the traffic signal warrant analysis using Full Build-Out volumes, the intersection is not expected to meet the criteria for any of the 9 warrants listed above. The complete traffic signal warrant worksheet can be found in the appendix.

Also, according to a “Guideline for Adjusting Minor Street Right-turn Volume for Signal Warrants”, all right-turn volumes should be excluded from the minor street approach if the minor street approach includes a right-turn lane/bay. After reviewing the intersection footage obtained, it was determined that drivers are currently utilizing the southbound shared approach of Western Sky Blvd as separate left-turn and right-turn lanes. Based on the existing driver expectancy/behavior and the striping modifications included along the southbound Western Sky approach as a proposed mitigation, all right-turn volumes should be excluded from the southbound Western Sky Blvd approach.

### Warrant 1 – Eight Hour Vehicular Volume

The need for a traffic control signal shall be considered if an engineering study finds that one of the following conditions exist for each of any 8 hours of an average day:

- The vehicles per hour given in both of the 100 percent columns of Condition A in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection; or
- The vehicles per hour given in both of the 100 percent columns of Condition B in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection.

In applying each condition the major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of these 8 hours.

**Table 4C-1. Warrant 1, Eight-Hour Vehicular Volume**

| <b>Condition A—Minimum Vehicular Volume</b>         |              |                                                              |                  |                  |                  |                                                                               |                  |                  |                  |
|-----------------------------------------------------|--------------|--------------------------------------------------------------|------------------|------------------|------------------|-------------------------------------------------------------------------------|------------------|------------------|------------------|
| Number of lanes for moving traffic on each approach |              | Vehicles per hour on major street (total of both approaches) |                  |                  |                  | Vehicles per hour on higher-volume minor-street approach (one direction only) |                  |                  |                  |
| Major Street                                        | Minor Street | 100% <sup>a</sup>                                            | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> | 100% <sup>a</sup>                                                             | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> |
| 1                                                   | 1            | 500                                                          | 400              | 350              | 280              | 150                                                                           | 120              | 105              | 84               |
| 2 or more                                           | 1            | 600                                                          | 480              | 420              | 336              | 150                                                                           | 120              | 105              | 84               |
| 2 or more                                           | 2 or more    | 600                                                          | 480              | 420              | 336              | 200                                                                           | 160              | 140              | 112              |
| 1                                                   | 2 or more    | 500                                                          | 400              | 350              | 280              | 200                                                                           | 160              | 140              | 112              |

| <b>Condition B—Interruption of Continuous Traffic</b> |              |                                                              |                  |                  |                  |                                                                               |                  |                  |                  |
|-------------------------------------------------------|--------------|--------------------------------------------------------------|------------------|------------------|------------------|-------------------------------------------------------------------------------|------------------|------------------|------------------|
| Number of lanes for moving traffic on each approach   |              | Vehicles per hour on major street (total of both approaches) |                  |                  |                  | Vehicles per hour on higher-volume minor-street approach (one direction only) |                  |                  |                  |
| Major Street                                          | Minor Street | 100% <sup>a</sup>                                            | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> | 100% <sup>a</sup>                                                             | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> |
| 1                                                     | 1            | 750                                                          | 600              | 525              | 420              | 75                                                                            | 60               | 53               | 42               |
| 2 or more                                             | 1            | 900                                                          | 720              | 630              | 504              | 75                                                                            | 60               | 53               | 42               |
| 2 or more                                             | 2 or more    | 900                                                          | 720              | 630              | 504              | 100                                                                           | 80               | 70               | 56               |
| 1                                                     | 2 or more    | 750                                                          | 600              | 525              | 420              | 100                                                                           | 80               | 70               | 56               |

Figure 10 – Figure 4C-1 (Warrant 1, Eight Hour Vehicular Volume) From MUTCD

**Eight Highest Hours:** Include the same 8 hours for the Major and Minor St. volumes.

| Time    | Major St. - Both App. |            | Minor St. - Hi. Vol. App. |            | Comments: |
|---------|-----------------------|------------|---------------------------|------------|-----------|
| Ends    | Veh. Total            | Ped. Total | Veh. Total                | Ped. Total |           |
| 5:00 PM | 3,029                 |            | 68                        |            |           |
| 6:00 PM | 2,946                 |            | 82                        |            |           |
| 4:00 PM | 2,825                 |            | 77                        |            |           |
| 7:00 PM | 2,765                 |            | 65                        |            |           |
| 3:00 PM | 2,420                 |            | 67                        |            |           |
| 8:00 AM | 2,252                 |            | 91                        |            |           |
| 2:00 PM | 2,180                 |            | 59                        |            |           |
| 1:00 PM | 2,144                 |            | 61                        |            |           |

|                    | NB                                                                                                                             | SB    | EB     | WB     |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------|-------|--------|--------|
| ADT                | 0                                                                                                                              | 1,094 | 20,234 | 18,460 |
| RT                 | 0                                                                                                                              | 0     | 0      | 0      |
| RT%                |                                                                                                                                | 0%    | 0%     | 0%     |
| Warrant Satisfied: | none                                                                                                                           |       |        |        |
| All-way STOP:      | Not evaluated                                                                                                                  |       |        |        |
| Conclusions:       | - Intersection analyzed with WR volume excluded per TTI requirement.<br>- Intersection condition does not satisfy any warrant. |       |        |        |

#### Warrant 1. Eight Hour Vehicular Volume

|                              |                                        |                                                                                                                                                          |
|------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Meets 70% <sup>c</sup> (and major-street speed exceeds 40 mph and population less than 10,000) or 100% <sup>a</sup> (regardless of speed) of Condition A |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Meets 70% <sup>c</sup> (and major-street speed exceeds 40 mph and population less than 10,000) or 100% <sup>a</sup> (regardless of speed) of Condition B |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Meets 80% <sup>b</sup> of Condition A and B.                                                                                                             |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Meets 56% <sup>d</sup> of Conditions A and B (and major-street speed exceeds 40 mph and population less than 10,000)                                     |

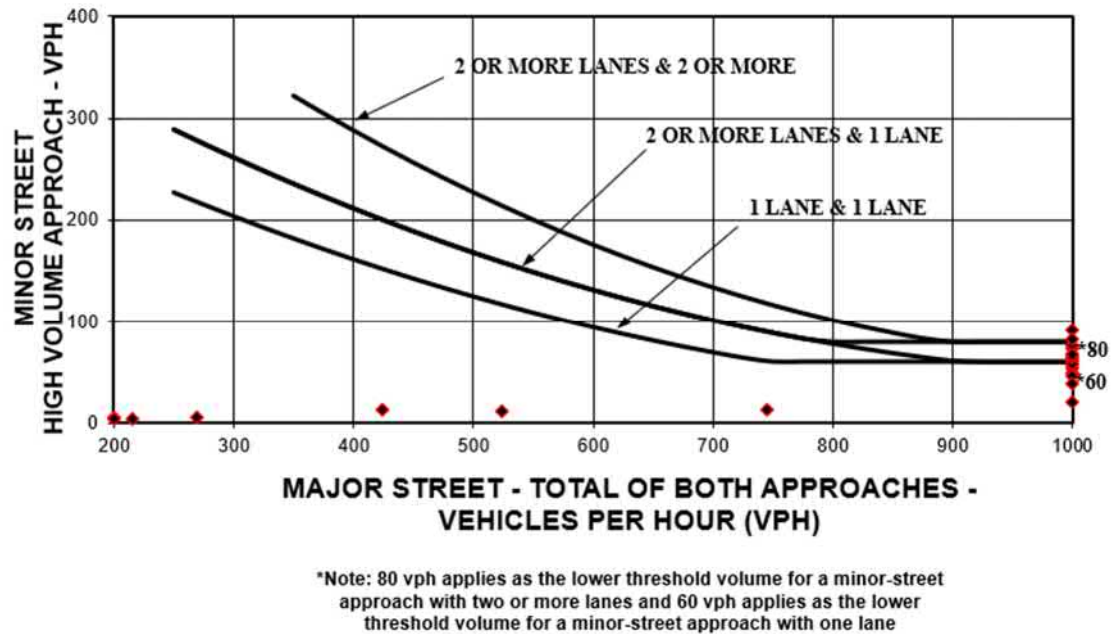
Figure 11 – Figure 4C-1 (Warrant 1, Eight Hour Vehicular Volume) From Traffic Signal Worksheet

**As shown, this warrant was not satisfied based upon the projected and generated traffic data collected.**



### Warrant 2 – Eight Hour Vehicular Volume

The need for a traffic control signal shall be considered if an engineering study finds that, for each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) all fall above the applicable curve in Figure 4C-1 for the existing combination of approach lanes. On the minor street, the higher volume shall not be required to be on the same approach during each of these 4 hours.



Since the southbound stop-controlled approach of the US 290 and Western Sky Blvd intersection continues to show extended delays with mitigation measures, a traffic signal warrant analysis was conducted in order to determine if the intersection may warrant a traffic signal. The proposed growth rate and peak hour volumes were applied to the collected TMC's and plotted on Figure 4C-2 of the TxDOT Traffic Signal Warrant Worksheet. The following time periods exceeded the required threshold for the four-hour volume warrant.

- 7:00 AM – 2,252 Major Roadway, 91 Minor Roadway
- 5:00 PM – 2,946 Major Roadway, 82 Minor Roadway

As can be seen from Figure 10, only two of the twenty-four plotted points exceeded the vph threshold (2 or more lanes & 2 or more lanes).

***As shown, this warrant was not satisfied based upon the projected and generated traffic data collected.***

### Warrant 3 – Peak Hour Vehicular Volume

The peak hour volume warrant is intended for application when traffic conditions are such that for one hour of the day minor street traffic suffers undue traffic delay in entering or crossing the major street, as determined on where the plotted traffic volumes would fall with respect to the curves of Figures 4C-3 and 4C-4 of the TxMUTCD. The following Peak Hour Volume can be seen in Figure 13:

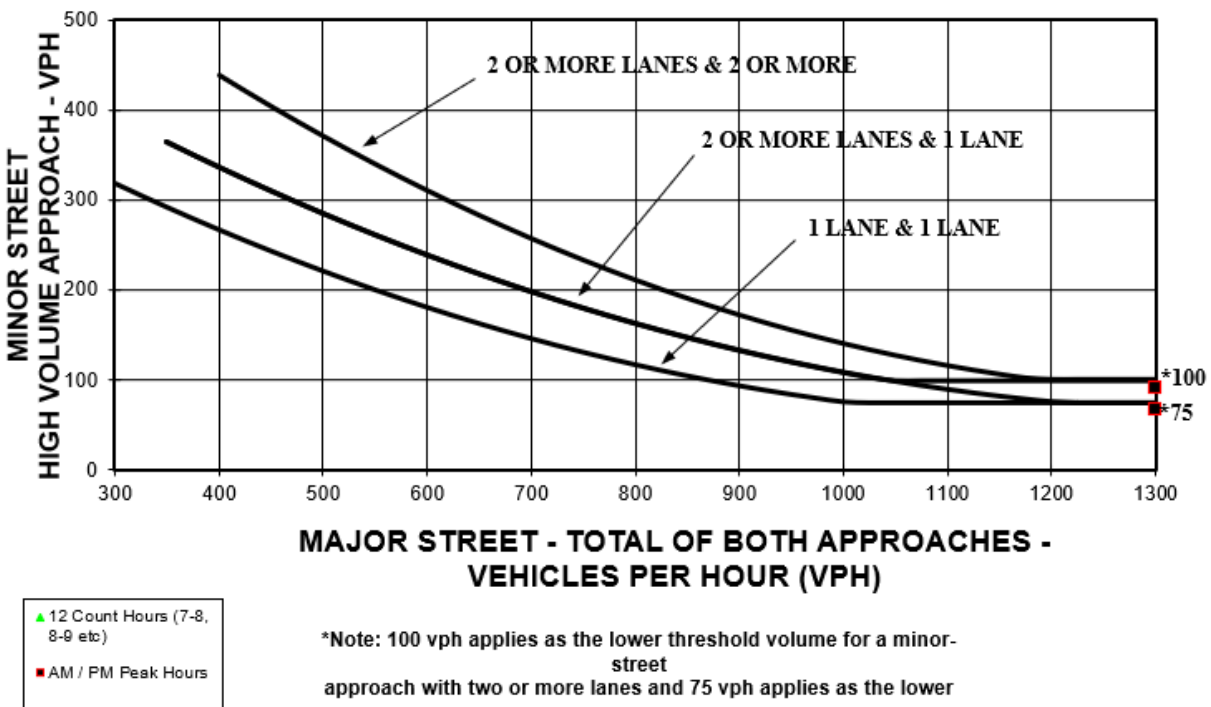


Figure 13 – Figure 4C-4 (Warrant 3, Peak Hour Vehicular Volume) From Traffic Signal Warrant Worksheet

***As shown, this warrant was not satisfied based upon the projected and generated traffic data collected.***

The results showed that the intersection is not expected to meet Warrants when Full Build-Out (2023) traffic volumes are evaluated. It is recommended that an overhead flashing beacon with safety illumination be installed as a safety mitigation measure. The complete traffic signal warrant worksheet can be found in the appendix.

## DRIVEWAY TURN-LANE ANALYSIS

Table 3-3 of the TxDOT Access Management Manual shows the Auxiliary Lane Thresholds for left-turn and right-turn lanes on state system roadways. Table 3-3 shows that turn lanes are required when the turn volumes exceed 50 vehicles per hour on a speed zone of greater than 45 miles per hour or when turn volumes exceed 60 vehicles per hour on a speed zone of less than or equal to 45 miles per hour. The posted speed limit along US 290 and Western Sky Blvd is 65 miles per hour and 30 miles per hour, respectively.

US 290 and Western Sky Blvd is projected to have a right-turn volume of 50 vehicles per hour during the AM peak hour and 118 vehicles per hour during the PM peak hour. A right-turn deceleration lane along westbound US 290 would be required due to right-turn volumes. Based on the 65-mph posted speed limit, A 890 LF right-turn lane is recommended, which includes a 715 LF deceleration lane and 175 LF of storage.

The proposed right turn lane shall be designed and constructed in accordance with the local TxDOT Area Office direction. It should be noted that the similar right turn lanes along this corridor utilize the existing right outside shoulder for deceleration purposes. It is our recommendation to coordinate with TxDOT on whether this design would be applicable in the scenario.

## ROUGH PROPORTIONALITY

The purpose of this TIA is to identify any mitigation improvements that are necessitated by and attributable to the proposed development. As previously stated, the recommended mitigation improvements for this proposed development include the following:

### **US 290 and Western Sky Blvd ~ Estimated Value of \$100,000 (Phase 1)**

- Reconfigure pavement markings along the WB approach to include a right-turn lane. (\$20,000)
- Apply pavement markings along the SB approach to include a left-turn lane and a right-turn lane. (\$10,000)
- The installation of an overhead flashing beacon with safety illumination as a safety mitigation. (\$70,000)

In summary, the recommended mitigation measures for the proposed development have a total estimated value of **\$100,000**. It has been determined that these improvements are considered roughly proportionate to the impact placed on the surrounding roadway system in accordance with State of Texas House Bill 1835 (79<sup>th</sup> Leg.-2005).

## CONCLUSION & RECOMMENDATION

The primary purpose of this analysis was to assess the impacts of the proposed Creeks Crossing Subdivision within the project study area. A total of three intersections were analyzed during the AM and PM peak periods in accordance with City of Elgin requirements.

The results of the LOS analysis show that the US 290 and Western Sky Blvd intersection is expected to operate at unacceptable LOS values during the AM and PM peak period in all scenarios. Mitigation measures which included providing a right-turn lane along the westbound approach and installing a right-turn lane and a left-turn lane along the southbound approach were applied to the 2022 traffic simulation models. LOS results show that delays are expected to improve in delay, however, LOS D is still expected. A traffic signal warrant analysis showed that the intersection is not expected to meet any of the of the Traffic Signal Warrants at Full Build-Out. **The installation of a traffic signal is not recommended.**

Table 3-3 of the TxDOT Access Management Manual shows the Auxiliary Lane Thresholds for left-turn and right-turn lanes on state system roadways. Table 3-3 shows that turn lanes are required when the turn volumes exceed 50 vehicles per hour on a speed zone of greater than 45 miles per hour or when turn volumes exceed 60 vehicles per hour on a speed zone of less than or equal to 45 miles per hour.

**The installation of an 890 LF right-turn lane along westbound US 290, which includes a 715 LF deceleration lane and 175 LF of storage, is recommended during Phase 1 of the proposed development (2022). It is recommended that proposed mitigation be coordinated with TxDOT for concurrence. Additionally, the installation of designated left-turn and right-turn lanes along southbound Western Sky Blvd are recommended during Phase 1 of the proposed development (2022).**

Results showed that the intersection is not expected to meet Warrants when Full Build-Out (2023) traffic volumes are utilized. **The installation of an overhead flashing beacon with safety illumination as a safety mitigation measure is recommended.**



6/16/2021

Oscar Michael Garza, PE, PTOE, RSP,  
Legacy Engineering Group, PLLC

APPENDIX A – SITE PLAN

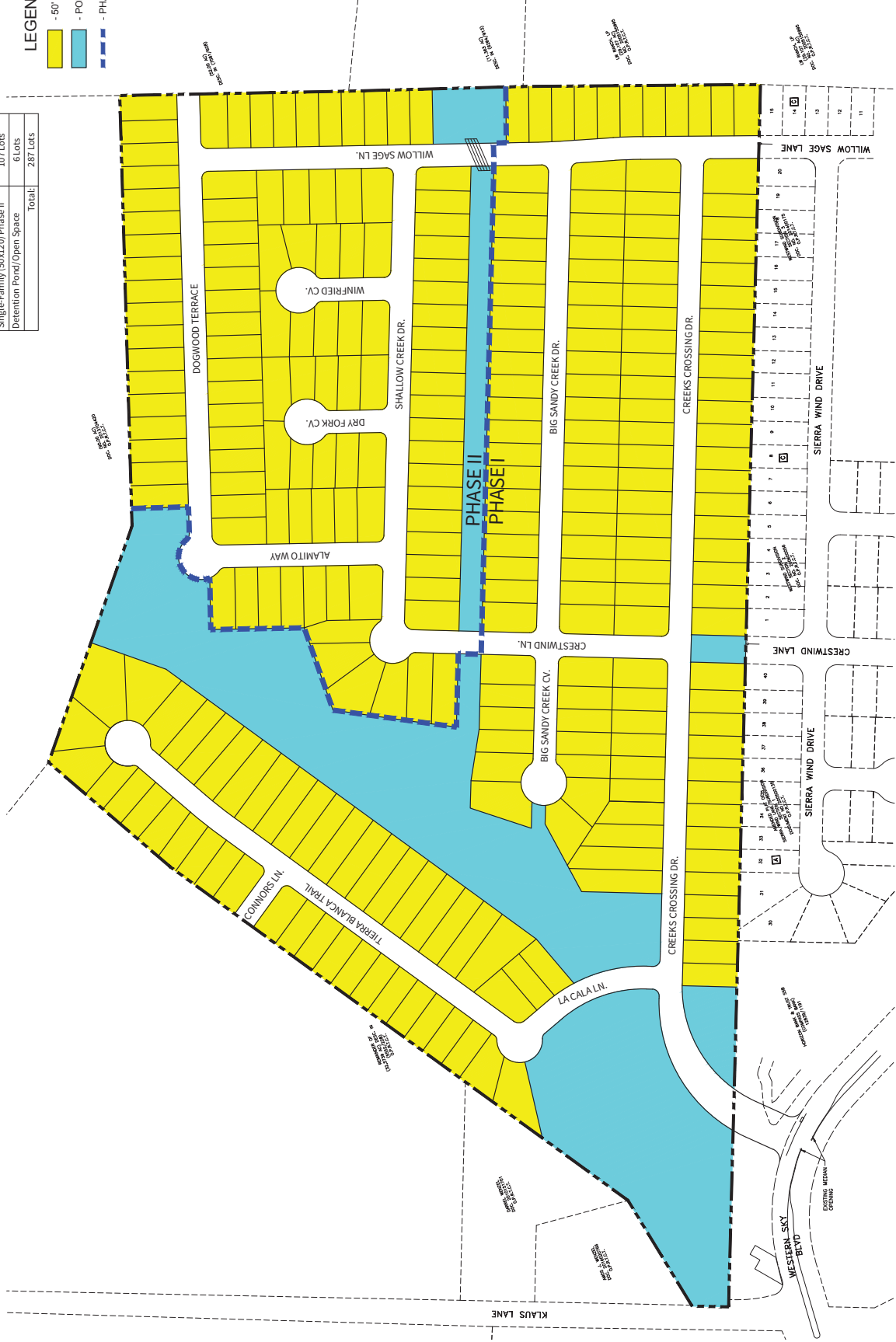
# CREEKS CROSSING CONCEPT LAYOUT

| LAND USE SUMMARY                |          |  |
|---------------------------------|----------|--|
| Gross Acreage: 67.97 acres      |          |  |
| Single-Family (50x120) Phase I  | 174 Lots |  |
| Single-Family (50x120) Phase II | 107 Lots |  |
| Detention Pond/Open Space       | 6 Lots   |  |
| Total:                          | 287 Lots |  |



## LEGEND

- 50' LOTS
- POND/OPEN SPACE
- PHASE LINE



1000 S. 10th St., Suite 100  
Cedar Park, Texas 78613  
P: 832.260.9000

CONCEPT LAYOUT B  
CREEKS CROSSING  
CONCEPTUAL PLAN

DATE  
4/27/2023  
PROJECT NO.  
B60397.000.0  
DRAWN BY  
CJB  
CHECKED BY  
JDB

| REVISIONS |
|-----------|
| 1.        |
| 2.        |
| 3.        |
| 4.        |
| 5.        |
| 6.        |
| 7.        |
| 8.        |



CUD ENGINEERS  
STATE OF TEXAS  
PLAT NO.

## APPENDIX B – TRAFFIC DATA



# US 290 at Western Sky Blvd - TMC

Thu Apr 22, 2021

Full Length (12 AM-12 AM (+1))

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827584, Location: 30.35216, -97.422736



Provided by: C. J. Hensch & Associates Inc.  
5215 Sycamore Ave., Pasadena, TX, 77503, US

| Leg Direction      | Western Sky Southbound |    |   |     | US 290 Westbound |      |    |      | US 290 Eastbound |    |   |      | Int  |
|--------------------|------------------------|----|---|-----|------------------|------|----|------|------------------|----|---|------|------|
| Time               | R                      | L  | U | App | R                | T    | U  | App  | T                | L  | U | App  |      |
| 2021-04-22 12:00AM | 1                      | 1  | 0 | 2   | 4                | 37   | 0  | 41   | 44               | 4  | 0 | 48   | 91   |
| 12:15AM            | 2                      | 1  | 0 | 3   | 0                | 28   | 0  | 28   | 36               | 2  | 0 | 38   | 69   |
| 12:30AM            | 0                      | 1  | 0 | 1   | 3                | 26   | 0  | 29   | 36               | 1  | 0 | 37   | 67   |
| 12:45AM            | 1                      | 0  | 0 | 1   | 0                | 17   | 0  | 17   | 16               | 0  | 0 | 16   | 34   |
| Hourly Total       | 4                      | 3  | 0 | 7   | 7                | 108  | 0  | 115  | 132              | 7  | 0 | 139  | 261  |
| 1:00AM             | 0                      | 2  | 0 | 2   | 2                | 23   | 0  | 25   | 32               | 3  | 0 | 35   | 62   |
| 1:15AM             | 1                      | 0  | 0 | 1   | 0                | 17   | 0  | 17   | 25               | 1  | 0 | 26   | 44   |
| 1:30AM             | 2                      | 0  | 0 | 2   | 0                | 18   | 0  | 18   | 11               | 1  | 0 | 12   | 32   |
| 1:45AM             | 0                      | 1  | 0 | 1   | 1                | 18   | 0  | 19   | 12               | 3  | 0 | 15   | 35   |
| Hourly Total       | 3                      | 3  | 0 | 6   | 3                | 76   | 0  | 79   | 80               | 8  | 0 | 88   | 173  |
| 2:00AM             | 1                      | 0  | 0 | 1   | 1                | 13   | 0  | 14   | 23               | 1  | 0 | 24   | 39   |
| 2:15AM             | 2                      | 0  | 1 | 3   | 1                | 17   | 0  | 18   | 19               | 0  | 0 | 19   | 40   |
| 2:30AM             | 2                      | 3  | 0 | 5   | 3                | 19   | 0  | 22   | 20               | 0  | 0 | 20   | 47   |
| 2:45AM             | 0                      | 0  | 0 | 0   | 0                | 14   | 0  | 14   | 12               | 3  | 0 | 15   | 29   |
| Hourly Total       | 5                      | 3  | 1 | 9   | 5                | 63   | 0  | 68   | 74               | 4  | 0 | 78   | 155  |
| 3:00AM             | 1                      | 0  | 0 | 1   | 0                | 21   | 0  | 21   | 21               | 1  | 0 | 22   | 44   |
| 3:15AM             | 2                      | 0  | 0 | 2   | 0                | 32   | 0  | 32   | 23               | 1  | 0 | 24   | 58   |
| 3:30AM             | 1                      | 1  | 0 | 2   | 0                | 31   | 1  | 32   | 26               | 1  | 0 | 27   | 61   |
| 3:45AM             | 2                      | 0  | 0 | 2   | 0                | 27   | 0  | 27   | 16               | 0  | 0 | 16   | 45   |
| Hourly Total       | 6                      | 1  | 0 | 7   | 0                | 111  | 1  | 112  | 86               | 3  | 0 | 89   | 208  |
| 4:00AM             | 6                      | 1  | 0 | 7   | 1                | 54   | 0  | 55   | 29               | 1  | 0 | 30   | 92   |
| 4:15AM             | 2                      | 1  | 0 | 3   | 0                | 54   | 1  | 55   | 33               | 1  | 0 | 34   | 92   |
| 4:30AM             | 3                      | 2  | 0 | 5   | 0                | 98   | 0  | 98   | 37               | 1  | 0 | 38   | 141  |
| 4:45AM             | 4                      | 1  | 0 | 5   | 0                | 129  | 0  | 129  | 52               | 0  | 0 | 52   | 186  |
| Hourly Total       | 15                     | 5  | 0 | 20  | 1                | 335  | 1  | 337  | 151              | 3  | 0 | 154  | 511  |
| 5:00AM             | 7                      | 0  | 0 | 7   | 1                | 166  | 0  | 167  | 32               | 1  | 0 | 33   | 207  |
| 5:15AM             | 16                     | 1  | 0 | 17  | 0                | 254  | 0  | 254  | 55               | 0  | 0 | 55   | 326  |
| 5:30AM             | 14                     | 2  | 1 | 17  | 0                | 279  | 0  | 279  | 70               | 0  | 0 | 70   | 366  |
| 5:45AM             | 13                     | 5  | 0 | 18  | 1                | 337  | 0  | 338  | 79               | 1  | 0 | 80   | 436  |
| Hourly Total       | 50                     | 8  | 1 | 59  | 2                | 1036 | 0  | 1038 | 236              | 2  | 0 | 238  | 1335 |
| 6:00AM             | 17                     | 3  | 0 | 20  | 2                | 387  | 0  | 389  | 87               | 7  | 0 | 94   | 503  |
| 6:15AM             | 14                     | 1  | 0 | 15  | 3                | 353  | 0  | 356  | 114              | 1  | 0 | 115  | 486  |
| 6:30AM             | 16                     | 4  | 0 | 20  | 3                | 374  | 0  | 377  | 137              | 6  | 0 | 143  | 540  |
| 6:45AM             | 21                     | 8  | 0 | 29  | 5                | 332  | 1  | 338  | 175              | 4  | 0 | 179  | 546  |
| Hourly Total       | 68                     | 16 | 0 | 84  | 13               | 1446 | 1  | 1460 | 513              | 18 | 0 | 531  | 2075 |
| 7:00AM             | 14                     | 11 | 0 | 25  | 6                | 330  | 0  | 336  | 208              | 6  | 0 | 214  | 575  |
| 7:15AM             | 14                     | 8  | 1 | 23  | 9                | 338  | 0  | 347  | 177              | 6  | 0 | 183  | 553  |
| 7:30AM             | 18                     | 11 | 0 | 29  | 7                | 290  | 2  | 299  | 247              | 4  | 0 | 251  | 579  |
| 7:45AM             | 11                     | 4  | 0 | 15  | 6                | 275  | 1  | 282  | 213              | 2  | 0 | 215  | 512  |
| Hourly Total       | 57                     | 34 | 1 | 92  | 28               | 1233 | 3  | 1264 | 845              | 18 | 0 | 863  | 2219 |
| 8:00AM             | 11                     | 8  | 0 | 19  | 7                | 267  | 5  | 279  | 180              | 5  | 0 | 185  | 483  |
| 8:15AM             | 9                      | 4  | 0 | 13  | 5                | 265  | 1  | 271  | 212              | 4  | 1 | 217  | 501  |
| 8:30AM             | 6                      | 5  | 2 | 13  | 6                | 244  | 2  | 252  | 154              | 1  | 1 | 156  | 421  |
| 8:45AM             | 9                      | 8  | 0 | 17  | 4                | 214  | 3  | 221  | 181              | 2  | 0 | 183  | 421  |
| Hourly Total       | 35                     | 25 | 2 | 62  | 22               | 990  | 11 | 1023 | 727              | 12 | 2 | 741  | 1826 |
| 9:00AM             | 10                     | 9  | 0 | 19  | 6                | 226  | 3  | 235  | 173              | 1  | 1 | 175  | 429  |
| 9:15AM             | 6                      | 3  | 0 | 9   | 5                | 188  | 2  | 195  | 198              | 4  | 0 | 202  | 406  |
| 9:30AM             | 9                      | 5  | 0 | 14  | 8                | 234  | 8  | 250  | 202              | 3  | 1 | 206  | 470  |
| 9:45AM             | 8                      | 6  | 0 | 14  | 6                | 220  | 5  | 231  | 194              | 0  | 0 | 194  | 439  |
| Hourly Total       | 33                     | 23 | 0 | 56  | 25               | 868  | 18 | 911  | 767              | 8  | 2 | 777  | 1744 |
| 10:00AM            | 6                      | 5  | 0 | 11  | 4                | 223  | 4  | 231  | 198              | 2  | 0 | 200  | 442  |
| 10:15AM            | 4                      | 8  | 1 | 13  | 5                | 213  | 5  | 223  | 209              | 8  | 0 | 217  | 453  |
| 10:30AM            | 8                      | 9  | 0 | 17  | 5                | 253  | 5  | 263  | 216              | 4  | 0 | 220  | 500  |
| 10:45AM            | 6                      | 9  | 0 | 15  | 7                | 205  | 3  | 215  | 241              | 2  | 0 | 243  | 473  |
| Hourly Total       | 24                     | 31 | 1 | 56  | 21               | 894  | 17 | 932  | 864              | 16 | 0 | 880  | 1868 |
| 11:00AM            | 6                      | 4  | 0 | 10  | 7                | 190  | 6  | 203  | 228              | 6  | 0 | 234  | 447  |
| 11:15AM            | 10                     | 4  | 0 | 14  | 7                | 202  | 4  | 213  | 201              | 5  | 0 | 206  | 433  |
| 11:30AM            | 8                      | 8  | 2 | 18  | 8                | 213  | 1  | 222  | 232              | 4  | 0 | 236  | 476  |
| 11:45AM            | 8                      | 11 | 1 | 20  | 7                | 209  | 5  | 221  | 212              | 7  | 0 | 219  | 460  |
| Hourly Total       | 32                     | 27 | 3 | 62  | 29               | 814  | 16 | 859  | 873              | 22 | 0 | 895  | 1816 |
| 12:00PM            | 4                      | 9  | 0 | 13  | 7                | 220  | 6  | 233  | 270              | 4  | 1 | 275  | 521  |
| 12:15PM            | 8                      | 6  | 0 | 14  | 4                | 236  | 6  | 246  | 253              | 4  | 0 | 257  | 517  |
| 12:30PM            | 12                     | 9  | 0 | 21  | 4                | 255  | 4  | 263  | 259              | 4  | 0 | 263  | 547  |
| 12:45PM            | 6                      | 5  | 0 | 11  | 6                | 236  | 3  | 245  | 236              | 2  | 0 | 238  | 494  |
| Hourly Total       | 30                     | 29 | 0 | 59  | 21               | 947  | 19 | 987  | 1018             | 14 | 1 | 1033 | 2079 |
| 1:00PM             | 4                      | 7  | 0 | 11  | 10               | 203  | 6  | 219  | 226              | 7  | 1 | 234  | 464  |
| 1:15PM             | 4                      | 6  | 0 | 10  | 5                | 303  | 3  | 311  | 282              | 6  | 0 | 288  | 609  |
| 1:30PM             | 5                      | 4  | 0 | 9   | 8                | 225  | 6  | 239  | 238              | 9  | 2 | 249  | 497  |
| 1:45PM             | 8                      | 8  | 0 | 16  | 6                | 249  | 5  | 260  | 255              | 6  | 1 | 262  | 538  |
| Hourly Total       | 21                     | 25 | 0 | 46  | 29               | 980  | 20 | 1029 | 1001             | 28 | 4 | 1033 | 2108 |
| 2:00PM             | 3                      | 8  | 0 | 11  | 10               | 249  | 3  | 262  | 289              | 8  | 1 | 298  | 571  |
| 2:15PM             | 4                      | 7  | 0 | 11  | 12               | 242  | 2  | 256  | 313              | 6  | 0 | 319  | 586  |

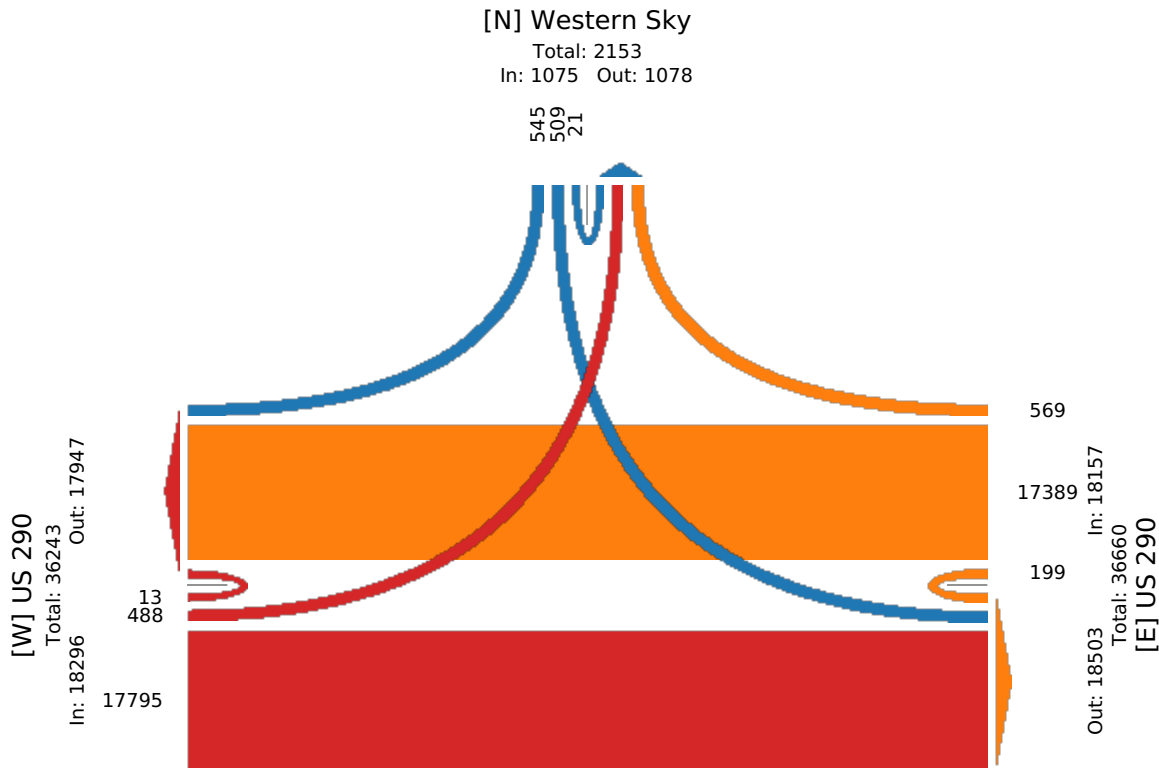
| Leg<br>Direction               | Western Sky<br>Southbound |       |      |       | US 290<br>Westbound |       |      |       | US 290<br>Eastbound |       |      |       |       |
|--------------------------------|---------------------------|-------|------|-------|---------------------|-------|------|-------|---------------------|-------|------|-------|-------|
| Time                           | R                         | L     | U    | App   | R                   | T     | U    | App   | T                   | L     | U    | App   | Int   |
| 2:30PM                         | 6                         | 7     | 0    | 13    | 13                  | 240   | 3    | 256   | 307                 | 6     | 1    | 314   | 583   |
| 2:45PM                         | 4                         | 10    | 0    | 14    | 8                   | 258   | 5    | 271   | 294                 | 14    | 0    | 308   | 593   |
| Hourly Total                   | 17                        | 32    | 0    | 49    | 43                  | 989   | 13   | 1045  | 1203                | 34    | 2    | 1239  | 2333  |
| 3:00PM                         | 7                         | 10    | 0    | 17    | 11                  | 299   | 5    | 315   | 386                 | 9     | 0    | 395   | 727   |
| 3:15PM                         | 7                         | 8     | 0    | 15    | 15                  | 253   | 4    | 272   | 335                 | 7     | 0    | 342   | 629   |
| 3:30PM                         | 6                         | 10    | 0    | 16    | 6                   | 256   | 3    | 265   | 429                 | 12    | 0    | 441   | 722   |
| 3:45PM                         | 2                         | 14    | 0    | 16    | 9                   | 239   | 4    | 252   | 366                 | 6     | 2    | 374   | 642   |
| Hourly Total                   | 22                        | 42    | 0    | 64    | 41                  | 1047  | 16   | 1104  | 1516                | 34    | 2    | 1552  | 2720  |
| 4:00PM                         | 8                         | 7     | 0    | 15    | 12                  | 256   | 5    | 273   | 393                 | 8     | 0    | 401   | 689   |
| 4:15PM                         | 6                         | 5     | 2    | 13    | 12                  | 320   | 6    | 338   | 420                 | 7     | 0    | 427   | 778   |
| 4:30PM                         | 4                         | 8     | 2    | 14    | 13                  | 276   | 5    | 294   | 402                 | 12    | 0    | 414   | 722   |
| 4:45PM                         | 8                         | 6     | 2    | 16    | 10                  | 241   | 3    | 254   | 433                 | 6     | 0    | 439   | 709   |
| Hourly Total                   | 26                        | 26    | 6    | 58    | 47                  | 1093  | 19   | 1159  | 1648                | 33    | 0    | 1681  | 2898  |
| 5:00PM                         | 5                         | 8     | 0    | 13    | 10                  | 280   | 2    | 292   | 386                 | 13    | 0    | 399   | 704   |
| 5:15PM                         | 3                         | 8     | 0    | 11    | 13                  | 266   | 3    | 282   | 416                 | 12    | 0    | 428   | 721   |
| 5:30PM                         | 11                        | 13    | 0    | 24    | 16                  | 268   | 2    | 286   | 372                 | 11    | 0    | 383   | 693   |
| 5:45PM                         | 5                         | 10    | 0    | 15    | 14                  | 263   | 5    | 282   | 401                 | 10    | 0    | 411   | 708   |
| Hourly Total                   | 24                        | 39    | 0    | 63    | 53                  | 1077  | 12   | 1142  | 1575                | 46    | 0    | 1621  | 2826  |
| 6:00PM                         | 3                         | 8     | 1    | 12    | 11                  | 213   | 6    | 230   | 395                 | 13    | 0    | 408   | 650   |
| 6:15PM                         | 9                         | 10    | 1    | 20    | 11                  | 262   | 5    | 278   | 381                 | 6     | 0    | 387   | 685   |
| 6:30PM                         | 5                         | 9     | 0    | 14    | 17                  | 246   | 3    | 266   | 397                 | 15    | 0    | 412   | 692   |
| 6:45PM                         | 6                         | 4     | 0    | 10    | 9                   | 211   | 7    | 227   | 390                 | 11    | 0    | 401   | 638   |
| Hourly Total                   | 23                        | 31    | 2    | 56    | 48                  | 932   | 21   | 1001  | 1563                | 45    | 0    | 1608  | 2665  |
| 7:00PM                         | 7                         | 11    | 0    | 18    | 11                  | 199   | 3    | 213   | 330                 | 7     | 0    | 337   | 568   |
| 7:15PM                         | 6                         | 5     | 0    | 11    | 8                   | 183   | 0    | 191   | 283                 | 14    | 0    | 297   | 499   |
| 7:30PM                         | 5                         | 14    | 0    | 19    | 13                  | 202   | 0    | 215   | 256                 | 11    | 0    | 267   | 501   |
| 7:45PM                         | 3                         | 11    | 0    | 14    | 9                   | 176   | 1    | 186   | 233                 | 10    | 0    | 243   | 443   |
| Hourly Total                   | 21                        | 41    | 0    | 62    | 41                  | 760   | 4    | 805   | 1102                | 42    | 0    | 1144  | 2011  |
| 8:00PM                         | 1                         | 6     | 0    | 7     | 10                  | 183   | 4    | 197   | 189                 | 7     | 0    | 196   | 400   |
| 8:15PM                         | 7                         | 6     | 3    | 16    | 9                   | 182   | 1    | 192   | 189                 | 10    | 0    | 199   | 407   |
| 8:30PM                         | 1                         | 10    | 0    | 11    | 6                   | 147   | 1    | 154   | 165                 | 8     | 0    | 173   | 338   |
| 8:45PM                         | 2                         | 5     | 0    | 7     | 11                  | 121   | 0    | 132   | 169                 | 9     | 0    | 178   | 317   |
| Hourly Total                   | 11                        | 27    | 3    | 41    | 36                  | 633   | 6    | 675   | 712                 | 34    | 0    | 746   | 1462  |
| 9:00PM                         | 1                         | 7     | 0    | 8     | 11                  | 120   | 0    | 131   | 153                 | 10    | 0    | 163   | 302   |
| 9:15PM                         | 3                         | 11    | 1    | 15    | 9                   | 113   | 0    | 122   | 134                 | 10    | 0    | 144   | 281   |
| 9:30PM                         | 0                         | 3     | 0    | 3     | 9                   | 124   | 0    | 133   | 133                 | 3     | 0    | 136   | 272   |
| 9:45PM                         | 5                         | 3     | 0    | 8     | 4                   | 121   | 1    | 126   | 126                 | 4     | 0    | 130   | 264   |
| Hourly Total                   | 9                         | 24    | 1    | 34    | 33                  | 478   | 1    | 512   | 546                 | 27    | 0    | 573   | 1119  |
| 10:00PM                        | 2                         | 4     | 0    | 6     | 7                   | 88    | 0    | 95    | 86                  | 1     | 0    | 87    | 188   |
| 10:15PM                        | 1                         | 1     | 0    | 2     | 1                   | 91    | 0    | 92    | 122                 | 3     | 0    | 125   | 219   |
| 10:30PM                        | 2                         | 0     | 0    | 2     | 0                   | 67    | 0    | 67    | 84                  | 7     | 0    | 91    | 160   |
| 10:45PM                        | 0                         | 1     | 0    | 1     | 4                   | 59    | 0    | 63    | 72                  | 4     | 0    | 76    | 140   |
| Hourly Total                   | 5                         | 6     | 0    | 11    | 12                  | 305   | 0    | 317   | 364                 | 15    | 0    | 379   | 707   |
| 11:00PM                        | 0                         | 0     | 0    | 0     | 1                   | 54    | 0    | 55    | 54                  | 4     | 0    | 58    | 113   |
| 11:15PM                        | 2                         | 4     | 0    | 6     | 4                   | 44    | 0    | 48    | 55                  | 6     | 0    | 61    | 115   |
| 11:30PM                        | 1                         | 3     | 0    | 4     | 3                   | 43    | 0    | 46    | 46                  | 1     | 0    | 47    | 97    |
| 11:45PM                        | 1                         | 1     | 0    | 2     | 1                   | 33    | 0    | 34    | 44                  | 4     | 0    | 48    | 84    |
| Hourly Total                   | 4                         | 8     | 0    | 12    | 9                   | 174   | 0    | 183   | 199                 | 15    | 0    | 214   | 409   |
| Total                          | 545                       | 509   | 21   | 1075  | 569                 | 17389 | 199  | 18157 | 17795               | 488   | 13   | 18296 | 37528 |
| % Approach                     | 50.7%                     | 47.3% | 2.0% | -     | 3.1%                | 95.8% | 1.1% | -     | 97.3%               | 2.7%  | 0.1% | -     | -     |
| % Total                        | 1.5%                      | 1.4%  | 0.1% | 2.9%  | 1.5%                | 46.3% | 0.5% | 48.4% | 47.4%               | 1.3%  | 0%   | 48.8% | -     |
| Lights                         | 533                       | 500   | 21   | 1054  | 556                 | 16246 | 199  | 17001 | 16605               | 477   | 13   | 17095 | 35150 |
| % Lights                       | 97.8%                     | 98.2% | 100% | 98.0% | 97.7%               | 93.4% | 100% | 93.6% | 93.3%               | 97.7% | 100% | 93.4% | 93.7% |
| Articulated Trucks             | 3                         | 0     | 0    | 3     | 1                   | 678   | 0    | 679   | 696                 | 1     | 0    | 697   | 1379  |
| % Articulated Trucks           | 0.6%                      | 0%    | 0%   | 0.3%  | 0.2%                | 3.9%  | 0%   | 3.7%  | 3.9%                | 0.2%  | 0%   | 3.8%  | 3.7%  |
| Buses and Single-Unit Trucks   | 9                         | 9     | 0    | 18    | 12                  | 465   | 0    | 477   | 494                 | 10    | 0    | 504   | 999   |
| % Buses and Single-Unit Trucks | 1.7%                      | 1.8%  | 0%   | 1.7%  | 2.1%                | 2.7%  | 0%   | 2.6%  | 2.8%                | 2.0%  | 0%   | 2.8%  | 2.7%  |

\*L: Left, R: Right, T: Thru, U: U-Turn

US 290 at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
Full Length (12 AM-12 AM (+1))  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827584, Location: 30.35216, -97.422736



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5215 Sycamore Ave., Pasadena, TX, 77503, US



# US 290 at Western Sky Blvd - TMC

Thu Apr 22, 2021

AM Peak (Apr 22 2021 6:45AM - 7:45 AM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827584, Location: 30.35216, -97.422736



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5215 Sycamore Ave., Pasadena, TX, 77503, US

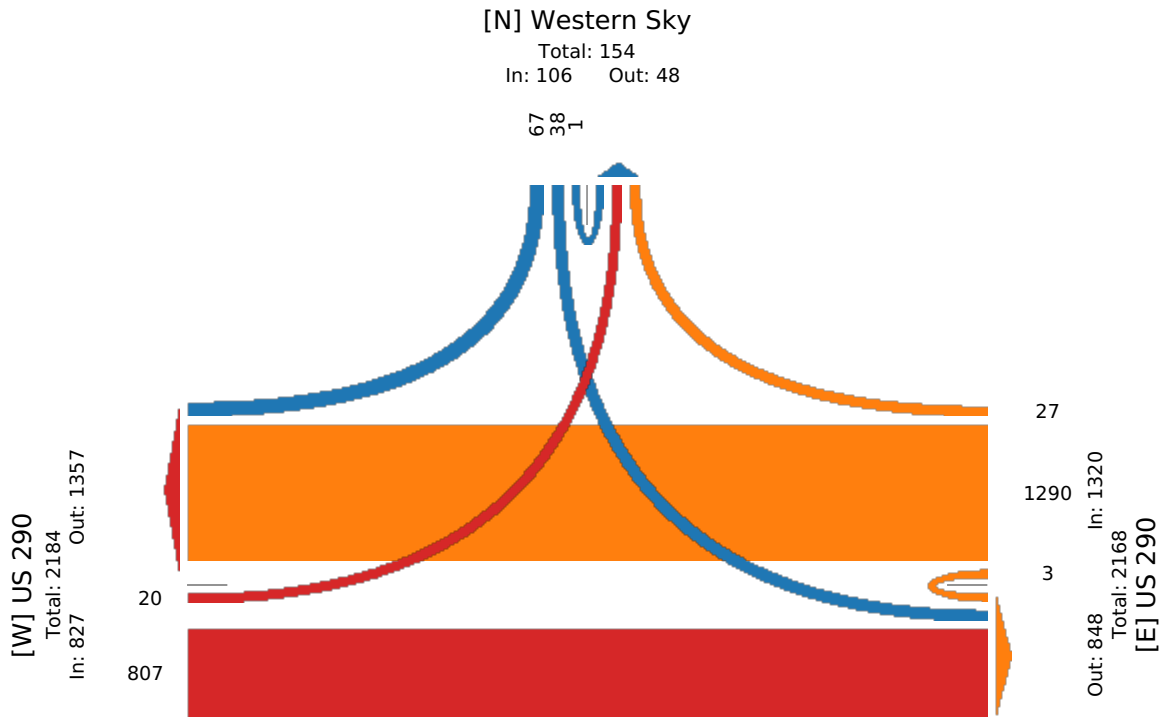
| Leg<br>Direction                      | Western Sky<br>Southbound |       |       |       | US 290<br>Westbound |       |       |       | US 290<br>Eastbound |       |    |       |       |
|---------------------------------------|---------------------------|-------|-------|-------|---------------------|-------|-------|-------|---------------------|-------|----|-------|-------|
| Time                                  | R                         | L     | U     | App   | R                   | T     | U     | App   | T                   | L     | U  | App   | Int   |
| 2021-04-22 6:45AM                     | 21                        | 8     | 0     | 29    | 5                   | 332   | 1     | 338   | 175                 | 4     | 0  | 179   | 546   |
| 7:00AM                                | 14                        | 11    | 0     | 25    | 6                   | 330   | 0     | 336   | 208                 | 6     | 0  | 214   | 575   |
| 7:15AM                                | 14                        | 8     | 1     | 23    | 9                   | 338   | 0     | 347   | 177                 | 6     | 0  | 183   | 553   |
| 7:30AM                                | 18                        | 11    | 0     | 29    | 7                   | 290   | 2     | 299   | 247                 | 4     | 0  | 251   | 579   |
| <b>Total</b>                          | 67                        | 38    | 1     | 106   | 27                  | 1290  | 3     | 1320  | 807                 | 20    | 0  | 827   | 2253  |
| <b>% Approach</b>                     | 63.2%                     | 35.8% | 0.9%  | -     | 2.0%                | 97.7% | 0.2%  | -     | 97.6%               | 2.4%  | 0% | -     | -     |
| <b>% Total</b>                        | 3.0%                      | 1.7%  | 0%    | 4.7%  | 1.2%                | 57.3% | 0.1%  | 58.6% | 35.8%               | 0.9%  | 0% | 36.7% | -     |
| <b>PHF</b>                            | 0.798                     | 0.864 | 0.250 | 0.914 | 0.750               | 0.954 | 0.375 | 0.951 | 0.817               | 0.833 | -  | 0.824 | 0.973 |
| <b>Lights</b>                         | 65                        | 36    | 1     | 102   | 24                  | 1216  | 3     | 1243  | 743                 | 19    | 0  | 762   | 2107  |
| <b>% Lights</b>                       | 97.0%                     | 94.7% | 100%  | 96.2% | 88.9%               | 94.3% | 100%  | 94.2% | 92.1%               | 95.0% | 0% | 92.1% | 93.5% |
| <b>Articulated Trucks</b>             | 1                         | 0     | 0     | 1     | 0                   | 48    | 0     | 48    | 40                  | 0     | 0  | 40    | 89    |
| <b>% Articulated Trucks</b>           | 1.5%                      | 0%    | 0%    | 0.9%  | 0%                  | 3.7%  | 0%    | 3.6%  | 5.0%                | 0%    | 0% | 4.8%  | 4.0%  |
| <b>Buses and Single-Unit Trucks</b>   | 1                         | 2     | 0     | 3     | 3                   | 26    | 0     | 29    | 24                  | 1     | 0  | 25    | 57    |
| <b>% Buses and Single-Unit Trucks</b> | 1.5%                      | 5.3%  | 0%    | 2.8%  | 11.1%               | 2.0%  | 0%    | 2.2%  | 3.0%                | 5.0%  | 0% | 3.0%  | 2.5%  |

\*L: Left, R: Right, T: Thru, U: U-Turn

US 290 at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
AM Peak (Apr 22 2021 6:45AM - 7:45 AM)  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827584, Location: 30.35216, -97.422736



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5215 Sycamore Ave., Pasadena, TX, 77503, US



# US 290 at Western Sky Blvd - TMC

Thu Apr 22, 2021

Midday Peak (Apr 22 2021 12PM - 1 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827584, Location: 30.35216, -97.422736



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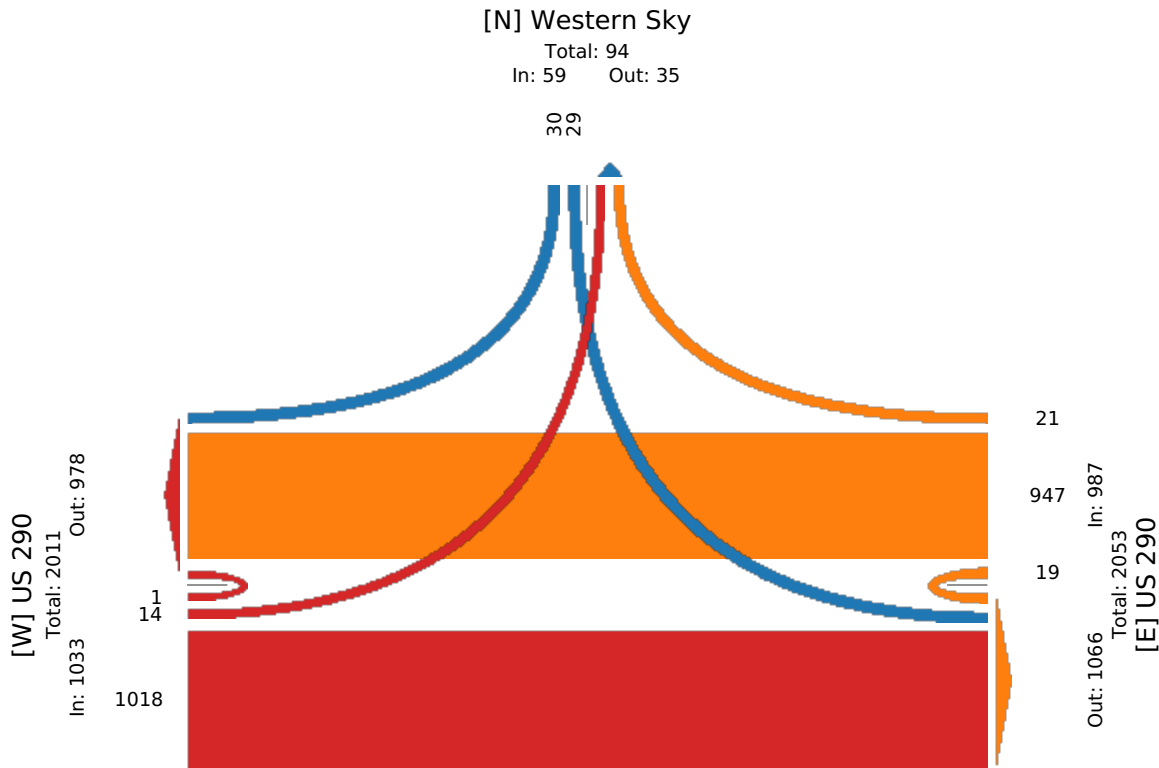
| Leg<br>Direction                      | Western Sky<br>Southbound |       |    |       | US 290<br>Westbound |       |       |       | US 290<br>Eastbound |       |       |       |       |
|---------------------------------------|---------------------------|-------|----|-------|---------------------|-------|-------|-------|---------------------|-------|-------|-------|-------|
| Time                                  | R                         | L     | U  | App   | R                   | T     | U     | App   | T                   | L     | U     | App   | Int   |
| 2021-04-22 12:00PM                    | 4                         | 9     | 0  | 13    | 7                   | 220   | 6     | 233   | 270                 | 4     | 1     | 275   | 521   |
| 12:15PM                               | 8                         | 6     | 0  | 14    | 4                   | 236   | 6     | 246   | 253                 | 4     | 0     | 257   | 517   |
| 12:30PM                               | 12                        | 9     | 0  | 21    | 4                   | 255   | 4     | 263   | 259                 | 4     | 0     | 263   | 547   |
| 12:45PM                               | 6                         | 5     | 0  | 11    | 6                   | 236   | 3     | 245   | 236                 | 2     | 0     | 238   | 494   |
| <b>Total</b>                          | 30                        | 29    | 0  | 59    | 21                  | 947   | 19    | 987   | 1018                | 14    | 1     | 1033  | 2079  |
| <b>% Approach</b>                     | 50.8%                     | 49.2% | 0% | -     | 2.1%                | 95.9% | 1.9%  | -     | 98.5%               | 1.4%  | 0.1%  | -     | -     |
| <b>% Total</b>                        | 1.4%                      | 1.4%  | 0% | 2.8%  | 1.0%                | 45.6% | 0.9%  | 47.5% | 49.0%               | 0.7%  | 0%    | 49.7% | -     |
| <b>PHF</b>                            | 0.625                     | 0.806 | -  | 0.702 | 0.750               | 0.928 | 0.792 | 0.938 | 0.943               | 0.875 | 0.250 | 0.939 | 0.950 |
| <b>Lights</b>                         | 30                        | 28    | 0  | 58    | 21                  | 858   | 19    | 898   | 914                 | 12    | 1     | 927   | 1883  |
| <b>% Lights</b>                       | 100%                      | 96.6% | 0% | 98.3% | 100%                | 90.6% | 100%  | 91.0% | 89.8%               | 85.7% | 100%  | 89.7% | 90.6% |
| <b>Articulated Trucks</b>             | 0                         | 0     | 0  | 0     | 0                   | 51    | 0     | 51    | 58                  | 0     | 0     | 58    | 109   |
| <b>% Articulated Trucks</b>           | 0%                        | 0%    | 0% | 0%    | 0%                  | 5.4%  | 0%    | 5.2%  | 5.7%                | 0%    | 0%    | 5.6%  | 5.2%  |
| <b>Buses and Single-Unit Trucks</b>   | 0                         | 1     | 0  | 1     | 0                   | 38    | 0     | 38    | 46                  | 2     | 0     | 48    | 87    |
| <b>% Buses and Single-Unit Trucks</b> | 0%                        | 3.4%  | 0% | 1.7%  | 0%                  | 4.0%  | 0%    | 3.9%  | 4.5%                | 14.3% | 0%    | 4.6%  | 4.2%  |

\*L: Left, R: Right, T: Thru, U: U-Turn

US 290 at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
Midday Peak (Apr 22 2021 12PM - 1 PM)  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827584, Location: 30.35216, -97.422736



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5215 Sycamore Ave., Pasadena, TX, 77503, US





# US 290 at Western Sky Blvd - TMC

Thu Apr 22, 2021

PM Peak (Apr 22 2021 4:15PM - 5:15 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827584, Location: 30.35216, -97.422736



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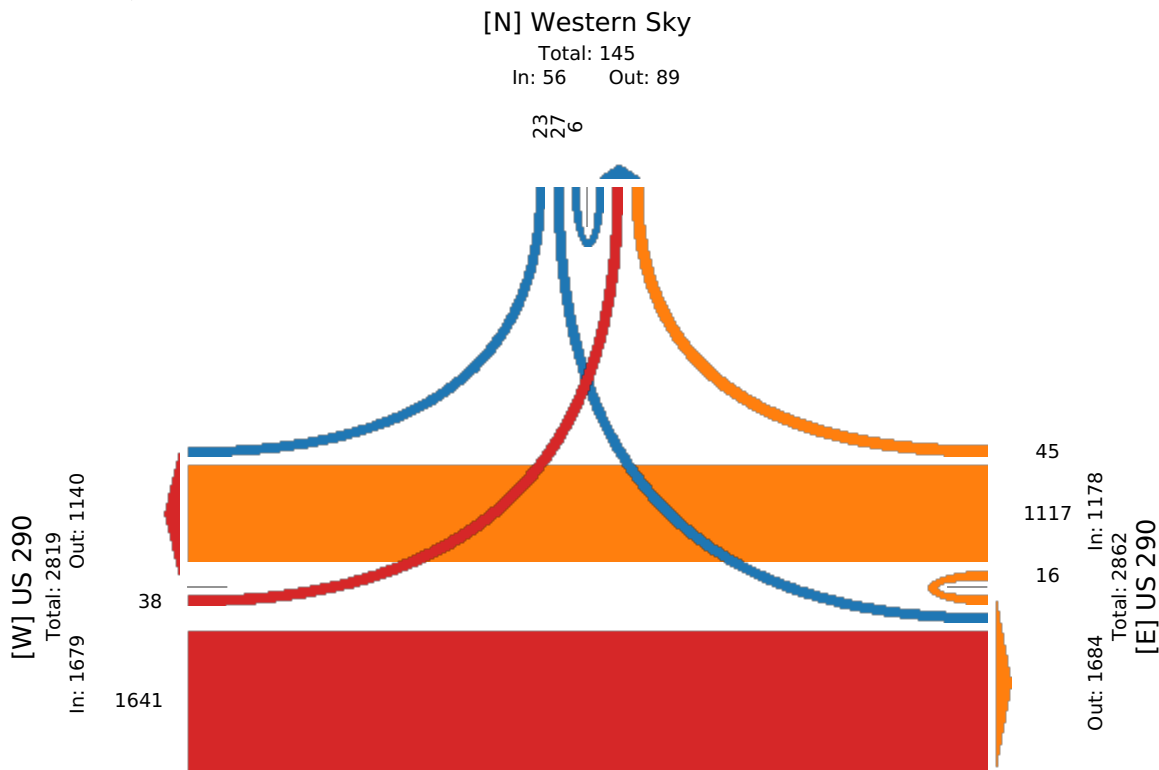
| Leg<br>Direction                      | Western Sky<br>Southbound |       |       |       | US 290<br>Westbound |       |       |       | US 290<br>Eastbound |       |    |       |       |
|---------------------------------------|---------------------------|-------|-------|-------|---------------------|-------|-------|-------|---------------------|-------|----|-------|-------|
| Time                                  | R                         | L     | U     | App   | R                   | T     | U     | App   | T                   | L     | U  | App   | Int   |
| 2021-04-22 4:15PM                     | 6                         | 5     | 2     | 13    | 12                  | 320   | 6     | 338   | 420                 | 7     | 0  | 427   | 778   |
| 4:30PM                                | 4                         | 8     | 2     | 14    | 13                  | 276   | 5     | 294   | 402                 | 12    | 0  | 414   | 722   |
| 4:45PM                                | 8                         | 6     | 2     | 16    | 10                  | 241   | 3     | 254   | 433                 | 6     | 0  | 439   | 709   |
| 5:00PM                                | 5                         | 8     | 0     | 13    | 10                  | 280   | 2     | 292   | 386                 | 13    | 0  | 399   | 704   |
| <b>Total</b>                          | 23                        | 27    | 6     | 56    | 45                  | 1117  | 16    | 1178  | 1641                | 38    | 0  | 1679  | 2913  |
| <b>% Approach</b>                     | 41.1%                     | 48.2% | 10.7% | -     | 3.8%                | 94.8% | 1.4%  | -     | 97.7%               | 2.3%  | 0% | -     | -     |
| <b>% Total</b>                        | 0.8%                      | 0.9%  | 0.2%  | 1.9%  | 1.5%                | 38.3% | 0.5%  | 40.4% | 56.3%               | 1.3%  | 0% | 57.6% | -     |
| <b>PHF</b>                            | 0.719                     | 0.844 | 0.750 | 0.875 | 0.865               | 0.873 | 0.667 | 0.871 | 0.947               | 0.731 | -  | 0.956 | 0.936 |
| <b>Lights</b>                         | 23                        | 26    | 6     | 55    | 43                  | 1067  | 16    | 1126  | 1600                | 38    | 0  | 1638  | 2819  |
| <b>% Lights</b>                       | 100%                      | 96.3% | 100%  | 98.2% | 95.6%               | 95.5% | 100%  | 95.6% | 97.5%               | 100%  | 0% | 97.6% | 96.8% |
| <b>Articulated Trucks</b>             | 0                         | 0     | 0     | 0     | 0                   | 26    | 0     | 26    | 22                  | 0     | 0  | 22    | 48    |
| <b>% Articulated Trucks</b>           | 0%                        | 0%    | 0%    | 0%    | 0%                  | 2.3%  | 0%    | 2.2%  | 1.3%                | 0%    | 0% | 1.3%  | 1.6%  |
| <b>Buses and Single-Unit Trucks</b>   | 0                         | 1     | 0     | 1     | 2                   | 24    | 0     | 26    | 19                  | 0     | 0  | 19    | 46    |
| <b>% Buses and Single-Unit Trucks</b> | 0%                        | 3.7%  | 0%    | 1.8%  | 4.4%                | 2.1%  | 0%    | 2.2%  | 1.2%                | 0%    | 0% | 1.1%  | 1.6%  |

\*L: Left, R: Right, T: Thru, U: U-Turn

US 290 at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
PM Peak (Apr 22 2021 4:15PM - 5:15 PM) - Overall Peak Hour  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827584, Location: 30.35216, -97.422736



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5215 Sycamore Ave., Pasadena, TX, 77503, US



# Klaus Ln at Western Sky Blvd - TMC

Thu Apr 22, 2021

Full Length (7 AM-9 AM, 4 PM-6 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827583, Location: 30.352776, -97.422696

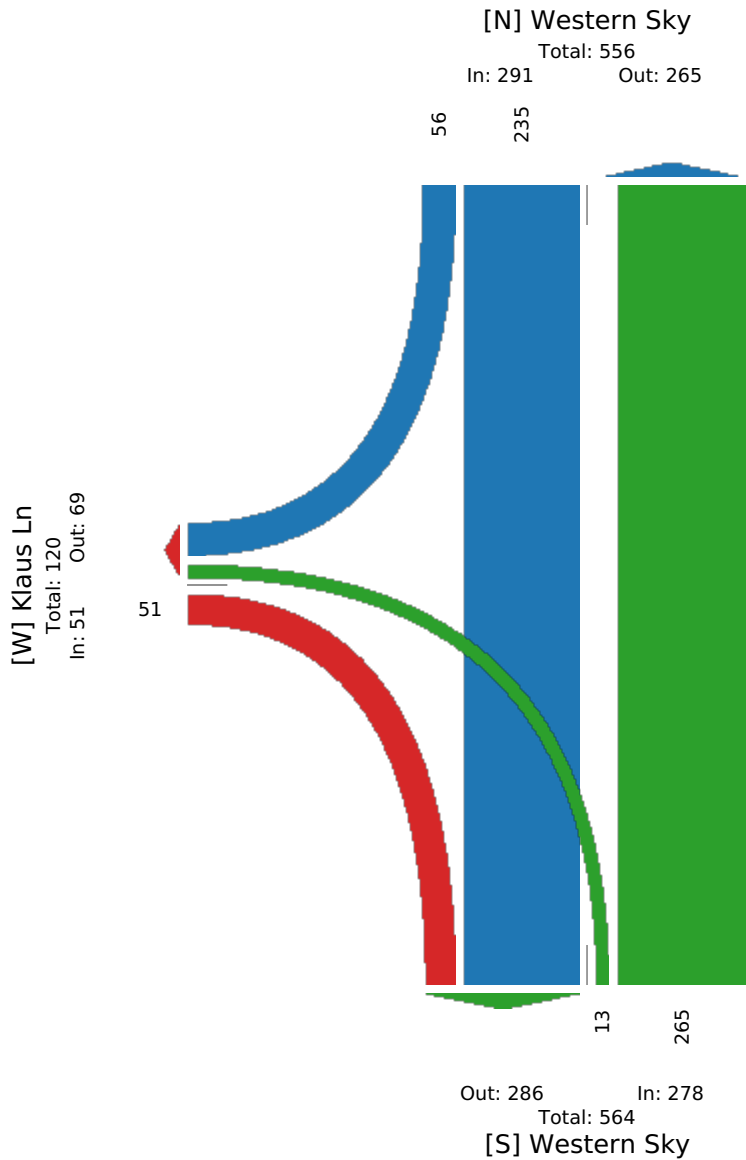


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5215 Sycamore Ave., Pasadena, TX, 77503, US

| Leg<br>Direction                      | Western Sky<br>Southbound |       |    |       | Western Sky<br>Northbound |      |    |       | Klaus Ln<br>Eastbound |    |    |       |       |
|---------------------------------------|---------------------------|-------|----|-------|---------------------------|------|----|-------|-----------------------|----|----|-------|-------|
| Time                                  | R                         | T     | U  | App   | T                         | L    | U  | App   | R                     | L  | U  | App   | Int   |
| 2021-04-22 7:00AM                     | 9                         | 23    | 0  | 32    | 12                        | 0    | 0  | 12    | 2                     | 0  | 0  | 2     | 46    |
| 7:15AM                                | 17                        | 22    | 0  | 39    | 16                        | 2    | 0  | 18    | 4                     | 0  | 0  | 4     | 61    |
| 7:30AM                                | 6                         | 22    | 0  | 28    | 13                        | 0    | 0  | 13    | 8                     | 0  | 0  | 8     | 49    |
| 7:45AM                                | 1                         | 13    | 0  | 14    | 6                         | 2    | 0  | 8     | 2                     | 0  | 0  | 2     | 24    |
| Hourly Total                          | 33                        | 80    | 0  | 113   | 47                        | 4    | 0  | 51    | 16                    | 0  | 0  | 16    | 180   |
| 8:00AM                                | 2                         | 17    | 0  | 19    | 10                        | 2    | 0  | 12    | 2                     | 0  | 0  | 2     | 33    |
| 8:15AM                                | 1                         | 10    | 0  | 11    | 9                         | 0    | 0  | 9     | 3                     | 0  | 0  | 3     | 23    |
| 8:30AM                                | 0                         | 10    | 0  | 10    | 8                         | 1    | 0  | 9     | 3                     | 0  | 0  | 3     | 22    |
| 8:45AM                                | 0                         | 15    | 0  | 15    | 4                         | 2    | 0  | 6     | 2                     | 0  | 0  | 2     | 23    |
| Hourly Total                          | 3                         | 52    | 0  | 55    | 31                        | 5    | 0  | 36    | 10                    | 0  | 0  | 10    | 101   |
| 4:00PM                                | 2                         | 17    | 0  | 19    | 23                        | 0    | 0  | 23    | 2                     | 0  | 0  | 2     | 44    |
| 4:15PM                                | 1                         | 10    | 0  | 11    | 23                        | 0    | 0  | 23    | 3                     | 0  | 0  | 3     | 37    |
| 4:30PM                                | 3                         | 11    | 0  | 14    | 24                        | 1    | 0  | 25    | 3                     | 0  | 0  | 3     | 42    |
| 4:45PM                                | 2                         | 14    | 0  | 16    | 18                        | 1    | 0  | 19    | 3                     | 0  | 0  | 3     | 38    |
| Hourly Total                          | 8                         | 52    | 0  | 60    | 88                        | 2    | 0  | 90    | 11                    | 0  | 0  | 11    | 161   |
| 5:00PM                                | 2                         | 10    | 0  | 12    | 22                        | 0    | 0  | 22    | 2                     | 0  | 0  | 2     | 36    |
| 5:15PM                                | 2                         | 8     | 0  | 10    | 27                        | 0    | 0  | 27    | 4                     | 0  | 0  | 4     | 41    |
| 5:30PM                                | 5                         | 20    | 0  | 25    | 27                        | 1    | 0  | 28    | 6                     | 0  | 0  | 6     | 59    |
| 5:45PM                                | 3                         | 13    | 0  | 16    | 23                        | 1    | 0  | 24    | 2                     | 0  | 0  | 2     | 42    |
| Hourly Total                          | 12                        | 51    | 0  | 63    | 99                        | 2    | 0  | 101   | 14                    | 0  | 0  | 14    | 178   |
| <b>Total</b>                          | 56                        | 235   | 0  | 291   | 265                       | 13   | 0  | 278   | 51                    | 0  | 0  | 51    | 620   |
| <b>% Approach</b>                     | 19.2%                     | 80.8% | 0% | -     | 95.3%                     | 4.7% | 0% | -     | 100%                  | 0% | 0% | -     | -     |
| <b>% Total</b>                        | 9.0%                      | 37.9% | 0% | 46.9% | 42.7%                     | 2.1% | 0% | 44.8% | 8.2%                  | 0% | 0% | 8.2%  | -     |
| <b>Lights</b>                         | 54                        | 231   | 0  | 285   | 257                       | 13   | 0  | 270   | 47                    | 0  | 0  | 47    | 602   |
| <b>% Lights</b>                       | 96.4%                     | 98.3% | 0% | 97.9% | 97.0%                     | 100% | 0% | 97.1% | 92.2%                 | 0% | 0% | 92.2% | 97.1% |
| <b>Articulated Trucks</b>             | 0                         | 0     | 0  | 0     | 0                         | 0    | 0  | 0     | 2                     | 0  | 0  | 2     | 2     |
| <b>% Articulated Trucks</b>           | 0%                        | 0%    | 0% | 0%    | 0%                        | 0%   | 0% | 0%    | 3.9%                  | 0% | 0% | 3.9%  | 0.3%  |
| <b>Buses and Single-Unit Trucks</b>   | 2                         | 4     | 0  | 6     | 8                         | 0    | 0  | 8     | 2                     | 0  | 0  | 2     | 16    |
| <b>% Buses and Single-Unit Trucks</b> | 3.6%                      | 1.7%  | 0% | 2.1%  | 3.0%                      | 0%   | 0% | 2.9%  | 3.9%                  | 0% | 0% | 3.9%  | 2.6%  |

\*L: Left, R: Right, T: Thru, U: U-Turn

Klaus Ln at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
Full Length (7 AM-9 AM, 4 PM-6 PM)  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827583, Location: 30.352776, -97.422696



# Klaus Ln at Western Sky Blvd - TMC

Thu Apr 22, 2021

AM Peak (7 AM - 8 AM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827583, Location: 30.352776, -97.422696

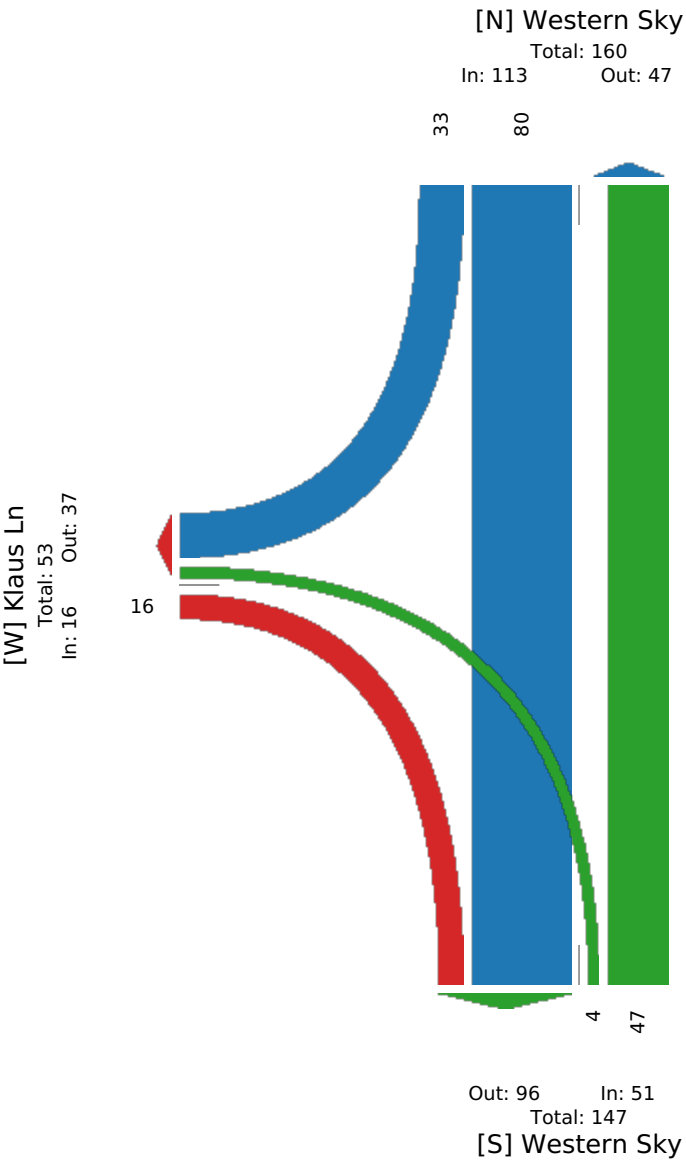


Provided by: C. J. Hensch & Associates Inc.  
5215 Sycamore Ave., Pasadena, TX, 77503, US

| Leg<br>Direction                      | Western Sky<br>Southbound |       |    |       | Western Sky<br>Northbound |       |    |       | Klaus Ln<br>Eastbound |    |    |       |       |
|---------------------------------------|---------------------------|-------|----|-------|---------------------------|-------|----|-------|-----------------------|----|----|-------|-------|
| Time                                  | R                         | T     | U  | App   | T                         | L     | U  | App   | R                     | L  | U  | App   | Int   |
| 2021-04-22 7:00AM                     | 9                         | 23    | 0  | 32    | 12                        | 0     | 0  | 12    | 2                     | 0  | 0  | 2     | 46    |
| 7:15AM                                | 17                        | 22    | 0  | 39    | 16                        | 2     | 0  | 18    | 4                     | 0  | 0  | 4     | 61    |
| 7:30AM                                | 6                         | 22    | 0  | 28    | 13                        | 0     | 0  | 13    | 8                     | 0  | 0  | 8     | 49    |
| 7:45AM                                | 1                         | 13    | 0  | 14    | 6                         | 2     | 0  | 8     | 2                     | 0  | 0  | 2     | 24    |
| <b>Total</b>                          | 33                        | 80    | 0  | 113   | 47                        | 4     | 0  | 51    | 16                    | 0  | 0  | 16    | 180   |
| <b>% Approach</b>                     | 29.2%                     | 70.8% | 0% | -     | 92.2%                     | 7.8%  | 0% | -     | 100%                  | 0% | 0% | -     | -     |
| <b>% Total</b>                        | 18.3%                     | 44.4% | 0% | 62.8% | 26.1%                     | 2.2%  | 0% | 28.3% | 8.9%                  | 0% | 0% | 8.9%  | -     |
| <b>PHF</b>                            | 0.485                     | 0.870 | -  | 0.724 | 0.734                     | 0.500 | -  | 0.708 | 0.500                 | -  | -  | 0.500 | 0.738 |
| <b>Lights</b>                         | 31                        | 78    | 0  | 109   | 45                        | 4     | 0  | 49    | 14                    | 0  | 0  | 14    | 172   |
| <b>% Lights</b>                       | 93.9%                     | 97.5% | 0% | 96.5% | 95.7%                     | 100%  | 0% | 96.1% | 87.5%                 | 0% | 0% | 87.5% | 95.6% |
| <b>Articulated Trucks</b>             | 0                         | 0     | 0  | 0     | 0                         | 0     | 0  | 0     | 1                     | 0  | 0  | 1     | 1     |
| <b>% Articulated Trucks</b>           | 0%                        | 0%    | 0% | 0%    | 0%                        | 0%    | 0% | 0%    | 6.3%                  | 0% | 0% | 6.3%  | 0.6%  |
| <b>Buses and Single-Unit Trucks</b>   | 2                         | 2     | 0  | 4     | 2                         | 0     | 0  | 2     | 1                     | 0  | 0  | 1     | 7     |
| <b>% Buses and Single-Unit Trucks</b> | 6.1%                      | 2.5%  | 0% | 3.5%  | 4.3%                      | 0%    | 0% | 3.9%  | 6.3%                  | 0% | 0% | 6.3%  | 3.9%  |

\*L: Left, R: Right, T: Thru, U: U-Turn

Klaus Ln at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
AM Peak (7 AM - 8 AM) - Overall Peak Hour  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827583, Location: 30.352776, -97.422696



# Klaus Ln at Western Sky Blvd - TMC

Thu Apr 22, 2021

PM Peak (5 PM - 6 PM)

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 827583, Location: 30.352776, -97.422696



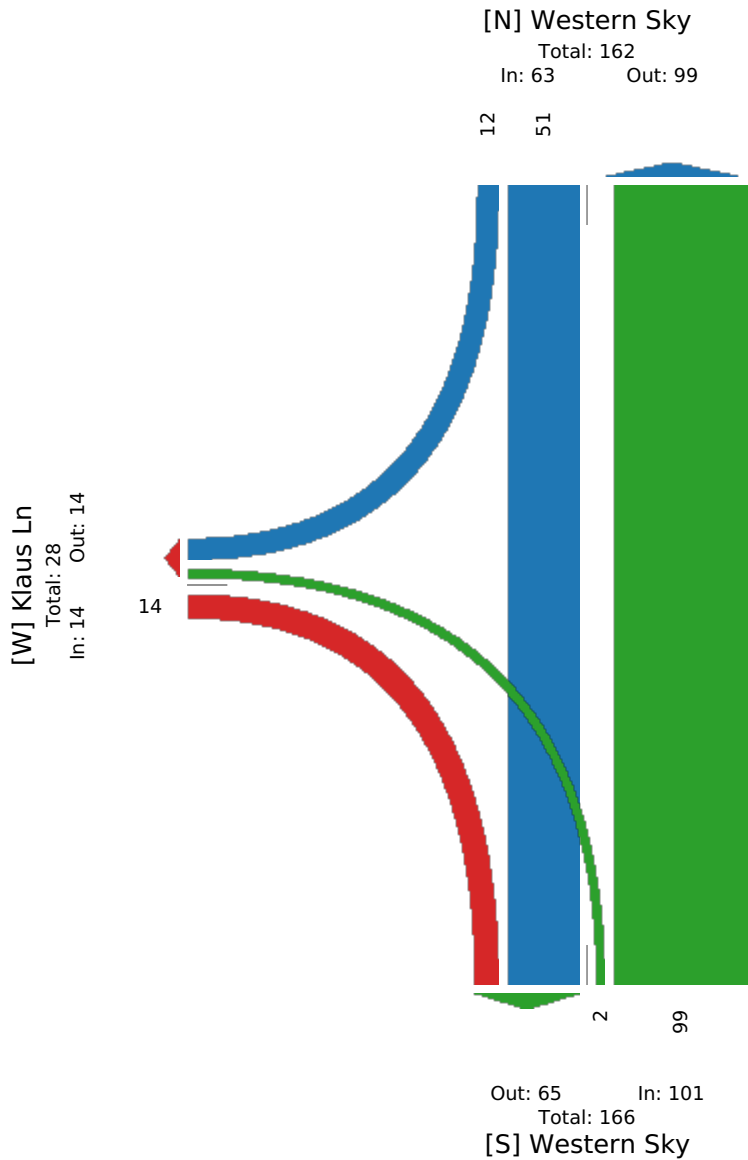
Provided by: C. J. Hensch & Associates Inc.  
5215 Sycamore Ave., Pasadena, TX, 77503, US

| Leg<br>Direction                      | Western Sky<br>Southbound |       |    |       | Western Sky<br>Northbound |       |    |       | Klaus Ln<br>Eastbound |    |    |       |       |
|---------------------------------------|---------------------------|-------|----|-------|---------------------------|-------|----|-------|-----------------------|----|----|-------|-------|
| Time                                  | R                         | T     | U  | App   | T                         | L     | U  | App   | R                     | L  | U  | App   | Int   |
| 2021-04-22 5:00PM                     | 2                         | 10    | 0  | 12    | 22                        | 0     | 0  | 22    | 2                     | 0  | 0  | 2     | 36    |
| 5:15PM                                | 2                         | 8     | 0  | 10    | 27                        | 0     | 0  | 27    | 4                     | 0  | 0  | 4     | 41    |
| 5:30PM                                | 5                         | 20    | 0  | 25    | 27                        | 1     | 0  | 28    | 6                     | 0  | 0  | 6     | 59    |
| 5:45PM                                | 3                         | 13    | 0  | 16    | 23                        | 1     | 0  | 24    | 2                     | 0  | 0  | 2     | 42    |
| <b>Total</b>                          | 12                        | 51    | 0  | 63    | 99                        | 2     | 0  | 101   | 14                    | 0  | 0  | 14    | 178   |
| <b>% Approach</b>                     | 19.0%                     | 81.0% | 0% | -     | 98.0%                     | 2.0%  | 0% | -     | 100%                  | 0% | 0% | -     | -     |
| <b>% Total</b>                        | 6.7%                      | 28.7% | 0% | 35.4% | 55.6%                     | 1.1%  | 0% | 56.7% | 7.9%                  | 0% | 0% | 7.9%  | -     |
| <b>PHF</b>                            | 0.600                     | 0.638 | -  | 0.630 | 0.917                     | 0.500 | -  | 0.902 | 0.583                 | -  | -  | 0.583 | 0.754 |
| <b>Lights</b>                         | 12                        | 51    | 0  | 63    | 98                        | 2     | 0  | 100   | 14                    | 0  | 0  | 14    | 177   |
| <b>% Lights</b>                       | 100%                      | 100%  | 0% | 100%  | 99.0%                     | 100%  | 0% | 99.0% | 100%                  | 0% | 0% | 100%  | 99.4% |
| <b>Articulated Trucks</b>             | 0                         | 0     | 0  | 0     | 0                         | 0     | 0  | 0     | 0                     | 0  | 0  | 0     | 0     |
| <b>% Articulated Trucks</b>           | 0%                        | 0%    | 0% | 0%    | 0%                        | 0%    | 0% | 0%    | 0%                    | 0% | 0% | 0%    | 0%    |
| <b>Buses and Single-Unit Trucks</b>   | 0                         | 0     | 0  | 0     | 1                         | 0     | 0  | 1     | 0                     | 0  | 0  | 0     | 1     |
| <b>% Buses and Single-Unit Trucks</b> | 0%                        | 0%    | 0% | 0%    | 1.0%                      | 0%    | 0% | 1.0%  | 0%                    | 0% | 0% | 0%    | 0.6%  |

\*L: Left, R: Right, T: Thru, U: U-Turn



Klaus Ln at Western Sky Blvd - TMC  
Thu Apr 22, 2021  
PM Peak (5 PM - 6 PM)  
All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)  
All Movements  
ID: 827583, Location: 30.352776, -97.422696



## APPENDIX C – SYNCHRO OUTPUT REPORTS

HCM 2010 TWSC  
3: US 290 & Western Sky Blvd

06/15/2021

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 6                                                                                 |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 20                                                                                | 807                                                                               | 3                                                                                 | 1290                                                                              | 27   | 38                                                                                | 67   |
| Future Vol, veh/h        | 20                                                                                | 807                                                                               | 3                                                                                 | 1290                                                                              | 27   | 38                                                                                | 67   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 22                                                                                | 877                                                                               | 3                                                                                 | 1402                                                                              | 29   | 41                                                                                | 73   |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 1431   | 0      | 877    |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.14   | -      | 6.44   |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.22   | -      | 2.52   |
| Pot Cap-1 Maneuver   | 471    | -      | 398    |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 471    | -      | 398    |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | EB  | WB | SB    |
|----------------------|-----|----|-------|
| HCM Control Delay, s | 0.3 | 0  | 127.2 |
| HCM LOS              |     |    | F     |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1 |
|-----------------------|-------|-----|-------|-----|-----|-------|
| Capacity (veh/h)      | 471   | -   | 398   | -   | -   | 124   |
| HCM Lane V/C Ratio    | 0.046 | -   | 0.008 | -   | -   | 0.92  |
| HCM Control Delay (s) | 13    | -   | 14.1  | -   | -   | 127.2 |
| HCM Lane LOS          | B     | -   | B     | -   | -   | F     |
| HCM 95th %tile Q(veh) | 0.1   | -   | 0     | -   | -   | 6     |

Intersection

Int Delay, s/veh 0.9

| Movement                 | EBL  | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
|--------------------------|------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Lane Configurations      |      |  |      |  |  |      |
| Traffic Vol, veh/h       | 0    | 16                                                                                | 0    | 47                                                                                | 80                                                                                | 33   |
| Future Vol, veh/h        | 0    | 16                                                                                | 0    | 47                                                                                | 80                                                                                | 33   |
| Conflicting Peds, #/hr   | 0    | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -    | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -    | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92   | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2    | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0    | 17                                                                                | 0    | 51                                                                                | 87                                                                                | 36   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 185   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 857   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 800   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB  | NB | SB |
|----------------------|-----|----|----|
| HCM Control Delay, s | 9.6 | 0  | 0  |
| HCM LOS              | A   |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 800     | - - | - - |
| HCM Lane V/C Ratio    | - 0.022   | - - | - - |
| HCM Control Delay (s) | - 9.6     | - - | - - |
| HCM Lane LOS          | - A       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |        |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 0                                                                                 |                                                                                   |                                                                                   |        |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR    | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |        |      |  |
| Traffic Vol, veh/h       | 0                                                                                 | 47                                                                                | 113                                                                               | 0      | 0    | 0                                                                                 |
| Future Vol, veh/h        | 0                                                                                 | 47                                                                                | 113                                                                               | 0      | 0    | 0                                                                                 |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0      | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free   | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None   | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -      | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -      | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -      | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92     | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2      | 2    | 2                                                                                 |
| Mvmt Flow                | 0                                                                                 | 51                                                                                | 123                                                                               | 0      | 0    | 0                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |        |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            |                                                                                   | Minor2 |      |                                                                                   |
| Conflicting Flow All     | 123                                                                               | 0                                                                                 | -                                                                                 | 0      | -    | 123                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -      | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -      | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1464                                                                              | -                                                                                 | -                                                                                 | 0      | 0    | 928                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0      | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0      | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |        |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1464                                                                              | -                                                                                 | -                                                                                 | -      | -    | 928                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -      | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |        |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |        |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                |                                                                                   | SE     |      |                                                                                   |
| HCM Control Delay, s     | 0                                                                                 | 0                                                                                 |                                                                                   | 0      |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |        |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |        |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |        |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT    |      |                                                                                   |
| Capacity (veh/h)         | 1464                                                                              | -                                                                                 | -                                                                                 | -      |      |                                                                                   |
| HCM Lane V/C Ratio       | -                                                                                 | -                                                                                 | -                                                                                 | -      |      |                                                                                   |
| HCM Control Delay (s)    | 0                                                                                 | -                                                                                 | 0                                                                                 | -      |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -      |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0                                                                                 | -                                                                                 | -                                                                                 | -      |      |                                                                                   |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 5.9                                                                               |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 38                                                                                | 1641                                                                              | 16                                                                                | 1117                                                                              | 45   | 27                                                                                | 23   |
| Future Vol, veh/h        | 38                                                                                | 1641                                                                              | 16                                                                                | 1117                                                                              | 45   | 27                                                                                | 23   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 41                                                                                | 1784                                                                              | 17                                                                                | 1214                                                                              | 49   | 29                                                                                | 25   |

| Major/Minor          | Major1 | Major2 | Minor2        |
|----------------------|--------|--------|---------------|
| Conflicting Flow All | 1263   | 0 1784 | - 0 2247 632  |
| Stage 1              | -      | - -    | - - 1273 -    |
| Stage 2              | -      | - -    | - - 974 -     |
| Critical Hdwy        | 4.14   | - 6.44 | - - 6.84 6.94 |
| Critical Hdwy Stg 1  | -      | - -    | - - 5.84 -    |
| Critical Hdwy Stg 2  | -      | - -    | - - 5.84 -    |
| Follow-up Hdwy       | 2.22   | - 2.52 | - - 3.52 3.32 |
| Pot Cap-1 Maneuver   | 546    | - 103  | - - 35 423    |
| Stage 1              | -      | - -    | - - 227 -     |
| Stage 2              | -      | - -    | - - 327 -     |
| Platoon blocked, %   |        | - -    | - -           |
| Mov Cap-1 Maneuver   | 546    | - 103  | - - ~ 27 423  |
| Mov Cap-2 Maneuver   | -      | - -    | - - ~ 27 -    |
| Stage 1              | -      | - -    | - - 210 -     |
| Stage 2              | -      | - -    | - - 273 -     |

| Approach             | EB  | WB  | SB       |
|----------------------|-----|-----|----------|
| HCM Control Delay, s | 0.3 | 0.6 | \$ 319.5 |
| HCM LOS              |     |     | F        |

| Minor Lane/Major Mvmt | EBL   | EBT     | WBU | WBT | WBR | SBLn1    |
|-----------------------|-------|---------|-----|-----|-----|----------|
| Capacity (veh/h)      | 546   | - 103   | - - | - - | - - | 47       |
| HCM Lane V/C Ratio    | 0.076 | - 0.169 | - - | - - | - - | 1.156    |
| HCM Control Delay (s) | 12.1  | - 46.9  | - - | - - | - - | \$ 319.5 |
| HCM Lane LOS          | B     | - E     | - - | - - | - - | F        |
| HCM 95th %tile Q(veh) | 0.2   | - 0.6   | - - | - - | - - | 5        |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

Intersection

Int Delay, s/veh 0.8

| Movement                 | EBL  | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
|--------------------------|------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Lane Configurations      |      |  |      |  |  |      |
| Traffic Vol, veh/h       | 0    | 14                                                                                | 0    | 83                                                                                | 51                                                                                | 12   |
| Future Vol, veh/h        | 0    | 14                                                                                | 0    | 83                                                                                | 51                                                                                | 12   |
| Conflicting Peds, #/hr   | 0    | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -    | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -    | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92   | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2    | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0    | 15                                                                                | 0    | 90                                                                                | 55                                                                                | 13   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 142   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 906   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 846   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB  | NB | SB |
|----------------------|-----|----|----|
| HCM Control Delay, s | 9.3 | 0  | 0  |
| HCM LOS              | A   |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 846     | - - | - - |
| HCM Lane V/C Ratio    | - 0.018   | - - | - - |
| HCM Control Delay (s) | - 9.3     | - - | - - |
| HCM Lane LOS          | - A       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |



Intersection

Int Delay, s/veh 0

Movement NBL NBT SBT SBR SEL SER

Lane Configurations      

Traffic Vol, veh/h 0 83 63 0 0 0

Future Vol, veh/h 0 83 63 0 0 0

Conflicting Peds, #/hr 0 0 0 0 0 0

Sign Control Free Free Free Free Stop Stop

RT Channelized - None - None - None

Storage Length 70 - - - - 0

Veh in Median Storage, # - 0 0 - 0 -

Grade, % - 0 0 - 0 -

Peak Hour Factor 92 92 92 92 92 92

Heavy Vehicles, % 2 2 2 2 2 2

Mvmt Flow 0 90 68 0 0 0

Major/Minor Major1 Major2 Minor2

Conflicting Flow All 68 0 - 0 - 68

Stage 1 - - - - - -

Stage 2 - - - - - -

Critical Hdwy 4.12 - - - - 6.22

Critical Hdwy Stg 1 - - - - - -

Critical Hdwy Stg 2 - - - - - -

Follow-up Hdwy 2.218 - - - - 3.318

Pot Cap-1 Maneuver 1533 - - 0 0 995

Stage 1 - - - 0 0 -

Stage 2 - - - 0 0 -

Platoon blocked, % - -

Mov Cap-1 Maneuver 1533 - - - - 995

Mov Cap-2 Maneuver - - - - -

Stage 1 - - - - -

Stage 2 - - - - -

Approach NB SB SE

HCM Control Delay, s 0 0 0

HCM LOS A

Minor Lane/Major Mvmt NBL NBT SELn1 SBT

Capacity (veh/h) 1533 - - -

HCM Lane V/C Ratio - - -

HCM Control Delay (s) 0 - 0 -

HCM Lane LOS A - A -

HCM 95th %tile Q(veh) 0 - - -

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 8.2                                                                               |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 21                                                                                | 832                                                                               | 4                                                                                 | 1329                                                                              | 28   | 40                                                                                | 70   |
| Future Vol, veh/h        | 21                                                                                | 832                                                                               | 4                                                                                 | 1329                                                                              | 28   | 40                                                                                | 70   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 23                                                                                | 904                                                                               | 4                                                                                 | 1445                                                                              | 30   | 43                                                                                | 76   |
| Major/Minor              | Major1                                                                            | Major2                                                                            |                                                                                   | Minor2                                                                            |      |                                                                                   |      |
| Conflicting Flow All     | 1475                                                                              | 0                                                                                 | 904                                                                               | -                                                                                 | 0    | 1966                                                                              | 738  |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 1468                                                                              | -    |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 498                                                                               | -    |
| Critical Hdwy            | 4.14                                                                              | -                                                                                 | 6.44                                                                              | -                                                                                 | -    | 6.84                                                                              | 6.94 |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 5.84                                                                              | -    |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 5.84                                                                              | -    |
| Follow-up Hdwy           | 2.22                                                                              | -                                                                                 | 2.52                                                                              | -                                                                                 | -    | 3.52                                                                              | 3.32 |
| Pot Cap-1 Maneuver       | 453                                                                               | -                                                                                 | 383                                                                               | -                                                                                 | -    | 55                                                                                | 360  |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 178                                                                               | -    |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 576                                                                               | -    |
| Platoon blocked, %       |                                                                                   | -                                                                                 |                                                                                   | -                                                                                 | -    |                                                                                   |      |
| Mov Cap-1 Maneuver       | 453                                                                               | -                                                                                 | 383                                                                               | -                                                                                 | -    | 52                                                                                | 360  |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 52                                                                                | -    |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 169                                                                               | -    |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -    | 570                                                                               | -    |
| Approach                 | EB                                                                                | WB                                                                                |                                                                                   | SB                                                                                |      |                                                                                   |      |
| HCM Control Delay, s     | 0.3                                                                               | 0                                                                                 |                                                                                   | 170.1                                                                             |      |                                                                                   |      |
| HCM LOS                  |                                                                                   |                                                                                   |                                                                                   | F                                                                                 |      |                                                                                   |      |
| Minor Lane/Major Mvmt    | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBLn1                                                                             |      |
| Capacity (veh/h)         | 453                                                                               | -                                                                                 | 383                                                                               | -                                                                                 | -    | 114                                                                               |      |
| HCM Lane V/C Ratio       | 0.05                                                                              | -                                                                                 | 0.011                                                                             | -                                                                                 | -    | 1.049                                                                             |      |
| HCM Control Delay (s)    | 13.4                                                                              | -                                                                                 | 14.5                                                                              | -                                                                                 | -    | 170.1                                                                             |      |
| HCM Lane LOS             | B                                                                                 | -                                                                                 | B                                                                                 | -                                                                                 | -    | F                                                                                 |      |
| HCM 95th %tile Q(veh)    | 0.2                                                                               | -                                                                                 | 0                                                                                 | -                                                                                 | -    | 7.1                                                                               |      |

Intersection

Int Delay, s/veh 0.9

| Movement                 | EBL  | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
|--------------------------|------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Lane Configurations      |      |  |      |  |  |      |
| Traffic Vol, veh/h       | 0    | 17                                                                                | 0    | 49                                                                                | 83                                                                                | 34   |
| Future Vol, veh/h        | 0    | 17                                                                                | 0    | 49                                                                                | 83                                                                                | 34   |
| Conflicting Peds, #/hr   | 0    | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -    | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -    | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92   | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2    | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0    | 18                                                                                | 0    | 53                                                                                | 90                                                                                | 37   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 189   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 853   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 796   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB  | NB | SB |
|----------------------|-----|----|----|
| HCM Control Delay, s | 9.6 | 0  | 0  |
| HCM LOS              | A   |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 796     | - - | - - |
| HCM Lane V/C Ratio    | - 0.023   | - - | - - |
| HCM Control Delay (s) | - 9.6     | - - | - - |
| HCM Lane LOS          | - A       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 0                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 0                                                                                 | 49                                                                                | 117                                                                               | 0    | 0    | 0                                                                                 |
| Future Vol, veh/h        | 0                                                                                 | 49                                                                                | 117                                                                               | 0    | 0    | 0                                                                                 |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 0                                                                                 | 53                                                                                | 127                                                                               | 0    | 0    | 0                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 127                                                                               | 0                                                                                 | -                                                                                 | 0    | -    | 127                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1459                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 923                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1459                                                                              | -                                                                                 | -                                                                                 | -    | -    | 923                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                | SE                                                                                |      |      |                                                                                   |
| HCM Control Delay, s     | 0                                                                                 | 0                                                                                 | 0                                                                                 |      |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1459                                                                              | -                                                                                 | -                                                                                 | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | -                                                                                 | -                                                                                 | -                                                                                 | -    |      |                                                                                   |
| HCM Control Delay (s)    | 0                                                                                 | -                                                                                 | 0                                                                                 | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0                                                                                 | -                                                                                 | -                                                                                 | -    |      |                                                                                   |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 7.6                                                                               |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 40                                                                                | 1691                                                                              | 17                                                                                | 1151                                                                              | 47   | 28                                                                                | 24   |
| Future Vol, veh/h        | 40                                                                                | 1691                                                                              | 17                                                                                | 1151                                                                              | 47   | 28                                                                                | 24   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 43                                                                                | 1838                                                                              | 18                                                                                | 1251                                                                              | 51   | 30                                                                                | 26   |

| Major/Minor          | Major1 | Major2 | Minor2        |
|----------------------|--------|--------|---------------|
| Conflicting Flow All | 1302   | 0 1838 | - 0 2318 651  |
| Stage 1              | -      | - -    | - - 1313 -    |
| Stage 2              | -      | - -    | - - 1005 -    |
| Critical Hdwy        | 4.14   | - 6.44 | - - 6.84 6.94 |
| Critical Hdwy Stg 1  | -      | - -    | - - 5.84 -    |
| Critical Hdwy Stg 2  | -      | - -    | - - 5.84 -    |
| Follow-up Hdwy       | 2.22   | - 2.52 | - - 3.52 3.32 |
| Pot Cap-1 Maneuver   | 528    | - 95   | - - 32 411    |
| Stage 1              | -      | - -    | - - 216 -     |
| Stage 2              | -      | - -    | - - 315 -     |
| Platoon blocked, %   |        | - -    | - -           |
| Mov Cap-1 Maneuver   | 528    | - 95   | - - ~ 24 411  |
| Mov Cap-2 Maneuver   | -      | - -    | - - ~ 24 -    |
| Stage 1              | -      | - -    | - - 199 -     |
| Stage 2              | -      | - -    | - - 255 -     |

| Approach             | EB  | WB  | SB       |
|----------------------|-----|-----|----------|
| HCM Control Delay, s | 0.3 | 0.7 | \$ 409.3 |
| HCM LOS              |     |     | F        |

| Minor Lane/Major Mvmt | EBL   | EBT     | WBU | WBT | WBR | SBLn1    |
|-----------------------|-------|---------|-----|-----|-----|----------|
| Capacity (veh/h)      | 528   | - 95    | - - | - - | - - | 42       |
| HCM Lane V/C Ratio    | 0.082 | - 0.195 | - - | - - | - - | 1.346    |
| HCM Control Delay (s) | 12.4  | - 51.8  | - - | - - | - - | \$ 409.3 |
| HCM Lane LOS          | B     | - F     | - - | - - | - - | F        |
| HCM 95th %tile Q(veh) | 0.3   | - 0.7   | - - | - - | - - | 5.6      |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

Intersection

Int Delay, s/veh 0.8

| Movement                 | EBL  | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
|--------------------------|------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Lane Configurations      |      |  |      |  |  |      |
| Traffic Vol, veh/h       | 0    | 15                                                                                | 0    | 86                                                                                | 53                                                                                | 13   |
| Future Vol, veh/h        | 0    | 15                                                                                | 0    | 86                                                                                | 53                                                                                | 13   |
| Conflicting Peds, #/hr   | 0    | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -    | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -    | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92   | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2    | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0    | 16                                                                                | 0    | 93                                                                                | 58                                                                                | 14   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 145   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 902   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 842   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB  | NB | SB |
|----------------------|-----|----|----|
| HCM Control Delay, s | 9.4 | 0  | 0  |
| HCM LOS              | A   |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 842     | - - | - - |
| HCM Lane V/C Ratio    | - 0.019   | - - | - - |
| HCM Control Delay (s) | - 9.4     | - - | - - |
| HCM Lane LOS          | - A       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |

HCM 2010 TWSC  
3: Access #1 & Western Sky Blvd

06/15/2021

Intersection

Int Delay, s/veh 0

| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 0                                                                                 | 86                                                                                | 66                                                                                | 0    | 0    | 0                                                                                 |
| Future Vol, veh/h        | 0                                                                                 | 86                                                                                | 66                                                                                | 0    | 0    | 0                                                                                 |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 0                                                                                 | 93                                                                                | 72                                                                                | 0    | 0    | 0                                                                                 |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 72     | 0      | 0      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.12   | -      | 6.22   |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.218  | -      | 3.318  |
| Pot Cap-1 Maneuver   | 1528   | 0      | 990    |
| Stage 1              | -      | 0      | -      |
| Stage 2              | -      | 0      | -      |
| Platoon blocked, %   | -      | -      |        |
| Mov Cap-1 Maneuver   | 1528   | -      | 990    |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | NB | SB | SE |
|----------------------|----|----|----|
| HCM Control Delay, s | 0  | 0  | 0  |
| HCM LOS              |    |    | A  |

| Minor Lane/Major Mvmt | NBL  | NBT SELn1 | SBT |
|-----------------------|------|-----------|-----|
| Capacity (veh/h)      | 1528 | -         | -   |
| HCM Lane V/C Ratio    | -    | -         | -   |
| HCM Control Delay (s) | 0    | 0         | -   |
| HCM Lane LOS          | A    | A         | -   |
| HCM 95th %tile Q(veh) | 0    | -         | -   |



| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 10.4                                                                              |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR    | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |        |  |      |
| Traffic Vol, veh/h       | 22                                                                                | 857                                                                               | 4                                                                                 | 1369                                                                              | 29     | 41                                                                                | 72   |
| Future Vol, veh/h        | 22                                                                                | 857                                                                               | 4                                                                                 | 1369                                                                              | 29     | 41                                                                                | 72   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0      | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free   | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None   | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -      | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -      | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -      | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92     | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2      | 2                                                                                 | 2    |
| Mvmt Flow                | 24                                                                                | 932                                                                               | 4                                                                                 | 1488                                                                              | 32     | 45                                                                                | 78   |
|                          |                                                                                   |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
| Major/Minor              | Major1                                                                            |                                                                                   | Major2                                                                            |                                                                                   | Minor2 |                                                                                   |      |
| Conflicting Flow All     | 1520                                                                              | 0                                                                                 | 932                                                                               | -                                                                                 | 0      | 2026                                                                              | 760  |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 1512                                                                              | -    |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 514                                                                               | -    |
| Critical Hdwy            | 4.14                                                                              | -                                                                                 | 6.44                                                                              | -                                                                                 | -      | 6.84                                                                              | 6.94 |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 5.84                                                                              | -    |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 5.84                                                                              | -    |
| Follow-up Hdwy           | 2.22                                                                              | -                                                                                 | 2.52                                                                              | -                                                                                 | -      | 3.52                                                                              | 3.32 |
| Pot Cap-1 Maneuver       | 435                                                                               | -                                                                                 | 367                                                                               | -                                                                                 | -      | 50                                                                                | 349  |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 169                                                                               | -    |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 565                                                                               | -    |
| Platoon blocked, %       |                                                                                   | -                                                                                 |                                                                                   | -                                                                                 | -      |                                                                                   |      |
| Mov Cap-1 Maneuver       | 435                                                                               | -                                                                                 | 367                                                                               | -                                                                                 | -      | 47                                                                                | 349  |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 47                                                                                | -    |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 160                                                                               | -    |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -      | 559                                                                               | -    |
|                          |                                                                                   |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
|                          |                                                                                   |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
| Approach                 | EB                                                                                |                                                                                   | WB                                                                                |                                                                                   | SB     |                                                                                   |      |
| HCM Control Delay, s     | 0.3                                                                               |                                                                                   | 0                                                                                 |                                                                                   | 217.2  |                                                                                   |      |
| HCM LOS                  | F                                                                                 |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
|                          |                                                                                   |                                                                                   |                                                                                   |                                                                                   |        |                                                                                   |      |
| Minor Lane/Major Mvmt    | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR    | SBLn1                                                                             |      |
| Capacity (veh/h)         | 435                                                                               | -                                                                                 | 367                                                                               | -                                                                                 | -      | 105                                                                               |      |
| HCM Lane V/C Ratio       | 0.055                                                                             | -                                                                                 | 0.012                                                                             | -                                                                                 | -      | 1.17                                                                              |      |
| HCM Control Delay (s)    | 13.8                                                                              | -                                                                                 | 14.9                                                                              | -                                                                                 | -      | 217.2                                                                             |      |
| HCM Lane LOS             | B                                                                                 | -                                                                                 | B                                                                                 | -                                                                                 | -      | F                                                                                 |      |
| HCM 95th %tile Q(veh)    | 0.2                                                                               | -                                                                                 | 0                                                                                 | -                                                                                 | -      | 8                                                                                 |      |

| Intersection             |           |        |      |        |      |      |
|--------------------------|-----------|--------|------|--------|------|------|
| Int Delay, s/veh         | 0.9       |        |      |        |      |      |
| Movement                 | EBL       | EBR    | NBL  | NBT    | SBT  | SBR  |
| Lane Configurations      |           | ↗      |      | ↑      | ↘    |      |
| Traffic Vol, veh/h       | 0         | 17     | 0    | 50     | 85   | 36   |
| Future Vol, veh/h        | 0         | 17     | 0    | 50     | 85   | 36   |
| Conflicting Peds, #/hr   | 0         | 0      | 0    | 0      | 0    | 80   |
| Sign Control             | Stop      | Stop   | Free | Free   | Free | Free |
| RT Channelized           | -         | None   | -    | None   | -    | None |
| Storage Length           | -         | 0      | -    | -      | -    | -    |
| Veh in Median Storage, # | 0         | -      | -    | 0      | 0    | -    |
| Grade, %                 | 0         | -      | -    | 0      | 0    | -    |
| Peak Hour Factor         | 92        | 92     | 92   | 92     | 92   | 92   |
| Heavy Vehicles, %        | 2         | 2      | 2    | 2      | 2    | 2    |
| Mvmt Flow                | 0         | 18     | 0    | 54     | 92   | 39   |
| Major/Minor              | Minor2    | Major1 |      | Major2 |      |      |
| Conflicting Flow All     | -         | 192    | -    | 0      | -    | 0    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Critical Hdwy            | -         | 6.22   | -    | -      | -    | -    |
| Critical Hdwy Stg 1      | -         | -      | -    | -      | -    | -    |
| Critical Hdwy Stg 2      | -         | -      | -    | -      | -    | -    |
| Follow-up Hdwy           | -         | 3.318  | -    | -      | -    | -    |
| Pot Cap-1 Maneuver       | 0         | 850    | 0    | -      | -    | -    |
| Stage 1                  | 0         | -      | 0    | -      | -    | -    |
| Stage 2                  | 0         | -      | 0    | -      | -    | -    |
| Platoon blocked, %       |           |        |      | -      | -    | -    |
| Mov Cap-1 Maneuver       | -         | 793    | -    | -      | -    | -    |
| Mov Cap-2 Maneuver       | -         | -      | -    | -      | -    | -    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Approach                 | EB        | NB     |      | SB     |      |      |
| HCM Control Delay, s     | 9.6       | 0      |      | 0      |      |      |
| HCM LOS                  | A         |        |      |        |      |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |        | SBT  | SBR    |      |      |
| Capacity (veh/h)         | - 793     |        | -    | -      |      |      |
| HCM Lane V/C Ratio       | - 0.023   |        | -    | -      |      |      |
| HCM Control Delay (s)    | - 9.6     |        | -    | -      |      |      |
| HCM Lane LOS             | - A       |        | -    | -      |      |      |
| HCM 95th %tile Q(veh)    | - 0.1     |        | -    | -      |      |      |

HCM 2010 TWSC  
3: Access #1 & Western Sky Blvd

06/15/2021

| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 0                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 0                                                                                 | 50                                                                                | 121                                                                               | 0    | 0    | 0                                                                                 |
| Future Vol, veh/h        | 0                                                                                 | 50                                                                                | 121                                                                               | 0    | 0    | 0                                                                                 |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 0                                                                                 | 54                                                                                | 132                                                                               | 0    | 0    | 0                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 132                                                                               | 0                                                                                 | -                                                                                 | 0    | -    | 132                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1453                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 917                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1453                                                                              | -                                                                                 | -                                                                                 | -    | -    | 917                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                |                                                                                   | SE   |      |                                                                                   |
| HCM Control Delay, s     | 0                                                                                 | 0                                                                                 |                                                                                   | 0    |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1453                                                                              | -                                                                                 | -                                                                                 | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | -                                                                                 | -                                                                                 | -                                                                                 | -    |      |                                                                                   |
| HCM Control Delay (s)    | 0                                                                                 | -                                                                                 | 0                                                                                 | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0                                                                                 | -                                                                                 | -                                                                                 | -    |      |                                                                                   |

| Intersection               |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
|----------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------|--------------------------------|
| Int Delay, s/veh           | 10.2                                                                              |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
| Movement                   | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                        | SBL                                                                               | SBR                            |
| Lane Configurations        |  |  |  |  |                            |  |                                |
| Traffic Vol, veh/h         | 41                                                                                | 1741                                                                              | 17                                                                                | 1186                                                                              | 48                         | 29                                                                                | 25                             |
| Future Vol, veh/h          | 41                                                                                | 1741                                                                              | 17                                                                                | 1186                                                                              | 48                         | 29                                                                                | 25                             |
| Conflicting Peds, #/hr     | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                          | 0                                                                                 | 0                              |
| Sign Control               | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free                       | Stop                                                                              | Stop                           |
| RT Channelized             | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None                       | -                                                                                 | None                           |
| Storage Length             | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -                          | 0                                                                                 | -                              |
| Veh in Median Storage, #   | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                          | 0                                                                                 | -                              |
| Grade, %                   | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                          | 0                                                                                 | -                              |
| Peak Hour Factor           | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                         | 92                                                                                | 92                             |
| Heavy Vehicles, %          | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                          | 2                                                                                 | 2                              |
| Mvmt Flow                  | 45                                                                                | 1892                                                                              | 18                                                                                | 1289                                                                              | 52                         | 32                                                                                | 27                             |
|                            |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
| Major/Minor                | Major1                                                                            |                                                                                   | Major2                                                                            |                                                                                   | Minor2                     |                                                                                   |                                |
| Conflicting Flow All       | 1341                                                                              | 0                                                                                 | 1892                                                                              | -                                                                                 | 0                          | 2387                                                                              | 671                            |
| Stage 1                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 1351                                                                              | -                              |
| Stage 2                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 1036                                                                              | -                              |
| Critical Hdwy              | 4.14                                                                              | -                                                                                 | 6.44                                                                              | -                                                                                 | -                          | 6.84                                                                              | 6.94                           |
| Critical Hdwy Stg 1        | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 5.84                                                                              | -                              |
| Critical Hdwy Stg 2        | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 5.84                                                                              | -                              |
| Follow-up Hdwy             | 2.22                                                                              | -                                                                                 | 2.52                                                                              | -                                                                                 | -                          | 3.52                                                                              | 3.32                           |
| Pot Cap-1 Maneuver         | 510                                                                               | -                                                                                 | 87                                                                                | -                                                                                 | -                          | ~ 28                                                                              | 399                            |
| Stage 1                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 206                                                                               | -                              |
| Stage 2                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 303                                                                               | -                              |
| Platoon blocked, %         |                                                                                   | -                                                                                 |                                                                                   | -                                                                                 | -                          |                                                                                   |                                |
| Mov Cap-1 Maneuver         | 510                                                                               | -                                                                                 | 87                                                                                | -                                                                                 | -                          | ~ 20                                                                              | 399                            |
| Mov Cap-2 Maneuver         | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | ~ 20                                                                              | -                              |
| Stage 1                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 188                                                                               | -                              |
| Stage 2                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                          | 240                                                                               | -                              |
|                            |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
| Approach                   | EB                                                                                |                                                                                   | WB                                                                                |                                                                                   | SB                         |                                                                                   |                                |
| HCM Control Delay, s       | 0.3                                                                               |                                                                                   | 0.8                                                                               |                                                                                   | \$ 552.6                   |                                                                                   |                                |
| HCM LOS                    | F                                                                                 |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
|                            |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
| Minor Lane/Major Mvmt      | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                        | SBLn1                                                                             |                                |
| Capacity (veh/h)           | 510                                                                               | -                                                                                 | 87                                                                                | -                                                                                 | -                          | -                                                                                 | 36                             |
| HCM Lane V/C Ratio         | 0.087                                                                             | -                                                                                 | 0.212                                                                             | -                                                                                 | -                          | -                                                                                 | 1.63                           |
| HCM Control Delay (s)      | 12.7                                                                              | -                                                                                 | 57.2                                                                              | -                                                                                 | -                          | -                                                                                 | \$ 552.6                       |
| HCM Lane LOS               | B                                                                                 | -                                                                                 | F                                                                                 | -                                                                                 | -                          | -                                                                                 | F                              |
| HCM 95th %tile Q(veh)      | 0.3                                                                               | -                                                                                 | 0.7                                                                               | -                                                                                 | -                          | -                                                                                 | 6.3                            |
| Notes                      |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                            |                                                                                   |                                |
| ~: Volume exceeds capacity |                                                                                   | \$: Delay exceeds 300s                                                            |                                                                                   |                                                                                   | +: Computation Not Defined |                                                                                   | *: All major volume in platoon |

Intersection

Int Delay, s/veh 0.8

| Movement                 | EBL  | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
|--------------------------|------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Lane Configurations      |      |  |      |  |  |      |
| Traffic Vol, veh/h       | 0    | 15                                                                                | 0    | 89                                                                                | 55                                                                                | 13   |
| Future Vol, veh/h        | 0    | 15                                                                                | 0    | 89                                                                                | 55                                                                                | 13   |
| Conflicting Peds, #/hr   | 0    | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -    | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -    | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0    | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92   | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2    | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0    | 16                                                                                | 0    | 97                                                                                | 60                                                                                | 14   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 147   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 900   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 840   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB  | NB | SB |
|----------------------|-----|----|----|
| HCM Control Delay, s | 9.4 | 0  | 0  |
| HCM LOS              | A   |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 840     | - - | - - |
| HCM Lane V/C Ratio    | - 0.019   | - - | - - |
| HCM Control Delay (s) | - 9.4     | - - | - - |
| HCM Lane LOS          | - A       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |

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Intersection

Int Delay, s/veh 0

| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 0                                                                                 | 89                                                                                | 68                                                                                | 0    | 0    | 0                                                                                 |
| Future Vol, veh/h        | 0                                                                                 | 89                                                                                | 68                                                                                | 0    | 0    | 0                                                                                 |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 0                                                                                 | 97                                                                                | 74                                                                                | 0    | 0    | 0                                                                                 |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 74     | 0      | 0      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.12   | -      | -      |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.218  | -      | -      |
| Pot Cap-1 Maneuver   | 1526   | -      | 0      |
| Stage 1              | -      | -      | 0      |
| Stage 2              | -      | -      | 0      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 1526   | -      | -      |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | NB | SB | SE |
|----------------------|----|----|----|
| HCM Control Delay, s | 0  | 0  | 0  |
| HCM LOS              |    |    | A  |

| Minor Lane/Major Mvmt | NBL  | NBT | SELn1 | SBT |
|-----------------------|------|-----|-------|-----|
| Capacity (veh/h)      | 1526 | -   | -     | -   |
| HCM Lane V/C Ratio    | -    | -   | -     | -   |
| HCM Control Delay (s) | 0    | -   | 0     | -   |
| HCM Lane LOS          | A    | -   | A     | -   |
| HCM 95th %tile Q(veh) | 0    | -   | -     | -   |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 56.1                                                                              |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 40                                                                                | 832                                                                               | 4                                                                                 | 1329                                                                              | 41   | 79                                                                                | 128  |
| Future Vol, veh/h        | 40                                                                                | 832                                                                               | 4                                                                                 | 1329                                                                              | 41   | 79                                                                                | 128  |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 43                                                                                | 904                                                                               | 4                                                                                 | 1445                                                                              | 45   | 86                                                                                | 139  |

| Major/Minor          | Major1 | Major2 | Minor2        |
|----------------------|--------|--------|---------------|
| Conflicting Flow All | 1490   | 0 904  | - 0 2014 745  |
| Stage 1              | -      | - -    | - - 1476 -    |
| Stage 2              | -      | - -    | - - 538 -     |
| Critical Hdwy        | 4.14   | - 6.44 | - - 6.84 6.94 |
| Critical Hdwy Stg 1  | -      | - -    | - - 5.84 -    |
| Critical Hdwy Stg 2  | -      | - -    | - - 5.84 -    |
| Follow-up Hdwy       | 2.22   | - 2.52 | - - 3.52 3.32 |
| Pot Cap-1 Maneuver   | 447    | - 383  | - - ~ 51 357  |
| Stage 1              | -      | - -    | - - 176 -     |
| Stage 2              | -      | - -    | - - 549 -     |
| Platoon blocked, %   | -      | - -    | - -           |
| Mov Cap-1 Maneuver   | 447    | - 383  | - - ~ 46 357  |
| Mov Cap-2 Maneuver   | -      | - -    | - - ~ 46 -    |
| Stage 1              | -      | - -    | - - 159 -     |
| Stage 2              | -      | - -    | - - 544 -     |

| Approach             | EB  | WB | SB       |
|----------------------|-----|----|----------|
| HCM Control Delay, s | 0.6 | 0  | \$ 662.2 |
| HCM LOS              |     |    | F        |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1    |
|-----------------------|-------|-----|-------|-----|-----|----------|
| Capacity (veh/h)      | 447   | -   | 383   | -   | -   | 100      |
| HCM Lane V/C Ratio    | 0.097 | -   | 0.011 | -   | -   | 2.25     |
| HCM Control Delay (s) | 13.9  | -   | 14.5  | -   | -   | \$ 662.2 |
| HCM Lane LOS          | B     | -   | B     | -   | -   | F        |
| HCM 95th %tile Q(veh) | 0.3   | -   | 0     | -   | -   | 19.9     |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |



| Intersection             |           |        |      |        |      |      |
|--------------------------|-----------|--------|------|--------|------|------|
| Int Delay, s/veh         | 0.6       |        |      |        |      |      |
| Movement                 | EBL       | EBR    | NBL  | NBT    | SBT  | SBR  |
| Lane Configurations      |           | ↗      |      | ↑      | ↘    |      |
| Traffic Vol, veh/h       | 0         | 17     | 0    | 81     | 180  | 34   |
| Future Vol, veh/h        | 0         | 17     | 0    | 81     | 180  | 34   |
| Conflicting Peds, #/hr   | 0         | 0      | 0    | 0      | 0    | 80   |
| Sign Control             | Stop      | Stop   | Free | Free   | Free | Free |
| RT Channelized           | -         | None   | -    | None   | -    | None |
| Storage Length           | -         | 0      | -    | -      | -    | -    |
| Veh in Median Storage, # | 0         | -      | -    | 0      | 0    | -    |
| Grade, %                 | 0         | -      | -    | 0      | 0    | -    |
| Peak Hour Factor         | 92        | 92     | 92   | 92     | 92   | 92   |
| Heavy Vehicles, %        | 2         | 2      | 2    | 2      | 2    | 2    |
| Mvmt Flow                | 0         | 18     | 0    | 88     | 196  | 37   |
| Major/Minor              | Minor2    | Major1 |      | Major2 |      |      |
| Conflicting Flow All     | -         | 295    | -    | 0      | -    | 0    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Critical Hdwy            | -         | 6.22   | -    | -      | -    | -    |
| Critical Hdwy Stg 1      | -         | -      | -    | -      | -    | -    |
| Critical Hdwy Stg 2      | -         | -      | -    | -      | -    | -    |
| Follow-up Hdwy           | -         | 3.318  | -    | -      | -    | -    |
| Pot Cap-1 Maneuver       | 0         | 744    | 0    | -      | -    | -    |
| Stage 1                  | 0         | -      | 0    | -      | -    | -    |
| Stage 2                  | 0         | -      | 0    | -      | -    | -    |
| Platoon blocked, %       |           |        |      | -      | -    | -    |
| Mov Cap-1 Maneuver       | -         | 694    | -    | -      | -    | -    |
| Mov Cap-2 Maneuver       | -         | -      | -    | -      | -    | -    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Approach                 | EB        | NB     |      | SB     |      |      |
| HCM Control Delay, s     | 10.3      | 0      |      | 0      |      |      |
| HCM LOS                  | B         |        |      |        |      |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |        | SBT  | SBR    |      |      |
| Capacity (veh/h)         | - 694     |        | -    | -      |      |      |
| HCM Lane V/C Ratio       | - 0.027   |        | -    | -      |      |      |
| HCM Control Delay (s)    | - 10.3    |        | -    | -      |      |      |
| HCM Lane LOS             | - B       |        | -    | -      |      |      |
| HCM 95th %tile Q(veh)    | - 0.1     |        | -    | -      |      |      |

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| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 3.9                                                                               |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 32                                                                                | 49                                                                                | 117                                                                               | 0    | 0    | 97                                                                                |
| Future Vol, veh/h        | 32                                                                                | 49                                                                                | 117                                                                               | 0    | 0    | 97                                                                                |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 35                                                                                | 53                                                                                | 127                                                                               | 0    | 0    | 105                                                                               |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 127                                                                               | 0                                                                                 | -                                                                                 | 0    | -    | 127                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1459                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 923                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1459                                                                              | -                                                                                 | -                                                                                 | -    | -    | 923                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                | SE                                                                                |      |      |                                                                                   |
| HCM Control Delay, s     | 3                                                                                 | 0                                                                                 | 9.4                                                                               |      |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1459                                                                              | -                                                                                 | 923                                                                               | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | 0.024                                                                             | -                                                                                 | 0.114                                                                             | -    |      |                                                                                   |
| HCM Control Delay (s)    | 7.5                                                                               | -                                                                                 | 9.4                                                                               | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0.1                                                                               | -                                                                                 | 0.4                                                                               | -    |      |                                                                                   |

HCM 2010 TWSC  
1: US 290 & Western Sky Blvd

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| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 60.8                                                                              |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 105                                                                               | 1691                                                                              | 17                                                                                | 1151                                                                              | 90   | 54                                                                                | 62   |
| Future Vol, veh/h        | 105                                                                               | 1691                                                                              | 17                                                                                | 1151                                                                              | 90   | 54                                                                                | 62   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 114                                                                               | 1838                                                                              | 18                                                                                | 1251                                                                              | 98   | 59                                                                                | 67   |

| Major/Minor          | Major1 | Major2 | Minor2        |
|----------------------|--------|--------|---------------|
| Conflicting Flow All | 1349   | 0 1838 | - 0 2483 675  |
| Stage 1              | -      | - -    | - - 1336 -    |
| Stage 2              | -      | - -    | - - 1147 -    |
| Critical Hdwy        | 4.14   | - 6.44 | - - 6.84 6.94 |
| Critical Hdwy Stg 1  | -      | - -    | - - 5.84 -    |
| Critical Hdwy Stg 2  | -      | - -    | - - 5.84 -    |
| Follow-up Hdwy       | 2.22   | - 2.52 | - - 3.52 3.32 |
| Pot Cap-1 Maneuver   | 506    | - 95   | - - ~ 24 396  |
| Stage 1              | -      | - -    | - - 210 -     |
| Stage 2              | -      | - -    | - - 265 -     |
| Platoon blocked, %   |        | - -    | - -           |
| Mov Cap-1 Maneuver   | 506    | - 95   | - - ~ 15 396  |
| Mov Cap-2 Maneuver   | -      | - -    | - - ~ 15 -    |
| Stage 1              | -      | - -    | - - 163 -     |
| Stage 2              | -      | - -    | - - 215 -     |

| Approach             | EB  | WB  | SB        |
|----------------------|-----|-----|-----------|
| HCM Control Delay, s | 0.8 | 0.7 | \$ 1641.2 |
| HCM LOS              |     |     | F         |

| Minor Lane/Major Mvmt | EBL   | EBT     | WBU | WBT | WBR | SBLn1     |
|-----------------------|-------|---------|-----|-----|-----|-----------|
| Capacity (veh/h)      | 506   | - 95    | - - | - - | - - | 31        |
| HCM Lane V/C Ratio    | 0.226 | - 0.195 | - - | - - | - - | 4.067     |
| HCM Control Delay (s) | 14.2  | - 51.8  | - - | - - | - - | \$ 1641.2 |
| HCM Lane LOS          | B     | - F     | - - | - - | - - | F         |
| HCM 95th %tile Q(veh) | 0.9   | - 0.7   | - - | - - | - - | 15        |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

Intersection

Int Delay, s/veh 0.4

| Movement                 | EBL  | EBR  | NBL  | NBT  | SBT  | SBR  |
|--------------------------|------|------|------|------|------|------|
| Lane Configurations      |      | ↗    |      | ↑    | ↘    |      |
| Traffic Vol, veh/h       | 0    | 15   | 0    | 194  | 117  | 13   |
| Future Vol, veh/h        | 0    | 15   | 0    | 194  | 117  | 13   |
| Conflicting Peds, #/hr   | 0    | 0    | 0    | 0    | 0    | 80   |
| Sign Control             | Stop | Stop | Free | Free | Free | Free |
| RT Channelized           | -    | None | -    | None | -    | None |
| Storage Length           | -    | 0    | -    | -    | -    | -    |
| Veh in Median Storage, # | 0    | -    | -    | 0    | 0    | -    |
| Grade, %                 | 0    | -    | -    | 0    | 0    | -    |
| Peak Hour Factor         | 92   | 92   | 92   | 92   | 92   | 92   |
| Heavy Vehicles, %        | 2    | 2    | 2    | 2    | 2    | 2    |
| Mvmt Flow                | 0    | 16   | 0    | 211  | 127  | 14   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 214   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 826   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 771   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB  | NB | SB |
|----------------------|-----|----|----|
| HCM Control Delay, s | 9.8 | 0  | 0  |
| HCM LOS              | A   |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 771     | - - | - - |
| HCM Lane V/C Ratio    | - 0.021   | - - | - - |
| HCM Control Delay (s) | - 9.8     | - - | - - |
| HCM Lane LOS          | - A       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |

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| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 4.3                                                                               |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 108                                                                               | 86                                                                                | 66                                                                                | 0    | 0    | 64                                                                                |
| Future Vol, veh/h        | 108                                                                               | 86                                                                                | 66                                                                                | 0    | 0    | 64                                                                                |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 117                                                                               | 93                                                                                | 72                                                                                | 0    | 0    | 70                                                                                |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 72                                                                                | 0                                                                                 | -                                                                                 | 0    | -    | 72                                                                                |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1528                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 990                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1528                                                                              | -                                                                                 | -                                                                                 | -    | -    | 990                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                |                                                                                   | SE   |      |                                                                                   |
| HCM Control Delay, s     | 4.2                                                                               | 0                                                                                 |                                                                                   | 8.9  |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1528                                                                              | -                                                                                 | 990                                                                               | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | 0.077                                                                             | -                                                                                 | 0.07                                                                              | -    |      |                                                                                   |
| HCM Control Delay (s)    | 7.6                                                                               | -                                                                                 | 8.9                                                                               | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0.2                                                                               | -                                                                                 | 0.2                                                                               | -    |      |                                                                                   |

HCM 2010 TWSC  
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| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 126.6                                                                             |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 53                                                                                | 857                                                                               | 4                                                                                 | 1369                                                                              | 50   | 103                                                                               | 166  |
| Future Vol, veh/h        | 53                                                                                | 857                                                                               | 4                                                                                 | 1369                                                                              | 50   | 103                                                                               | 166  |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 58                                                                                | 932                                                                               | 4                                                                                 | 1488                                                                              | 54   | 112                                                                               | 180  |

| Major/Minor          | Major1 | Major2 | Minor2 |   |   |      |      |
|----------------------|--------|--------|--------|---|---|------|------|
| Conflicting Flow All | 1542   | 0      | 932    | - | 0 | 2105 | 771  |
| Stage 1              | -      | -      | -      | - | - | 1523 | -    |
| Stage 2              | -      | -      | -      | - | - | 582  | -    |
| Critical Hdwy        | 4.14   | -      | 6.44   | - | - | 6.84 | 6.94 |
| Critical Hdwy Stg 1  | -      | -      | -      | - | - | 5.84 | -    |
| Critical Hdwy Stg 2  | -      | -      | -      | - | - | 5.84 | -    |
| Follow-up Hdwy       | 2.22   | -      | 2.52   | - | - | 3.52 | 3.32 |
| Pot Cap-1 Maneuver   | 427    | -      | 367    | - | - | ~ 44 | 343  |
| Stage 1              | -      | -      | -      | - | - | 166  | -    |
| Stage 2              | -      | -      | -      | - | - | 522  | -    |
| Platoon blocked, %   | -      | -      | -      | - | - | -    | -    |
| Mov Cap-1 Maneuver   | 427    | -      | 367    | - | - | ~ 38 | 343  |
| Mov Cap-2 Maneuver   | -      | -      | -      | - | - | ~ 38 | -    |
| Stage 1              | -      | -      | -      | - | - | 143  | -    |
| Stage 2              | -      | -      | -      | - | - | 516  | -    |

| Approach             | EB  | WB | SB        |
|----------------------|-----|----|-----------|
| HCM Control Delay, s | 0.9 | 0  | \$ 1221.4 |
| HCM LOS              |     |    | F         |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1     |
|-----------------------|-------|-----|-------|-----|-----|-----------|
| Capacity (veh/h)      | 427   | -   | 367   | -   | -   | 84        |
| HCM Lane V/C Ratio    | 0.135 | -   | 0.012 | -   | -   | 3.481     |
| HCM Control Delay (s) | 14.7  | -   | 14.9  | -   | -   | \$ 1221.4 |
| HCM Lane LOS          | B     | -   | B     | -   | -   | F         |
| HCM 95th %tile Q(veh) | 0.5   | -   | 0     | -   | -   | 29.7      |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

| Intersection             |           |                                                                                   |      |                                                                                   |                                                                                   |      |
|--------------------------|-----------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 0.5       |                                                                                   |      |                                                                                   |                                                                                   |      |
| Movement                 | EBL       | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
| Lane Configurations      |           |  |      |  |  |      |
| Traffic Vol, veh/h       | 0         | 17                                                                                | 0    | 102                                                                               | 241                                                                               | 36   |
| Future Vol, veh/h        | 0         | 17                                                                                | 0    | 102                                                                               | 241                                                                               | 36   |
| Conflicting Peds, #/hr   | 0         | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop      | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -         | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -         | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0         | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0         | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92        | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2         | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0         | 18                                                                                | 0    | 111                                                                               | 262                                                                               | 39   |
| Major/Minor              | Minor2    | Major1                                                                            |      | Major2                                                                            |                                                                                   |      |
| Conflicting Flow All     | -         | 362                                                                               | -    | 0                                                                                 | -                                                                                 | 0    |
| Stage 1                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy            | -         | 6.22                                                                              | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy Stg 1      | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy Stg 2      | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Follow-up Hdwy           | -         | 3.318                                                                             | -    | -                                                                                 | -                                                                                 | -    |
| Pot Cap-1 Maneuver       | 0         | 683                                                                               | 0    | -                                                                                 | -                                                                                 | -    |
| Stage 1                  | 0         | -                                                                                 | 0    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | 0         | -                                                                                 | 0    | -                                                                                 | -                                                                                 | -    |
| Platoon blocked, %       |           |                                                                                   |      | -                                                                                 | -                                                                                 | -    |
| Mov Cap-1 Maneuver       | -         | 637                                                                               | -    | -                                                                                 | -                                                                                 | -    |
| Mov Cap-2 Maneuver       | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 1                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Approach                 | EB        | NB                                                                                |      | SB                                                                                |                                                                                   |      |
| HCM Control Delay, s     | 10.8      | 0                                                                                 |      | 0                                                                                 |                                                                                   |      |
| HCM LOS                  | B         |                                                                                   |      |                                                                                   |                                                                                   |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |                                                                                   | SBT  | SBR                                                                               |                                                                                   |      |
| Capacity (veh/h)         | - 637     |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Lane V/C Ratio       | - 0.029   |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Control Delay (s)    | - 10.8    |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Lane LOS             | - B       |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM 95th %tile Q(veh)    | - 0.1     |                                                                                   | -    | -                                                                                 |                                                                                   |      |

HCM 2010 TWSC  
3: Access #1 & Western Sky Blvd

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Intersection

Int Delay, s/veh 5.1

| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 52                                                                                | 50                                                                                | 121                                                                               | 0    | 0    | 156                                                                               |
| Future Vol, veh/h        | 52                                                                                | 50                                                                                | 121                                                                               | 0    | 0    | 156                                                                               |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 57                                                                                | 54                                                                                | 132                                                                               | 0    | 0    | 170                                                                               |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 132    | 0      | 0      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.12   | -      | -      |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.218  | -      | -      |
| Pot Cap-1 Maneuver   | 1453   | -      | 0      |
| Stage 1              | -      | -      | 0      |
| Stage 2              | -      | -      | 0      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 1453   | -      | -      |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | NB  | SB | SE  |
|----------------------|-----|----|-----|
| HCM Control Delay, s | 3.9 | 0  | 9.8 |
| HCM LOS              |     |    | A   |

| Minor Lane/Major Mvmt | NBL   | NBT SELn1 | SBT   |
|-----------------------|-------|-----------|-------|
| Capacity (veh/h)      | 1453  | -         | 917   |
| HCM Lane V/C Ratio    | 0.039 | -         | 0.185 |
| HCM Control Delay (s) | 7.6   | -         | 9.8   |
| HCM Lane LOS          | A     | -         | A     |
| HCM 95th %tile Q(veh) | 0.1   | -         | 0.7   |



| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 159                                                                               |                                                                                   |                                                                                   |                                                                                   |      |                                                                                   |      |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR  | SBL                                                                               | SBR  |
| Lane Configurations      |  |  |  |  |      |  |      |
| Traffic Vol, veh/h       | 146                                                                               | 1741                                                                              | 17                                                                                | 1186                                                                              | 118  | 70                                                                                | 87   |
| Future Vol, veh/h        | 146                                                                               | 1741                                                                              | 17                                                                                | 1186                                                                              | 118  | 70                                                                                | 87   |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0                                                                                 | 0    |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop                                                                              | Stop |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None | -                                                                                 | None |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | -    | 0                                                                                 | -    |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -    | 0                                                                                 | -    |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2                                                                                 | 2    |
| Mvmt Flow                | 159                                                                               | 1892                                                                              | 18                                                                                | 1289                                                                              | 128  | 76                                                                                | 95   |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 1417   | 0      | 1892   |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.14   | -      | 6.44   |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.22   | -      | 2.52   |
| Pot Cap-1 Maneuver   | 477    | -      | 87     |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 477    | -      | 87     |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | EB  | WB  | SB        |
|----------------------|-----|-----|-----------|
| HCM Control Delay, s | 1.3 | 0.7 | \$ 3386.7 |
| HCM LOS              |     |     | F         |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1     |
|-----------------------|-------|-----|-------|-----|-----|-----------|
| Capacity (veh/h)      | 477   | -   | 87    | -   | -   | 22        |
| HCM Lane V/C Ratio    | 0.333 | -   | 0.212 | -   | -   | 7.757     |
| HCM Control Delay (s) | 16.3  | -   | 57.2  | -   | -   | \$ 3386.7 |
| HCM Lane LOS          | C     | -   | F     | -   | -   | F         |
| HCM 95th %tile Q(veh) | 1.4   | -   | 0.7   | -   | -   | 21.6      |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

Intersection

Int Delay, s/veh 0.3

| Movement                 | EBL  | EBR  | NBL  | NBT  | SBT  | SBR  |
|--------------------------|------|------|------|------|------|------|
| Lane Configurations      |      | ↗    |      | ↑    | ↘    |      |
| Traffic Vol, veh/h       | 0    | 15   | 0    | 264  | 158  | 13   |
| Future Vol, veh/h        | 0    | 15   | 0    | 264  | 158  | 13   |
| Conflicting Peds, #/hr   | 0    | 0    | 0    | 0    | 0    | 80   |
| Sign Control             | Stop | Stop | Free | Free | Free | Free |
| RT Channelized           | -    | None | -    | None | -    | None |
| Storage Length           | -    | 0    | -    | -    | -    | -    |
| Veh in Median Storage, # | 0    | -    | -    | 0    | 0    | -    |
| Grade, %                 | 0    | -    | -    | 0    | 0    | -    |
| Peak Hour Factor         | 92   | 92   | 92   | 92   | 92   | 92   |
| Heavy Vehicles, %        | 2    | 2    | 2    | 2    | 2    | 2    |
| Mvmt Flow                | 0    | 16   | 0    | 287  | 172  | 14   |

| Major/Minor          | Minor2  | Major1 | Major2 |
|----------------------|---------|--------|--------|
| Conflicting Flow All | - 259   | - 0    | - 0    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |
| Critical Hdwy        | - 6.22  | - -    | - -    |
| Critical Hdwy Stg 1  | - -     | - -    | - -    |
| Critical Hdwy Stg 2  | - -     | - -    | - -    |
| Follow-up Hdwy       | - 3.318 | - -    | - -    |
| Pot Cap-1 Maneuver   | 0 780   | 0 -    | - -    |
| Stage 1              | 0 -     | 0 -    | - -    |
| Stage 2              | 0 -     | 0 -    | - -    |
| Platoon blocked, %   |         | - -    | - -    |
| Mov Cap-1 Maneuver   | - 728   | - -    | - -    |
| Mov Cap-2 Maneuver   | - -     | - -    | - -    |
| Stage 1              | - -     | - -    | - -    |
| Stage 2              | - -     | - -    | - -    |

| Approach             | EB   | NB | SB |
|----------------------|------|----|----|
| HCM Control Delay, s | 10.1 | 0  | 0  |
| HCM LOS              | B    |    |    |

| Minor Lane/Major Mvmt | NBT EBLn1 | SBT | SBR |
|-----------------------|-----------|-----|-----|
| Capacity (veh/h)      | - 728     | - - | - - |
| HCM Lane V/C Ratio    | - 0.022   | - - | - - |
| HCM Control Delay (s) | - 10.1    | - - | - - |
| HCM Lane LOS          | - B       | - - | - - |
| HCM 95th %tile Q(veh) | - 0.1     | - - | - - |

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Intersection

Int Delay, s/veh 5.2

Movement NBL NBT SBT SBR SEL SER

Lane Configurations      

Traffic Vol, veh/h 175 89 68 0 0 103

Future Vol, veh/h 175 89 68 0 0 103

Conflicting Peds, #/hr 0 0 0 0 0 0

Sign Control Free Free Free Free Stop Stop

RT Channelized - None - None - None

Storage Length 70 - - - - 0

Veh in Median Storage, # - 0 0 - 0 -

Grade, % - 0 0 - 0 -

Peak Hour Factor 92 92 92 92 92 92

Heavy Vehicles, % 2 2 2 2 2 2

Mvmt Flow 190 97 74 0 0 112

Major/Minor Major1 Major2 Minor2

Conflicting Flow All 74 0 - 0 - 74

Stage 1 - - - - - -

Stage 2 - - - - - -

Critical Hdwy 4.12 - - - - 6.22

Critical Hdwy Stg 1 - - - - - -

Critical Hdwy Stg 2 - - - - - -

Follow-up Hdwy 2.218 - - - - 3.318

Pot Cap-1 Maneuver 1526 - - 0 0 988

Stage 1 - - - 0 0 -

Stage 2 - - - 0 0 -

Platoon blocked, % - -

Mov Cap-1 Maneuver 1526 - - - - 988

Mov Cap-2 Maneuver - - - - - -

Stage 1 - - - - - -

Stage 2 - - - - - -

Approach NB SB SE

HCM Control Delay, s 5.1 0 9.1

HCM LOS A

Minor Lane/Major Mvmt NBL NBT SELn1 SBT

Capacity (veh/h) 1526 - 988 -

HCM Lane V/C Ratio 0.125 - 0.113 -

HCM Control Delay (s) 7.7 - 9.1 -

HCM Lane LOS A - A -

HCM 95th %tile Q(veh) 0.4 - 0.4 -

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 20                                                                                |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                                                                               | SBL                                                                               | SBR                                                                               |
| Lane Configurations      |  |  |  |  |  |  |  |
| Traffic Vol, veh/h       | 40                                                                                | 832                                                                               | 4                                                                                 | 1329                                                                              | 41                                                                                | 79                                                                                | 128                                                                               |
| Future Vol, veh/h        | 40                                                                                | 832                                                                               | 4                                                                                 | 1329                                                                              | 41                                                                                | 79                                                                                | 128                                                                               |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Stop                                                                              | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None                                                                              | -                                                                                 | None                                                                              |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | 890                                                                               | 0                                                                                 | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 |
| Mvmt Flow                | 43                                                                                | 904                                                                               | 4                                                                                 | 1445                                                                              | 45                                                                                | 86                                                                                | 139                                                                               |

| Major/Minor          | Major1 |   | Major2 |   | Minor2 |      |      |
|----------------------|--------|---|--------|---|--------|------|------|
| Conflicting Flow All | 1490   | 0 | 904    | - | 0      | 1991 | 723  |
| Stage 1              | -      | - | -      | - | -      | 1453 | -    |
| Stage 2              | -      | - | -      | - | -      | 538  | -    |
| Critical Hdwy        | 4.14   | - | 6.44   | - | -      | 6.84 | 6.94 |
| Critical Hdwy Stg 1  | -      | - | -      | - | -      | 5.84 | -    |
| Critical Hdwy Stg 2  | -      | - | -      | - | -      | 5.84 | -    |
| Follow-up Hdwy       | 2.22   | - | 2.52   | - | -      | 3.52 | 3.32 |
| Pot Cap-1 Maneuver   | 447    | - | 383    | - | -      | ~ 53 | 369  |
| Stage 1              | -      | - | -      | - | -      | 181  | -    |
| Stage 2              | -      | - | -      | - | -      | 549  | -    |
| Platoon blocked, %   | -      | - | -      | - | -      | -    | -    |
| Mov Cap-1 Maneuver   | 447    | - | 383    | - | -      | ~ 47 | 369  |
| Mov Cap-2 Maneuver   | -      | - | -      | - | -      | ~ 47 | -    |
| Stage 1              | -      | - | -      | - | -      | 164  | -    |
| Stage 2              | -      | - | -      | - | -      | 544  | -    |

| Approach             | EB  | WB | SB    |
|----------------------|-----|----|-------|
| HCM Control Delay, s | 0.6 | 0  | 234.1 |
| HCM LOS              | F   |    |       |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1    | SBLn2 |
|-----------------------|-------|-----|-------|-----|-----|----------|-------|
| Capacity (veh/h)      | 447   | -   | 383   | -   | -   | 47       | 369   |
| HCM Lane V/C Ratio    | 0.097 | -   | 0.011 | -   | -   | 1.827    | 0.377 |
| HCM Control Delay (s) | 13.9  | -   | 14.5  | -   | -   | \$ 580.1 | 20.5  |
| HCM Lane LOS          | B     | -   | B     | -   | -   | F        | C     |
| HCM 95th %tile Q(veh) | 0.3   | -   | 0     | -   | -   | 8.6      | 1.7   |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

| Intersection             |           |        |      |        |      |      |
|--------------------------|-----------|--------|------|--------|------|------|
| Int Delay, s/veh         | 0.6       |        |      |        |      |      |
| Movement                 | EBL       | EBR    | NBL  | NBT    | SBT  | SBR  |
| Lane Configurations      |           | ↗      |      | ↑      | ↘    |      |
| Traffic Vol, veh/h       | 0         | 17     | 0    | 81     | 180  | 34   |
| Future Vol, veh/h        | 0         | 17     | 0    | 81     | 180  | 34   |
| Conflicting Peds, #/hr   | 0         | 0      | 0    | 0      | 0    | 80   |
| Sign Control             | Stop      | Stop   | Free | Free   | Free | Free |
| RT Channelized           | -         | None   | -    | None   | -    | None |
| Storage Length           | -         | 0      | -    | -      | -    | -    |
| Veh in Median Storage, # | 0         | -      | -    | 0      | 0    | -    |
| Grade, %                 | 0         | -      | -    | 0      | 0    | -    |
| Peak Hour Factor         | 92        | 92     | 92   | 92     | 92   | 92   |
| Heavy Vehicles, %        | 2         | 2      | 2    | 2      | 2    | 2    |
| Mvmt Flow                | 0         | 18     | 0    | 88     | 196  | 37   |
| Major/Minor              | Minor2    | Major1 |      | Major2 |      |      |
| Conflicting Flow All     | -         | 295    | -    | 0      | -    | 0    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Critical Hdwy            | -         | 6.22   | -    | -      | -    | -    |
| Critical Hdwy Stg 1      | -         | -      | -    | -      | -    | -    |
| Critical Hdwy Stg 2      | -         | -      | -    | -      | -    | -    |
| Follow-up Hdwy           | -         | 3.318  | -    | -      | -    | -    |
| Pot Cap-1 Maneuver       | 0         | 744    | 0    | -      | -    | -    |
| Stage 1                  | 0         | -      | 0    | -      | -    | -    |
| Stage 2                  | 0         | -      | 0    | -      | -    | -    |
| Platoon blocked, %       |           |        |      | -      | -    | -    |
| Mov Cap-1 Maneuver       | -         | 694    | -    | -      | -    | -    |
| Mov Cap-2 Maneuver       | -         | -      | -    | -      | -    | -    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Approach                 | EB        | NB     |      | SB     |      |      |
| HCM Control Delay, s     | 10.3      | 0      |      | 0      |      |      |
| HCM LOS                  | B         |        |      |        |      |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |        | SBT  | SBR    |      |      |
| Capacity (veh/h)         | - 694     |        | -    | -      |      |      |
| HCM Lane V/C Ratio       | - 0.027   |        | -    | -      |      |      |
| HCM Control Delay (s)    | - 10.3    |        | -    | -      |      |      |
| HCM Lane LOS             | - B       |        | -    | -      |      |      |
| HCM 95th %tile Q(veh)    | - 0.1     |        | -    | -      |      |      |

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| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 3.9                                                                               |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 32                                                                                | 49                                                                                | 117                                                                               | 0    | 0    | 97                                                                                |
| Future Vol, veh/h        | 32                                                                                | 49                                                                                | 117                                                                               | 0    | 0    | 97                                                                                |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 35                                                                                | 53                                                                                | 127                                                                               | 0    | 0    | 105                                                                               |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 127                                                                               | 0                                                                                 | -                                                                                 | 0    | -    | 127                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1459                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 923                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1459                                                                              | -                                                                                 | -                                                                                 | -    | -    | 923                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                | SE                                                                                |      |      |                                                                                   |
| HCM Control Delay, s     | 3                                                                                 | 0                                                                                 | 9.4                                                                               |      |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1459                                                                              | -                                                                                 | 923                                                                               | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | 0.024                                                                             | -                                                                                 | 0.114                                                                             | -    |      |                                                                                   |
| HCM Control Delay (s)    | 7.5                                                                               | -                                                                                 | 9.4                                                                               | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0.1                                                                               | -                                                                                 | 0.4                                                                               | -    |      |                                                                                   |

| Intersection               |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
|----------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh           | 29.7                                                                              |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Movement                   | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                                                                               | SBL                                                                               | SBR                                                                               |
| Lane Configurations        |  |  |  |  |  |  |  |
| Traffic Vol, veh/h         | 105                                                                               | 1691                                                                              | 17                                                                                | 1151                                                                              | 90                                                                                | 54                                                                                | 62                                                                                |
| Future Vol, veh/h          | 105                                                                               | 1691                                                                              | 17                                                                                | 1151                                                                              | 90                                                                                | 54                                                                                | 62                                                                                |
| Conflicting Peds, #/hr     | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 |
| Sign Control               | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Stop                                                                              | Stop                                                                              |
| RT Channelized             | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None                                                                              | -                                                                                 | None                                                                              |
| Storage Length             | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | 890                                                                               | 0                                                                                 | 0                                                                                 |
| Veh in Median Storage, #   | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Grade, %                   | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Peak Hour Factor           | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                |
| Heavy Vehicles, %          | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 |
| Mvmt Flow                  | 114                                                                               | 1838                                                                              | 18                                                                                | 1251                                                                              | 98                                                                                | 59                                                                                | 67                                                                                |
|                            |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Major/Minor                | Major1                                                                            |                                                                                   | Major2                                                                            |                                                                                   | Minor2                                                                            |                                                                                   |                                                                                   |
| Conflicting Flow All       | 1349                                                                              | 0                                                                                 | 1838                                                                              | -                                                                                 | 0                                                                                 | 2434                                                                              | 626                                                                               |
| Stage 1                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 1287                                                                              | -                                                                                 |
| Stage 2                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 1147                                                                              | -                                                                                 |
| Critical Hdwy              | 4.14                                                                              | -                                                                                 | 6.44                                                                              | -                                                                                 | -                                                                                 | 6.84                                                                              | 6.94                                                                              |
| Critical Hdwy Stg 1        | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 5.84                                                                              | -                                                                                 |
| Critical Hdwy Stg 2        | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 5.84                                                                              | -                                                                                 |
| Follow-up Hdwy             | 2.22                                                                              | -                                                                                 | 2.52                                                                              | -                                                                                 | -                                                                                 | 3.52                                                                              | 3.32                                                                              |
| Pot Cap-1 Maneuver         | 506                                                                               | -                                                                                 | 95                                                                                | -                                                                                 | -                                                                                 | ~ 26                                                                              | 427                                                                               |
| Stage 1                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 223                                                                               | -                                                                                 |
| Stage 2                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 265                                                                               | -                                                                                 |
| Platoon blocked, %         |                                                                                   | -                                                                                 |                                                                                   | -                                                                                 | -                                                                                 |                                                                                   |                                                                                   |
| Mov Cap-1 Maneuver         | 506                                                                               | -                                                                                 | 95                                                                                | -                                                                                 | -                                                                                 | ~ 16                                                                              | 427                                                                               |
| Mov Cap-2 Maneuver         | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | ~ 16                                                                              | -                                                                                 |
| Stage 1                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 173                                                                               | -                                                                                 |
| Stage 2                    | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | -                                                                                 | 215                                                                               | -                                                                                 |
|                            |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Approach                   | EB                                                                                |                                                                                   | WB                                                                                |                                                                                   | SB                                                                                |                                                                                   |                                                                                   |
| HCM Control Delay, s       | 0.8                                                                               |                                                                                   | 0.7                                                                               |                                                                                   | \$ 792.8                                                                          |                                                                                   |                                                                                   |
| HCM LOS                    | F                                                                                 |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
|                            |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Minor Lane/Major Mvmt      | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                                                                               | SBLn1                                                                             | SBLn2                                                                             |
| Capacity (veh/h)           | 506                                                                               | -                                                                                 | 95                                                                                | -                                                                                 | -                                                                                 | 16                                                                                | 427                                                                               |
| HCM Lane V/C Ratio         | 0.226                                                                             | -                                                                                 | 0.195                                                                             | -                                                                                 | -                                                                                 | 3.668                                                                             | 0.158                                                                             |
| HCM Control Delay (s)      | 14.2                                                                              | -                                                                                 | 51.8                                                                              | -                                                                                 | \$ 1685.9                                                                         | 15                                                                                |                                                                                   |
| HCM Lane LOS               | B                                                                                 | -                                                                                 | F                                                                                 | -                                                                                 | -                                                                                 | F                                                                                 | C                                                                                 |
| HCM 95th %tile Q(veh)      | 0.9                                                                               | -                                                                                 | 0.7                                                                               | -                                                                                 | -                                                                                 | 8.1                                                                               | 0.6                                                                               |
| Notes                      |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| ~: Volume exceeds capacity |                                                                                   | \$: Delay exceeds 300s                                                            |                                                                                   |                                                                                   | +: Computation Not Defined                                                        |                                                                                   | *: All major volume in platoon                                                    |

| Intersection             |           |        |      |        |      |      |
|--------------------------|-----------|--------|------|--------|------|------|
| Int Delay, s/veh         | 0.4       |        |      |        |      |      |
| Movement                 | EBL       | EBR    | NBL  | NBT    | SBT  | SBR  |
| Lane Configurations      |           | ↗      |      | ↑      | ↘    |      |
| Traffic Vol, veh/h       | 0         | 15     | 0    | 194    | 117  | 13   |
| Future Vol, veh/h        | 0         | 15     | 0    | 194    | 117  | 13   |
| Conflicting Peds, #/hr   | 0         | 0      | 0    | 0      | 0    | 80   |
| Sign Control             | Stop      | Stop   | Free | Free   | Free | Free |
| RT Channelized           | -         | None   | -    | None   | -    | None |
| Storage Length           | -         | 0      | -    | -      | -    | -    |
| Veh in Median Storage, # | 0         | -      | -    | 0      | 0    | -    |
| Grade, %                 | 0         | -      | -    | 0      | 0    | -    |
| Peak Hour Factor         | 92        | 92     | 92   | 92     | 92   | 92   |
| Heavy Vehicles, %        | 2         | 2      | 2    | 2      | 2    | 2    |
| Mvmt Flow                | 0         | 16     | 0    | 211    | 127  | 14   |
| Major/Minor              | Minor2    | Major1 |      | Major2 |      |      |
| Conflicting Flow All     | -         | 214    | -    | 0      | -    | 0    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Critical Hdwy            | -         | 6.22   | -    | -      | -    | -    |
| Critical Hdwy Stg 1      | -         | -      | -    | -      | -    | -    |
| Critical Hdwy Stg 2      | -         | -      | -    | -      | -    | -    |
| Follow-up Hdwy           | -         | 3.318  | -    | -      | -    | -    |
| Pot Cap-1 Maneuver       | 0         | 826    | 0    | -      | -    | -    |
| Stage 1                  | 0         | -      | 0    | -      | -    | -    |
| Stage 2                  | 0         | -      | 0    | -      | -    | -    |
| Platoon blocked, %       | -         | -      | -    | -      | -    | -    |
| Mov Cap-1 Maneuver       | -         | 771    | -    | -      | -    | -    |
| Mov Cap-2 Maneuver       | -         | -      | -    | -      | -    | -    |
| Stage 1                  | -         | -      | -    | -      | -    | -    |
| Stage 2                  | -         | -      | -    | -      | -    | -    |
| Approach                 | EB        | NB     |      | SB     |      |      |
| HCM Control Delay, s     | 9.8       | 0      |      | 0      |      |      |
| HCM LOS                  | A         |        |      |        |      |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |        | SBT  | SBR    |      |      |
| Capacity (veh/h)         | - 771     |        | -    | -      |      |      |
| HCM Lane V/C Ratio       | - 0.021   |        | -    | -      |      |      |
| HCM Control Delay (s)    | - 9.8     |        | -    | -      |      |      |
| HCM Lane LOS             | - A       |        | -    | -      |      |      |
| HCM 95th %tile Q(veh)    | - 0.1     |        | -    | -      |      |      |



| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 4.3                                                                               |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 108                                                                               | 86                                                                                | 66                                                                                | 0    | 0    | 64                                                                                |
| Future Vol, veh/h        | 108                                                                               | 86                                                                                | 66                                                                                | 0    | 0    | 64                                                                                |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 117                                                                               | 93                                                                                | 72                                                                                | 0    | 0    | 70                                                                                |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 72                                                                                | 0                                                                                 | -                                                                                 | 0    | -    | 72                                                                                |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1528                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 990                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1528                                                                              | -                                                                                 | -                                                                                 | -    | -    | 990                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                |                                                                                   | SE   |      |                                                                                   |
| HCM Control Delay, s     | 4.2                                                                               | 0                                                                                 |                                                                                   | 8.9  |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1528                                                                              | -                                                                                 | 990                                                                               | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | 0.077                                                                             | -                                                                                 | 0.07                                                                              | -    |      |                                                                                   |
| HCM Control Delay (s)    | 7.6                                                                               | -                                                                                 | 8.9                                                                               | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0.2                                                                               | -                                                                                 | 0.2                                                                               | -    |      |                                                                                   |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 44                                                                                |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                                                                               | SBL                                                                               | SBR                                                                               |
| Lane Configurations      |  |  |  |  |  |  |  |
| Traffic Vol, veh/h       | 53                                                                                | 857                                                                               | 4                                                                                 | 1369                                                                              | 50                                                                                | 103                                                                               | 166                                                                               |
| Future Vol, veh/h        | 53                                                                                | 857                                                                               | 4                                                                                 | 1369                                                                              | 50                                                                                | 103                                                                               | 166                                                                               |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Stop                                                                              | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None                                                                              | -                                                                                 | None                                                                              |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | 890                                                                               | 0                                                                                 | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 |
| Mvmt Flow                | 58                                                                                | 932                                                                               | 4                                                                                 | 1488                                                                              | 54                                                                                | 112                                                                               | 180                                                                               |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 1542   | 0      | 932    |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.14   | -      | 6.44   |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.22   | -      | 2.52   |
| Pot Cap-1 Maneuver   | 427    | -      | 367    |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 427    | -      | 367    |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | EB  | WB | SB       |
|----------------------|-----|----|----------|
| HCM Control Delay, s | 0.9 | 0  | \$ 422.3 |
| HCM LOS              |     |    | F        |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1     | SBLn2 |
|-----------------------|-------|-----|-------|-----|-----|-----------|-------|
| Capacity (veh/h)      | 427   | -   | 367   | -   | -   | 39        | 357   |
| HCM Lane V/C Ratio    | 0.135 | -   | 0.012 | -   | -   | 2.871     | 0.505 |
| HCM Control Delay (s) | 14.7  | -   | 14.9  | -   | -   | \$ 1062.6 | 25    |
| HCM Lane LOS          | B     | -   | B     | -   | -   | F         | D     |
| HCM 95th %tile Q(veh) | 0.5   | -   | 0     | -   | -   | 12.5      | 2.7   |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

| Intersection             |           |                                                                                   |      |                                                                                   |                                                                                   |      |
|--------------------------|-----------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 0.5       |                                                                                   |      |                                                                                   |                                                                                   |      |
| Movement                 | EBL       | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
| Lane Configurations      |           |  |      |  |  |      |
| Traffic Vol, veh/h       | 0         | 17                                                                                | 0    | 102                                                                               | 241                                                                               | 36   |
| Future Vol, veh/h        | 0         | 17                                                                                | 0    | 102                                                                               | 241                                                                               | 36   |
| Conflicting Peds, #/hr   | 0         | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop      | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -         | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -         | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0         | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0         | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92        | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2         | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0         | 18                                                                                | 0    | 111                                                                               | 262                                                                               | 39   |
| Major/Minor              | Minor2    | Major1                                                                            |      | Major2                                                                            |                                                                                   |      |
| Conflicting Flow All     | -         | 362                                                                               | -    | 0                                                                                 | -                                                                                 | 0    |
| Stage 1                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy            | -         | 6.22                                                                              | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy Stg 1      | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy Stg 2      | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Follow-up Hdwy           | -         | 3.318                                                                             | -    | -                                                                                 | -                                                                                 | -    |
| Pot Cap-1 Maneuver       | 0         | 683                                                                               | 0    | -                                                                                 | -                                                                                 | -    |
| Stage 1                  | 0         | -                                                                                 | 0    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | 0         | -                                                                                 | 0    | -                                                                                 | -                                                                                 | -    |
| Platoon blocked, %       |           |                                                                                   |      | -                                                                                 | -                                                                                 | -    |
| Mov Cap-1 Maneuver       | -         | 637                                                                               | -    | -                                                                                 | -                                                                                 | -    |
| Mov Cap-2 Maneuver       | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 1                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Approach                 | EB        | NB                                                                                |      | SB                                                                                |                                                                                   |      |
| HCM Control Delay, s     | 10.8      | 0                                                                                 |      | 0                                                                                 |                                                                                   |      |
| HCM LOS                  | B         |                                                                                   |      |                                                                                   |                                                                                   |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |                                                                                   | SBT  | SBR                                                                               |                                                                                   |      |
| Capacity (veh/h)         | - 637     |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Lane V/C Ratio       | - 0.029   |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Control Delay (s)    | - 10.8    |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Lane LOS             | - B       |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM 95th %tile Q(veh)    | - 0.1     |                                                                                   | -    | -                                                                                 |                                                                                   |      |

HCM 2010 TWSC  
3: Access #1 & Western Sky Blvd

06/16/2021

Intersection

Int Delay, s/veh 5.1

| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 52                                                                                | 50                                                                                | 121                                                                               | 0    | 0    | 156                                                                               |
| Future Vol, veh/h        | 52                                                                                | 50                                                                                | 121                                                                               | 0    | 0    | 156                                                                               |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 57                                                                                | 54                                                                                | 132                                                                               | 0    | 0    | 170                                                                               |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 132    | 0      | 0      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.12   | -      | -      |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.218  | -      | -      |
| Pot Cap-1 Maneuver   | 1453   | -      | 0      |
| Stage 1              | -      | -      | 0      |
| Stage 2              | -      | -      | 0      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 1453   | -      | -      |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | NB  | SB | SE  |
|----------------------|-----|----|-----|
| HCM Control Delay, s | 3.9 | 0  | 9.8 |
| HCM LOS              |     |    | A   |

| Minor Lane/Major Mvmt | NBL   | NBT SELn1 | SBT   |
|-----------------------|-------|-----------|-------|
| Capacity (veh/h)      | 1453  | -         | 917   |
| HCM Lane V/C Ratio    | 0.039 | -         | 0.185 |
| HCM Control Delay (s) | 7.6   | -         | 9.8   |
| HCM Lane LOS          | A     | -         | A     |
| HCM 95th %tile Q(veh) | 0.1   | -         | 0.7   |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 70.8                                                                              |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                   |
| Movement                 | EBL                                                                               | EBT                                                                               | WBU                                                                               | WBT                                                                               | WBR                                                                               | SBL                                                                               | SBR                                                                               |
| Lane Configurations      |  |  |  |  |  |  |  |
| Traffic Vol, veh/h       | 146                                                                               | 1741                                                                              | 17                                                                                | 1186                                                                              | 118                                                                               | 70                                                                                | 87                                                                                |
| Future Vol, veh/h        | 146                                                                               | 1741                                                                              | 17                                                                                | 1186                                                                              | 118                                                                               | 70                                                                                | 87                                                                                |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Free                                                                              | Stop                                                                              | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | -                                                                                 | None                                                                              | -                                                                                 | None                                                                              |
| Storage Length           | 130                                                                               | -                                                                                 | 195                                                                               | -                                                                                 | 890                                                                               | 0                                                                                 | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 | 0                                                                                 | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2                                                                                 |
| Mvmt Flow                | 159                                                                               | 1892                                                                              | 18                                                                                | 1289                                                                              | 128                                                                               | 76                                                                                | 95                                                                                |

| Major/Minor          | Major1 | Major2 | Minor2 |
|----------------------|--------|--------|--------|
| Conflicting Flow All | 1417   | 0      | 1892   |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Critical Hdwy        | 4.14   | -      | 6.44   |
| Critical Hdwy Stg 1  | -      | -      | -      |
| Critical Hdwy Stg 2  | -      | -      | -      |
| Follow-up Hdwy       | 2.22   | -      | 2.52   |
| Pot Cap-1 Maneuver   | 477    | -      | 87     |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |
| Platoon blocked, %   | -      | -      | -      |
| Mov Cap-1 Maneuver   | 477    | -      | 87     |
| Mov Cap-2 Maneuver   | -      | -      | -      |
| Stage 1              | -      | -      | -      |
| Stage 2              | -      | -      | -      |

| Approach             | EB  | WB  | SB        |
|----------------------|-----|-----|-----------|
| HCM Control Delay, s | 1.3 | 0.7 | \$ 1495.6 |
| HCM LOS              |     |     | F         |

| Minor Lane/Major Mvmt | EBL   | EBT | WBU   | WBT | WBR | SBLn1     | SBLn2 |
|-----------------------|-------|-----|-------|-----|-----|-----------|-------|
| Capacity (veh/h)      | 477   | -   | 87    | -   | -   | 11        | 415   |
| HCM Lane V/C Ratio    | 0.333 | -   | 0.212 | -   | -   | 6.917     | 0.228 |
| HCM Control Delay (s) | 16.3  | -   | 57.2  | -   | -   | \$ 3334.3 | 16.2  |
| HCM Lane LOS          | C     | -   | F     | -   | -   | F         | C     |
| HCM 95th %tile Q(veh) | 1.4   | -   | 0.7   | -   | -   | 10.8      | 0.9   |

| Notes                      |                        |                            |                                |
|----------------------------|------------------------|----------------------------|--------------------------------|
| ~: Volume exceeds capacity | \$: Delay exceeds 300s | +: Computation Not Defined | *: All major volume in platoon |

| Intersection             |           |                                                                                   |      |                                                                                   |                                                                                   |      |
|--------------------------|-----------|-----------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|
| Int Delay, s/veh         | 0.3       |                                                                                   |      |                                                                                   |                                                                                   |      |
| Movement                 | EBL       | EBR                                                                               | NBL  | NBT                                                                               | SBT                                                                               | SBR  |
| Lane Configurations      |           |  |      |  |  |      |
| Traffic Vol, veh/h       | 0         | 15                                                                                | 0    | 264                                                                               | 158                                                                               | 13   |
| Future Vol, veh/h        | 0         | 15                                                                                | 0    | 264                                                                               | 158                                                                               | 13   |
| Conflicting Peds, #/hr   | 0         | 0                                                                                 | 0    | 0                                                                                 | 0                                                                                 | 80   |
| Sign Control             | Stop      | Stop                                                                              | Free | Free                                                                              | Free                                                                              | Free |
| RT Channelized           | -         | None                                                                              | -    | None                                                                              | -                                                                                 | None |
| Storage Length           | -         | 0                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Veh in Median Storage, # | 0         | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Grade, %                 | 0         | -                                                                                 | -    | 0                                                                                 | 0                                                                                 | -    |
| Peak Hour Factor         | 92        | 92                                                                                | 92   | 92                                                                                | 92                                                                                | 92   |
| Heavy Vehicles, %        | 2         | 2                                                                                 | 2    | 2                                                                                 | 2                                                                                 | 2    |
| Mvmt Flow                | 0         | 16                                                                                | 0    | 287                                                                               | 172                                                                               | 14   |
| Major/Minor              | Minor2    | Major1                                                                            |      | Major2                                                                            |                                                                                   |      |
| Conflicting Flow All     | -         | 259                                                                               | -    | 0                                                                                 | -                                                                                 | 0    |
| Stage 1                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy            | -         | 6.22                                                                              | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy Stg 1      | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Critical Hdwy Stg 2      | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Follow-up Hdwy           | -         | 3.318                                                                             | -    | -                                                                                 | -                                                                                 | -    |
| Pot Cap-1 Maneuver       | 0         | 780                                                                               | 0    | -                                                                                 | -                                                                                 | -    |
| Stage 1                  | 0         | -                                                                                 | 0    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | 0         | -                                                                                 | 0    | -                                                                                 | -                                                                                 | -    |
| Platoon blocked, %       |           |                                                                                   |      | -                                                                                 | -                                                                                 | -    |
| Mov Cap-1 Maneuver       | -         | 728                                                                               | -    | -                                                                                 | -                                                                                 | -    |
| Mov Cap-2 Maneuver       | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 1                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Stage 2                  | -         | -                                                                                 | -    | -                                                                                 | -                                                                                 | -    |
| Approach                 | EB        | NB                                                                                |      | SB                                                                                |                                                                                   |      |
| HCM Control Delay, s     | 10.1      | 0                                                                                 |      | 0                                                                                 |                                                                                   |      |
| HCM LOS                  | B         |                                                                                   |      |                                                                                   |                                                                                   |      |
| Minor Lane/Major Mvmt    | NBT EBLn1 |                                                                                   | SBT  | SBR                                                                               |                                                                                   |      |
| Capacity (veh/h)         | - 728     |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Lane V/C Ratio       | - 0.022   |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Control Delay (s)    | - 10.1    |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM Lane LOS             | - B       |                                                                                   | -    | -                                                                                 |                                                                                   |      |
| HCM 95th %tile Q(veh)    | - 0.1     |                                                                                   | -    | -                                                                                 |                                                                                   |      |

| Intersection             |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------------------------|
| Int Delay, s/veh         | 5.2                                                                               |                                                                                   |                                                                                   |      |      |                                                                                   |
| Movement                 | NBL                                                                               | NBT                                                                               | SBT                                                                               | SBR  | SEL  | SER                                                                               |
| Lane Configurations      |  |  |  |      |      |  |
| Traffic Vol, veh/h       | 175                                                                               | 89                                                                                | 68                                                                                | 0    | 0    | 103                                                                               |
| Future Vol, veh/h        | 175                                                                               | 89                                                                                | 68                                                                                | 0    | 0    | 103                                                                               |
| Conflicting Peds, #/hr   | 0                                                                                 | 0                                                                                 | 0                                                                                 | 0    | 0    | 0                                                                                 |
| Sign Control             | Free                                                                              | Free                                                                              | Free                                                                              | Free | Stop | Stop                                                                              |
| RT Channelized           | -                                                                                 | None                                                                              | -                                                                                 | None | -    | None                                                                              |
| Storage Length           | 70                                                                                | -                                                                                 | -                                                                                 | -    | -    | 0                                                                                 |
| Veh in Median Storage, # | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Grade, %                 | -                                                                                 | 0                                                                                 | 0                                                                                 | -    | 0    | -                                                                                 |
| Peak Hour Factor         | 92                                                                                | 92                                                                                | 92                                                                                | 92   | 92   | 92                                                                                |
| Heavy Vehicles, %        | 2                                                                                 | 2                                                                                 | 2                                                                                 | 2    | 2    | 2                                                                                 |
| Mvmt Flow                | 190                                                                               | 97                                                                                | 74                                                                                | 0    | 0    | 112                                                                               |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Major/Minor              | Major1                                                                            | Major2                                                                            | Minor2                                                                            |      |      |                                                                                   |
| Conflicting Flow All     | 74                                                                                | 0                                                                                 | -                                                                                 | 0    | -    | 74                                                                                |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy            | 4.12                                                                              | -                                                                                 | -                                                                                 | -    | -    | 6.22                                                                              |
| Critical Hdwy Stg 1      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Critical Hdwy Stg 2      | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Follow-up Hdwy           | 2.218                                                                             | -                                                                                 | -                                                                                 | -    | -    | 3.318                                                                             |
| Pot Cap-1 Maneuver       | 1526                                                                              | -                                                                                 | -                                                                                 | 0    | 0    | 988                                                                               |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | 0    | 0    | -                                                                                 |
| Platoon blocked, %       |                                                                                   | -                                                                                 | -                                                                                 |      |      |                                                                                   |
| Mov Cap-1 Maneuver       | 1526                                                                              | -                                                                                 | -                                                                                 | -    | -    | 988                                                                               |
| Mov Cap-2 Maneuver       | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 1                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
| Stage 2                  | -                                                                                 | -                                                                                 | -                                                                                 | -    | -    | -                                                                                 |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Approach                 | NB                                                                                | SB                                                                                |                                                                                   | SE   |      |                                                                                   |
| HCM Control Delay, s     | 5.1                                                                               | 0                                                                                 |                                                                                   | 9.1  |      |                                                                                   |
| HCM LOS                  | A                                                                                 |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
|                          |                                                                                   |                                                                                   |                                                                                   |      |      |                                                                                   |
| Minor Lane/Major Mvmt    | NBL                                                                               | NBT                                                                               | SELn1                                                                             | SBT  |      |                                                                                   |
| Capacity (veh/h)         | 1526                                                                              | -                                                                                 | 988                                                                               | -    |      |                                                                                   |
| HCM Lane V/C Ratio       | 0.125                                                                             | -                                                                                 | 0.113                                                                             | -    |      |                                                                                   |
| HCM Control Delay (s)    | 7.7                                                                               | -                                                                                 | 9.1                                                                               | -    |      |                                                                                   |
| HCM Lane LOS             | A                                                                                 | -                                                                                 | A                                                                                 | -    |      |                                                                                   |
| HCM 95th %tile Q(veh)    | 0.4                                                                               | -                                                                                 | 0.4                                                                               | -    |      |                                                                                   |

APPENDIX D – TRAFFIC SIGNAL WARRANT ANALYSIS WORKSHEET





Form Revised 6/5/2006

# Traffic Survey - Count Analysis

## 2011 TMUTCD Warrants

County: Bastrop District: AUS  
 City: Elgin Population: 10,064 Survey Date: 12/28/2020

|       | Route # | Name        | Control | Section | 85% Speed |
|-------|---------|-------------|---------|---------|-----------|
| Major |         | US 290      |         |         | 65        |
| Minor |         | Western Sky |         |         | 30        |

**Eight Highest Hours:** Include the same 8 hours for the Major and Minor St. volumes.

| Time Ends | Major St. - Both App. |            | Minor St. - Hi. Vol. App. |            | Comments: |
|-----------|-----------------------|------------|---------------------------|------------|-----------|
|           | Veh. Total            | Ped. Total | Veh. Total                | Ped. Total |           |
| 5:00 PM   | 3,029                 |            | 68                        |            |           |
| 6:00 PM   | 2,946                 |            | 82                        |            |           |
| 4:00 PM   | 2,825                 |            | 77                        |            |           |
| 7:00 PM   | 2,765                 |            | 65                        |            |           |
| 3:00 PM   | 2,420                 |            | 67                        |            |           |
| 8:00 AM   | 2,252                 |            | 91                        |            |           |
| 2:00 PM   | 2,180                 |            | 59                        |            |           |
| 1:00 PM   | 2,144                 |            | 61                        |            |           |

### Warrant 1. Eight Hour Vehicular Volume

☐ Yes ☒ No Meets 70%<sup>c</sup> (and major-street speed exceeds 40 mph and population less than 10,000) *or* 100%<sup>a</sup> (regardless of speed) of Condition A  
 - *or* -  
☐ Yes ☒ No Meets 70%<sup>c</sup> (and major-street speed exceeds 40 mph and population less than 10,000) *or* 100%<sup>a</sup> (regardless of speed) of Condition B  
 - *or* -  
☐ Yes ☒ No Meets 80%<sup>b</sup> of Condition A and B.  
 - *or* -  
☐ Yes ☒ No Meets 56%<sup>d</sup> of Conditions A and B (and major-street speed exceeds 40 mph and population less than 10,000)

### Condition A - Minimum Vehicle Volume

| Number of Lanes |              | Vehicles per hour on Major St.<br>(Total of Both Approaches) |                  |                  |                  |                         | Vehicles per hour on higher-volume<br>Minor St approach (One Direction Only) |                  |                  |                  |                        |
|-----------------|--------------|--------------------------------------------------------------|------------------|------------------|------------------|-------------------------|------------------------------------------------------------------------------|------------------|------------------|------------------|------------------------|
| Major Street    | Minor Street | Required                                                     |                  |                  |                  | Existing<br><u>100%</u> | Required                                                                     |                  |                  |                  | Existing<br><u>42%</u> |
|                 |              | 100% <sup>a</sup>                                            | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> |                         | 100% <sup>a</sup>                                                            | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> |                        |
| 1               | 1            | 500                                                          | 400              | 350              | 280              |                         | 150                                                                          | 120              | 105              | 84               |                        |
| 2 or more       | 1            | 600                                                          | 480              | 420              | 336              |                         | 150                                                                          | 120              | 105              | 84               |                        |
| 2 or more       | 2 or more    | 600                                                          | 480              | 420              | 336              | 2,144                   | 200                                                                          | 160              | 140              | 112              | 59                     |
| 1               | 2 or more    | 500                                                          | 400              | 350              | 280              |                         | 200                                                                          | 160              | 140              | 112              |                        |

### Condition B - Interruption of Continuous Traffic

| Number of Lanes |              | Vehicles per hour on Major St.<br>(Total of Both Approaches) |                  |                  |                  | Vehicles per hour on higher-volume<br>Minor St approach (One Direction Only) |                   |                  |                  |                  |                        |
|-----------------|--------------|--------------------------------------------------------------|------------------|------------------|------------------|------------------------------------------------------------------------------|-------------------|------------------|------------------|------------------|------------------------|
| Major<br>Street | Minor Street | Required                                                     |                  |                  |                  | Existing<br><u>100%</u>                                                      | Required          |                  |                  |                  | Existing<br><u>84%</u> |
|                 |              | 100% <sup>a</sup>                                            | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> |                                                                              | 100% <sup>a</sup> | 80% <sup>b</sup> | 70% <sup>c</sup> | 56% <sup>d</sup> |                        |
| 1               | 1            | 750                                                          | 600              | 525              | 420              |                                                                              | 75                | 60               | 53               | 42               |                        |
| 2 or more       | 1            | 900                                                          | 720              | 630              | 504              |                                                                              | 75                | 60               | 53               | 42               |                        |
| 2 or more       | 2 or more    | 900                                                          | 720              | 630              | 504              | 2,144                                                                        | 100               | 80               | 70               | 56               | 59                     |
| 1               | 2 or more    | 750                                                          | 600              | 525              | 420              |                                                                              | 100               | 80               | 70               | 56               |                        |

<sup>a</sup> Basic minimum hourly volume.

<sup>b</sup> Used for combination of Conditions A and B after adequate trial of other remedial measures.

<sup>c</sup> May be used when the major-street speed exceeds 40 mph or in a community with a population less than 10,000.

<sup>d</sup> May be used for combination of Conditions A and B after adequate trial of other remedial measures when major street exceeds 40 mph or in an isolated community with a population of less than 10,000.

**Warrant 2. Four Hour Volumes**

|                              |                                        |                                                                       |
|------------------------------|----------------------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Meets each of 4 Highest Hours (Warrant 2 - see Figure 1 and Figure 2) |
|------------------------------|----------------------------------------|-----------------------------------------------------------------------|

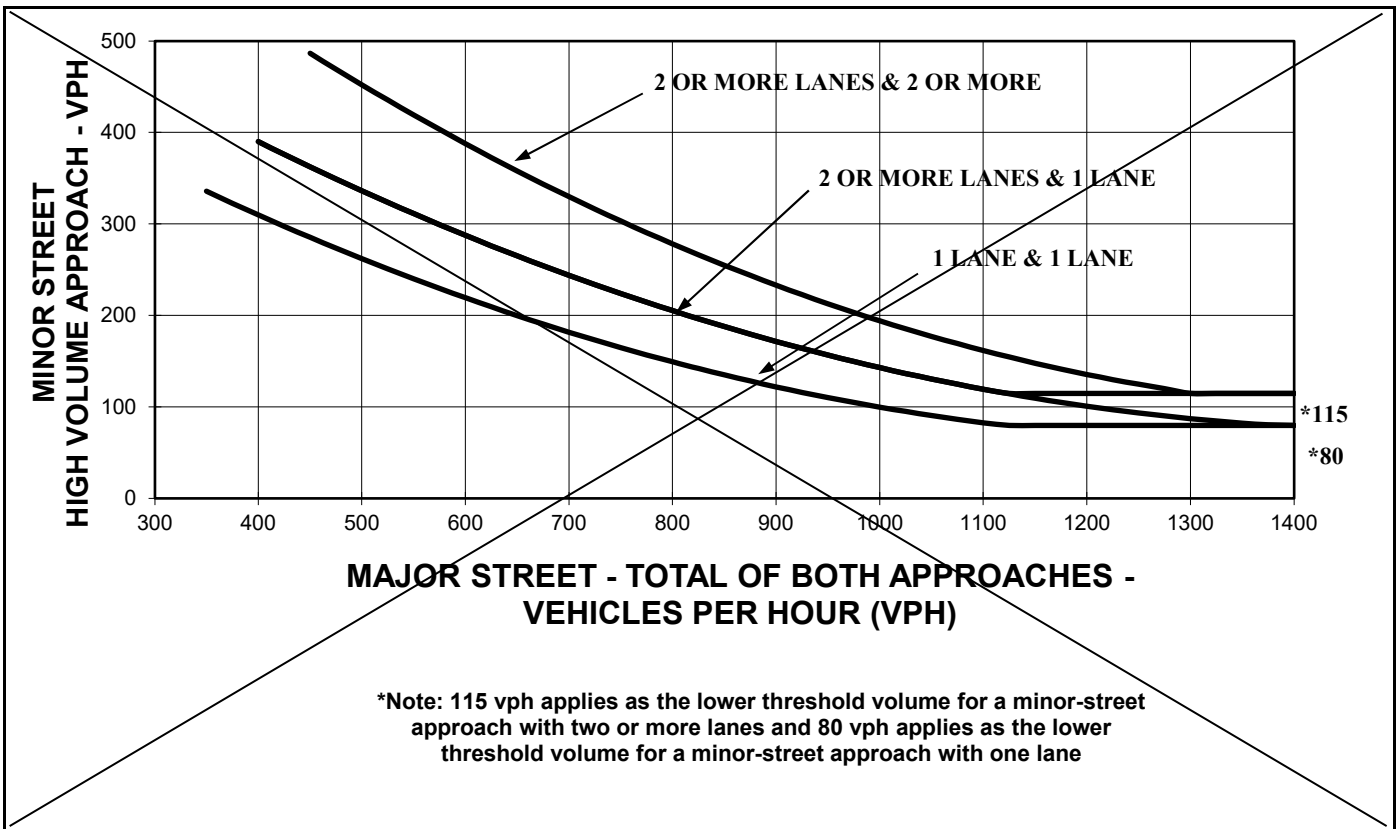


Figure 4C-1. Four-hour volume warrant. (Warrant 2.)

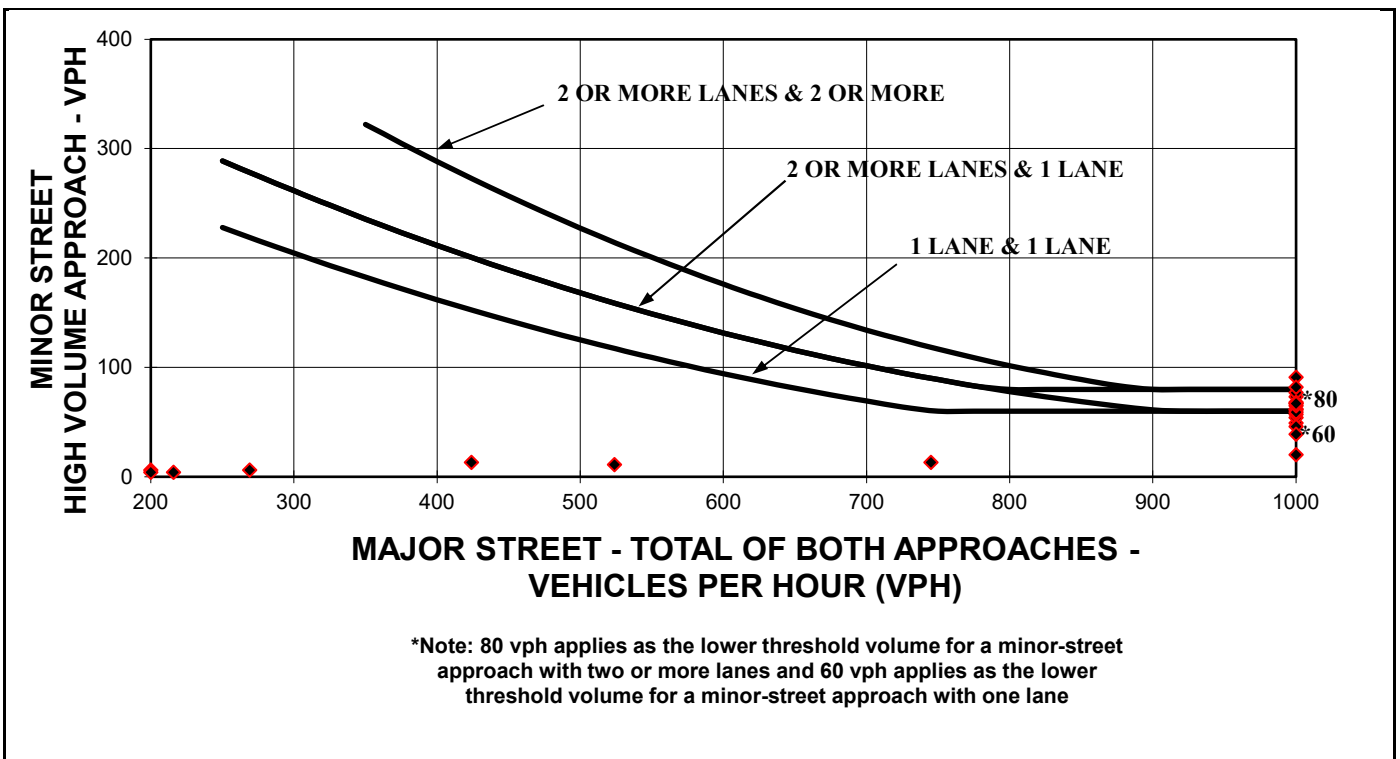


Figure 4C-2. Four-hour volume warrant (70% Factor) (community less than 10,000 population or above 40 MPH on major street). (warrant 2.)

### Warrant 3. Peak Hour Volumes

☐ Yes

☒ No

Are all of the following conditions true for the same 1 hour (any four consecutive 15 minute periods)?

1. The total stopped time delay experienced by the traffic on one minor street approach (one directions only) controlled by a STOP sign equals or exceeds 4 vehicle-hours for a one-lane approach or 5 vehicle-hours for a two-lane approach, *and*
2. The volume on the same minor street approach (one direction only) equals or exceeds 100 vph for one moving lane of traffic or 150 vph for two moving lanes, *and*
3. The total entering volume serviced during the hour equals or exceeds 650 vph for intersections with three approaches or 800 vph for intersections with four (or more) approaches.

- or -

☐ Yes

☒ No

Meets one High Hour (Warrant 3 - see Figure 3 and Figure 4).

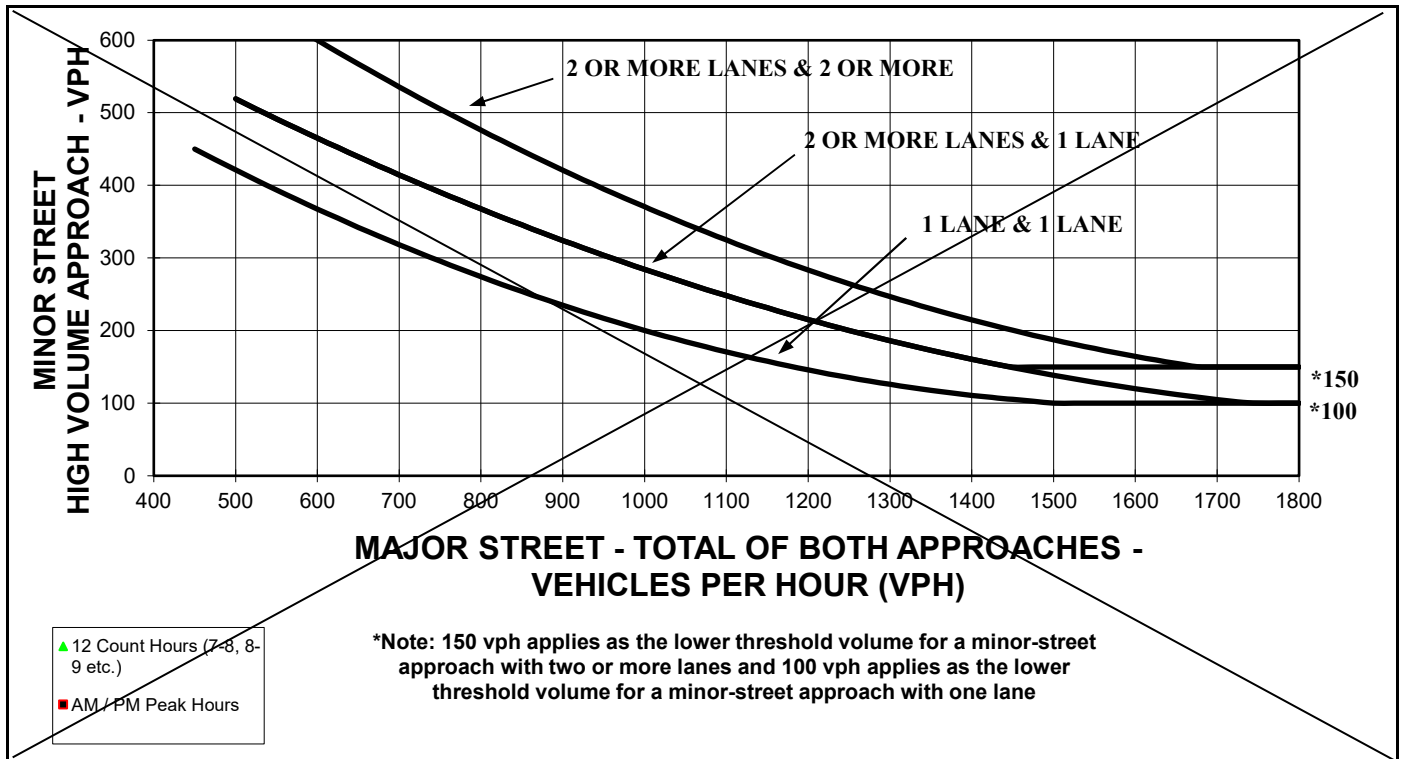


Figure 4C-3. Peak hour volume warrant. (Warrant 3.)

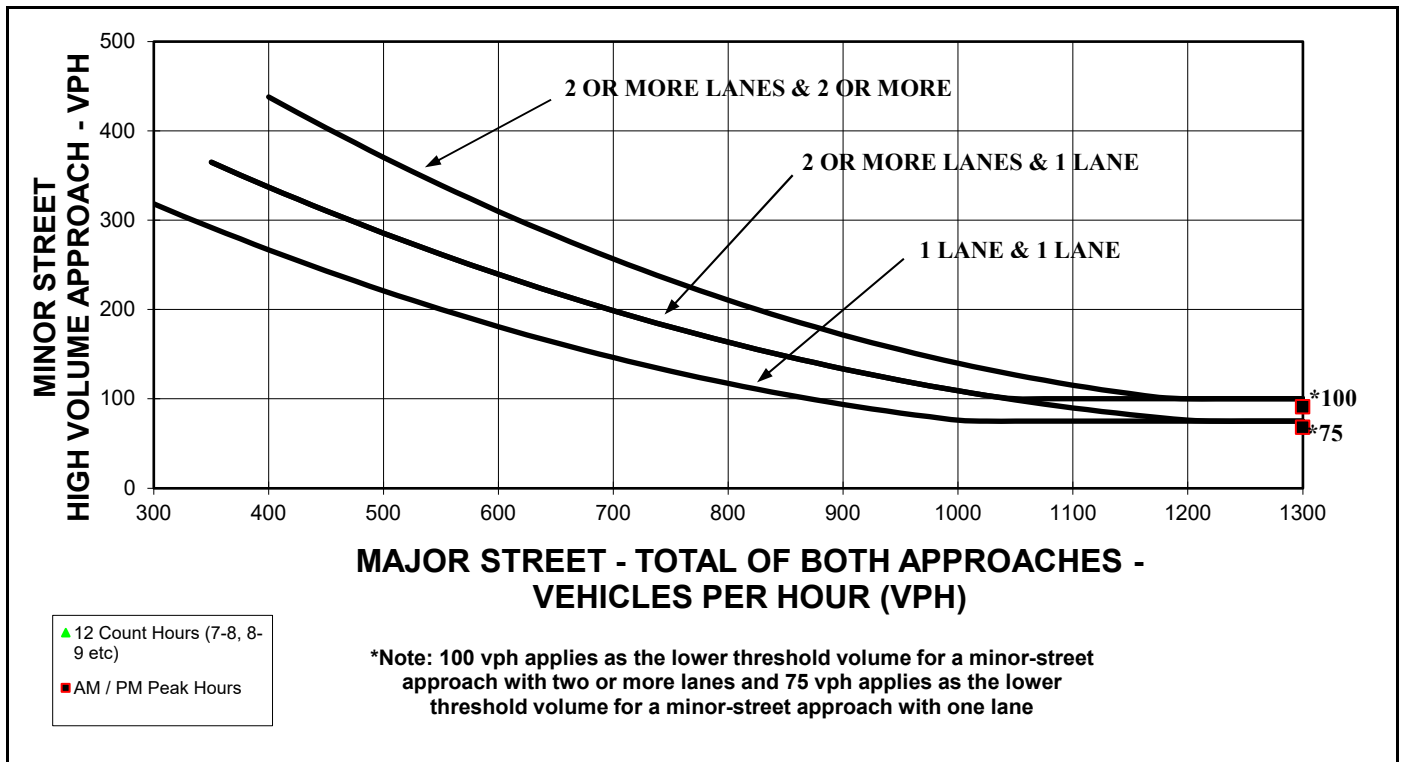


Figure 4C-4. Peak hour volume warrant (70% Factor)(Community less than 10,000 population or above 40 MPH on major street). (Warrant 3.)

**Warrant 4. Pedestrian Volume - NOT EVALUATED**

Pedestrian Volume Crossing the Major Street or mid-block location

☐ Yes ☐ No Is the pedestrian volume met for each of any 4 hours?

**- or -**

☐ Yes ☐ No Is the pedestrian volume met for the peak 1 hour?

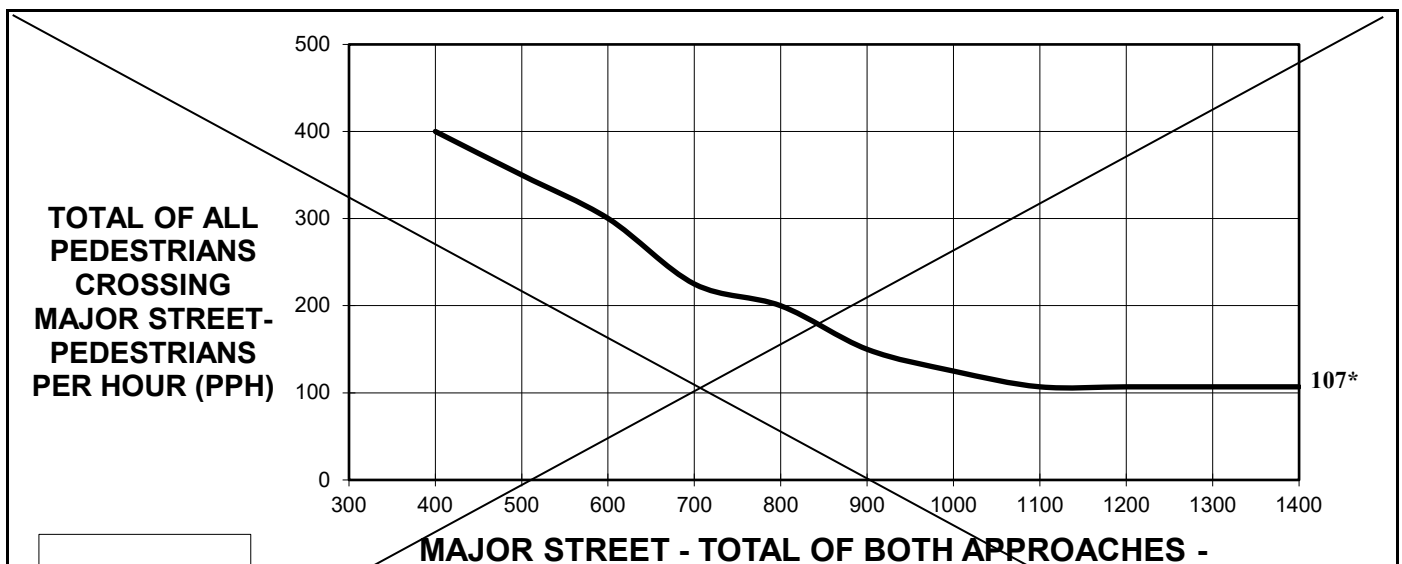
\* For predominant pedestrian crossing speeds less than 3.5 ft./sec., the volume may be reduced by 50%.

**- and -**

☒ Yes ☐ No Major street speed exceeds 35 mph

**- and -**

☐ Yes ☐ No Is the nearest signal on the major street located more than 300 feet away?  
 (This warrant may be applied, if the proposed signal is less than 300 feet and does not restrict the progressive movement of traffic.)



▲ 24 hours counts

## VEHICLES PER HOUR (VPH)

\*Note: 107 pph applies as the lower threshold volume.

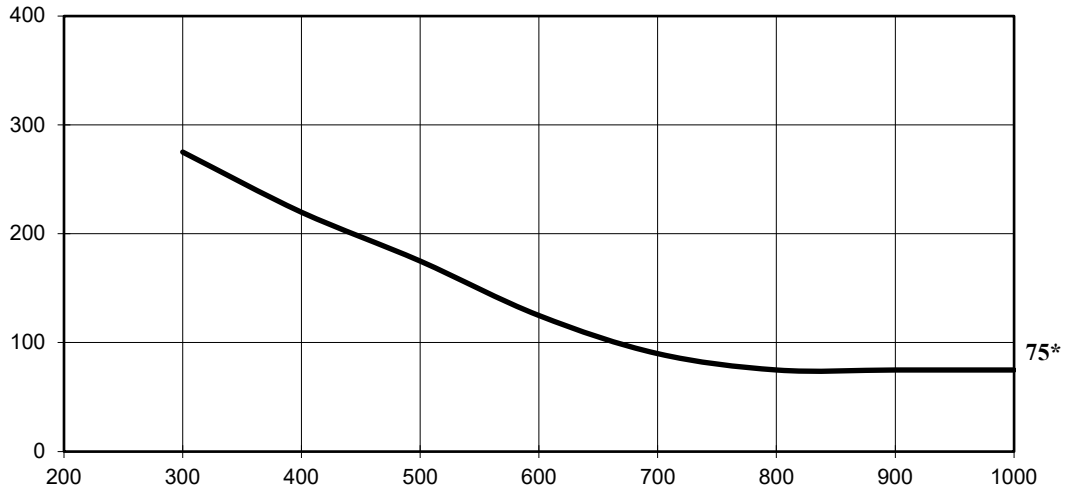
Figure 4C-5. Pedestrian Four-Hour Volume (Warrant 4.)

Traffic Survey - Count Analysis

TxDOT Form Revised 6/5/2006

**TOTAL OF ALL  
PEDESTRIANS  
CROSSING  
MAJOR STREET-  
PEDESTRIANS  
PER HOUR (PPH)**

▲ 24 hours counts



**MAJOR STREET - TOTAL OF BOTH APPROACHES -  
VEHICLES PER HOUR (VPH)**

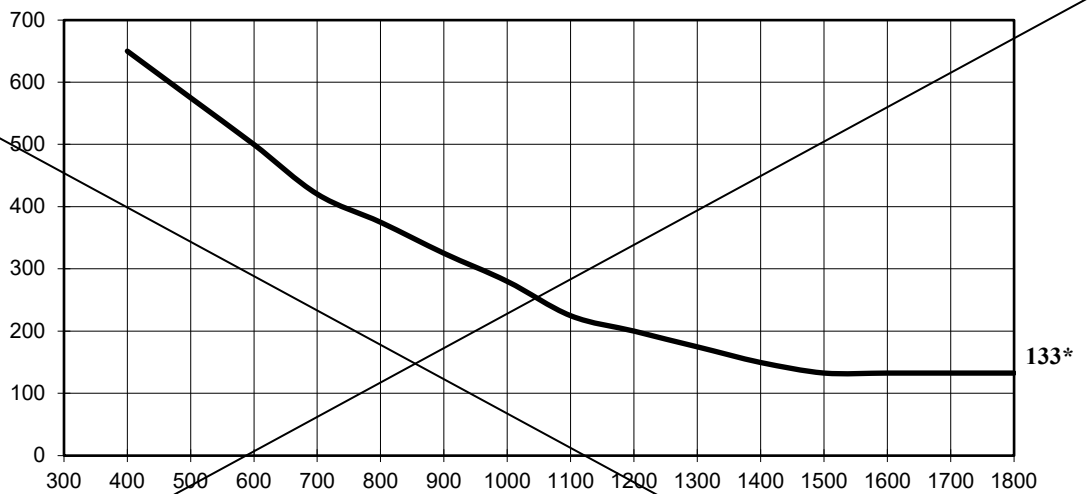
\*Note: 75 pph applies as the lower threshold volume.

Figure 4C-6. Pedestrian Four-Hour Volume (70% Factor)(Warrant 4.)

Traffic Survey - Count Analysis

**TOTAL OF ALL  
PEDESTRIANS  
CROSSING  
MAJOR STREET-  
PEDESTRIANS  
PER HOUR (PPH)**

■ AM / PM Peak Hours



**MAJOR STREET - TOTAL OF BOTH APPROACHES -  
VEHICLES PER HOUR (VPH)**

\*Note: 133 pph applies as the lower threshold volume.

Figure 4C-7. Pedestrian Peak Hour (Warrant 4.)  
Traffic Survey - Count Analysis

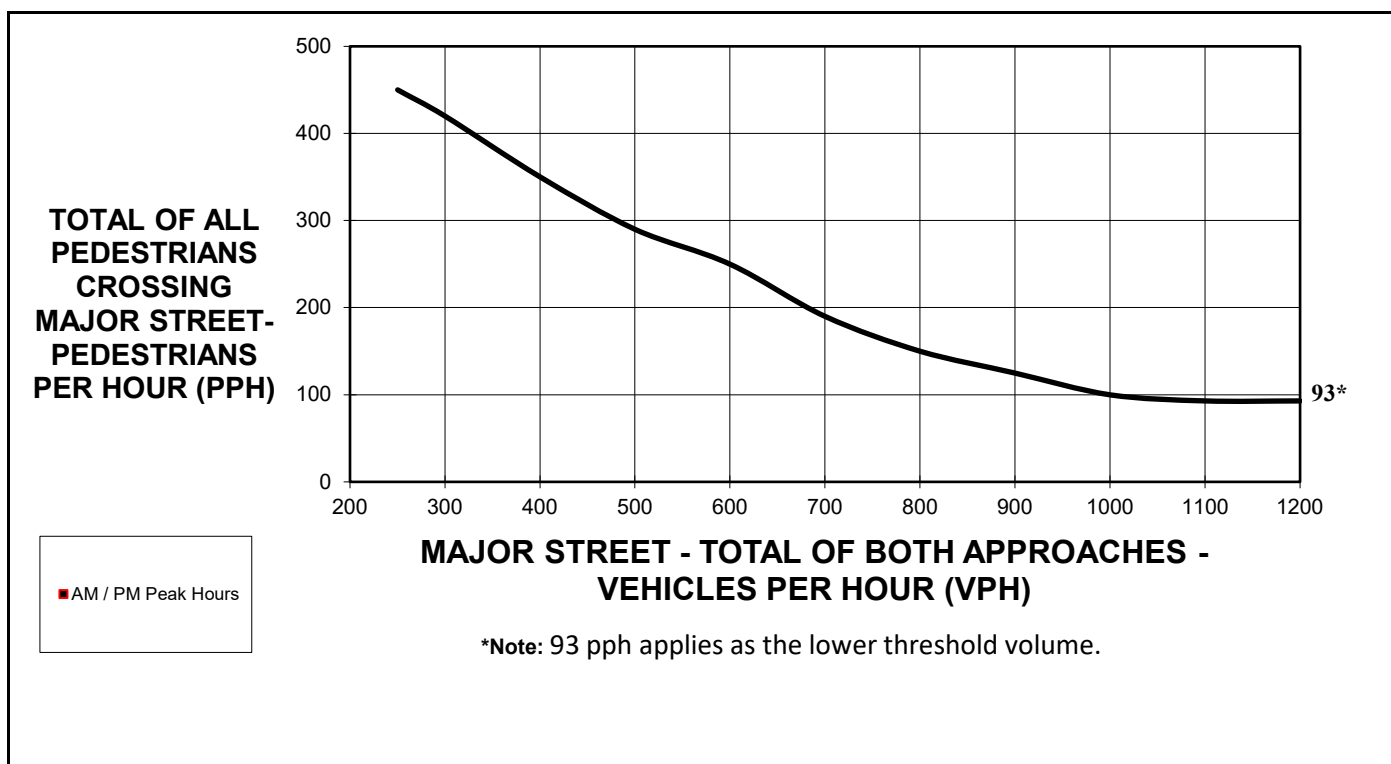


Figure 4C-8. Pedestrian Peak Hour (70% Factor) (Warrant 4.)  
Traffic Survey - Count Analysis

**Warrant 5. School Crossing - NOT EVALUATED**

|                              |                             |                                                                                                                                                                                                                      |
|------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Is the number of adequate gaps in traffic stream during the period when the children are using the crossing less than the number of minutes in the same period?                                                      |
| <b>- and -</b>               |                             |                                                                                                                                                                                                                      |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Are there a minimum of 20 students during the highest crossing hour?                                                                                                                                                 |
| <b>- and -</b>               |                             |                                                                                                                                                                                                                      |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Is the nearest signal on the major street located more than 300 feet away?<br>(This warrant may be applied, if the proposed signal is less than 300 feet and does not restrict the progressive movement of traffic.) |

**Warrant 6. Coordinated Signal System - NOT EVALUATED**

|                              |                             |                                                                                                                                                                                                                           |
|------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | On a one-way street or a street with traffic predominantly in one direction, are the adjacent signals far enough apart that the necessary degree of vehicle platooning does not occur?                                    |
| <b>- or -</b>                |                             |                                                                                                                                                                                                                           |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | On a two-way street, are the adjacent signals far enough apart that the necessary degree of vehicle platooning does not occur and would the proposed and adjacent traffic control signal provide a progressive operation? |

**Warrant 7. Crash Experience - NOT EVALUATED**

|                                                                                                                                                                                                                                                              |                             |                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes                                                                                                                                                                                                                                 | <input type="checkbox"/> No | Is one of the following conditions met?:                                                        |
| <ul style="list-style-type: none"> <li>◆ 80% of Condition A or Condition B in Warrant 1</li> <li>◆ 56% of Condition A or B in Warrant 1 (major-street speed exceeding 40 mph and population less than 10,000)</li> <li>◆ 80% or more of Warrant 4</li> </ul> |                             |                                                                                                 |
| <b>- and -</b>                                                                                                                                                                                                                                               |                             |                                                                                                 |
| <input type="checkbox"/> Yes                                                                                                                                                                                                                                 | <input type="checkbox"/> No | Have there been more than 5 crashes susceptible to correction by a traffic signal in 12 months? |

**Warrant 8. Roadway Network - NOT EVALUATED**

|                                                                              |                             |                                                                                                                                                                                                                                                     |
|------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes                                                 | <input type="checkbox"/> No | Is the total existing, or immediately projected, entering volume on all approaches greater than 1000 vehicles for each of any 5 hours of a Saturday and/or Sunday.                                                                                  |
| <b>- or -</b>                                                                |                             |                                                                                                                                                                                                                                                     |
| <input type="checkbox"/> Yes                                                 | <input type="checkbox"/> No | Is the total existing, or immediately projected, entering volume greater than 1000 vehicles for the peak hour of a typical workday, and do the 5 year projected traffic volumes meet one or more of Warrants 1, 2, and 3 during an average weekday? |
| Check applicable characteristics of each route (only 1 needs to be checked): |                             |                                                                                                                                                                                                                                                     |
| <u>Major Street</u>                                                          | <u>Minor Street</u>         |                                                                                                                                                                                                                                                     |
| <input type="checkbox"/>                                                     | <input type="checkbox"/>    | It is part of street or highway system that serves as the principal roadway network for through traffic flow.                                                                                                                                       |
| <input type="checkbox"/>                                                     | <input type="checkbox"/>    | It includes rural or suburban highways outside, entering, or traversing a city.                                                                                                                                                                     |
| <input type="checkbox"/>                                                     | <input type="checkbox"/>    | It appears as a major route on an official plan such as a major street plan in an urban area traffic and transportation study.                                                                                                                      |
| <input type="checkbox"/>                                                     | <input type="checkbox"/>    | It connects areas of principal traffic generations.                                                                                                                                                                                                 |
| <input type="checkbox"/>                                                     | <input type="checkbox"/>    | It has surface street freeway or expressway ramp terminals.                                                                                                                                                                                         |

**Warrant 9. Intersection Near a Gra**

|                              |                             |                                                                                                                                                                                                                   |
|------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | A grade crossing exists on an approach controlled by a STOP or YIELD sign and the center of the center of the track nearest to the intersection is within 140 feet of the stop line or yield line on the approach |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Rail track cross the major street?                                                                                                                                                                                |
| <b>- And -</b>               |                             |                                                                                                                                                                                                                   |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Meets one High Hour (Warrant 9).                                                                                                                                                                                  |

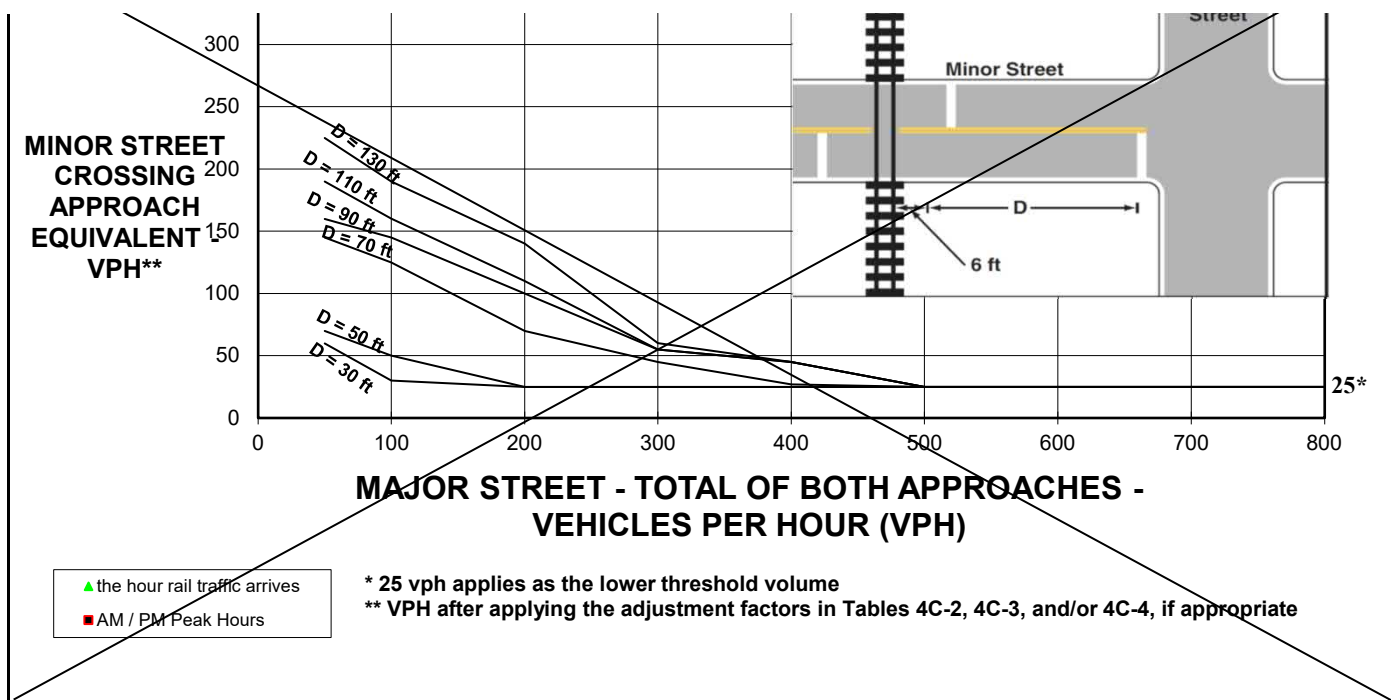


Figure 4C-9. Intersection Near a Grade Crossing (One Approach Lane at the Track Crossing) (Warrant 9.)

Traffic Survey - Count Analysis

TxDOT Form Revised 6/5/2006

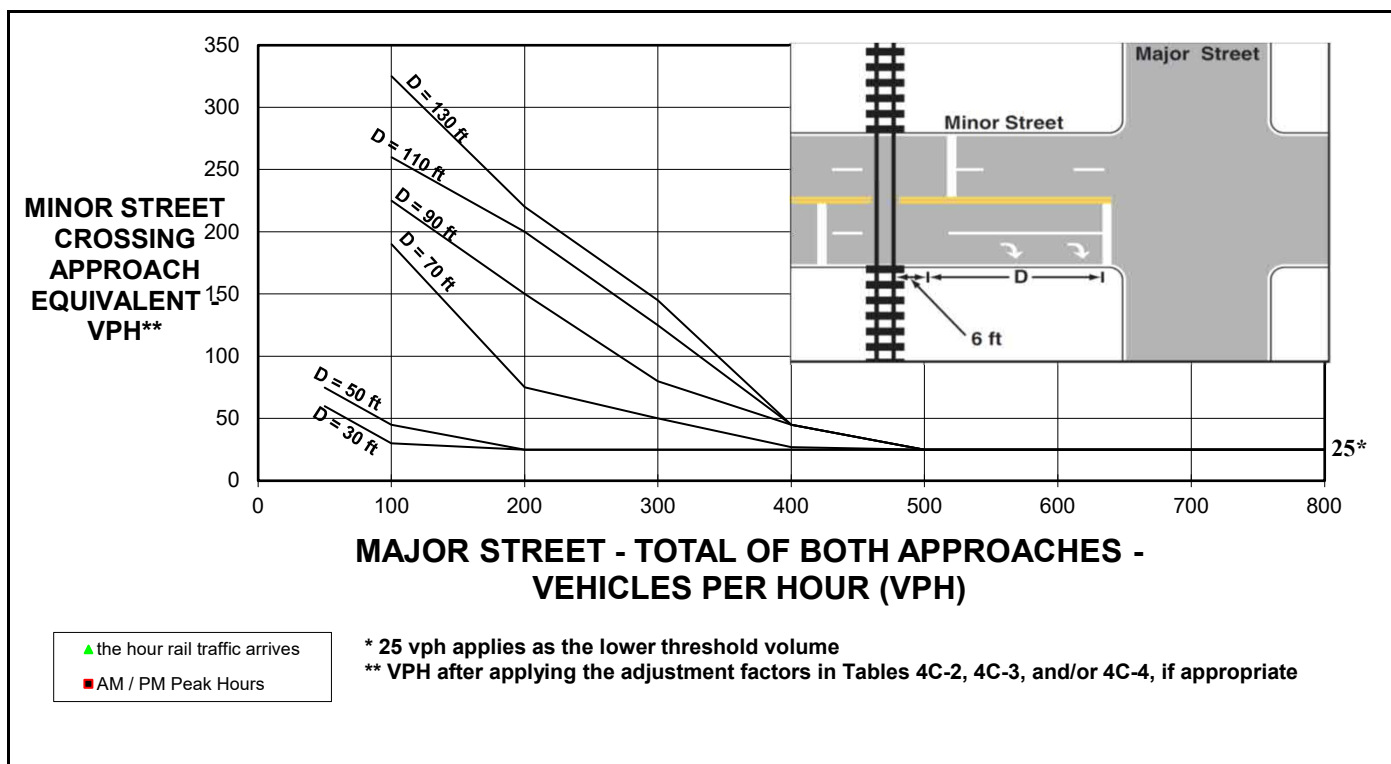


Figure 4C-10. Intersection Near a Grade Crossing (Two or More Approach Lane at the Track Crossing) (Warrant 9.)

Traffic Survey - Count Analysis

TxDOT Form Revised 6/5/2006

Remarks:



# Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use

Source: ITE *Trip Generation Manual* , 10th Edition

|               |                                |         |          |         |
|---------------|--------------------------------|---------|----------|---------|
| Land Use Code | 210                            |         |          |         |
| Land Use      | Single-Family Detached Housing |         |          |         |
| Setting       | General Urban/Suburban         |         |          |         |
| Time Period   | Weekday                        |         |          |         |
| Trip Type     | Vehicle                        |         |          |         |
| # Data Sites  | 6                              |         |          |         |
|               | % of 24-Hour Traffic           |         | Entering | Exiting |
| Time          | Entering                       | Exiting | 1,327    | 1,327   |
| 12-1 AM       | 0.5                            | 0.2     | 7        | 3       |
| 1-2 AM        | 0.2                            | 0.2     | 3        | 3       |
| 2-3 AM        | 0.2                            | 0       | 3        | 0       |
| 3-4 AM        | 0.2                            | 0.2     | 3        | 3       |
| 4-5 AM        | 0.3                            | 0.8     | 4        | 11      |
| 5-6 AM        | 0.5                            | 2.0     | 7        | 27      |
| 6-7 AM        | 1.6                            | 5.9     | 21       | 78      |
| 7-8 AM        | 3.2                            | 10.2    | 42       | 135     |
| 8-9 AM        | 3.7                            | 8.6     | 49       | 114     |
| 9-10 AM       | 3.2                            | 5.4     | 42       | 72      |
| 10-11 AM      | 4.2                            | 5.4     | 56       | 72      |
| 11-12 PM      | 5.4                            | 5.1     | 72       | 68      |
| 12-1 PM       | 5.5                            | 5.6     | 73       | 74      |
| 1-2 PM        | 6.0                            | 5.9     | 80       | 78      |
| 2-3 PM        | 7.0                            | 6.2     | 93       | 82      |
| 3-4 PM        | 8.5                            | 6.0     | 113      | 80      |
| 4-5 PM        | 10.5                           | 7.5     | 139      | 100     |
| 5-6 PM        | 10.3                           | 7.4     | 137      | 98      |
| 6-7 PM        | 8.6                            | 5.9     | 114      | 78      |
| 7-8 PM        | 6.2                            | 4.3     | 82       | 57      |
| 8-9 PM        | 6.3                            | 3.1     | 84       | 41      |
| 9-10 PM       | 4.5                            | 2.4     | 60       | 32      |
| 10-11 PM      | 2.2                            | 1.1     | 29       | 15      |
| 11-12 AM      | 1.3                            | 0.7     | 17       | 9       |

| Time     |          | Northbound |      |       | Southbound |      |       | Eastbound |       |       | Westbound |       |       |
|----------|----------|------------|------|-------|------------|------|-------|-----------|-------|-------|-----------|-------|-------|
| Start    | End      | left       | thru | right | left       | thru | right | left      | thru  | right | left      | thru  | right |
| 12:00 AM | 1:00 AM  |            |      |       | 3          | 0    | 4     | 7         | 132   |       |           | 108   | 7     |
| 1:00 AM  | 2:00 AM  |            |      |       | 3          |      | 3     | 8         | 80    |       |           | 76    | 3     |
| 2:00 AM  | 3:00 AM  |            |      |       | 3          |      | 5     | 4         | 74    |       |           | 63    | 5     |
| 3:00 AM  | 4:00 AM  |            |      |       | 1          |      | 6     | 3         | 86    |       |           | 111   | 0     |
| 4:00 AM  | 5:00 AM  |            |      |       | 5          |      | 15    | 3         | 151   |       |           | 335   | 1     |
| 5:00 AM  | 6:00 AM  |            |      |       | 8          |      | 50    | 2         | 236   |       |           | 1036  | 2     |
| 6:00 AM  | 7:00 AM  |            |      |       | 16         |      | 68    | 18        | 513   |       |           | 1446  | 13    |
| 7:00 AM  | 8:00 AM  |            |      |       | 34         |      | 57    | 18        | 845   |       |           | 1233  | 28    |
| 8:00 AM  | 9:00 AM  |            |      |       | 25         |      | 35    | 12        | 727   |       |           | 990   | 22    |
| 9:00 AM  | 10:00 AM |            |      |       | 23         |      | 33    | 8         | 767   |       |           | 868   | 25    |
| 10:00 AM | 11:00 AM |            |      |       | 31         |      | 24    | 16        | 864   |       |           | 894   | 21    |
| 11:00 AM | 12:00 PM |            |      |       | 27         |      | 32    | 22        | 873   |       |           | 814   | 29    |
| 12:00 PM | 1:00 PM  |            |      |       | 29         |      | 30    | 14        | 1018  |       |           | 947   | 21    |
| 1:00 PM  | 2:00 PM  |            |      |       | 25         |      | 21    | 28        | 1001  |       |           | 980   | 29    |
| 2:00 PM  | 3:00 PM  |            |      |       | 32         |      | 17    | 34        | 1203  |       |           | 989   | 43    |
| 3:00 PM  | 4:00 PM  |            |      |       | 42         |      | 22    | 34        | 1516  |       |           | 1047  | 41    |
| 4:00 PM  | 5:00 PM  |            |      |       | 26         |      | 26    | 33        | 1648  |       |           | 1093  | 47    |
| 5:00 PM  | 6:00 PM  |            |      |       | 39         |      | 24    | 46        | 1575  |       |           | 1077  | 53    |
| 6:00 PM  | 7:00 PM  |            |      |       | 31         |      | 23    | 45        | 1563  |       |           | 932   | 48    |
| 7:00 PM  | 8:00 PM  |            |      |       | 41         |      | 21    | 42        | 1102  |       |           | 760   | 41    |
| 8:00 PM  | 9:00 PM  |            |      |       | 27         |      | 11    | 34        | 712   |       |           | 633   | 36    |
| 9:00 PM  | 10:00 PM |            |      |       | 24         |      | 9     | 27        | 546   |       |           | 478   | 33    |
| 10:00 PM | 11:00 PM |            |      |       | 6          |      | 5     | 15        | 364   |       |           | 305   | 12    |
| 11:00 PM | 12:00 AM |            |      |       | 8          |      | 4     | 15        | 199   |       |           | 174   | 9     |
| Total    |          | 0          | 0    | 0     | 509        | 0    | 545   | 488       | 17795 | 0     | 0         | 17389 | 569   |
| Time     |          | Northbound |      |       | Southbound |      |       | Eastbound |       |       | Westbound |       |       |
| Start    | End      | left       | thru | right | left       | thru | right | left      | thru  | right | left      | thru  | right |
| 12:00 AM | 1:00 AM  |            |      |       | 4          |      |       | 8         | 141   |       |           | 115   | 8     |
| 1:00 AM  | 2:00 AM  |            |      |       | 4          |      |       | 9         | 85    |       |           | 81    | 4     |
| 2:00 AM  | 3:00 AM  |            |      |       | 4          |      |       | 5         | 79    |       |           | 67    | 6     |
| 3:00 AM  | 4:00 AM  |            |      |       | 2          |      |       | 4         | 92    |       |           | 118   | 0     |
| 4:00 AM  | 5:00 AM  |            |      |       | 6          |      |       | 4         | 161   |       |           | 356   | 2     |
| 5:00 AM  | 6:00 AM  |            |      |       | 9          |      |       | 3         | 251   |       |           | 1100  | 3     |
| 6:00 AM  | 7:00 AM  |            |      |       | 17         |      |       | 20        | 545   |       |           | 1535  | 14    |
| 7:00 AM  | 8:00 AM  |            |      |       | 37         |      |       | 20        | 897   |       |           | 1309  | 30    |
| 8:00 AM  | 9:00 AM  |            |      |       | 27         |      |       | 13        | 772   |       |           | 1051  | 24    |
| 9:00 AM  | 10:00 AM |            |      |       | 25         |      |       | 9         | 814   |       |           | 921   | 27    |
| 10:00 AM | 11:00 AM |            |      |       | 33         |      |       | 17        | 917   |       |           | 949   | 23    |
| 11:00 AM | 12:00 PM |            |      |       | 29         |      |       | 24        | 927   |       |           | 864   | 31    |
| 12:00 PM | 1:00 PM  |            |      |       | 31         |      |       | 15        | 1080  |       |           | 1005  | 23    |
| 1:00 PM  | 2:00 PM  |            |      |       | 27         |      |       | 30        | 1062  |       |           | 1040  | 31    |
| 2:00 PM  | 3:00 PM  |            |      |       | 34         |      |       | 37        | 1277  |       |           | 1050  | 46    |
| 3:00 PM  | 4:00 PM  |            |      |       | 45         |      |       | 37        | 1609  |       |           | 1111  | 44    |
| 4:00 PM  | 5:00 PM  |            |      |       | 28         |      |       | 36        | 1749  |       |           | 1160  | 50    |
| 5:00 PM  | 6:00 PM  |            |      |       | 42         |      |       | 49        | 1671  |       |           | 1143  | 57    |
| 6:00 PM  | 7:00 PM  |            |      |       | 33         |      |       | 48        | 1659  |       |           | 989   | 51    |
| 7:00 PM  | 8:00 PM  |            |      |       | 44         |      |       | 45        | 1170  |       |           | 807   | 44    |
| 8:00 PM  | 9:00 PM  |            |      |       | 29         |      |       | 37        | 756   |       |           | 672   | 39    |
| 9:00 PM  | 10:00 PM |            |      |       | 26         |      |       | 29        | 580   |       |           | 508   | 36    |
| 10:00 PM | 11:00 PM |            |      |       | 7          |      |       | 16        | 387   |       |           | 324   | 13    |
| 11:00 PM | 12:00 AM |            |      |       | 9          |      |       | 16        | 212   |       |           | 185   | 10    |
| Total    |          | 0          | 0    | 0     | 552        | 0    | 0     | 531       | 18893 | 0     | 0         | 18460 | 616   |
| Time     |          | Northbound |      |       | Southbound |      |       | Eastbound |       |       | Westbound |       |       |
| Start    | End      | left       | thru | right | left       | thru | right | left      | thru  | right | left      | thru  | right |
| 12:00 AM | 1:00 AM  |            |      |       | 6          |      |       | 13        | 141   |       |           | 115   |       |
| 1:00 AM  | 2:00 AM  |            |      |       | 6          |      |       | 11        | 85    |       |           | 81    |       |
| 2:00 AM  | 3:00 AM  |            |      |       | 4          |      |       | 7         | 79    |       |           | 67    |       |
| 3:00 AM  | 4:00 AM  |            |      |       | 4          |      |       | 6         | 92    |       |           | 118   |       |
| 4:00 AM  | 5:00 AM  |            |      |       | 11         |      |       | 7         | 161   |       |           | 356   |       |
| 5:00 AM  | 6:00 AM  |            |      |       | 20         |      |       | 8         | 251   |       |           | 1100  |       |
| 6:00 AM  | 7:00 AM  |            |      |       | 49         |      |       | 33        | 545   |       |           | 1535  |       |
| 7:00 AM  | 8:00 AM  |            |      |       | 91         |      |       | 46        | 897   |       |           | 1309  |       |
| 8:00 AM  | 9:00 AM  |            |      |       | 73         |      |       | 43        | 772   |       |           | 1051  |       |
| 9:00 AM  | 10:00 AM |            |      |       | 54         |      |       | 35        | 814   |       |           | 921   |       |
| 10:00 AM | 11:00 AM |            |      |       | 62         |      |       | 51        | 917   |       |           | 949   |       |

|          |          |   |   |   |      |   |   |      |       |   |   |       |   |
|----------|----------|---|---|---|------|---|---|------|-------|---|---|-------|---|
| 11:00 AM | 12:00 PM |   |   |   | 57   |   |   | 68   | 927   |   |   | 864   |   |
| 12:00 PM | 1:00 PM  |   |   |   | 61   |   |   | 59   | 1080  |   |   | 1005  |   |
| 1:00 PM  | 2:00 PM  |   |   |   | 59   |   |   | 78   | 1062  |   |   | 1040  |   |
| 2:00 PM  | 3:00 PM  |   |   |   | 67   |   |   | 93   | 1277  |   |   | 1050  |   |
| 3:00 PM  | 4:00 PM  |   |   |   | 77   |   |   | 105  | 1609  |   |   | 1111  |   |
| 4:00 PM  | 5:00 PM  |   |   |   | 68   |   |   | 120  | 1749  |   |   | 1160  |   |
| 5:00 PM  | 6:00 PM  |   |   |   | 82   |   |   | 132  | 1671  |   |   | 1143  |   |
| 6:00 PM  | 7:00 PM  |   |   |   | 65   |   |   | 117  | 1659  |   |   | 989   |   |
| 7:00 PM  | 8:00 PM  |   |   |   | 67   |   |   | 95   | 1170  |   |   | 807   |   |
| 8:00 PM  | 9:00 PM  |   |   |   | 46   |   |   | 88   | 756   |   |   | 672   |   |
| 9:00 PM  | 10:00 PM |   |   |   | 39   |   |   | 65   | 580   |   |   | 508   |   |
| 10:00 PM | 11:00 PM |   |   |   | 13   |   |   | 34   | 387   |   |   | 324   |   |
| 11:00 PM | 12:00 AM |   |   |   | 13   |   |   | 27   | 212   |   |   | 185   |   |
| Total    |          | 0 | 0 | 0 | 1094 | 0 | 0 | 1341 | 18893 | 0 | 0 | 18460 | 0 |

# **Guideline for Adjusting Minor Street Right-turn Volume for Signal Warrants**

## **Technical Memorandum**

**Prepared for:**

**Texas Department of Transportation  
San Antonio District  
San Antonio, Texas**

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# Guideline for Adjusting Minor-Street Right-turn Volume for Signal Warrants

## Introduction

The Chapter 4C of the Manual on Traffic Control Devices (MUTCD) consists of studies and factors that are needed to justify an installation of a traffic signal at an intersection (1). The MUTCD suggests that any one of the eight warrants be met to justify a traffic signal at an intersection, though the fact that a warrant is met does not necessitate signal installation or indicate that signalization is the most appropriate traffic engineering control measure at that location. Warrants 1 through 3, which are related to vehicular volume on the approaches to the intersection, are listed as follows:

Warrant 1: Eight-Hour Vehicular Volume

Warrant 2: Four-Hour Vehicular Volume

Warrant 3: Peak-Hour

Warrant 1 suggests minimum total eight hour volume at major and minor streets to justify a traffic signal at an intersection. Similarly, Warrant 2 suggests minimum total four hour volume at major and minor streets to justify a traffic signal at an intersection. Warrant 3 suggests minimum peak hour volume at major and minor streets to justify a traffic signal. However, the MUTCD does not suggest any numerical value of right-turn volume that has to be adjusted from the approach volumes on the minor street. Without these adjustments, it is likely that an intersection with moderate to high right-turn volume will yield inaccurate conclusions from the warrant analysis (2).

## Manual on Uniform Traffic Control Devices

Chapter 4C of the MUTCD describes the effect of right-turn vehicles from the minor street approaches as following (1):

*“The study should consider the effects of the right-turn vehicles from the minor-street approaches. Engineering judgment should be used to determine what, if any, portion of the right-turn traffic is subtracted from the minor-street traffic count when evaluating the count against the above signal warrants.”*

*“Engineering judgment and rationale should be applied to a street approach with one lane plus a right-turn lane. In this case, the degree of conflict of minor-street right-turn traffic with traffic on the major street should be considered. Thus, right-turn traffic should not be included in the minor-street volume if the movement enters the major street with **minimal conflict**. The approach should be evaluated as a one-lane approach with only the traffic volume in the through/left-turn lane considered.”*

The MUTCD also indicates that all of the right-turn volume can be subtracted from the minor-road volume if the minor-road approach has an exclusive right-turn bay and adequate right-turn capacity, and the right-turn bay should not be included in the count of approach lanes (1).

The MUTCD states that right-turn volume from the minor street should not be included in the warrant analysis if the movement enters the major street with *minimal* conflict. The MUTCD also calls for using engineering judgment while determining the minimal conflict. The minimal conflict between right turning vehicles and the major street occurs if the right-turn volume is very low. Hence, if the right-turn volume is very low, all of the right-turn volume can be deducted from the approach volume. However, the problem is determining a quantitative definition of “low” right-turn volume.

It is also true that if right-turn volume from the minor street is disproportionately higher than through volume, then it is less likely to benefit from signalization. In this case, all of the right-turn volume can be deducted from the analysis. This is exactly what is being practiced by the city of El Paso (3). However, it is necessary to quantitatively identify what is meant by ‘highly disproportionate.’

The provision of an exclusive right-turn lane or a bay can improve the operation of minor-road right-turn movement in comparison to shared-lane movement. Accordingly, an intersection that has shared lanes on the minor road is likely to benefit more from signalization than an intersection where the minor road has a right-turn bay (2). Thus, where a right-turn bay is present, all of the right-turn volume from the minor road can be deducted during the analysis.

## State of the Practice

A literature search and phone interviews with city traffic engineers revealed that some cities use maximum percentages of right-turn volume to determine if the right-turn volume should be deducted.

### *City of Madison, WI*

Where “side street” right-turn traffic exceeds 25 percent of approach volume, all or a portion of right-turn traffic will be deducted before the volumes are compared to the (MUTCD) criteria.

### *City of Houston, TX*

The city of Houston deducts 50 percent of the right-turning volume from the warrant analyses. If the right-turn volume is disproportionately high, the reduction can be even greater.

### *City of El Paso, TX*

The city of El Paso does not have quantitative guidelines on deducting right-turn volume from the minor street (3), and adjustments to the right-turn volume are done on a case-by-case basis. The city uses software package called PC-Warrants. The software allows factoring the minor street right-turn volume from 0.0 to 1.0 to determine the effect of the right-turn volume. Factor 1.0 means the all of the minor street right-turn volume is used and 0.0 means none of the right-turn volume is used. Also, the city does not have a guideline to decide which factor to use.

However, if the minor street right-turn volume is extremely high compared to the through-volume, then the right-turn factor of 0.0 is used.

### *Florida ITE Chapter*

The following factors should be considered when applying engineering judgment to determine the portion of right-turn volumes included in the minor street volume:

- Number of lanes on the minor street approach
- Presence or absence of exclusive right-turn lane
- Presence or absence of free flow right-turn
- Availability of gaps in major street traffic
- Sight distance available to right-turning vehicles
- Percentage of minor street traffic which turns right
- Pedestrian volumes

### *Oregon Department of Transportation*

Oregon DOT uses an 85 percent rule to determine if any or all of the minor street right-turn volume should be deducted from the approach volume. This rule requires that if the right-turn volume is greater than 85 percent of the shared-lane capacity of the approach, then right-turn volume is included from the approach volume. The right-turn discount is 85 percent of the shared lane capacity (85 percent of the capacity is used because once the  $v/c$  exceeds 0.85, drivers suffer longer delay and begin to take unsafe gaps).

### ***Minor Street (lower volume street)***

Include only the through, through/turn, and left turn lanes in the number of approach lanes. For the ADT, count the highest approaching volume (one direction only, do not include the ADT approaching from both directions) including some or none of the right-turn volume as discussed in the following scenarios:

### ***Scenario 1 – Shared left-through-right lane***

Some of the right-turns are included in the minor street approach ADT if the right-turn demand is greater than 85 percent of the capacity of the shared lane. Use UNSIG10 or HCS to calculate the capacity of the shared lane. The right-turn discount is 85 percent of the shared lane capacity (85 percent of the capacity is used because once the  $v/c$  exceeds 0.85; drivers suffer longer delay and begin to take unsafe gaps). Subtract the right-turn discount from the total right-turn volume to determine the number of right-turns in the warrant analysis. If the remainder is less than or equal to zero, do not include any of the right-turns in the approach ADT.

### ***Scenario 2 – Exclusive right-turn lane***

Some of the right-turns are included in the approach ADT if the right-turn lane demand is greater than 85 percent of the capacity of the right-turn lane. Use UNSIG10 or HCS to calculate the capacity of the right-turn lane. The right-turn discount is 85 percent of the right-turn lane capacity. Subtract the right-turn discount from the total right-turning volume to determine the number of right-turns that will be included in the warrant. If the remainder is less than or equal to zero, do not include any of the right-turns in the approach ADT.



### Scenario 3 – Shared through-right lane

Some of the right-turns are included in the approach ADT if the right-turn demand is greater than 85 percent of the capacity of the shared through-right lane. Use UNSIG10 or HCS to calculate the capacity of the through-right shared lane. The right-turn discount is 85 percent of the shared lane capacity. Subtract the right-turn discount from the total right-turn volume to determine the number of right-turns in the warrant. If the remainder is less than or equal to zero, do not include any of the right-turns in the approach ADT.

### Scenario 4 – Double right-turn lane

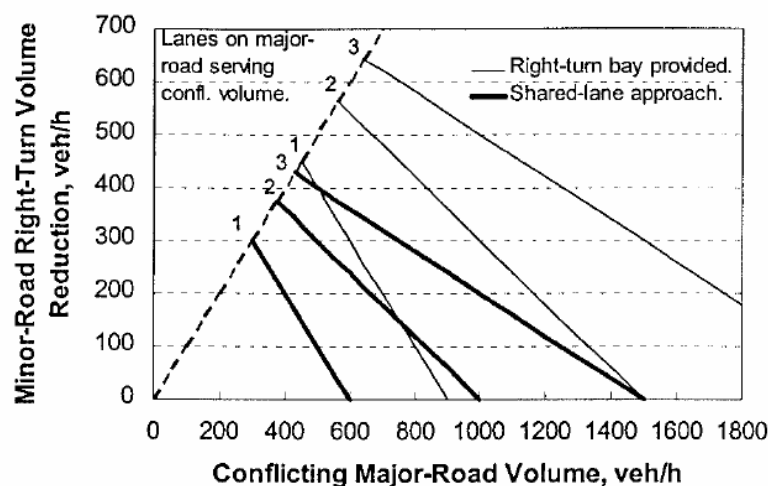
Include all of the right-turning volume in the approach ADT if a double right-turn lane is required. If such is the case, the number of approach lanes for warrant analysis is 2 or more.

### Utah Department of Transportation

Utah Department of Transportation (UDOT) has created a warrant check method to include right-turn volume. Even though UDOT has adopted the above warrant check method, it still follows two basic methods of excluding right-turn volume, which are as follows:

1. An intersection where minor-road drivers are primarily turning right is less likely to derive benefit from signalization than one where most drivers crossing through or turning left.
2. For minor road approaches with an exclusive right-turn bay AND adequate right-turn capacity, all of the right-turn volume can be subtracted from the minor road volume and that the right-turn bay should not be included in the count of approach lanes.

According to the warrant check method developed by UDOT, the right-turn volume included in the analysis is deducted from the actual right-turn volume on the basis of consideration of the major-road volume that conflicts with the right-turn movement and number of traffic lanes serving the conflicting volume. The relationship between these factors is shown in the figure below:



The adjusted volume is computed as follows:

$$\text{Adjusted Minor-Road Volume} = \text{Max} (V_7 + V_8 + V_9 - V_{R9}, V_{10} + V_{11} + V_{12} - V_{R12})$$

With,

$$V_{C9} = 0.5 V_3 + V_2/N_2$$

$$V_{C12} = 0.5 V_6 + V_5/N_5$$

Where,

$V_i$  = Volume of movement  $i$ , vph

$V_{R9}$  = Right-turn volume reduction for movement 9, obtained from the above figure using conflicting major-road volume  $V_{C9}$ , vph

$V_{R12}$  = Right-turn volume reduction for movement 9, obtained from the above figure using conflicting major-road volume  $V_{C12}$ , vph

$V_{C9}$  = Conflicting major-toad volume for movement 9, vph

$V_{C12}$  = Conflicting major-toad volume for movement 12, vph

$N_i$  = Number of approach lanes serving through movement  $i$ .

### *Highway Capacity Manual Applications Guide*

The Highway Capacity Manual (HCM) suggests that the major street right turn movement from a separate lane be entirely excluded from the conflicting flows for the minor street movement because, in such cases, the minor street drivers are usually quite confident that the approaching vehicle is actually going to make a right turn (9).

### Findings

The literature review showed that there is no consensus on how to treat right turn volume on a minor street during warrant analysis. However, it seems that almost all jurisdictions agree on following treatment of right-turn volume on a minor street:

1. If the minor street approach has an exclusive right-turn lane, exclude all the right-turn volume from the warrant analysis.
2. If the right-turn volume on the minor street volume is high, then exclude all or part of the right-turn volume from the warrant analysis. However, there is no consensus on the quantitative definition of "HIGH" right-turn volume.

### *Exclude ALL Minor Street Right-Turn Volume*

When minor street right-turn volume DOES NOT CONFLICT with major street through-volume, exclude all minor street right-turn volume in the following cases:

1. Separate signal phase for minor street right-turn volume will be provided.
2. Exclusive right-turn lane on the minor street and additional merging lane on the major street to merge right-turn traffic from the minor street with through-traffic on the major street.
3. Exclusive right-turn lane/bay on both major and minor streets.
4. No exclusive right-turn lane/bay on the major street and exclusive right-turn on the minor street.

### ***Include ALL Minor Street Right-Turn Volume***

Include all minor street right-turn volume when minor street right-turn volume CONFLICTS with major street through-volume and if the percentage of the minor street right-turn volume is significantly less than total approach volume. In both cases, the benefit of signalizing the intersection is higher than when the minor street right-turn volume is higher and when the conflict between major and minor streets is low. Include all minor street right-turn volume in the following cases:

1. Exclusive right-turn lane/bay on the major street and no exclusive right-turn on the minor street and percentage of minor street right-turn volume are significantly less than through volume.
2. No exclusive right-turn bays/lanes on both minor and major streets and the percentage of minor street right-turn volume is significantly less than through volume.

### ***Exclude PART OF Minor Street Right-Turn Volume***

Contrary to some jurisdictions, which require complete exclusion of minor street right-turn volume from the warrant analysis, including part of the right-turn volume is essential. This is due to the fact that when there is no distinction between available capacity for through-left and right-turn vehicles, the capacity provided by the common approach is distributed between through-left and right-turning vehicles. In this case, right-turn volume will have to be included along with through and left vehicles to accurately quantify the delay to the approach. When there is an exclusive right-turn lane, the capacity available for right-turning vehicles is separated from left-through vehicles. In this case, the delay on the minor street may entirely due to the left-through vehicles.

However, assuming there is no exclusive right-turn lane, how much of right-turn vehicle is to be included or excluded in the warrant analysis is the subject of the analysis presented in this section. Intuitively, if the minor street right-turn volume is 100 percent of the total volume, then installing a traffic signal will not be beneficial compared to when the right-turn volume is 0 percent of the through volume.

### ***Simulated Sensitivity Analysis***

Assuming that a two-way STOP control or an all-way STOP control will be provided if a traffic signal is not installed, a simulation analysis was performed to determine a correct proportion of right-turn volume on the minor street, which will significantly affect the delay to the vehicles on the minor street approach and the intersection. Using volumes and number of lanes listed in Warrant 1 Table 4C-1 from the MUTCD, graphs were created to demonstrate the delay incurred to individual approaches by varying right-turn volume. Each simulation was re-run with different random seeds. The number of lanes and corresponding volumes (only 100 percent volumes were used) shown in the following table were used in the simulation.

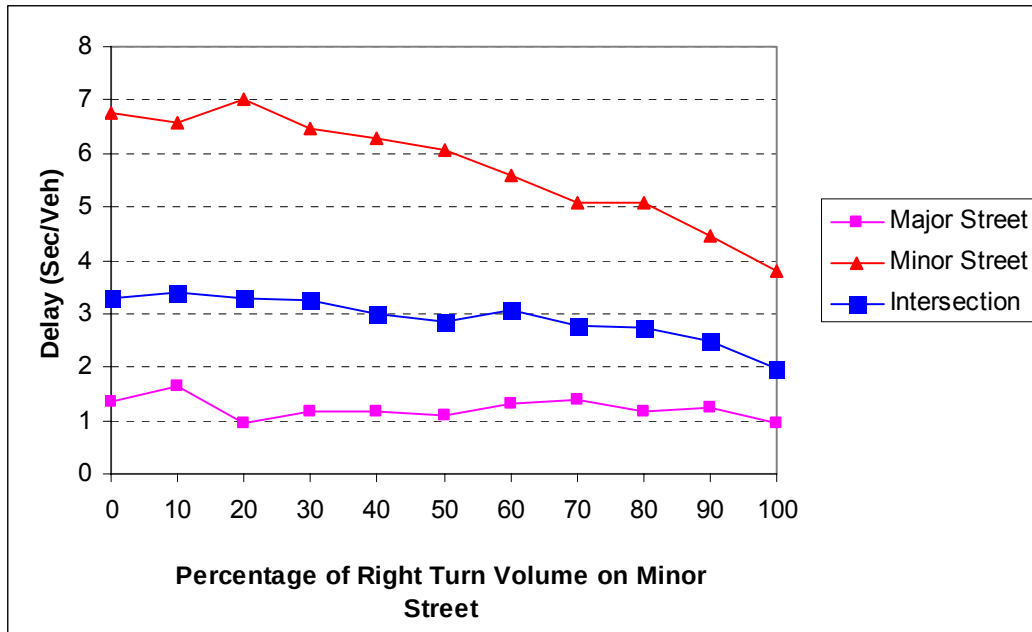
**Table 4C-1. Warrant 1, Eight-Hour Vehicular Volume**

| Condition A - Minimum Vehicular Volume              |                |                                                              |                  |                  |                                                                               |                  |                  |
|-----------------------------------------------------|----------------|--------------------------------------------------------------|------------------|------------------|-------------------------------------------------------------------------------|------------------|------------------|
| Number of lanes for moving traffic on each approach |                | Vehicles per hour on major street (total of both approaches) |                  |                  | Vehicles per hour on higher-volume minor street approach (one direction only) |                  |                  |
| Major Street                                        | Minor Street   | 100% <sup>a</sup>                                            | 80% <sup>b</sup> | 70% <sup>c</sup> | 100% <sup>a</sup>                                                             | 80% <sup>b</sup> | 70% <sup>c</sup> |
| 1.....                                              | 1.....         | 500                                                          | 400              | 350              | 150                                                                           | 120              | 105              |
| 2 or more...                                        | 1.....         | 600                                                          | 480              | 420              | 150                                                                           | 120              | 105              |
| 2 or more...                                        | 2 or more ...  | 600                                                          | 480              | 420              | 200                                                                           | 160              | 140              |
| 1.....                                              | 2 or more .... | 500                                                          | 400              | 350              | 200                                                                           | 160              | 140              |

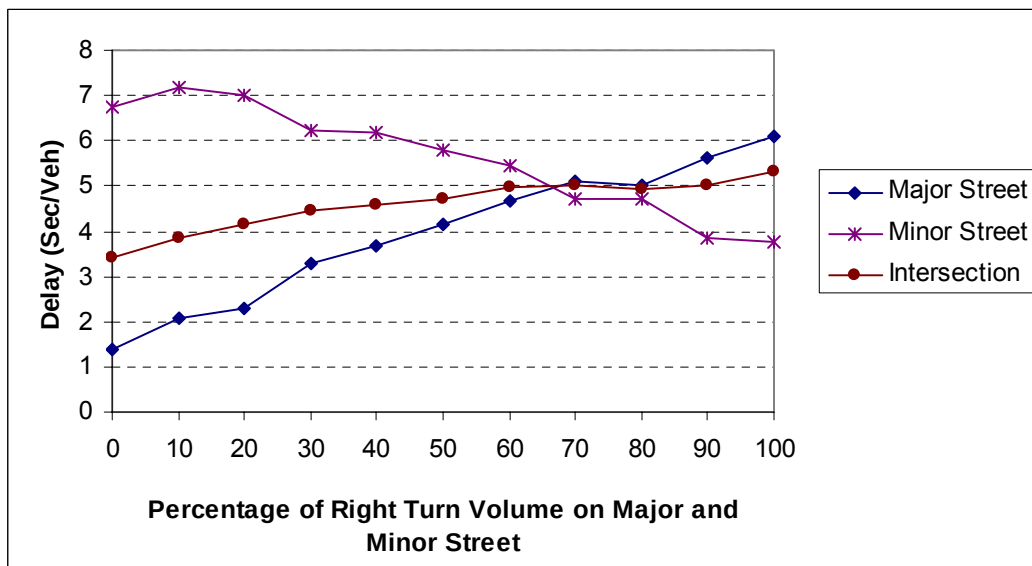
### *Two-Way STOP Control*

The graphical results of the simulated sensitivity analysis performed for one lane on both the major and minor street, and two lanes on the major with one lane on the minor street is presented below. Separate analyses were performed by using zero right turn volume on the major street and varying right-turn volume on the major street. However, for both cases, minor street right-turn volumes were varied.

The graph below shows that when there is only one lane on the minor street, the delay on the major street approach and the intersection remains constant with varying right-turn volume on the minor street. However, the delay on the minor street approach reduces. This decrease in delay on the minor street appears to be linear. Hence, if the percentage of right-turn volume on the minor street exceeds 50 percent, all of right-turn volume from the minor street can be excluded from the warrant analysis to maximize the benefit of installing a traffic signal.

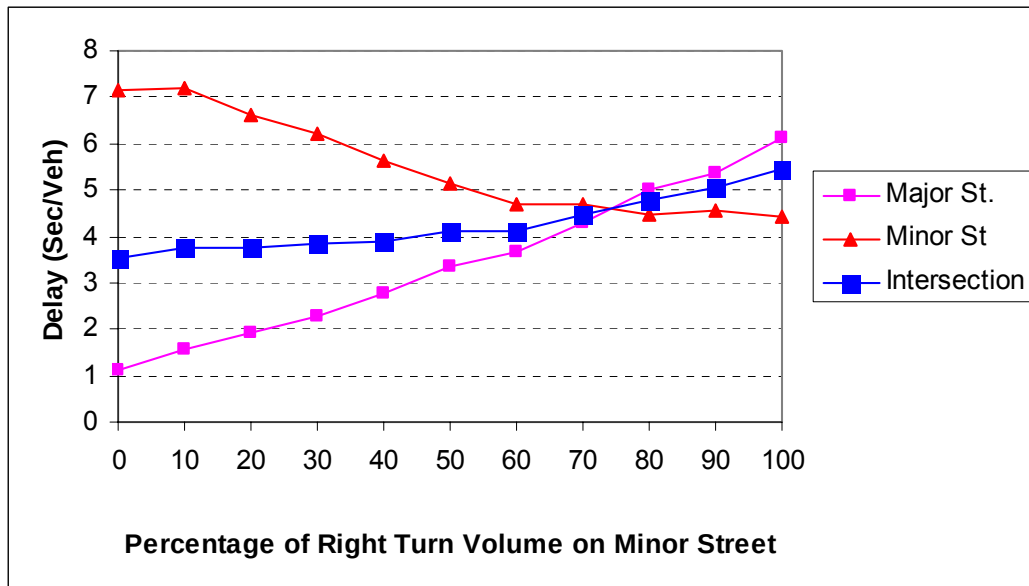


As shown in the next figure, as the percentage of minor street right-turning percentage reaches 70 percent of total volume, delay on all the approaches and the intersection converges. This means if the minor street right-turn volume is 70 percent and above, right-turn volume from the minor street can be excluded from the warrant analysis to maximize the benefit of installation of a traffic signal.



However, if the minor and major streets have two lanes each, with increasing right-turn lane on the minor street, delay is reduced on the minor street approach which increases overall delay and delay on the major street. This is because the major street approach will have to interact with right turning vehicles from the minor street.

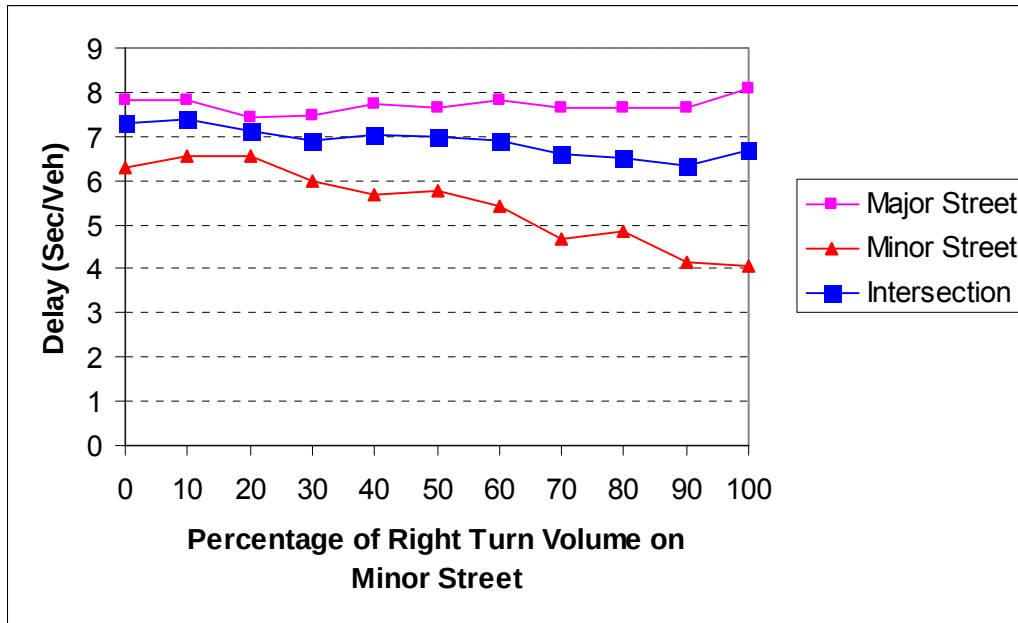
As shown in the figure below, as the percentage of minor street right-turning percentage reaches 70 percent of total volume, delay on all the approaches and the intersection converges. This means that if the minor street right-turn vehicle is 70 percent and above, right-turn volume from the minor street can be excluded from the warrant analysis to maximize the benefit of installation of a traffic signal.



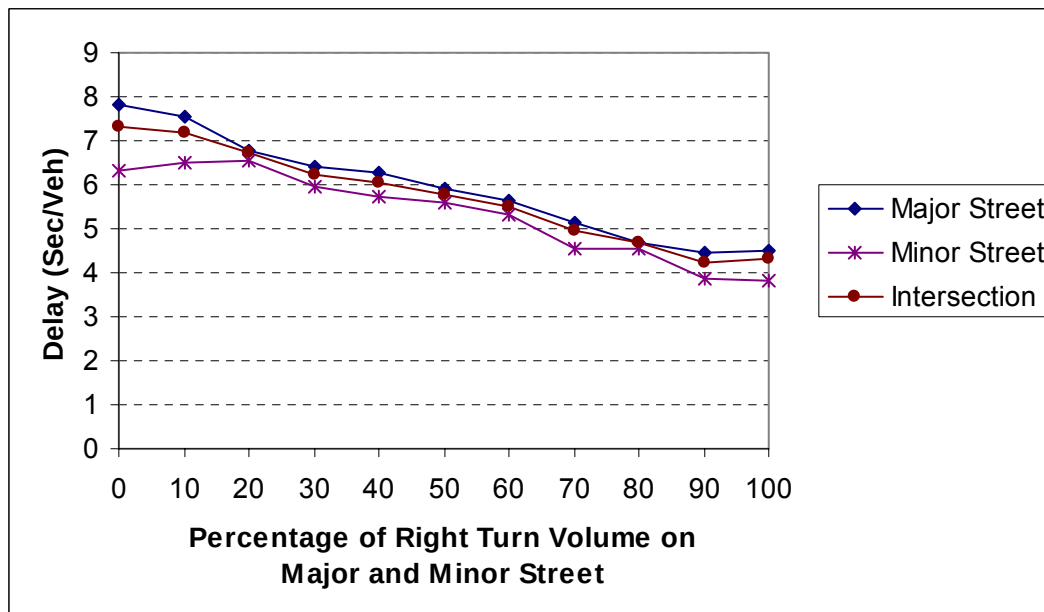
### *All-Way STOP Control*

The following graph shows that when there is only one lane on the minor street, the delay on the major street approach and the intersection remains constant with varying right-turn volume on the minor street. However, the delay on the minor street approach reduces. This decrease in delay on the minor street appears to be linear. Hence, if the percentage of right-turn volume on the minor street exceeds 50 percent, all of the right-turn volume from the minor street can be excluded from the warrant analysis to maximize the benefit of installing a traffic signal. This result is similar to findings for two-way STOP control.

This is due to the significant difference between major and minor street volumes. When intersection delay is computed, major street volume incurs much larger weight than the minor street volume.



The next figure shows that the major street delay reduces significantly due to a presence of higher right-turn volume on the major street, which reduces the overall delay of the intersection. The intersection delay is being reduced due to reduction in right-turning volume on the major street rather than the minor street. This decrease in delay on all the approaches and the intersection appears to be linear. Hence, if the percentage of right-turn volume on the minor street and major street exceeds 50 percent, all of right-turn volume from the minor street can be excluded from the warrant analysis to maximize the benefit of installing a traffic signal.



The above graphs show that if the intersection is an All-Way STOP or continue to be an All-Way STOP, there are no benefits in excluding right-turn volume from the minor street volume,

because the overall delay of the intersection does not change with reducing right-turn volume on the minor street. The intersection delay is insensitive to the percentage of minor-street right-turn volume.

## Conclusion

The findings of the study are summarized in the following table. The table provides an easy to follow guideline to include or exclude right-turning volume from the minor street while using MUTCD warrant analysis procedures. It was realized during the analysis that specifying an accurate proportion of right-turn volume to be included or excluded may not produce significant benefit to the warrant analysis, as simulated sensitivity analysis showed that delay at an intersection or major approach is not significantly affected by minor adjustments in minor street right-turn volume.

| <b><i>Volume and Geometric Condition</i></b>                                                                                                                                                 | <b><i>Action</i></b>                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| Separate signal phase for minor street right-turn volume                                                                                                                                     | Exclude all minor street right-turn volume          |
| Exclusive right-turn lane on the minor street and additional merging lane on the major street                                                                                                | Exclude all minor street right-turn volume          |
| Exclusive right-turn lane/bay on both major and minor streets                                                                                                                                | Exclude all minor street right-turn volume          |
| No exclusive right-turn lane/bay on the major street and exclusive right-turn lane/bay on the minor street                                                                                   | Exclude all minor street right-turn volume          |
| Exclusive right-turn lane/bay on the major street and no exclusive right-turn on the minor street and percentage of minor street right-turn volume is significantly less than through volume | Include all minor street right-turn volume          |
| No exclusive right-turn bay/lane on both minor and major streets and the percentage of minor street right-turn volume is significantly less than through volume                              | Include all minor street right-turn volume          |
| No exclusive right-turn bays, minor street right-turn volume is 70 percent of approach volume or higher and two-way STOP control is used                                                     | Exclude all right-turn volume from the minor street |
| No exclusive right-turn bays, minor street right-turn volume is less than 70 percent of approach volume and two-way STOP control is used                                                     | Include all right-turn volume from minor street     |
| No exclusive right-turn bays, minor street right-turn volume is 50 percent of approach volume or higher and all-way STOP control is used                                                     | Exclude all right-turn volume from the minor street |
| No exclusive right-turn bays, minor street right-turn volume is less than 50 percent of approach volume and all-way STOP control is used                                                     | Include all right-turn volume from minor street     |

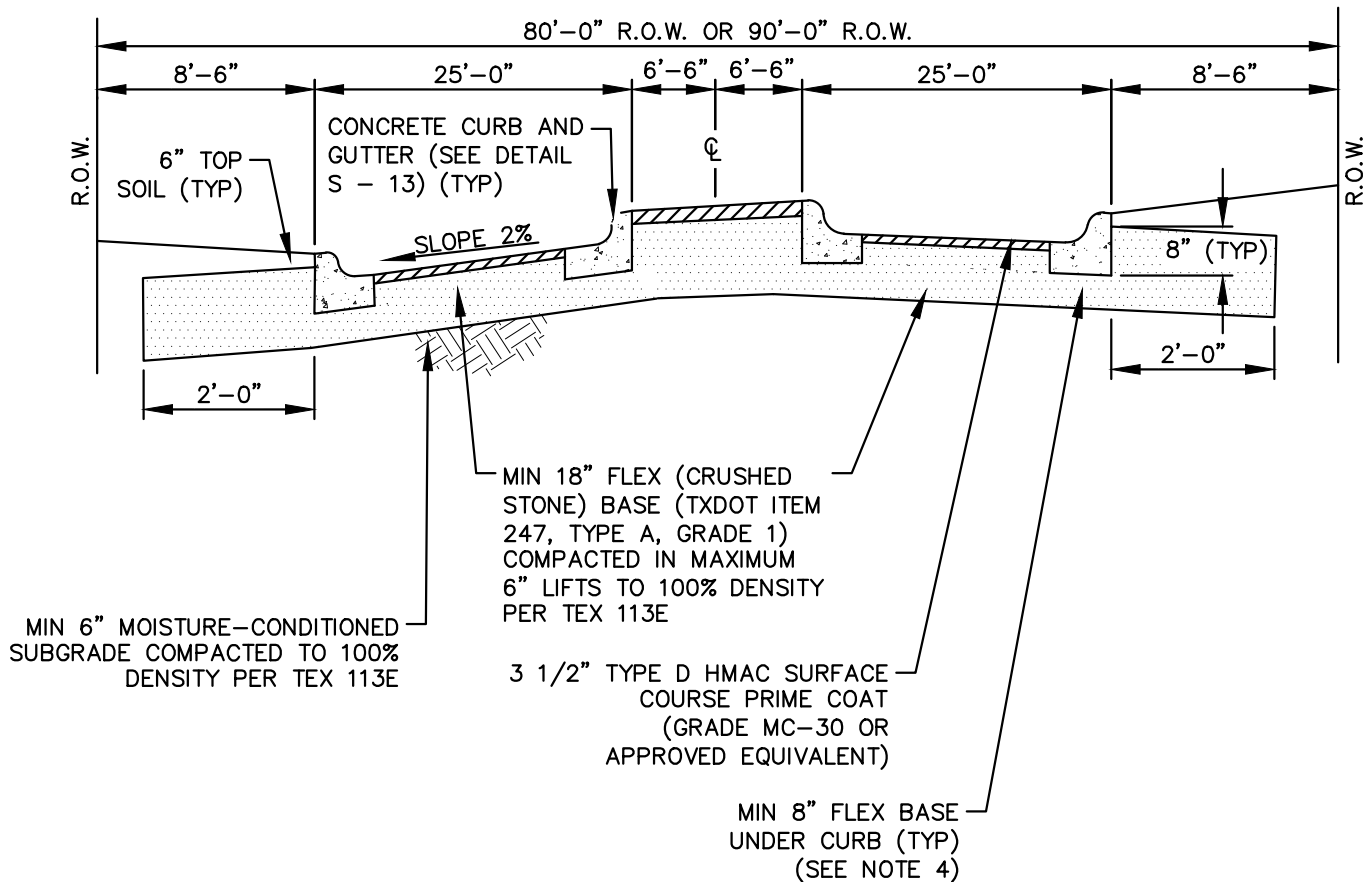


## References

1. Manual on Traffic Control Devices-Millennium Edition, Federal Highway Administration, U.S. Department of Transportation, Washington D.C., 2000.
2. Bonneson, J. A. and Fontaine, M. D., Engineering Study Guide for Evaluating Intersection Improvement- NCHRP Report 457, Transportation Research Board, Washington D.C., 2001.
3. Personal Interview with Keith Bennett, Traffic Engineering Department, City of El Paso, Texas, 01/23/2006.
4. Criteria for Traffic Signals, City of Madison, Wisconsin, 2000.
5. Traffic Signal Installation Policy and Procedure, City of Houston, 2004.  
[www.publicworks.cityofhouston.gov/.../traffic\\_signal\\_installation\\_policy\\_and\\_procedure.doc](http://www.publicworks.cityofhouston.gov/.../traffic_signal_installation_policy_and_procedure.doc)
6. Manual on Uniform Traffic Studies, Institute of Traffic Engineers- Florida Chapter, January, 2000.
7. [http://www.oregon.gov/ODOT/TD/TP/docs/TAPM/Signal\\_Warrant.pdf](http://www.oregon.gov/ODOT/TD/TP/docs/TAPM/Signal_Warrant.pdf) - Accessed 01/22/2006.
8. Traffic and Safety Manual, Utah Department of Transportation, 2004.
9. Highway Capacity Manual Applications Guide  
<http://hcmdev.kittelson.com/Case1/problem01/subproblem01a/subproblem01a5.htm> - Accessed 01/22/2006.

**EXHIBIT “I”**

**CITY CONSTRUCTION STANDARD FOR  
MAJOR ARTERIAL WITH BOULEVARD (90’ R.O.W.)**



#### NOTES:

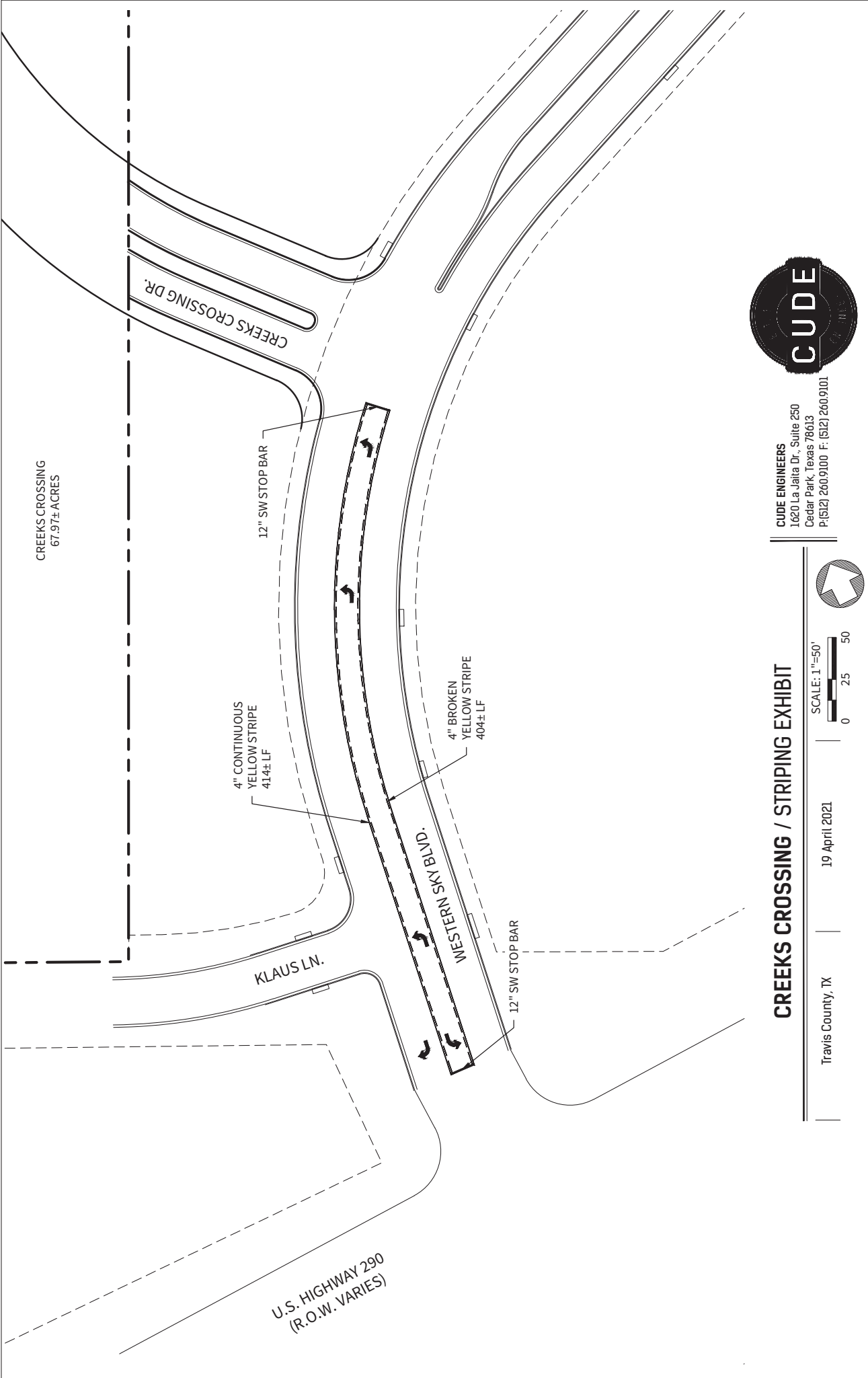
1. UTILITY TRENCHES PLACED WITHIN THE STREET OR WITHIN 5' FROM BACK OF CURBS THAT ARE 3' OR MORE IN DEPTH SHALL COMPLY WITH THE R.O.W. DETAIL (FOR PIPE SIZE 6" AND LARGER).
2. PAVEMENT SECTION SHALL BE PER APPROVED GEOTECHNICAL REPORT. THICKNESSES SHOWN ARE MINIMUMS.
3. 6" PARABOLIC CROWN EXCEPT AT INTERSECTIONS OR AS APPROVED BY THE CITY ENGINEER. (CROWN HEIGHT DEVIATIONS NOT PERMITTED FOR DRAINAGE REASONS).
4. ALL NEW ROADWAYS SHALL HAVE 5' WIDE SIDEWALKS ON BOTH SIDES (NOT SHOWN).



THE CITY  
OF  
ELGIN

| DATE ISSUED: |         | MAY 2016 |  |
|--------------|---------|----------|--|
| REV          | DATE    | BY       |  |
| 1            | 3/5/18  | KBP      |  |
| 2            | 12/1/19 | KBP      |  |
|              |         |          |  |
|              |         |          |  |
|              |         |          |  |
|              |         |          |  |

|             |        |                                                                                       |  |
|-------------|--------|---------------------------------------------------------------------------------------|--|
| TITLE:      |        | ASPHALT PAVEMENT<br>TYPICAL SECTION OF<br>MAJOR/MINOR ARTERIAL<br>STREETS WITH MEDIAN |  |
| SCALE:      | N.T.S. |                                                                                       |  |
| DRAWING No. |        | S - 5                                                                                 |  |



CREEKS CROSSING  
67.97± ACRES

CREEKS CROSSING DR.

12" SW STOP BAR

4" CONTINUOUS  
YELLOW STRIPE  
414± LF

KLAUS LN.

U.S. HIGHWAY 290  
(R.O.W. VARIES)

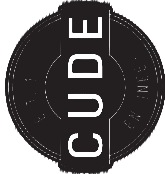
WESTERN SKYBLVD.

4" BROKEN  
YELLOW STRIPE  
404± LF

12" SW STOP BAR

CUDE ENGINEERS

1620 La Jolla Dr., Suite 250  
Cedar Park, Texas 78613  
P: (512) 260.9100 F: (512) 260.9101



### CREEKS CROSSING / STRIPING EXHIBIT

Travis County, TX

19 April 2021



## Attachment 3

### Staff Added Comprehensive Plan Exhibits



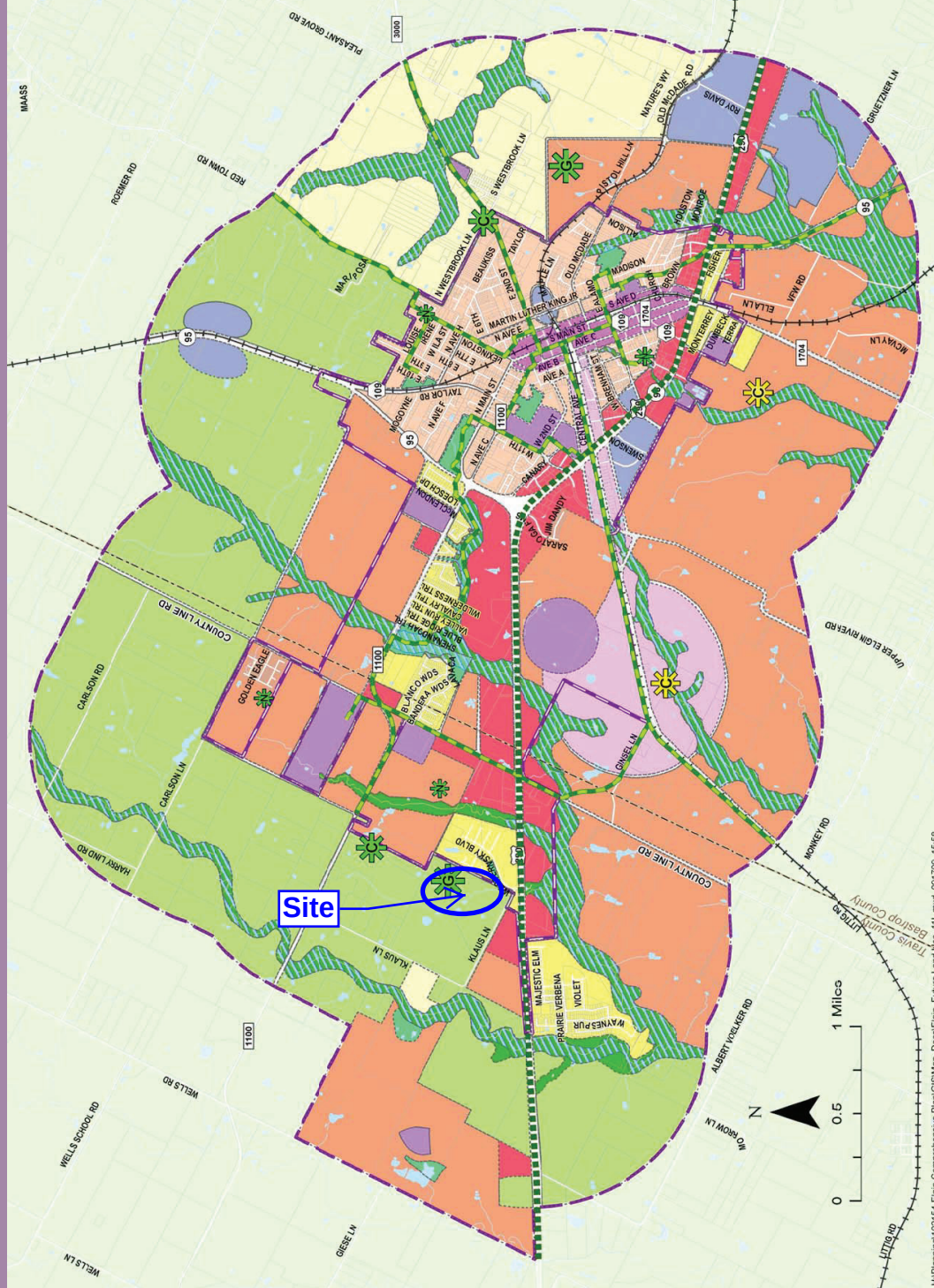
# Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

## Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GIS\Map\_Docs\Elgin\_Future Land Use\_11L.mxd 09/17/09 15:58  
Source: Wilbur Smith Associates, Inc., 2009.



## Agricultural

**General Description:** Areas dedicated to food production and raising livestock. Development in these areas is very minimal, and primarily associated with agricultural activity. Elgin desires to keep these areas as farmland or ranchland wherever possible in order to maintain and promote an agricultural economic base, as well as provide a local food source, and preserve the rural character of the community.

**Transect Zone:** Natural (T1)

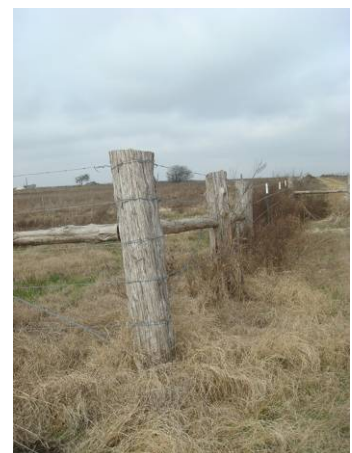
**Primary Land Use:** Agricultural

**Supporting Land Uses:** Rural residences (farm houses), equestrian facilities, agricultural storage, small-scale commercial, and industrial uses directly related to agricultural activity.

**Residential Densities:** 1 unit per 10 acres or more.

**Form and Character:** The area is defined by vast areas of open space and agricultural land with a rural or natural character. Built structures are very sparse and typically associated with farming operations such as barns, pens, sheds, and feed storage. Because it is a working landscape, agricultural areas are associated with some “nuisances” such as noise, dust, and fertilizer that are best mitigated by maintaining large parcel sizes and limiting urbanization where possible.

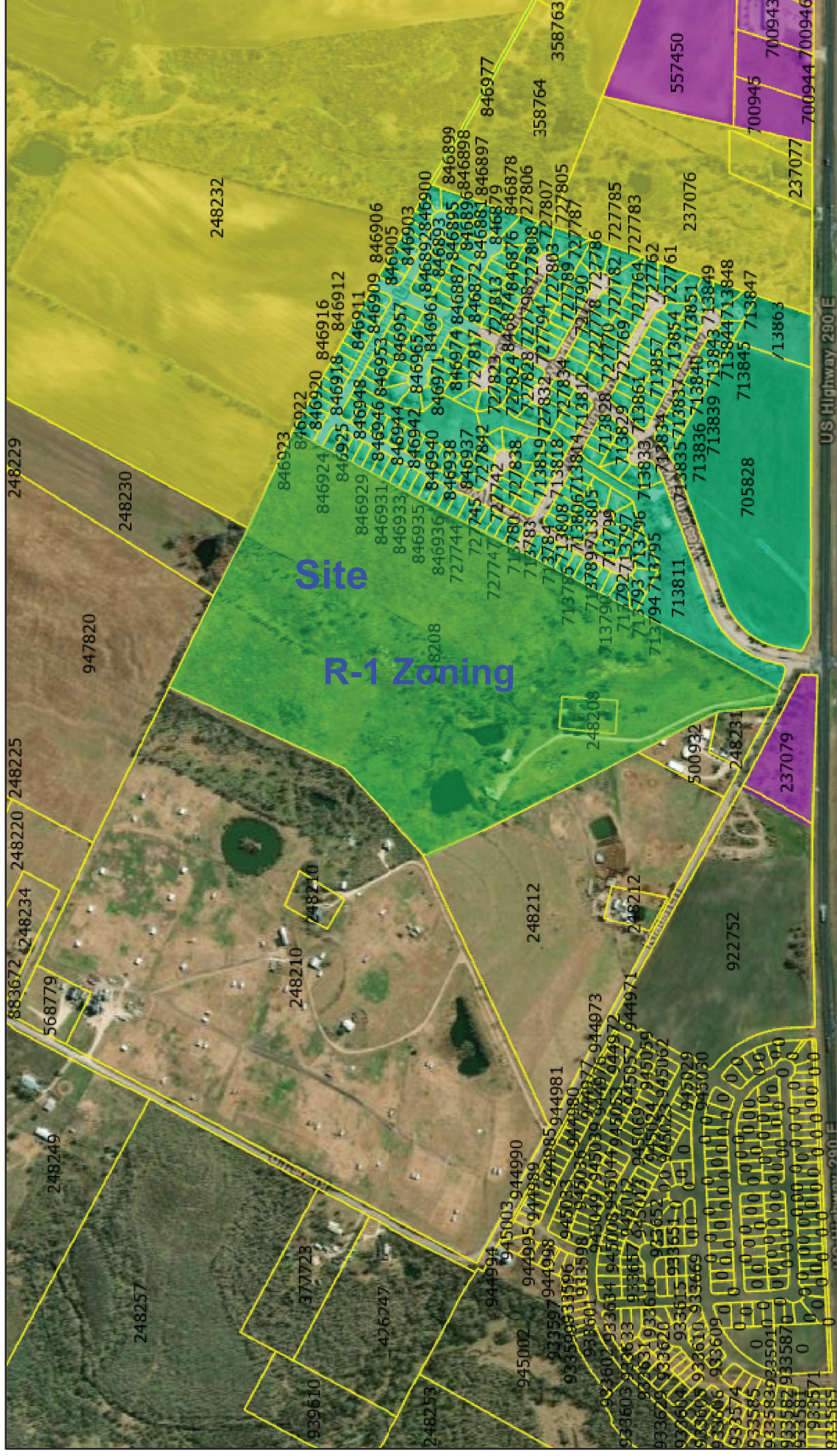
**Parks and Open Space:** The low-density of development and open spaces that are inherent in agricultural areas do not require that additional parks be provided. A regional park may be appropriate if it is focused on a natural or historic feature of local/regional significance.



Attachment 4  
Staff Added Zoning Map



# Zoning Map



9/21/2021, 9:49:24 AM

## Zoning

R3 - Single Family/Two Family/Industrialized Housing District

### C3 - Highway Commercial District

Travis Parcels July 2021

PDD - Planned Development District

Earthstar Geographics, and the GIS User Community

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community | Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community | TRC GIS, City of Elgin

Attachment 5  
Staff Compliance Letter



505 East Huntland Drive  
Suite 250  
Austin, Texas 78752

T 512.454.8716  
TRCcompanies.com  
T.B.P.E. #F-8632

September 15, 2021

Mr. David Harrell, Development Services Director  
City of Elgin  
310 N. Main St.  
Elgin, Texas 78621

**RE: Creek's Crossing PDD Review**

Dear Mr. Harrell:

TRC has reviewed the following documents listed below submitted by Cude Engineers:

1. Agreement and Development Plan for Creek's Crossing PDD dated September 14, 2021.
2. Other supporting documents submitted with the PDD: Comment response letter.

Our review finds that these documents have been prepared in general conformance with the City of Elgin's Code of Ordinances and any deviations from the Code have been negotiated with additional benefits included for the City.

As TRC did not provide the detailed design of the submitted documents, TRC and the City of Elgin must rely on the adequacy of the Registered Professional Land Surveyor and Registered Professional Engineer that prepared the documents and all responsibility for the surveying, engineering design and submitted documents shall remain with the Registered Professional Land Surveyor and Registered Professional Engineer. Note that prior to execution of the PDD, all applicable filing fees and invoices shall be paid. If you have any questions regarding this information, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Beau Perry".

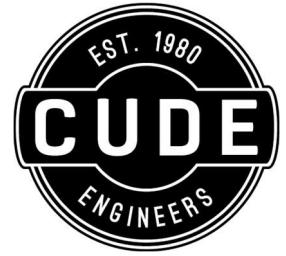
K. Beau Perry, P.E.  
Vice President

cc: Mr. John D. Hines, P.E., Cude Engineers

## Attachment 6

# Applicant Added Basis for Non-Payment of Parkland Fees with New Arterial Upgrade





September 13, 2021

David Harrell, AICP  
Development Services Director  
City of Elgin  
1135 Swenson Boulevard  
Elgin, Texas 78621

RE: Proposed Creeks Crossing Subdivision @ Klaus Lane

SUBJECT: Cost Impact of Major Arterial

Dear Mr. Harrell,

In follow up to the City's request and need for a major roadway connection that will help the City in the long range planning and development of areas beyond the proposed Creeks Crossing subdivision, the land owner has agreed to bear the cost of the additional right-of-way and the construction of a four lane major arterial (90ft r.o.w.) through his land. The financial hardship and impact of that cost to the overall Creeks Crossing subdivision is estimated to range between \$1.2-1.7 million dollars. Please reference the attached cost estimates for the original layout without the major arterial in April versus the updated cost estimate in August reflecting the addition of the major arterial (90 ft r.o.w.).

Considering this significant undertaking by the landowner, we have requested the City's consideration to waive additional parkland fees imposed on top of the landowner's contribution of the major arterial through the Creeks Crossing subdivision, as described in the proposed Creeks Crossing PDD. Please note, the developer will be providing public parkland, a trail system, and open space improvements and is only requesting that the parkland fee (\$500/lot) be waived.

Sincerely,

A handwritten signature in blue ink, appearing to read "John D. Hines", is written over a faint, circular blue stamp.

John D. Hines, P.E.  
Vice-President (Austin)

Attachments: Concept Plans (with and without the major arterial) and support cost estimates

# CREEKS CROSSING CONCEPT LAYOUT

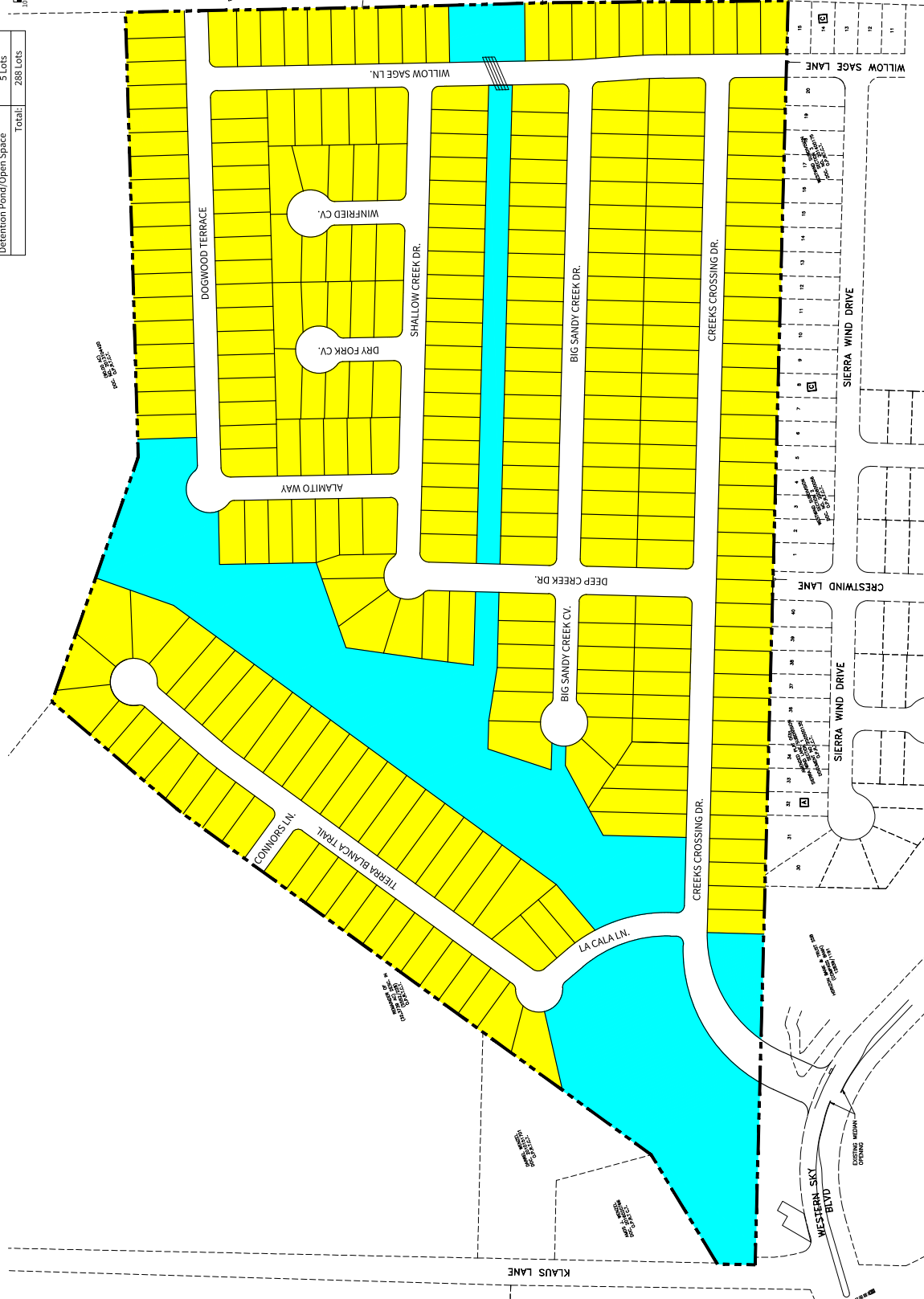
| LAND USE SUMMARY           |          |
|----------------------------|----------|
| Gross Acreage: 67.97 acres |          |
| Single-Family (50x120)     | 283 Lots |
| Detention Pond/Open Space  | 51 Lots  |
| Total:                     | 288 Lots |



SCALE 1"=100'  
0 50 100

## LEGEND

- ~ 50' LOTS
- ~ POND/OPEN SPACE



10001 Creeks Crossing, Suite 100  
Cedar Park, Texas 78613  
P: 512.260.9100

CREEKS CROSSING  
CONCEPTUAL PLAN  
CONCEPT LAYOUT B

DATE  
4/13/2021  
PROJECT NO.  
B00397.000.0  
DRAWN BY  
CJB  
CHECKED BY  
JDB

| REVISIONS |
|-----------|
| 1.        |
| 2.        |
| 3.        |
| 4.        |
| 5.        |
| 6.        |
| 7.        |
| 8.        |



CUD ENGINEERS  
STATE OF TEXAS  
PLAT NO.

1

OF 1

REPRODUCTION OF THIS DOCUMENT FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF CUD ENGINEERS IS PROHIBITED. CUD ENGINEERS SHALL BE RESPONSIBLE FOR THE SCALE OF THE DOCUMENT AND NOT FOR THE SCALE OF THE PROJECT. CUD ENGINEERS SHALL BE RESPONSIBLE FOR THE SCALE OF THE PROJECT.

## CREEK'S CROSSING

**Date:** April 19, 2021

**Prepared By:** John D. Hines, P.E. (contractor unit pricing 1/4/2021)

### Layout B: 281 Residential Units; 2 Phases

*\*Based on concept plan B 4-14-2021. Conceptual in nature. Assumes 2 phases of construction/development on 68+/- acres.*

#### Water

| Item      | Description                                       | Qty   | Unit | Unit Cost  | Total               |
|-----------|---------------------------------------------------|-------|------|------------|---------------------|
| 1         | 12-inch PVC C900 CL235 WL                         | 500   | LF   | \$50.00    | \$25,000.00         |
| 2         | 12-inch Gate Valve w/Box & Cover                  | 2     | EA   | \$3,000.00 | \$6,000.00          |
| 3         | 8-inch PVC C900 CL235 WL                          | 9,870 | LF   | \$30.00    | \$296,100.00        |
| 4         | 8-inch Gate Valve w/Box & Cover                   | 35    | EA   | \$1,800.00 | \$63,000.00         |
| 5         | Fire Hydrant Assembly & Valve                     | 27    | EA   | \$4,500.00 | \$121,500.00        |
| 6         | Double Water Service                              | 135   | EA   | \$2,200.00 | \$297,000.00        |
| 7         | Single Water Service                              | 12    | EA   | \$1,800.00 | \$21,600.00         |
| 8         | 4-inch PVC Sch40 Sleeves                          | 4,320 | LF   | \$20.00    | \$86,400.00         |
| 9         | 2-inch Irrigation Service                         | 3     | EA   | \$2,500.00 | \$7,500.00          |
| 10        | 2-inch Flushing (Blowoff) Assembly                | 2     | EA   | \$1,800.00 | \$3,600.00          |
| 11        | Wet Connection to existing water main (8" or 12") | 3     | EA   | \$5,000.00 | \$15,000.00         |
| Sub-total |                                                   |       |      |            | <b>\$942,700.00</b> |

#### Sewer

|           | Description                                   | Qty    | Unit | Unit Cost  | Total               |
|-----------|-----------------------------------------------|--------|------|------------|---------------------|
| 1         | 12-inch PVC SDR26 Sewer Main (All depths)     | 2,080  | LF   | \$55.00    | \$114,400.00        |
| 2         | 8-inch PVC SDR26 Sewer Main (All depths)      | 8,690  | LF   | \$35.00    | \$304,150.00        |
| 3         | 5-ft Diameter Sewer Std. Manhole (All depths) | 6      | EA   | \$6,500.00 | \$39,000.00         |
| 4         | 4-ft Diameter Sewer Manhole (All depths)      | 24     | EA   | \$4,500.00 | \$108,000.00        |
| 5         | Single Sewer Service                          | 12     | EA   | \$1,600.00 | \$19,200.00         |
| 6         | Double Sewer Service                          | 135    | EA   | \$2,000.00 | \$270,000.00        |
| 7         | Trench Safety                                 | 10,770 | LF   | \$2.00     | \$21,540.00         |
| Sub-total |                                               |        |      |            | <b>\$876,290.00</b> |

#### Drainage

|           | Description                                        | Qty    | Unit | Unit Cost    | Total                 |
|-----------|----------------------------------------------------|--------|------|--------------|-----------------------|
| 1         | Detention & Wet Pond                               | 21,000 | CY   | \$10.00      | \$210,000.00          |
| 2         | Pond Outfall, Access Drive, Fencing, & Reveg       | 1      | LS   | \$150,000.00 | \$150,000.00          |
| 3         | 6'x4' RCB Storm Sewer Crossing, Hdws, Ped. Railing | 300    | LF   | \$350.00     | \$105,000.00          |
| 4         | 5'x3' RCB Storm Sewer Crossing, Hdws, Ped. Railing | 480    | LF   | \$325.00     | \$156,000.00          |
| 5         | 36" RCP Storm Pipe CLIII                           | 1,550  | LF   | \$100.00     | \$155,000.00          |
| 6         | 30" RCP Storm Pipe CLIII                           | 1,050  | LF   | \$75.00      | \$78,750.00           |
| 7         | 24" RCP Storm Pipe CLIII                           | 1,900  | LF   | \$60.00      | \$114,000.00          |
| 8         | 18" RCP Storm Pipe CLIII                           | 1,350  | LF   | \$45.00      | \$60,750.00           |
| 9         | Stormsewer Manholes                                | 14     | EA   | \$5,000.00   | \$70,000.00           |
| 10        | 10-ft Standard Curb Inlet                          | 27     | EA   | \$4,500.00   | \$121,500.00          |
| Sub-total |                                                    |        |      |              | <b>\$1,221,000.00</b> |

#### Erosion Controls

|   | Description | Qty    | Unit | Unit Cost | Total       |
|---|-------------|--------|------|-----------|-------------|
| 1 | Silt Fence  | 20,740 | LF   | \$2.75    | \$57,035.00 |



|   |                                    |       |    |            |                     |
|---|------------------------------------|-------|----|------------|---------------------|
| 2 | SCE                                | 2     | EA | \$1,000.00 | \$2,000.00          |
| 3 | Concrete Washout Basin             | 2     | EA | \$750.00   | \$1,500.00          |
| 4 | Reveg/Restoration (Outside ROW)    | 13.50 | AC | \$9,680.00 | \$130,680.00        |
| 5 | Temp. Diversion Berm               | 1,200 | LF | \$50.00    | \$60,000.00         |
| 6 | Inlet Protection                   | 31    | EA | \$100.00   | \$3,100.00          |
| 7 | Loose Rock Riprap (3-5" limestone) | 225   | SY | \$30.00    | \$6,750.00          |
| 8 | Rock Berm                          | 500   | LF | \$25.00    | \$12,500.00         |
|   | Sub-total                          |       |    |            | <b>\$273,565.00</b> |

#### Streets

|    | Description                                  | Qty    | Unit  | Unit Cost   | Total                 |
|----|----------------------------------------------|--------|-------|-------------|-----------------------|
| 1  | ROW Clearing & Grubbing                      | 9      | AC    | \$3,500.00  | \$31,500.00           |
| 2  | Street Excavation                            | 43,745 | SY    | \$2.00      | \$87,490.00           |
| 3  | Lime Stabilized Subgrade                     | 43,745 | SY    | \$7.50      | \$328,087.50          |
| 4  | 14-inch CLBM (Locals)                        | 43,745 | SY    | \$14.00     | \$612,430.00          |
| 5  | 2-inch HMAC (Type C) surface coarse (Locals) | 31,670 | SY    | \$14.00     | \$443,380.00          |
| 6  | Kiosk/CBU foundation                         | 1      | EA    | \$5,000.00  | \$5,000.00            |
| 7  | Reinforced Standard Curb & Gutter            | 20,740 | LF    | \$15.00     | \$311,100.00          |
| 8  | Signage & Pavement Markings                  | 2      | PHASE | \$7,500.00  | \$15,000.00           |
| 9  | ROW Reveg/Restoration                        | 21,890 | SY    | \$2.00      | \$43,780.00           |
| 10 | Reinforced Concrete Valley Gutter            | 9      | EA    | \$5,500.00  | \$49,500.00           |
| 11 | Block Grading                                | 68     | AC    | \$8,500.00  | \$578,000.00          |
| 12 | Material & Density Testing                   | 2      | PHASE | \$35,000.00 | \$70,000.00           |
| 13 | Pedestrian Ramp                              | 60     | EA    | \$1,200.00  | \$72,000.00           |
| 14 | Sidewalks (4ft each side of public ROW)      | 20,740 | LF    | \$28.00     | \$580,720.00          |
|    | Sub-total                                    |        |       |             | <b>\$3,227,987.50</b> |

#### Western Sky Blvd - Improvements

|   | Description                         | Qty | Unit | Unit Cost   | Total              |
|---|-------------------------------------|-----|------|-------------|--------------------|
| 1 | Remove Existing Curb/Median Grading | 430 | LF   | \$30.00     | \$12,900.00        |
| 2 | Add 14-inch Base - Median           | 570 | SY   | \$20.00     | \$11,400.00        |
| 3 | Add 2-inch Asphalt                  | 570 | SY   | \$20.00     | \$11,400.00        |
| 4 | Lane Striping/Pavement Markings     | 1   | LS   | \$10,000.00 | \$10,000.00        |
| 5 | Traffic Control/Street Barricades   | 2   | MO   | \$20,000.00 | \$40,000.00        |
|   | Sub-total                           |     |      |             | <b>\$85,700.00</b> |

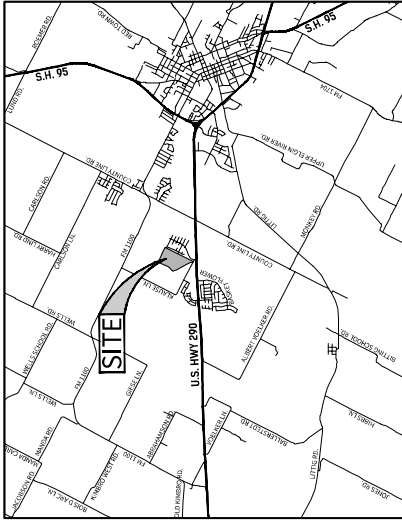
#### Summary of Costs

|    | Description                                     | Qty    | Unit   | Unit Cost | Total                 |
|----|-------------------------------------------------|--------|--------|-----------|-----------------------|
| 1  | Water                                           |        |        |           | \$942,700.00          |
| 2  | Sewer                                           |        |        |           | \$876,290.00          |
| 3  | Drainage                                        |        |        |           | \$1,221,000.00        |
| 4  | Erosion Controls                                |        |        |           | \$273,565.00          |
| 5  | Streets                                         |        |        |           | \$3,227,987.50        |
| 6  | Western Sky Blvd - Improvements                 |        |        |           | \$85,700.00           |
| 7  | Total Construction Cost*                        |        |        |           | \$6,627,242.50        |
| 8  | Total Construction Budget with 10% Contingency* |        |        |           | <b>\$7,289,966.75</b> |
| 9  | Per SF lot                                      | 281    | SF lot |           | <b>\$25,942.94</b>    |
| 10 | Per front foot (avg.)                           | 14,100 | LF     |           | <b>\$517.02</b>       |

\* Excludes: dry utilities, agency fees, inspection, testing, or other related items not reflected.



# CREEKS CROSSING CONCEPT PLAN



OWNER:  
CREEKS CROSSING LAND PARTNERS, LLC  
311 WESTWOOD TERRACE  
AUSTIN, TX 78746  
ATTN: S. TODD MCCULLOUGH

SURVEYOR:  
JOBY EARLY, R.P.L.S.  
ERIC DANHEIM, R.P.L.S.  
EARLY LAND SURVEYING, LLC  
P.O. BOX 92388  
AUSTIN, TX 78709

| LAND USE SUMMARY               |             |
|--------------------------------|-------------|
| Gross Acreage:                 | 67.97 Acres |
| Linear Feet of New Streets     | 10,692      |
| Number of Blocks               | 10          |
| Single-Family (50'x120'+)      | 175 Lots    |
| Single-Family (45'x110'-Alley) | 109 Lots    |
| Detention Pond/Open Space      | 4 Lots      |
| Total:                         | 288 Lots    |

- LEGEND
- 50'x120'+ LOTS
  - 45'x110' LOTS + ALLEY
  - POND
  - PARKLAND/OPEN SPACE
  - PHASE LINE

CO. 10, 36.00 ACRES  
893.179 ACRES  
GEORGE EORCH AND ROBERT A. CUNNINGHAM AS  
TRUSTEES OF THE CUNNINGHAM TRUST  
DESCENDANT'S TRUST  
(DISBURSED 2013/04/20)  
(CORRECTED 2013/11/06/20)

49.93 ACRES  
HWY 200 AUSTIN, LLC  
(2020/197159)

11.365 ACRES  
JAMES C. FAISON, ET UX.  
(9264/911)

17.896 ACRES  
STAN JOHNSON, SR., ET UX.  
(9145/982)

15.274 ACRES  
L.W. BARNETT, JR.  
(166991/2002)

CREEKS CROSSING  
CONCEPTUAL PLAN  
CONCEPT LAYOUT C

DATE  
9/13/2021  
PROJECT NO.  
B60397.000.0  
DRAWN BY  
CJB  
CHECKED BY  
JCH

REVISIONS  
1.  
2.  
3.  
4.  
5.  
6.  
7.  
8.



CUDE ENGINEERS  
DATE: 9/13/2021  
PLAT NO.

1

OF 1

## CREEKS CROSSING

Date: August 4, 2021

Prepared By: John D. Hines, P.E. (contractor unit pricing 1/4/2021)

### Layout C: 287 Residential Units; 2 Phases

\*Based on concept plan C 8-4-2021. Conceptual in nature. Assumes 2 phases of construction/development on 68+/- acres.

#### Water

| Item      | Description                                       | Qty    | Unit | Unit Cost  | Total               |
|-----------|---------------------------------------------------|--------|------|------------|---------------------|
| 1         | 12-inch PVC C900 CL235 WL                         | 810    | LF   | \$50.00    | \$40,500.00         |
| 2         | 12-inch Gate Valve w/Box & Cover                  | 3      | EA   | \$3,000.00 | \$9,000.00          |
| 3         | 8-inch PVC C900 CL235 WL                          | 10,200 | LF   | \$30.00    | \$306,000.00        |
| 4         | 8-inch Gate Valve w/Box & Cover                   | 30     | EA   | \$1,800.00 | \$54,000.00         |
| 5         | Fire Hydrant Assembly & Valve                     | 22     | EA   | \$4,500.00 | \$99,000.00         |
| 6         | Double Water Service                              | 135    | EA   | \$2,200.00 | \$297,000.00        |
| 7         | Single Water Service                              | 17     | EA   | \$1,800.00 | \$30,600.00         |
| 8         | 4-inch PVC Sch40 Sleeves                          | 4,230  | LF   | \$20.00    | \$84,600.00         |
| 9         | 2-inch Irrigation Service                         | 3      | EA   | \$2,500.00 | \$7,500.00          |
| 10        | 2-inch Flushing (Blowoff) Assembly                | 2      | EA   | \$1,800.00 | \$3,600.00          |
| 11        | Wet Connection to existing water main (8" or 12") | 3      | EA   | \$5,000.00 | \$15,000.00         |
| Sub-total |                                                   |        |      |            | <b>\$946,800.00</b> |

#### Sewer

|           | Description                                   | Qty    | Unit | Unit Cost  | Total               |
|-----------|-----------------------------------------------|--------|------|------------|---------------------|
| 1         | 12-inch PVC SDR26 Sewer Main (All depths)     | 2,610  | LF   | \$55.00    | \$143,550.00        |
| 2         | 8-inch PVC SDR26 Sewer Main (All depths)      | 7,670  | LF   | \$35.00    | \$268,450.00        |
| 3         | 5-ft Diameter Sewer Std. Manhole (All depths) | 6      | EA   | \$6,500.00 | \$39,000.00         |
| 4         | 4-ft Diameter Sewer Manhole (All depths)      | 21     | EA   | \$4,500.00 | \$94,500.00         |
| 5         | Single Sewer Service                          | 17     | EA   | \$1,600.00 | \$27,200.00         |
| 6         | Double Sewer Service                          | 135    | EA   | \$2,000.00 | \$270,000.00        |
| 7         | Trench Safety                                 | 10,280 | LF   | \$2.00     | \$20,560.00         |
| Sub-total |                                               |        |      |            | <b>\$863,260.00</b> |

#### Drainage

|           | Description                                            | Qty    | Unit | Unit Cost    | Total                 |
|-----------|--------------------------------------------------------|--------|------|--------------|-----------------------|
| 1         | Detention & Wet Pond                                   | 21,000 | CY   | \$10.00      | \$210,000.00          |
| 2         | Pond Outfall, Access Drive, Fencing, & Reveg           | 1      | LS   | \$150,000.00 | \$150,000.00          |
| 3         | Culvert Crossing (La Cala Ln) 5-6'x4', Hdwl, Ped Rails | 1      | LS   | \$150,000.00 | \$150,000.00          |
| 4         | 6'x4' RCB Storm Sewer                                  | 1,150  | LF   | \$350.00     | \$402,500.00          |
| 5         | 5'x3' RCB Storm Sewer                                  | 770    | LF   | \$325.00     | \$250,250.00          |
| 6         | 36" RCP Storm Pipe CLIII                               | 900    | LF   | \$100.00     | \$90,000.00           |
| 7         | 30" RCP Storm Pipe CLIII                               | 1,340  | LF   | \$75.00      | \$100,500.00          |
| 8         | 24" RCP Storm Pipe CLIII                               | 2,030  | LF   | \$60.00      | \$121,800.00          |
| 9         | 18" RCP Storm Pipe CLIII                               | 1,300  | LF   | \$45.00      | \$58,500.00           |
| 10        | Stormsewer Manholes                                    | 12     | EA   | \$5,000.00   | \$60,000.00           |
| 11        | 10-ft Standard Curb Inlet                              | 33     | EA   | \$4,500.00   | \$148,500.00          |
| Sub-total |                                                        |        |      |              | <b>\$1,742,050.00</b> |

#### Erosion Controls

|   | Description                     | Qty    | Unit | Unit Cost  | Total        |
|---|---------------------------------|--------|------|------------|--------------|
| 1 | Silt Fence                      | 20,740 | LF   | \$2.75     | \$57,035.00  |
| 2 | SCE                             | 2      | EA   | \$1,000.00 | \$2,000.00   |
| 3 | Concrete Washout Basin          | 2      | EA   | \$750.00   | \$1,500.00   |
| 4 | Reveg/Restoration (Outside ROW) | 13.50  | AC   | \$9,680.00 | \$130,680.00 |
| 5 | Temp. Diversion Berm            | 1,200  | LF   | \$50.00    | \$60,000.00  |
| 6 | Inlet Protection                | 37     | EA   | \$100.00   | \$3,700.00   |



|   |                                    |     |    |         |                     |
|---|------------------------------------|-----|----|---------|---------------------|
| 7 | Loose Rock Riprap (3-5" limestone) | 225 | SY | \$30.00 | \$6,750.00          |
| 8 | Rock Berm                          | 500 | LF | \$25.00 | \$12,500.00         |
|   | Sub-total                          |     |    |         | <b>\$274,165.00</b> |

#### Streets

|    | Description                                  | Qty    | Unit  | Unit Cost   | Total                 |
|----|----------------------------------------------|--------|-------|-------------|-----------------------|
| 1  | ROW Clearing & Grubbing                      | 11     | AC    | \$3,500.00  | \$38,500.00           |
| 2  | Street Excavation                            | 41,677 | SY    | \$2.00      | \$83,354.00           |
| 3  | Lime Stabilized Subgrade                     | 41,677 | SY    | \$7.50      | \$312,577.50          |
| 4  | 14-inch CLBM (Locals)                        | 41,677 | SY    | \$14.00     | \$583,478.00          |
| 5  | 2-inch HMAC (Type C) surface coarse (Locals) | 32,710 | SY    | \$14.00     | \$457,940.00          |
| 6  | Kiosk/CBU foundation                         | 1      | EA    | \$5,000.00  | \$5,000.00            |
| 7  | Reinforced Standard Curb & Gutter            | 16,140 | LF    | \$15.00     | \$242,100.00          |
| 8  | Signage & Pavement Markings                  | 2      | PHASE | \$7,500.00  | \$15,000.00           |
| 9  | ROW Reveg/Restoration                        | 17,037 | SY    | \$2.00      | \$34,074.00           |
| 10 | Reinforced Concrete Valley Gutter            | 10     | EA    | \$5,500.00  | \$55,000.00           |
| 11 | Block Grading                                | 68     | AC    | \$8,500.00  | \$578,000.00          |
| 12 | Material & Density Testing                   | 2      | PHASE | \$35,000.00 | \$70,000.00           |
| 13 | Pedestrian Ramp                              | 58     | EA    | \$1,200.00  | \$69,600.00           |
| 14 | Sidewalks (5ft each side of public ROW)      | 16,440 | LF    | \$32.00     | \$526,080.00          |
|    | Sub-total                                    |        |       |             | <b>\$3,070,703.50</b> |

#### Major Arterial (90ft ROW) - Boulevard with Median

|   | Description                                            | Qty    | Unit  | Unit Cost  | Total                 |
|---|--------------------------------------------------------|--------|-------|------------|-----------------------|
| 1 | ROW Clearing & Grubbing                                | 5      | AC    | \$3,500.00 | \$17,500.00           |
| 2 | Street Excavation                                      | 16,370 | SY    | \$2.00     | \$32,740.00           |
| 3 | Lime Stabilized Subgrade                               | 16,370 | SY    | \$7.50     | \$122,775.00          |
| 4 | 18-inch CLBM (Locals)                                  | 16,370 | SY    | \$18.00    | \$294,660.00          |
| 5 | 3.5-inch HMAC (Type D) surface coarse (Major Arterial) | 11,860 | SY    | \$28.00    | \$332,080.00          |
| 6 | Reinforced Standard Curb & Gutter                      | 10,160 | LF    | \$15.00    | \$152,400.00          |
| 7 | Signage & Pavement Markings                            | 1      | PHASE | \$7,500.00 | \$7,500.00            |
| 8 | ROW Reveg/Restoration                                  | 9,315  | SY    | \$2.00     | \$18,630.00           |
| 9 | Sidewalks (5ft each side of public ROW)                | 5,080  | LF    | \$32.00    | \$162,560.00          |
|   | Sub-total                                              |        |       |            | <b>\$1,140,845.00</b> |

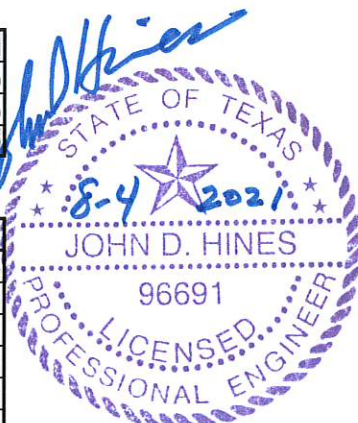
#### Offsites - Western Sky and Hwy 290 Signalization

|   | Description                                        | Qty | Unit | Unit Cost    | Total               |
|---|----------------------------------------------------|-----|------|--------------|---------------------|
| 1 | Western Sky - Flag Pole, Lighting, and Landscaping | 1   | LS   | \$100,000.00 | \$100,000.00        |
| 2 | Highway 290 Signalization                          | 1   | LS   | \$200,000.00 | \$200,000.00        |
|   | Sub-total                                          |     |      |              | <b>\$300,000.00</b> |

#### Summary of Costs

|    | Description                                       | Qty    | Unit   | Unit Cost | Total                 |
|----|---------------------------------------------------|--------|--------|-----------|-----------------------|
| 1  | Water                                             |        |        |           | \$946,800.00          |
| 2  | Sewer                                             |        |        |           | \$863,260.00          |
| 3  | Drainage                                          |        |        |           | \$1,742,050.00        |
| 4  | Erosion Controls                                  |        |        |           | \$274,165.00          |
| 5  | Streets                                           |        |        |           | \$3,070,703.50        |
| 6  | Major Arterial (90ft ROW) - Boulevard with Median |        |        |           | \$1,140,845.00        |
| 7  | Offsites - Western Sky and Hwy 290 Signalization  |        |        |           | \$300,000.00          |
| 8  | Total Construction Cost*                          |        |        |           | \$8,337,823.50        |
| 9  | Total Construction Budget with 15% Contingency*   |        |        |           | <b>\$9,588,497.03</b> |
| 10 | Per SF lot                                        | 287    | SF lot |           | <b>\$33,409.40</b>    |
| 11 | Per front foot (avg.)                             | 13,780 | LF     |           | <b>\$695.83</b>       |

\* Excludes: dry utilities, agency fees, inspection, testing, or other related items not reflected.



Attachment 7  
Staff Added Approved and  
Extended Original Concept Plan







## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS R-3 SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT, THE PROPERTY BEING APPROXIMATELY 1.175 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, TX adopted in Ch. 46, Sec. 46-3, revised Code of Ordinances, City of Elgin, TX, 2013 and making this amendment a part of said official zoning map (316 S. Ave. C Rezoning from R-2 to R-3).

**BACKGROUND:** See attached staff report.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** The Planning & Zoning Commission recommended denial of this item at their September 27, 2021 meeting.

**ATTACHMENTS:** Staff Report, Application, Ordinance with Exhibit A, Staff added Comprehensive Plan Exhibits, Staff added Zoning Map, Staff added Bastrop County Appraisal District (BCAD) Map.

☐ **Staff will be making a detailed presentation on this agenda item at the meeting.**

☒ **Staff will provide brief comments and answer questions on this item at the meeting.**

☐ **This is a routine procedural item and no presentation is planned for the meeting.**

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



# Development Service Department

## STAFF REPORT

Project #: 202100834

Rezoning from R-2 to R-3

**Date:** September 16, 2021

**Applicant:** Richard Miscoe c/o Miscoe Properties

**Representative:** SAME

**Hearing Dates:** Planning & Zoning Commission – September 27, 2021  
City Council – October 12, 2021

**Location:** 316 S. Ave. C.

---

### APPLICATION SUMMARY

Recommendation by the Planning & Zoning Commission and consideration by the City Council of a rezoning of 1.175 acres of land located at 316 S. Ave. C. The proposal is to change the zoning from R-2 Single Family and Two-family District to R-3 Single Family, Two Family, and Industrialized Zoning District to increase a future new subdivision by one (1) additional lot.

### DEPARTMENT COMMENTS

The applicant has stated the basis for the rezoning is to allow for an additional lot. This application is for the rezoning of land and the process of platting is a separate process that is independent of the rezoning process. The applicant can always subdivide land so long as the standards such as minimum lot width and minimum lot area within the zoning district are met.

### STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Elgin Main Street Land Use category. This category's secondary land usage is multifamily residential (see attachment 3) according to the provided map and associated land use language. A duplex use can be fit into this standard. The proposed zoning category will allow for duplexes as a use by right. When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. There are no subtractions but an additional permitted uses would be allowed with proposed rezoning request.

| <b>R-2 District (existing)</b>                       | <b>R-3 District (proposed)</b>                       |
|------------------------------------------------------|------------------------------------------------------|
| Detached single-family dwelling.                     | Detached single-family dwelling.                     |
| Garage Apartments.                                   | Garage Apartments.                                   |
| Duplex.                                              | Duplex.                                              |
| Churches, but not including revival tents or arbors. | Churches, but not including revival tents or arbors. |

| <b>R-2 District (existing)</b>                                                                                                                                                                                                                                                                                                                                                                                                   | <b>R-3 District (proposed)</b>                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Duplex                                                                                                                                                                                                                                                                                                                                                                                                                           | Duplex                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Garage Apartment                                                                                                                                                                                                                                                                                                                                                                                                                 | Garage Apartment                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.                                                                                                                                                                                                                                                                   | Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.                                                                                                                                                                                                                                                                   |
| Public park and playground.                                                                                                                                                                                                                                                                                                                                                                                                      | Public park and playground                                                                                                                                                                                                                                                                                                                                                                                                       |
| Library.                                                                                                                                                                                                                                                                                                                                                                                                                         | Library.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Growing of farm products.                                                                                                                                                                                                                                                                                                                                                                                                        | Growing of farm products.                                                                                                                                                                                                                                                                                                                                                                                                        |
| Municipal use                                                                                                                                                                                                                                                                                                                                                                                                                    | Municipal use                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Telephone exchanges.                                                                                                                                                                                                                                                                                                                                                                                                             | Telephone exchanges.                                                                                                                                                                                                                                                                                                                                                                                                             |
| Home occupations.                                                                                                                                                                                                                                                                                                                                                                                                                | Home occupations.                                                                                                                                                                                                                                                                                                                                                                                                                |
| Transportation and utility easements, alleys, and rights-of-way                                                                                                                                                                                                                                                                                                                                                                  | Transportation and utility easements, alleys, and rights-of-way                                                                                                                                                                                                                                                                                                                                                                  |
| Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.                                                                                                                                                                                                                                                 | Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.                                                                                                                                                                                                                                                 |
| Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing. | Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                  | Zero-Lot Line two-family dwelling.                                                                                                                                                                                                                                                                                                                                                                                               |



Below is a list of zoning standards for each zoning category, changes are highlighted in yellow between zoning categories:

|                         | <b>R-2 (existing)</b>                     | <b>R-3 (proposed)</b>                      |
|-------------------------|-------------------------------------------|--------------------------------------------|
| Height                  | 2.5 stories or 35'                        | 35'.                                       |
| Front Setback           | 25'; garage at 25'                        | 15', garage at 20'.                        |
| Side Setback            | 5' for 1 story; 10' for more than 1 story | 5' for 1 story; 7.5' for more than 1 story |
| Rear Setback            | 10'                                       | 10'                                        |
| Lot Width               | 60'                                       | 50'                                        |
| Lot Area                | 7,500 sq. ft.                             | 6,000 sq. ft.                              |
| Impervious Cover on Lot | 45% interior; 50% corner                  | 45% interior; 50% corner                   |

The rezoning will decrease the area regulations in particular the lot width from sixty (60) feet in width to fifty (50) feet in width and reduce the lot area from 7,500 sq. ft to 6,000 sq ft. Staff estimates a total of five (5) lots allowed under the current R-2 zoning would be increased to six (6) lots under the proposed R-3 zoning. This will be an additional lot where either a single-family home or duplex can be built thereby increasing the density on the acreage. The Land Use has approximately seven (7) units per acre, this would total eight (8) units as this parcel is 1.175 acres (see attachments 2 & 3). Under the current R-2 zoning, with five (5) lots, at two (2) dwelling units on each lot, this would equal ten (10) units (5 x 2) per acre. Under the proposed R-3 zoning, with six (6) lots, at two (2) dwelling units on each lot, this would equal twelve (12) units (6 x 2) per acre. Allowing the rezoning to R-3 would further increase this number past the recommended residential densities outlined in the Comprehensive Plan.

The allowance of the R-3 zoning would decrease the legal size of the lots within an established neighborhood (see above in staff report). Many of the lots within the area surrounding are a larger size (see attachment 5) in lot width and lot area than would any new lots under the R-3 zoning category.

Based on the information within the packet, staff has issues or concerns regarding the proposal. 1) The potential increase in density to an established neighborhood by allowing the additional lot over the recommended density in the Comprehensive Plan and 2) allowing smaller legal lots in an established neighborhood where larger lots exist intermingled.

This is a staff analysis of the requested rezoning and is not to be considered as a staff recommendation to the Commission/Council. The Commission/Council in their analysis of the evidence presented in this packet or from other sources can make their own decision.

## **ATTACHMENTS**

Additional information is provided through attached exhibits.

1. Application.
2. Ordinance.
3. Staff Added Comprehensive Plan Exhibits.
4. Staff Added Zoning Map.
5. Staff Added Bastrop County Appraisal District (BCAD) Map.

# Attachment 1

## Application

## NON-PDD REZONING APPLICATION

Date: 8/4/21

### SITE INFORMATION

Project Address: 316 S. Ave C

Parcel Identification Number (if no address): \_\_\_\_\_

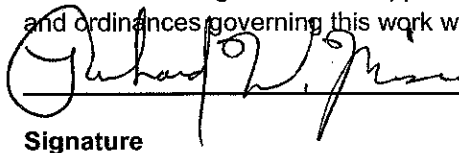
### APPLICANT

Name: Richard Miscoe President for Miscoe Properties

Postal Address: P. O. Box 5594, Austin, TX 78763

E-Mail Address: rwmiscoe@gmail.com; Phone Number: 512-750-7508

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

 Richard W. Miscoe 8/4/21  
Signature Printed Name Date

### Project Description:

Rezone from existing property from an existing zoning of R-2 to a R-3

This will allow us an additional lot through a resubdivision process.

This additional lot will allow us to move and keep the 1890's historic house

This single family house will be used as rentals along with the 5 new duplexes to be built.



310 North Main Street  
P.O. Box 591  
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

# Attachment 2

## Ordinance

**ORDINANCE NO. 2021-10-12-??**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS R-3 SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT, THE PROPERTY BEING APPROXIMATELY 1.175 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated herein, from R-2 Single Family & Two Family Dwelling District to R-3 Single Family, Two Family, and Industrialized Housing District, and

**WHEREAS**, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested change on September 27, 2021, following lawful publication of the notice of said public hearing, and

**WHEREAS**, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" is R-3 Single Family, Two Family, and Industrialized Housing District, and

**WHEREAS**, on October 12, 2021, after proper notification, the City Council held a public hearing on the requested zoning, and

**WHEREAS**, the City Council determines that the zoning provided for herein promote 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 Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

**I.**

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is rezoned from R-2 Single Family & Two-Family Dwelling District to R-3 Single Family, Two Family, and Industrialized Housing District.

**II.**

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October 2021.

---

Ron M. Ramirez, Mayor

ATTEST:

---

Jennifer Stubbs, City Secretary

**JAMES E. GARON  
& ASSOCIATES, INC.**  
PROFESSIONAL LAND SURVEYORS

185 McAllister Road  
Bastrop, Texas 78602  
512-303-4185  
Firm Reg. #10058400  
jgaron@austin.rr.com

September 25, 2020

**EXHIBIT "A"**

**LEGAL DESCRIPTION:** BEING A 1.175 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF SUBDIVISION 5, DIVISION VIII (8) IN THE TOWN OF ELGIN, BASTROP COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME "Y", PAGE 301 DEED RECORDS, BASTROP COUNTY, TEXAS AND IN CABINET 1, PAGE 100B PLAT RECORDS, BASTROP COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 1.18 ACRE TRACT OF LAND CONVEYED TO THE CLARICE LYN JOHNSON AND FLOYD SHERMAN JOHNSON LIVING TRUST BY DEED RECORDED IN INSTRUMENT #201705232 OF SAID DEED RECORDS; SAID 1.175 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN SEPTEMBER, 2020:

**BEGINNING** at an iron rod found in the westerly right-of-way line of S Avenue C for the northeast corner hereof and said Johnson 1.18 acre tract and southeast corner of that certain 0.456 acre tract of land conveyed to Peter Brow by deed recorded in Instrument #201501624 of said deed records;

**THENCE** S 20°43'09" E a distance of 183.65 feet along said S Avenue C to a 1/2" an iron rod with cap stamped "J.E. Garon RPLS 4303" set for the southeast corner hereof and said Johnson 1.18 acre tract and northeast corner of Lot 1, Creppon Addition, to the City of Elgin, of record in Plat Cabinet No. 2, Page 315-B of the Plat Records of Bastrop County, Texas;

**THENCE** S 70°40'36" W a distance of 284.01 feet to a 1/2" iron rod found on the easterly right-of-way line of S Avenue B for the southwest corner hereof and said Johnson 1.18 acre tract and the northwest corner of Lot 3 of said Creppon Addition, to the City of Elgin,

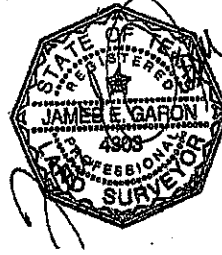
**THENCE** N 20°39'05" W a distance of 177.08 feet along said S Avenue B to a 1/2" an iron rod found for the northwest corner hereof and said Johnson 1.18 acre tract and southwest corner of said Brow 0.456 acre tract;

September 25, 2020

THENCE N 69°21'11" E a distance of 283.72 feet along said line to the **POINT OF BEGINNING**, containing 1.175 acres of land, more or less and as shown on sketch of survey prepared herewith.

Surveyed by:

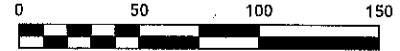
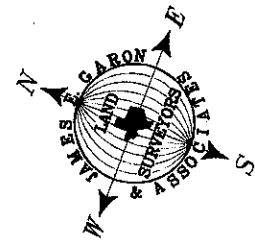
James E. Garon  
Registered Professional Land Surveyor  
Co\Bastrop\City of Elgin\Div 8\78920





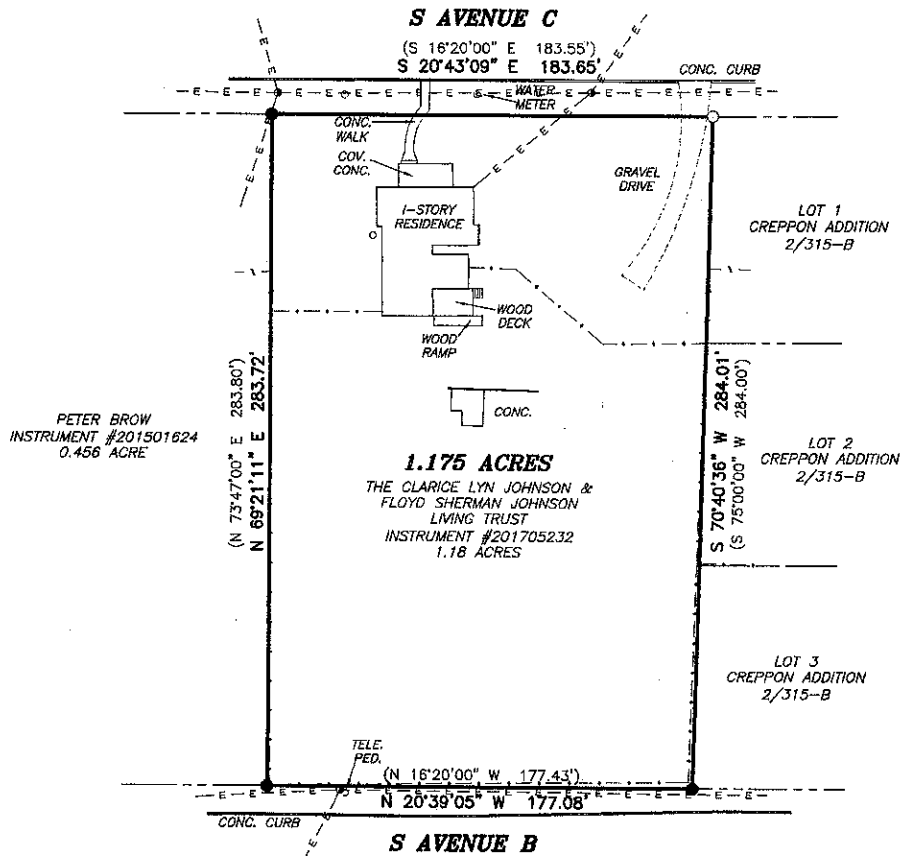
# LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR SET W/CAP
- STAMPED J.E. GARON RPLS 4303
- WOOD FENCE
- CHAIN LINK FENCE
- POWER POLE
- OVERHEAD ELECTRIC LINE
- DOWN GUY
- (BRG.-DIST.) RECORD CALL



SCALE: 1" = 50'

BEARINGS SHOWN ARE  
GRID NORTH BASED ON  
GPS OBSERVATIONS FOR  
TEXAS STATE PLANE  
COORDINATE SYSTEM  
"CENTRAL ZONE" NAD83.



TO THE OWNERS, LIENHOLDERS AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "X" AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48021C0100E EFFECTIVE JANUARY 19, 2006.



SEPTEMBER 24, 2020



**JAMES E. GARON & ASSOC.**  
LAND SURVEYORS & CIVIL ENGINEERS  
Firm Reg. #10058400 & F-20386  
185 McAllister Road  
Bastrop, Texas 78602  
(512) 303-4185  
jgaron@austin.rr.com  
www.jamesegaronsurvey.com

REFERENCE: MISCOE PROPERTIES G.F. NO. 2054307-WLK  
ADDRESS: 316 S AVENUE C, ELGIN  
LEGAL DESCRIPTION: 1.175 ACRES OUT OF SUBDIVISION 5, DIVISION VII, TOWN OF ELGIN, PLAT CABINET NO. 1, PAGE 100B, PLAT RECORDS, BASTROP COUNTY, TEXAS.  
FIELD BOOK: B-624/78  
FILE: Server\Co\Bastrop\City of Elgin\Division 5\78920.dwg

## Attachment 3

# Staff Added Comprehensive Plan Exhibits



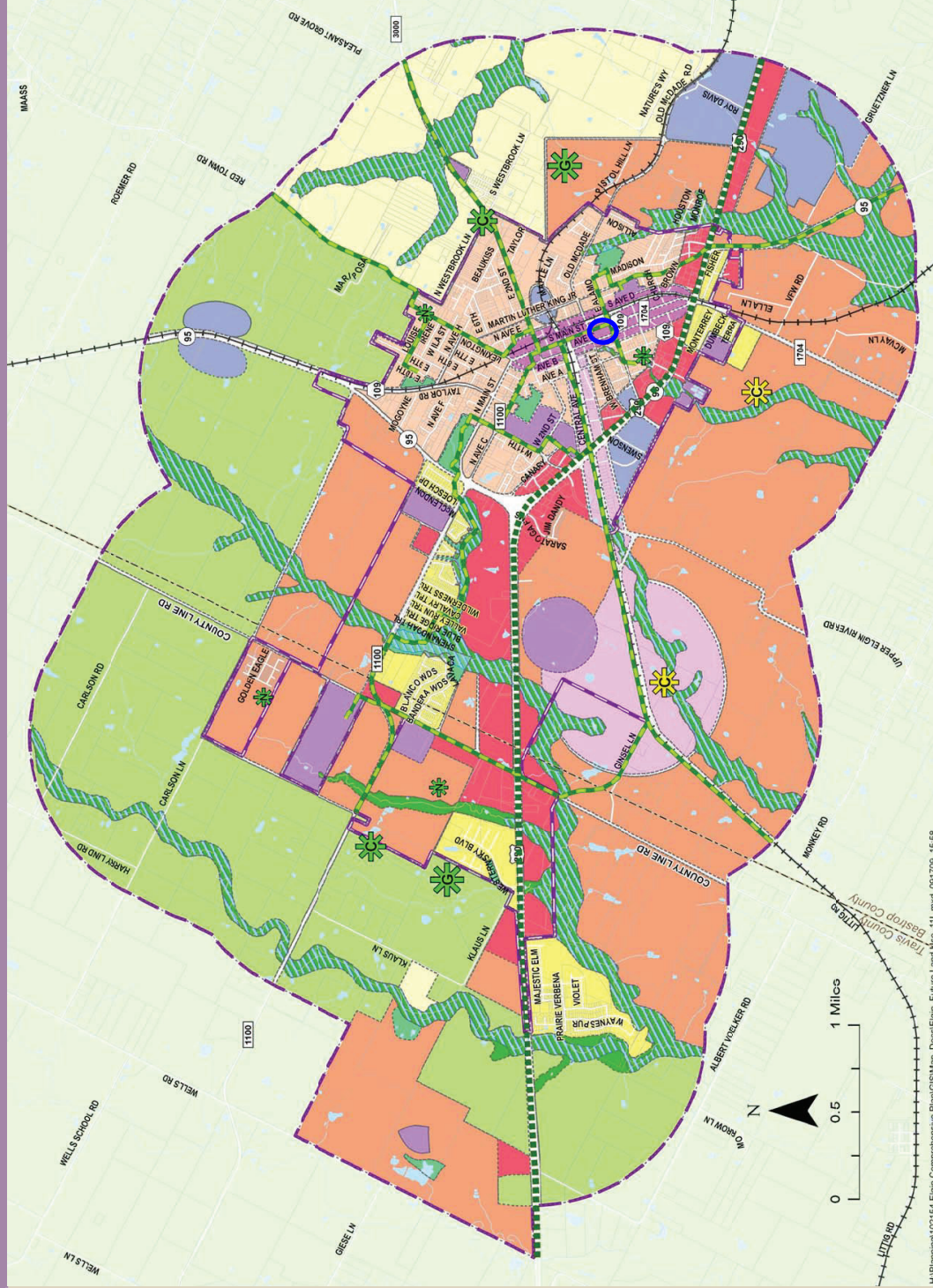
# Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

## Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GIS\Map\_Docs\Elgin\_Future Land Use\_11L.mxd 09/17/09 15:58  
Source: Wilbur Smith Associates, Inc., 2009.



## Main Street

**General Description:** As the heart of Elgin and the community's historic town center, the Main Street area is an important district to preserve and revitalize as Elgin develops. Many of the buildings along Main Street were constructed with local Elgin brick from the late 1800s to the mid 1900s, and as a result, are a true representation of Elgin's local history. This area continues to be a center for retail, business, local government, community festivals, and art. It is an area that Elgin residents treasure and many community members have worked to preserve and promote through efforts such as the Main Street Program, the Historic Review Board, and Elgin Art Walks.

**Transect Zone:** Urban Center (T5)

**Primary Land Use:** Commercial retail and office

**Supporting Land Uses:** Multi-family residential (apartments and condos typically above retail storefronts), single family residential, public, semi-public, light industrial, and industrial.

**Residential Densities:** Approximately 7 units per acre.

**Form and Character:** The core of Historic Main Street is mainly comprised of historic two-story brick buildings built between 1872 and 1947. Many of these buildings support an integrated mix of retail, office, and residential uses in a walkable environment. The official Main Street Historic District is subject to design guidelines that aim to maintain the historic integrity of the district. As such, all development and restoration should conform to the design standards. Areas immediately surrounding the District may not be subject to the specific design guidelines, but should be developed with sensitivity to the surrounding context. Infill development should be encouraged in the area to attract additional residents to support Main Street businesses. Additionally, Main Street should remain a focus for promoting small-scale retail, restaurant, entertainment, and arts venues to provide a draw for Elgin residents as well as visitors.

**Parks and Open Space:** Open space is primarily provided in small pocket parks and plazas such as Veterans' Memorial Park. Additional streetscaping and landscaping should be encouraged along public frontages with bike and pedestrian connections to surrounding areas.



Attachment 4  
Staff Added Zoning Map



# Zoning Map



9/15/2021, 10:09:38 AM

Zoning

C2 - General Commercial District

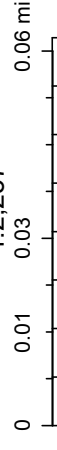
R2 - Single Family & Garage Apartment District

R3 - Single Family/Two Family/Industrialized Housing District

<all other values>

Bastrop Parcels July 2021

1:2,257

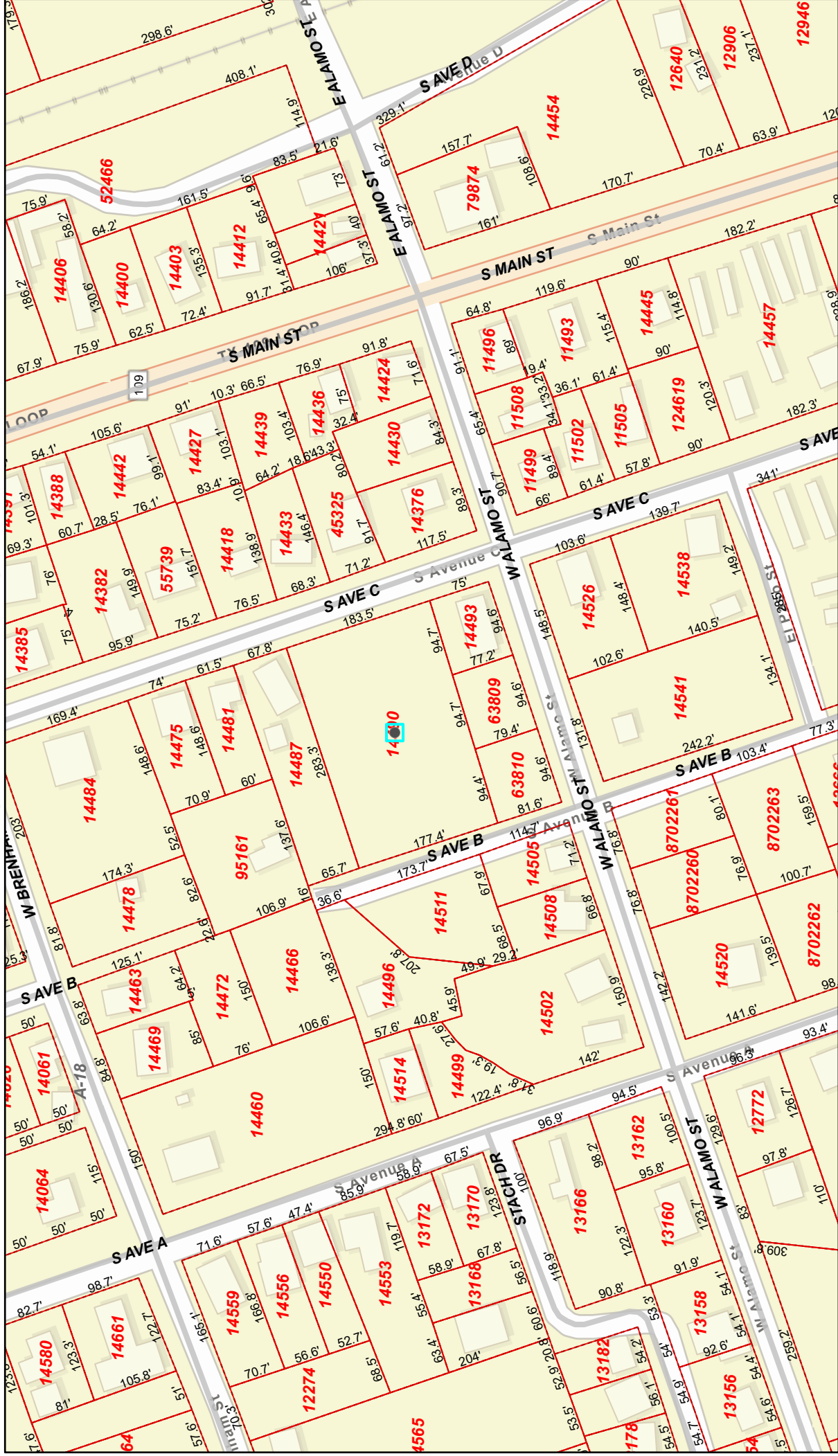


Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Attachment 5  
Staff Added Bastrop County  
Appraisal District (BCAD) Map



# Bastrop CAD Web Map



9/15/2021, 1:36:59 PM

-  Abstracts
-  Parcels
-  Lot Lines
-  Bastrop Roads

1:2,257

0 0.01 0.03 0.05 0.06 mi

0 0.03 0.05 0.1 km

Esri Community Maps Contributors, Baylor University, City of Austin, Texas  
Parks & Wildlife, CONANP, Esri, HERE, Garmin, © OpenStreetMap  
contributors, Microsoft, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA,  
NPS, US Census Bureau, USDA

Bastrop County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)  
Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.





## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS “A” MULTIPLE FAMILY RESIDENTIAL DISTRICT, THE PROPERTY BEING APPROXIMATELY 6.03 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, TX adopted in Ch. 46, Sec. 46-3, revised Code of Ordinances, City of Elgin, TX, 2013 and making this amendment a part of said official zoning map (BCAD Parcel 111936 Rezoning from C-3 and I to A).

**BACKGROUND:** See attached staff report.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☒ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** The Planning & Zoning Commission recommended approval of this item at their September 27, 2021 meeting.

**ATTACHMENTS:** Staff Report, Application, Ordinance with Exhibit A, Staff added Comprehensive Plan Exhibits, Staff added Zoning Map, Applicant Proposed Landscape Buffer.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



# Development Service Department

## STAFF REPORT

Project #: 202101587

### Rezoning from C-3 and I to A

**Date:** September 16, 2021

**Applicant:** Paravel Capital LLC

**Representative:** SAME

**Hearing Dates:** Planning & Zoning Commission – September 27, 2021  
City Council – October 12, 2021

**Location:** BCAD Parcel #111936 (located along the westside of Roy Rivers Rd, south of Lee Dildy Dr.)

---

#### APPLICATION SUMMARY

Recommendation by the Planning & Zoning Commission and consideration by the City Council of a rezoning of 6.03 acres of land located along the westside of Roy Rivers Rd, south of Lee Dildy Dr. The proposal is to change the zoning from “C-3” Highway Commercial District and “I” General Industrial Dist. to “A” Multiple Family Residential District to allow for the building of a proposed garden style multi-family community.

#### DEPARTMENT COMMENTS

The applicant has been working with the City Economic Development Department regarding the selling and proposed development of the property. The parcel itself is in the Elgin Business Park and within the Tax Increment Revitalization Zone (TIRZ). This area has additional development requirements through the Elgin Business Park (Parks) Development Standards that are governed by the Parks Development Review Board (DRB) and must be approved through this DRB. This includes items such as site development, landscaping, architecture, setbacks, buffers, lighting, signage that are above and some are more stringent than City Code standards. Their Development Standards also gives their DRB wide latitude to impose conditions on these standards. These are powers that the Commission and Council do not have without a separate approved Development Agreement.

#### STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Mixed-Use Land Use category. This category’s primary land usage is multifamily residential (see attachment 3) according to the provided map and associated land use language. The proposed zoning category will allow for multifamily as a use by right. When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. There are subtractions of the commercial uses, and the additional permitted uses would be allowed with proposed rezoning request.

| <b>C-3 ad I District (existing)</b> | <b>A District (proposed)</b>                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| All 104 allowed Commercial Uses     |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| All 29 allowed Industrial Uses.     | Multiple-Family Dwellings & Garden Apts.                                                                                                                                                                                                                                                                                                                                                                                         |
|                                     | Detached single-family dwelling.                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                     | Garage Apartments.                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                     | Duplex.                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                     | Churches, but not including revival tents or arbors.                                                                                                                                                                                                                                                                                                                                                                             |
|                                     | Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.                                                                                                                                                                                                                                                                   |
|                                     | Public Park and playground                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                     | Library.                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                     | Growing of farm products.                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                     | Municipal use                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                     | Telephone exchanges.                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                     | Home occupations.                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                     | Transportation and utility easements, alleys, and rights-of-way                                                                                                                                                                                                                                                                                                                                                                  |
|                                     | Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.                                                                                                                                                                                                                                                 |
|                                     | Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing. |
|                                     | Zero-Lot Line two-family dwelling.                                                                                                                                                                                                                                                                                                                                                                                               |

Below is a list of zoning standards for each zoning category, changes are highlighted in yellow between zoning categories:

|               | <b>C-3 and I (existing)</b> | <b>A (proposed)</b>                                                       |
|---------------|-----------------------------|---------------------------------------------------------------------------|
| Height        | 50'                         | 50'                                                                       |
| Front Setback | 25'                         | 25'                                                                       |
| Side Setback  | 0'                          | 10' when side has no openings; otherwise 12' + 1' for each 15' in length. |
| Rear Setback  | 10'                         | Same as side yard.                                                        |

|                         |       |      |
|-------------------------|-------|------|
| Lot Width               | None  | None |
| Lot Area                | None  | None |
| Impervious Cover on Lot | None. | None |

Although the rezoning itself will dramatically change the uses associated with the lot, Staff has no issues or concerns because these additional uses will not affect the neighboring development which will consist of commercial and industrial uses. Also, the City's Economic Development Commission controls the sell of the land which directly controls what "type" of commercial or industrial uses develop next to it. Also, the additional development regulations of the Elgin Business Park and the approval authority through its DRB will mitigate any additional negative impacts to the higher classification of residential zoning.

Rezoning of this parcel is also regarded as spot zoning, since there are no other "A" zoning uses around this area. Typically, spot zoning is viewed unfavorably, and case law exists regarding it. In consultation with the City Attorney, there are several findings from the Texas Supreme Court that should be considered when making your decision. Staff will offer their interpretation of these findings *in italics* based on the evidence provided in the packet.

1. Whether the City has disregarded the zoning ordinance or long-range master plans and maps that have been adopted by ordinance; *The City has not disregarded its long-range master plan (interpreted as the Comprehensive Plan) as this area is in the mixed-use category and the proposed multi-family use is consistent with the Land Use.*
2. The nature and degree of an adverse impact on surrounding properties; i.e. is the change substantially inconsistent with surrounding properties; *the surrounding properties are zoned commercial and industrial zoning, this is a downzoning to residential and no adverse impacts on neighboring properties are expected.*
3. Whether the use of the property as presently zoned is suitable or unsuitable; and, *the present zoning is suitable as the proposed use will be multi-family. There is a defined need within the area for multi-family development as this is an area that has an underlying land use of Mixed-Use Land Use which allows for residential and commercial use to coexist in the area. The parcels to the immediate north are zoned C-3.*
4. Whether the rezoning ordinance bears a substantial relationship to the public health, safety, morals, or general welfare or protect and preserve historical and cultural places and areas. *Although typically residential land uses next to industrial land uses are discouraged, the additional regulations allowed by the Development Standards of the Elgin Business Park, their DRB, and the City EDC controlling the "type" of industrial uses through their sale of the land to customers greatly reduces the issues of public health, safety, morals, or the general welfare of the lot being rezoned and the surrounding area.*

Based on the information within the packet, staff has no issues or concerns.

This is a staff analysis of the requested specific use and is not to be considered as a staff recommendation to the Commission/Council. The Commission/Council in their analysis of the evidence presented in this packet or from other sources can make their own decision.

### **ATTACHMENTS**

Additional information is provided through attached exhibits.

1. Application.
2. Ordinance.
3. Staff Added Comprehensive Plan Exhibits.
4. Staff Added Zoning Map.
5. Applicant Proposed Landscape Buffer.

# Attachment 1

## Application

## NON-PDD REZONING APPLICATION

Date: 8/29/21

### SITE INFORMATION

Project Address: N/A

Parcel Identification Number (if no address): 111936

### APPLICANT

Name: Paravel Capital LLC

Postal Address: 1509 Old W 38th St. Ste. 3 Austin, TX 78731

E-Mail Address: cthigpen@paravelcap.com; Phone Number: (512) 934-8923

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.



Curtis Thigpen

8/29/21

Signature

Printed Name

Date

### Project Description:

Seeking a rezoning from C-3 to A in order to build 2-3 story surface parked garden style  
multi-family community of up to 26 units an acre.



310 North Main Street  
P.O. Box 591  
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com



# Attachment 2

## Ordinance

**ORDINANCE NO. 2021-10-12-??**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS “A” MULTIPLE FAMILY RESIDENTIAL DISTRICT, THE PROPERTY BEING APPROXIMATELY 6.03 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated herein, from “C-3” Highway Commercial District and “I” General Industrial District to “A” Multiple Family Residential District, and

**WHEREAS**, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested change on September 27, 2021, following lawful publication of the notice of said public hearing, and

**WHEREAS**, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" is “A” Multiple Family Residential District, and

**WHEREAS**, on October 12, 2021, after proper notification, the City Council held a public hearing on the requested zoning, and

**WHEREAS**, the City Council determines that the zoning provided for herein promote 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 Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

**I.**

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is rezoned from "C-3" Highway Commercial District and "I" General Industrial District to "A" Multiple Family Residential District.

**II.**

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October 2021.

---

Ron M. Ramirez, Mayor

ATTEST:

---

Jennifer Stubbs, City Secretary

*Melissa J. Norton* 7/18/18  
MELISSA T. NORTON  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 10000  
6477 FM 311, P.O. BOX 992  
SPRING BRANCH, TEXAS 76082  
PHONE# (800) 228-5446  
FAX# (800) 865-2170

## Attachment 3

### Staff Added Comprehensive Plan Exhibits



## Mixed Use

**General Description:** The Mixed Use category is intended to develop as an area with a vital mix of complementary uses in a higher density environment. Where possible, land uses should be integrated within the same building with retail and service uses on the ground floor and residential or office uses above. Density levels should be sufficient to support transit to maximize the opportunity for future passenger rail in the region. Pedestrian access and comfort is emphasized through the design of buildings and the streetscape.

**Transect Zone:** Urban Center (T5)

**Primary Land Use:** A mix of multi-family residential and commercial retail/office

**Supporting Land Uses:** Attached residential units such as townhomes and rowhouses, schools, parks, community facilities, and transit facilities.

**Residential Densities:** Approximately 12 units per acre.

**Form and Character:** This area is intended to be relatively urban in character with buildings of a minimum of two and a maximum of four stories tall. As an area that prioritizes transit use and walking, surface parking lots should be discouraged in favor of structured or on-street parking. Buildings should have shallow setbacks so that they address the sidewalk, provide a comfortable street wall for pedestrians, and provide easy access to store fronts and entrances from the sidewalk. Sidewalks should be wide to promote walking and other activities such as café seating. Street trees, plantings, public art, and attractive street furniture should also be used to create an attractive pedestrian environment.

**Parks and Open Space:** Small pocket parks and plazas should be provided in commercial and high-density residential areas to provide a gathering place for residents and visitors to the area. A neighborhood or community park should be developed on the edge of the Mixed Use area to provide recreational space for those living in multi-family units as well as to provide a transition from high-density to lower density neighborhoods.





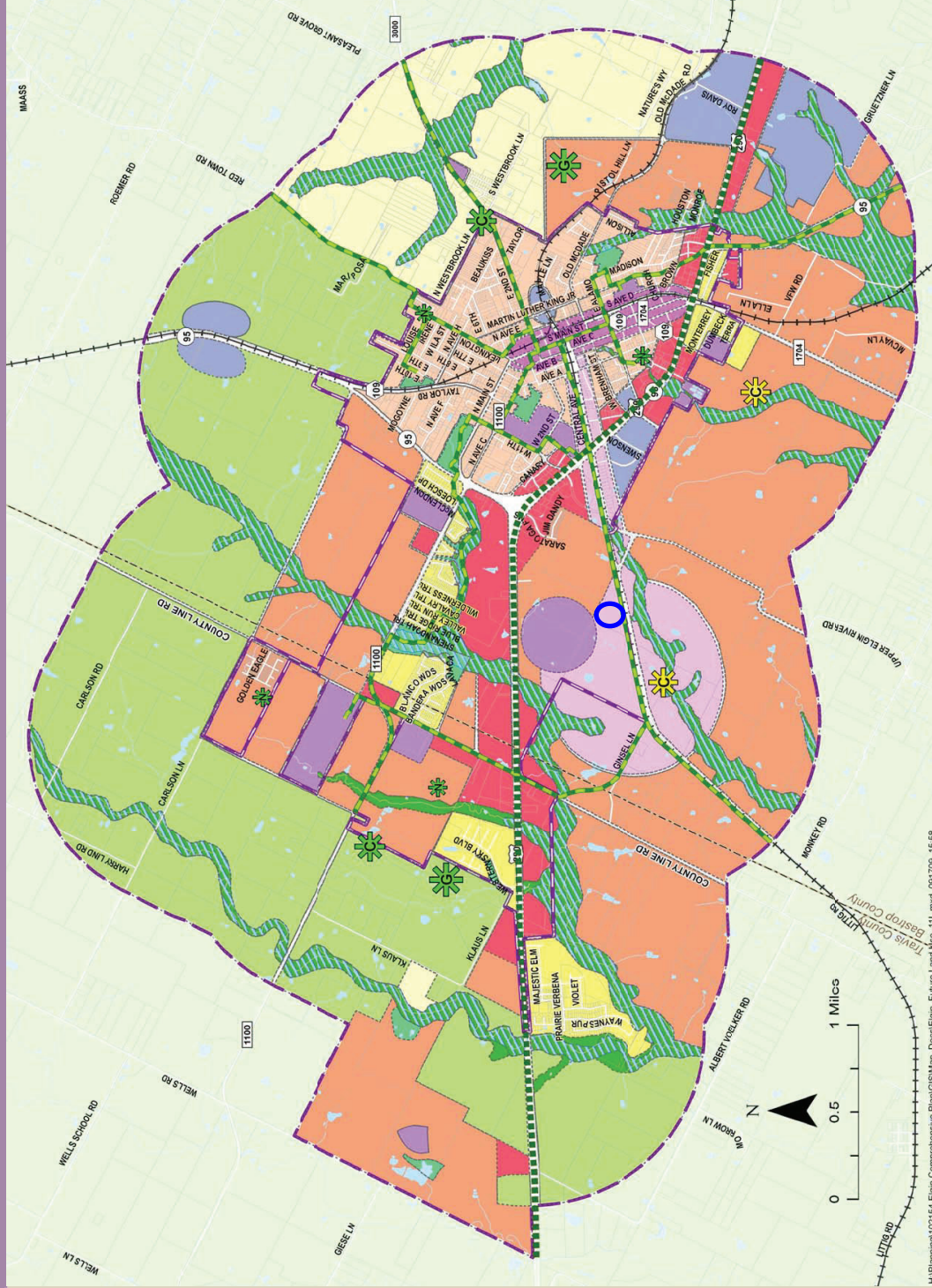
# Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

## Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

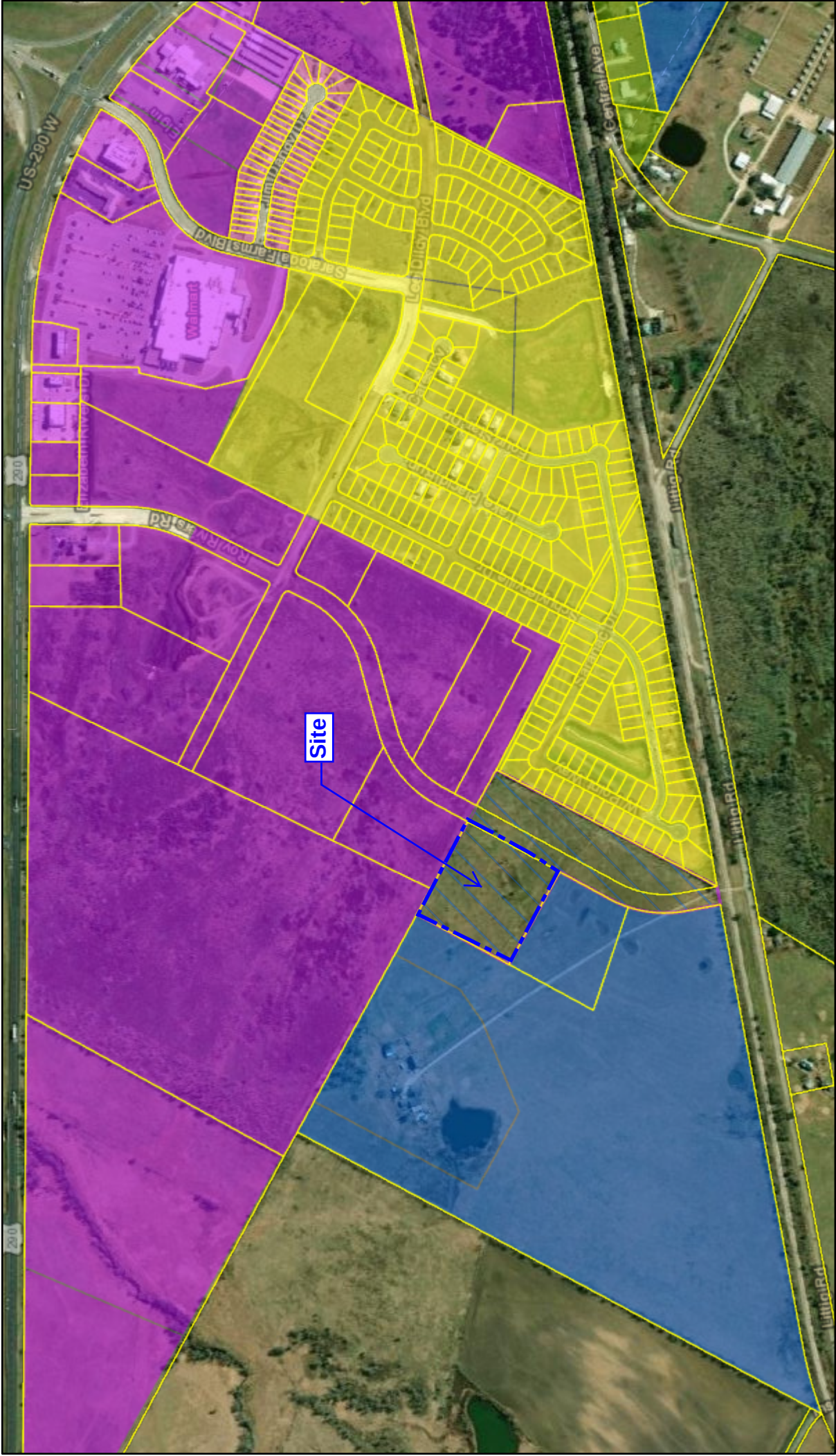


H:\Planning\102154-Elgin Comprehensive Plan\GIS\Map\_Docs\Elgin\_Future Land Use\_11L.mxd 09/17/09 15:58  
Source: Wilbur Smith Associates, Inc., 2009.



Attachment 4  
Staff Added Zoning Map

# Zoning Map



9/15/2021, 2:00:37 PM

Zoning

- C3 - Highway Commercial District
- I - General Industrial District
- I, C3 - Highway Commercial/General Industrial District

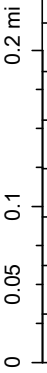
R1 - Single Family

R2 - Single Family & Garage Apartment District

R3 - Single Family/Two Family/Industrialized Housing District

Bastrop Parcels July 2021

1:9,028

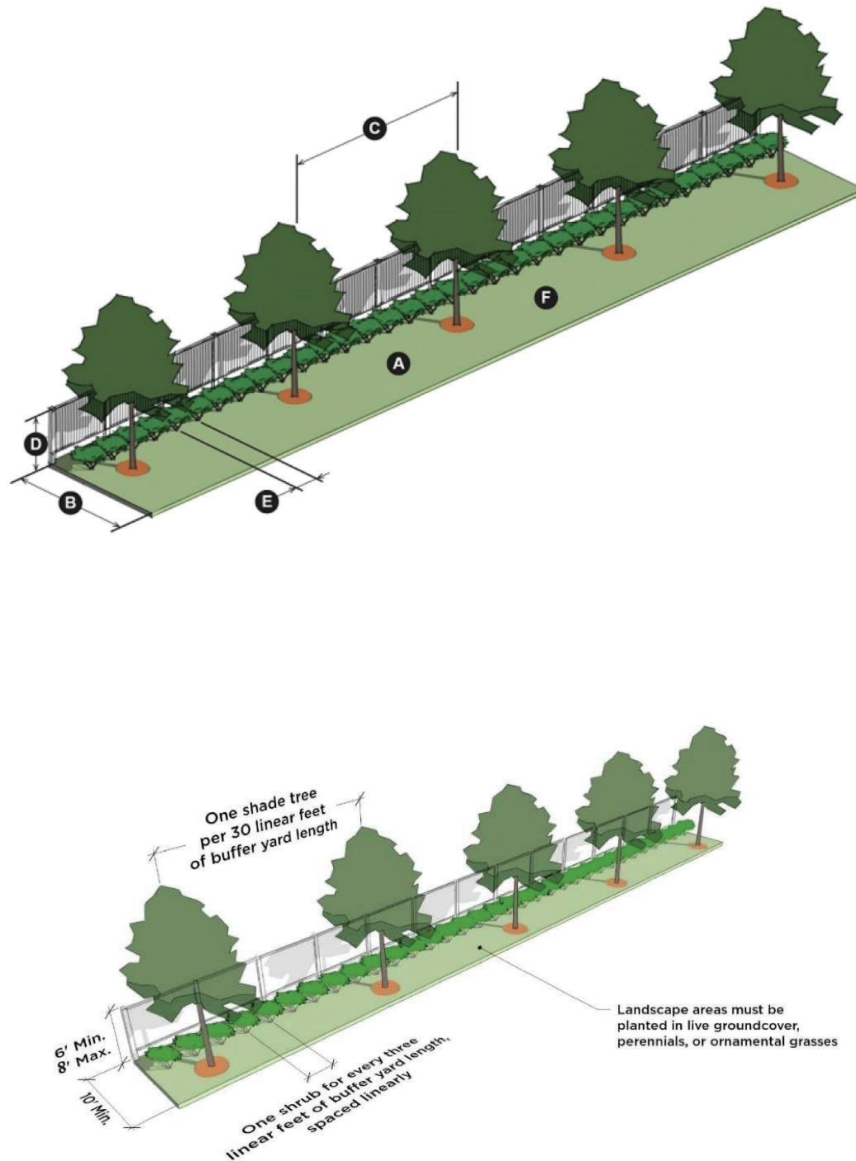


Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Attachment 5  
Applicant Proposed  
Landscaping Buffer

## Exhibit A:

- Developer to provide sufficient buffer to adjacent industrial properties using a combination of 6 – 8' fencing, shade trees, and shrubbery



**Disclaimer:** This is a proposal; this could be changed or may be entirely different than seen at this time. This proposal cannot be conditionally approved for the rezoning. Ultimately, the Design Review Board (DRB) for the Elgin Development Corporation (EDC) will determine the landscaping and buffering standards in accordance with Section 5.2.4 Elgin Business Park Development Standards





## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** AN ORDINANCE GRANTING A MODIFICATION TO AN ALREADY APPROVED SPECIFIC USE FOR A MEDICAL FACILITY (GRANTED UNDER ORDINANCE 2021-08-03-22) IN ORDER TO REMOVE A CONDITION THAT THE USE BE RENEWED IN FIVE (5) YEARS ON PROPERTY LOCATED AT 122 FISHER ST (0.484 ACRES OF LAND AND 9.19 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance to grant a modification to an already approved specific use to remove a condition that the use be renewed in five (5) years.

**BACKGROUND:** See attached staff report.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** The Planning & Zoning Commission recommended approval of this item at their September 27, 2021 meeting with no additional condition(s).

**ATTACHMENTS:** Staff Report, Application, Ordinance with Exhibit A, Staff added Zoning Map, Applicant site plan and survey.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



# Development Services Department

## STAFF REPORT

### Specific Use Permit

**Project #: 202101606**

**Date:** September 15, 2021

**Applicants:** Renewal Lodge by Burning Tree

**Representative:** Peter Piraino / David Elliott

**Hearing Dates:** Planning & Zoning Commission – September 27, 2021  
City Council – October 12, 2021

**Location:** 122 Fisher St.

---

#### APPLICATION SUMMARY

Recommendation of the Planning & Zoning Commission and consideration (action) for City Council of a modification to an already approved Specific Use Permit. This modification will ONLY remove a condition that the Use be renewed in five (5) years on the property. It will not negate the previously approved Ordinance or the original approval of the medical facility.

#### DEPARTMENT COMMENTS

On July 26, 2021 the Commission recommended approval of a specific use allowing for a medical facility at 122 Fisher St. This specific use was necessary as the medical facility (with 13,000 sq. ft of existing building space) was legally non-conforming to the zoning code. It was planning to add a new 3,200 sq. ft. dining hall, 2,400 sq. ft. women's dorm, and 3,600 sq. ft. men's dorm (9,200 square feet total) and needed to become legally conforming to the Zoning Code. As a part of that approval the Commission added a recommended condition the use be limited to a period of five (5) years.

On August 3, 2021 this item went for a consideration in front of the City Council. At that time the Council approved the Specific Use with the condition the use be limited to a period of five (5) years. Due to this condition being approved the applicant has indicated there has been an issue in securing funding for the proposed new buildings.

If the Commission and/or Council have reservations about allowing a specific use to continue in perpetuity with no oversight for any changes, a potential option is to limit based on the gross floor area. This was a City Staff option presented before the Commission at the original July 26, 2021 meeting and was not conditioned as part of the approval. The original condition is as posted below:

The specific use is restricted to a maximum 25,000 square feet of gross floor area (GFA). GFA is defined as the amount of heated and cooled square footage of all total on-site buildings.

This shouldn't cause issues with the applicant's ability to secure funding as their funding is probably based on repayment over a specified number of years.

As part of the modification, the Commission/Council may pass any requirements, conditions, or safeguards as needed to protect adjacent property in accordance with Section 46- 138, City Code.

**ATTACHMENTS**

Additional information is provided through attached exhibits.

1. Application.
2. Ordinance.
3. Staff added zoning map.
4. Applicant site plan and survey.



# Attachment 1

## Application

## SPECIFIC USE APPLICATION

Date: 08/30/2021

### SITE INFORMATION

Project Address: 122 Fisher st Elgin Texas 78621

Parcel Identification Number (if no address): 119836,12610

### APPLICANT

Name: Peter Piraino/ David Elliott/ Renewal Lodge by Burning Tree

Postal Address: 122 Fisher St. Elgin Texas 78621

E-Mail Address: ppiraino@burningtree.com; Phone Number: 512-285-5900

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.



Signature

Peter Piraino

Printed Name

8/30/21

Date

### Project Description:

Burning Tree was recently granted a specific use permit for 122 fisher st that must be renewed every 5 years. Due to the 5 year renewal requirement Burning Tree is unable to secure funding for a renovation.

I am requesting a new specific use permit without restrictions for 122 Fisher st.

Please find survey plat and legal descriptions attached.



310 North Main Street  
P.O. Box 591  
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

# Attachment 2

## Ordinance

**ORDINANCE NO. 2021-10-12-\_\_\_\_\_**

**AN ORDINANCE GRANTING A MODIFICATION TO AN ALREADY APPROVED SPECIFIC USE FOR A MEDICAL FACILITY (GRANTED UNDER ORDINANCE 2021-08-03-22) IN ORDER TO REMOVE A CONDITION THAT THE USE BE RENEWED IN FIVE (5) YEARS ON PROPERTY LOCATED AT 122 FISHER ST (0.484 ACRES OF LAND AND 9.19 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of Elgin, Texas for a modification to an existing Specific Use Permit to remove a condition that the Use be renewed in five (5) years on property described in Exhibit “A” attached hereto and incorporated herein (“Property”); and

**WHEREAS**, the City Council has submitted the application to the Planning and Zoning Commission for its recommendation and report; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested change on September 27<sup>th</sup>, 2021, following lawful publication of the notice of said public hearing; and

**WHEREAS**, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended approval of a modification to an already approved specific use permit allowing the removal of the condition that the Use be renewed in five (5) years on the Property; and

**WHEREAS**, on the 12<sup>th</sup> day of October 2021, after proper notification, the City Council held a public hearing on the requested application, and

**WHEREAS**, the City Council determines that the modification to an already approved Specific Use Permit allowing the removal of the condition that the Use be renewed in five (5) years on the Property, provided for herein promote 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 Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with,

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

**I.**

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further finds that enactment of this Ordinance is not inconsistent with or in conflict with any other policies or provisions of the Comprehensive Plan and the City’s Code of Ordinances.

## **II.**

The Zoning District for the Property shall remain R-1 Single Family District, and the Ordinance granting a modification to an approved Specific Use Permit allowing the removal of the condition that the Use be renewed in five (5) years on the property of medical facility is hereby adopted.

## **III.**

**A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**B.** The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

**C.** 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October 2021.

\_\_\_\_\_  
Ron M. Ramirez, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Stubbs, City Secretary



SCALE: 1" = 50'

- IRON ROD FOUND
- IRON PIPE FOUND
- S/S IRON ROD SET
- △ FENCE POST
- BASKETBALL HOOP
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- FENCE LINE
- ELECTRIC LINE
- PIPE LINE

Please see Exhibit A

4841  
ACRE OF LAND

Please see Exhibit B

9.195 ACRES

NO portion of this tract appears to be in a Federally designated FLOOD PRONE AREA according to FIRM Number: 48021C 0075C for BASTROP COUNTY, TEXAS.  
Effective Date: 08/19/91  
This Tract lies in Zone(s) X  
Base Flood Elevation: None

**WARNING:**  
This Flood Statement, as determined by a FIRM DOES NOT IMPLY that the Property or improvements thereon will be free from Flooding of Flood Damage. On rare occasions, Greater Floods Can AND Will Occur, and Flood Heights may increase by Man-Made Natural Causes.  
THIS STATEMENT SHALL NOT CREATE LIABILITY OF THE PART OF THE SURVEYOR  
© 2004 Dale L. Olson Surveying Company  
ALL RIGHTS RESERVED

LARRY WICKST  
1.0 AC.  
410.24' BCDP

SOUTHWEST REGION CONFERENCE ASSOCIATION  
OF SOUTHWESTERN AREAS  
1.4 AC.  
144.10' BCDP

The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described herein, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has access to and from a dedicated road way, except as shown hereon.

INFORMATION ONLY

**DALE L. OLSON**  
REGISTERED PROFESSIONAL LAND SURVEYOR  
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT  
of a 9.195 ACRE TRACT in the  
THOMAS GARRETSON SURVEY, A-178,  
BASTROP, COUNTY, TEXAS.

SCALE: 1" = 50.00'  
DRAFTSMAN: D. BROOKS  
SANTA ANITA, Inc.

DATE: 08/19/91  
PLAT FILE # 2847 M

PROFESSIONAL  
LAND SURVEYORS

1515 Chestnut Street (512) 303-0952  
Bastrop, Texas 78621 Fax: (512) 332-0961

### LEGAL DESCRIPTION

0.484 ACRE OF LAND OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT NO. 178, BASTROP COUNTY, TEXAS, COMPRISED OF A PORTION OF THAT TRACT CONVEYED AS 3.268 ACRES TO JUAN LOREDO AND ROSA LOREDO BY DEED RECORDED IN VOLUME 1427, PAGE 369, OFFICIAL RECORDS OF BASTROP COUNTY AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF C. RICHARD RALPH, R.P.L.S. NO. 4758 DURING AUGUST, 2010:

BEGINNING at a capped iron rod found marked "J.E. Garon" for the north corner hereof, the common north corner of said 3.268 acres and that tract conveyed as 9.915 acres to Santa Anita, Inc. by deed recorded in Volume 1473, Page 558 of said Official Records, same being the common south corner of that tract conveyed as 0.25 acre to Ernest Vincent by deed recorded in Volume 149, Page 617, Deed Records of Bastrop County and that tract conveyed to Guadalupe Hernandez per Bastrop Central Appraisal District Records;

THENCE S 38°12'23" W, (Bearing Basis for this survey per said Volume 1427, Page 369) 471.55 feet along the east or southeast line of said 3.268 acres, called to be common with the west line of said 9.915 acres (Note: the undersigned's survey reveals the bearing along the west line of said 9.915 acres (called to be common with the east line of said 3.268 acres) to be S 30°02'32" W, creating a 0.367 acre gap of undetermined ownership between the two tracts) to a capped iron rod found marked "J.E. Garon" for the south or southeast corner hereof, the southeast corner of said 3.268 acres (ostensibly an angle point along the west line of said 9.915 acres, but found iron rods (not capped or marked) delineating the west line of said 9.915 acres place this point approximately N 50°40'25" W, 67.74 feet away from the angle point and southeast corner of said 3.268 acres per said Volume 1473, Page 558);

THENCE N 50°24'24" W, pass at 29.84 feet S 28°32'38" W, 0.51 feet from an iron rod found called per said Volume 1473, Page 558 to be the common north corner of said 9.915 acres and that tract conveyed as 1.0 acre to Larry Vincent by deed recorded in Volume 410, Page 266 of said Official Records, continue for a total of 89.38 feet along the line called to be common with both said 9.915 acres and said 1.0 acre per said Volume 1427, Page 369 to an iron rod set for the west or southwest corner hereof;

THENCE N 48°59'02" E, 477.82 feet over and across said 3.268 acres to the POINT OF BEGINNING, containing 0.484 acre of land, more or less and shown on the survey map prepared herewith.

Surveyed by:



C. Richard Ralph

Registered Professional Land Surveyor No. 4758

Project No. 1011075 - 113/52



August 11, 2010

## Exhibit A



**DALE L. OLSON**

Registered Professional Land Surveyor

711 Water Street

Bastrop, TX 78602

Phone (512) 321-5476 \* Fax (512) 303-5476

Exhibit B

FIELD NOTES FOR FIELD NOTES FOR A 9.195 ACRE TRACT IN THE THOMAS GARRETSON SURVEY, BASTROP COUNTY, TEXAS.

BEING a 9.195 acre tract or parcel of land out of and being a part of the Thomas Garretson Survey, A-178, in Bastrop County, Texas, and being all of that certain 2.000 acre tract described in a deed from John R. Butler, individually and as Trustee for Michael L. Butler, to L. Warren Investment, dated July 19, 1988, recorded in Volume 511, Page 639, Bastrop County Deed Records and being a part of that certain 7.189 acre tract described in a deed from John R. Butler, individually and as Trustee for Michael L. Butler, to T. Warren Investments, dated July 19, 1988, recorded in Volume 511, Page 642, Bastrop County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of the said 2.000 acre tract, a 1/2 inch iron rod found in the south line of Fisher Street, at the northeast corner of that certain 0.25 acre tract described in a deed from Mamie Hill to Ernest Vincent, recorded in Volume 149, Page 617, Bastrop County Deed Records, for the most northerly northwest corner of this tract.

THENCE with the south line of Fisher Street and north line of the 2.000 acre and before mentioned 7.189 acre tracts, S 64 deg. 30 min. 00 sec. E, 109.25 feet to a 1/2 inch iron rod found at the northeast corner of the 7.189 acre tract and northwest corner of that certain 1.5 acre tract described in a deed from Wayland Ridings to the Trustees of Elgin Revival Center Church, recorded in Volume 232, Page 119, Bastrop County Deed Records, for the most northerly northeast corner of this tract.

THENCE with the west line of the Elgin Revival Center tract, S 11 deg. 40 min. 28 sec. W, 211.09 feet to the southwest corner of same, a 1/2 inch iron rod found for an interior corner of the 7.189 acre tract, for an interior corner of this tract.

THENCE with a lower north line of the 7.189 acre tract, the south line of the Elgin Revival Center tract, the south line of the Andrew Owens Jr. tract, recorded in Volume 164, Page 207, the south line of the William Hawkins tract, recorded in Volume 152, Page 459, the south line of the Quintus Goins 1.2 acre tract described in Volume 144, Page 310, Bastrop County Deed Records, S 64 deg. 30 min. 00 sec. E, 410.85 feet to a 1/2 inch iron rod found at the northwest corner of that certain 3.4 acre tract described in a Correction Deed from W.H. Rivers III to the Southwest Region Conference Association of Seventh-Day Adventists recorded in Volume 149, Page 363, Bastrop County Deed Records, for a lower northeast corner of the 7.189 acre tract and this tract.

THENCE with the west line of the Seventh Day Adventists 3.4 acre tract and lower east line of the 7.189 acre tract, S 09 deg. 54 min. 09 sec. W, 10.04 feet to a 1/2 inch iron rod found; N 64 deg. 36 min. 24 sec. W, 43.76 feet to a 1/2 inch iron rod found; S 13 deg. 17 min. 15 sec. W, 453.80 feet to a 1/2 inch iron rod found in the north line of 20 foot dedicated strip of land described in a deed recorded in Volume 153, Page 30, Bastrop County Deed Records, the southwest corner of the Seventh Day Adventists tract, the southeast corner of the said 7.189 acre tract, for the southeast corner of this tract.

THENCE with the north line of the 20 foot strip and south line of the 7.189 acre tract, N 86 deg. 58 min. 08 sec. W, 722.88 feet to a 1/2 inch iron rod found at the southeast corner of the Larry Vincent 1.0 acre tract recorded in Volume 410, Page 266, Bastrop County Deed Records, the southwest corner of the 7.189 acre tract, for the southwest corner of this tract.

Exhibit B

THENCE with the lower west line of the 7.189 acre tract and east line of the Vincent tract, N 14 deg. 05 min. 41 sec. E, 264.96 feet to a ½ inch iron rod found in the south line of that certain 3.268 acre tract described in a deed from Herb Dieringer to Juan Loreda recorded in Volume 1427, Page 369, Bastrop County Deed Records, the northeast corner of the Vincent tract, an angle corner of the 7.189 acre tract, for an angle corner of this tract.

THENCE with the south line of the Loreda 3.268 acre tract, S 65 deg. 09 min. 05 sec. E, 97.76 feet to the southeast corner of same, a ½ inch iron rod found at an interior corner of the 7.189 acre tract, for an interior corner of this tract.

THENCE with the east line of the Loreda 3.268 acre tract and a lower west line of the 7.189 acre and before mentioned 2.000 acre tract, N 15 deg. 33 min. 52 sec. E, 477.42 feet to a ½ inch iron rod found at the northeast corner of the Loreda tract and a lower northwest corner of the 2.000 acre tract, for a lower northwest corner of this tract.

THENCE with a lower north line of the 2.000 acre tract and south line of the before mentioned Vincent tract, S 63 deg. 48 min. 33 sec. E, 129.98 feet to a ½ inch iron rod found at the southeast corner of the Vincent tract and an interior corner of the 2.000 acre tract, for an interior corner of this tract.

THENCE with the east line of the Vincent tract and upper west line of the 2.000 acre tract, N 11 deg. 40 min. 44 sec. E, 211.10 feet to the POINT OF BEGINNING, containing 9.195 acres of land.



Dale L. Olson  
Reg. Pro. Land Surveyor 1753

OR

Michael D. Olson  
Reg. Pro. Land Surveyor 5386

©2004 Dale L. Olson Surveying Co.

Order #: 143204

Date Created: 09/21/04

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

Rose Pietsch

2004 SEP 24 01:54 PM 200415457  
KRISTAB \$15.00  
ROSE PIETSCH, COUNTY CLERK  
BASTROP COUNTY, TEXAS

Attachment 3  
Staff Added Zoning Map



# ArcGIS Web Map



6/29/2021, 3:05:00 PM

## Zoning

- |                                          |                                                               |
|------------------------------------------|---------------------------------------------------------------|
| A - Multiple Family Residential District | R2 - Single Family & Garage Apartment District                |
| C2 - General Commercial District         | R3 - Single Family/Two Family/Industrialized Housing District |
| C3 - Highway Commercial District         | Bastrop Parcels Jan 2021                                      |

R1 - Single Family

 R2 - Single Family & Garage Apartment District

**C2 - General Commercial District**

 C3 - Highway Commercial District

Bastrop Parcels Jan 2021

Web AppBuilder for ArcGIS  
 ES user community | Esri, HERE, Garmin, (c) OpenStreetMap contributors | TRC GIS,

1:4,514

0 0.05 0.1 0.2 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

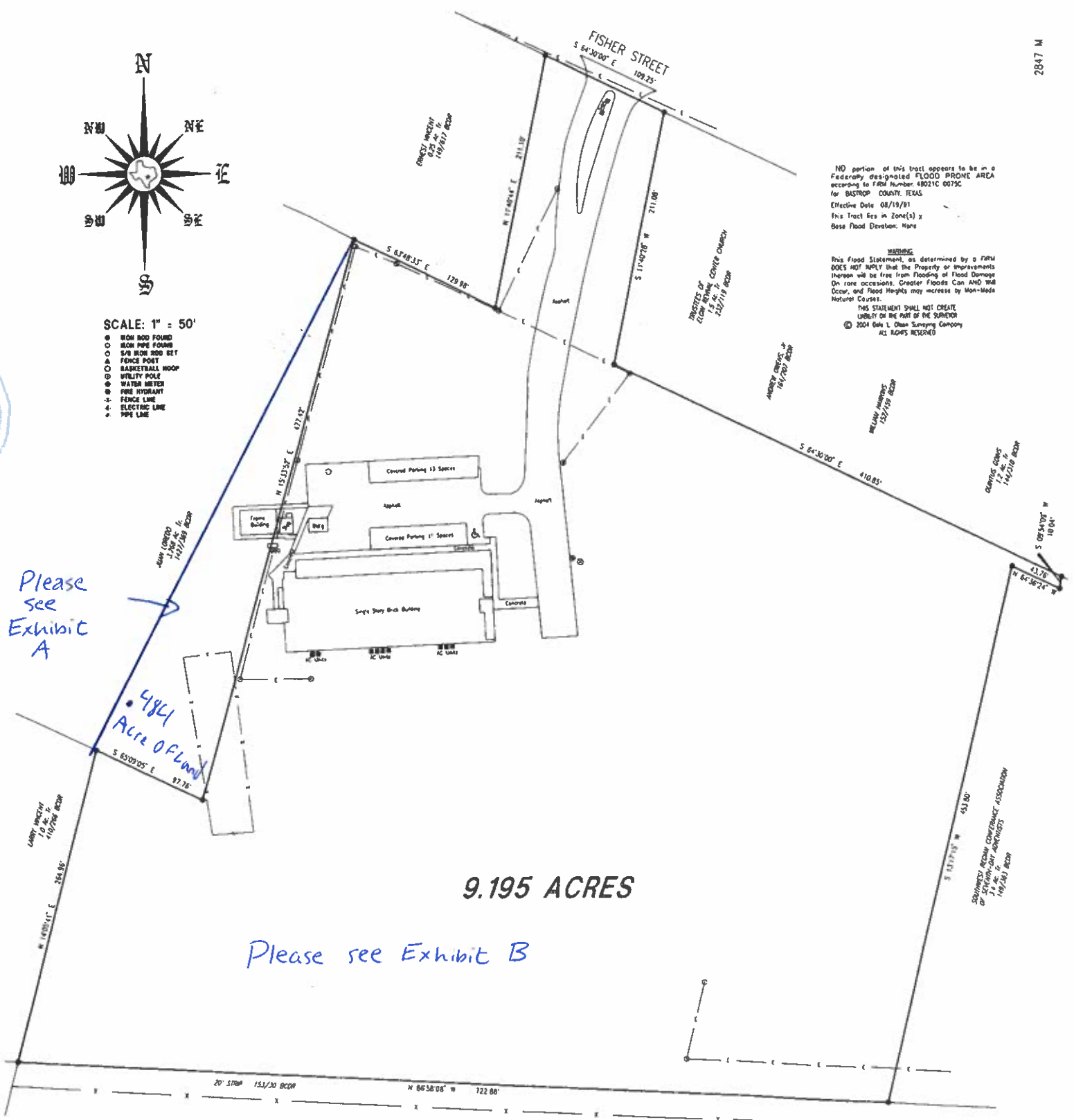
Attachment 4  
Applicant Site Plan & Survey





SCALE: 1" = 50'

- IRON ROD FOUND
- IRON PIPE FOUND
- 5/8" IRON ROD SET
- FENCE POST
- BASKETBALL HOOP
- UTILITY POLE
- WATER METER
- FIRE HYDRANT
- FENCE LINE
- ELECTRIC LINE
- PIPE LINE



NO portion of this tract appears to be in a Federally designated FLOOD PRONE AREA according to FEMA Number 48031C 0075C for BASTROP COUNTY, TEXAS.  
Effective Date: 08/19/91  
This Tract lies in Zone(s) 1  
Base Flood Elevation: None

**WARNING:**  
This Flood Statement, as determined by a FIRM DOES NOT IMPLY that the Property or Improvements thereon will be free from Flooding or Flood Damage. On rare occasions, Greater Floods Can AND WILL Occur, and Flood Heights may increase by Man-Made Natural Causes.  
THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR  
© 2004 Dale L. Olson Surveying Company  
ALL RIGHTS RESERVED

Please see Exhibit A

Please see Exhibit B

9.195 ACRES

INFORMATION ONLY

The undersigned does hereby certify to the State Agency, Underwater, Underway, and/or Purchase, that this survey was, this day, made on the ground, on the property legally described herein, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown herein, and that said property has access to and from a dedicated road way, except as shown herein.

|                                                                                                                 |                   |
|-----------------------------------------------------------------------------------------------------------------|-------------------|
| <b>DALE L. OLSON</b><br>REGISTERED PROFESSIONAL LAND SURVEYOR<br>711 WATER STREET (512) 321-5476 BASTROP, TEXAS |                   |
| SURVEY PLAT<br>of a 9.195 ACRE TRACT in the<br>THOMAS GARRETSON SURVEY, A-178,<br>BASTROP COUNTY, TEXAS.        |                   |
| SCALE: 1" = 50.00'                                                                                              | SANTA ANITA, Inc. |
| DRAFTSMAN: D. BROOKS                                                                                            |                   |



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** AN ORDINANCE GRANTING A SPECIFIC USE FOR A MEDICAL FACILITY ON PROPERTY LOCATED AT 124 FISHER ST (0.480 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance to grant a medical facility on property located at 124 Fisher St.

**BACKGROUND:** See attached staff report.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** The Planning & Zoning Commission recommended approval of this item at their September 27, 2021 meeting.

**ATTACHMENTS:** Staff Report, Application, Ordinance, Staff added Zoning Map, Applicant site plan and survey.

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*





# Development Services Department

## STAFF REPORT

### Specific Use Permit

Project #: 202101525

**Date:** September 15, 2021

**Applicants:** Renewal Lodge by Burning Tree

**Representative:** Peter Piraino / David Elliott

**Hearing Dates:** Planning & Zoning Commission – September 27, 2021  
City Council – October 12, 2021

**Location:** 124 Fisher St.

---

#### APPLICATION SUMMARY

Recommendation of the Planning & Zoning Commission and consideration (action) for City Council of a Specific Use Permit for a medical facility.

#### DEPARTMENT COMMENTS

Originally there was a specific use granted for a medical facility for this site, this is related to the Burning Tree substance abuse facility at 122 Fisher St. This specific use was granted in September 2016 and conditioned 1) only for an Alcoholics Anonymous (AA) facility; 2) for a period of (5) years. Since that time the AA facility has moved out of this building. The proposal for this site is to modify the existing buildings to house a training facility and related office spaces for the Burning Tree substance abuse facility at 122 Fisher St. Since the use will no longer be an AA facility and will house training and associated office space for the substance abuse facility, it is still regarded as a medical facility under the Zoning Code.

A survey has been provided indicating that a gravel parking area and a residential designed home exist at the location (see attachment #4). In review of the Bastrop Co. Appraisal District (BCAD) records this home was built in 1940 and is 2,832 sq. ft in size.

#### STAFF ANALYSIS

The area itself within the City Limits have residential zoning, and most of the area is residential in nature. This medical facility related use has existed since 2016 on almost a half (1/2) acre of land and was greatly restricted under the previous specific use. Also, this area within the City has no significant growth issues that would change the area or create traffic related issues. Since the usage was restricted with conditions, Staff would suggest the following conditions if the Commission/Council decide to approve the project.

1. The specific use is restricted to a maximum 3,000 square feet of gross floor area (GFA). GFA is defined as the amount of heated and cooled square footage of all total on-site buildings.

2. The Use is restricted to only directly related uses to the substance abuse facility located at 122 Fisher St. The term “directly related uses” means uses that are directly connected to the functioning of the substance abuse facility, this definition does NOT make the differentiation between principal and accessory usage of the site.

This is a staff analysis of the requested specific use and is not to be considered as a staff recommendation to the Commission/Council. The Commission/Council in their analysis of the evidence presented in this packet or from other sources can make their own decision.

*As part of the modification, the Commission/Council may pass any requirements, conditions, or safeguards as needed to protect adjacent property in accordance with Section 46- 138, City Code.*

#### **ATTACHMENTS**

Additional information is provided through attached exhibits.

1. Application.
2. Ordinance.
3. Staff added zoning map.
4. Applicant site plan and survey.

# Attachment 1

## Application

## SPECIFIC USE APPLICATION

Date: 08/03/21

### SITE INFORMATION

Project Address: 124 Fisher st Elgin Texas 78621

Parcel Identification Number (if no address): \_\_\_\_\_

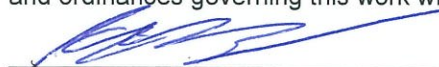
### APPLICANT

Name: Peter Piraino/ David Elliott/ Renewal Lodge by Burning Tree

Postal Address: 122 Fisher St. Elgin Texas 78621

E-Mail Address: ppiraino@burningtree.com; Phone Number: 512-285-5900

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

 Peter Piraino 8/3/21

Signature

Printed Name

Date

### Project Description:

Burning Tree is requesting a specific use permit for 124 Fisher st. This property was previously granted a specific use permit for Elgin AA to hold self help meetings daily. Elgin AA has found a new home. Burning Tree would like to use this property as a training facility and office space. We would like a medical use specific use permit to match our application for 122 Fisher street. This change of use would decrease traffic in and out of the building. AA was using the building 7 nights a week with 35-50 people with vehicles in attendance. Our new use would be three days a week with far fewer people in attendance. Please see attached survey showing property and property boundaries.



# Attachment 2

## Ordinance

**ORDINANCE NO. 2021-10-12-\_\_\_\_\_**

**AN ORDINANCE GRANTING A SPECIFIC USE FOR A MEDICAL FACILITY ON PROPERTY LOCATED AT 124 FISHER ST (0.480 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178), CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow for a medical facility on property described in Exhibit “A” attached hereto and incorporated herein (“Property”); and

**WHEREAS**, the City Council has submitted the application to the Planning and Zoning Commission for its recommendation and report; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the requested change on September 27<sup>th</sup>, 2021, following lawful publication of the notice of said public hearing; and

**WHEREAS**, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended approval of a specific use permit for a medical facility on the Property; and

**WHEREAS**, on the 12<sup>th</sup> day of October 2021, after proper notification, the City Council held a public hearing on the requested application, and

**WHEREAS**, the City Council determined that the Specific Use Permit allowing for a medical facility on the Property, provided for herein promote 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 Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with,

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

**I.**

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further finds that enactment of this Ordinance is not inconsistent with or in conflict with any other policies or provisions of the Comprehensive Plan and the City’s Code of Ordinances.

**II.**

The Zoning District for the Property shall remain R-1 Single Family District, and the Ordinance granting a modification to an approved Specific Use Permit allowing the removal of the condition that the Use be renewed in five (5) years on the property of medical facility is hereby adopted.

**III.**

**A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**B.** The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

**C.** 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October 2021.

\_\_\_\_\_  
Ron M. Ramirez, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Stubbs, City Secretary



## METES AND BOUNDS DESCRIPTION

**0.473 ACRE OF LAND OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178 IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, COMPRISED OF THAT TRACT CONVEYED AS 0.4800 ACRE TO SANTA ANITA, LLC PER VOLUME 2320, PAGE 490 OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY AND MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS OF SURVEY DURING JULY, 2021:**

BEGINNING at an iron rod found for the northeast corner hereof, the common north corner of said 0.4800 acre and that tract conveyed as 0.235 acre to J. Miguel Martinez and Juana Martinez per Volume 2310, Page 414 of said Official Public Records and a point on the south line of Fisher Street (r.o.w. varies);

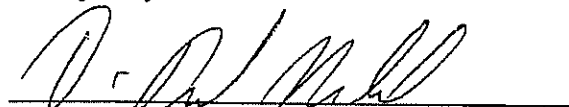
THENCE S 10°02'41" W, 211.81 feet (horizontal control (bearing basis) per Grid North, Texas Central Coordinate Zone, NAD83) to an iron rod set for the common south corner of said 0.4800 acre and that tract conveyed as 9.195 acres to Santa Anita Inc. per Volume 1473, Page 558 of said Official Public Records;

THENCE N 66°12'06" W, 100.00 feet along the common line of said 0.4800 acre and said 9.195 acres to an iron rod set for the southwest corner hereof;

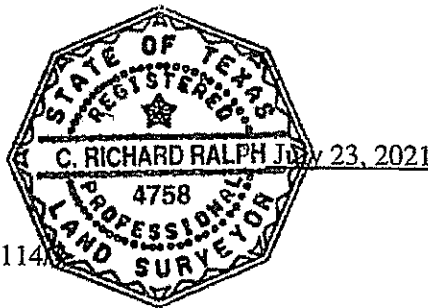
THENCE N 09°58'22" E, 211.80 feet to an iron rod found for the northwest corner hereof, the common north corner of said 0.4800 acre and said 9.195 acres and a point on the south line of said Fisher Street;

THENCE S 66°14'31" E, 100.26 feet along the south line of said Fisher Street to the POINT OF BEGINNING, containing 0.473 acre of land, more or less, and shown on the Survey Plat prepared to accompany herewith

Surveyed by:



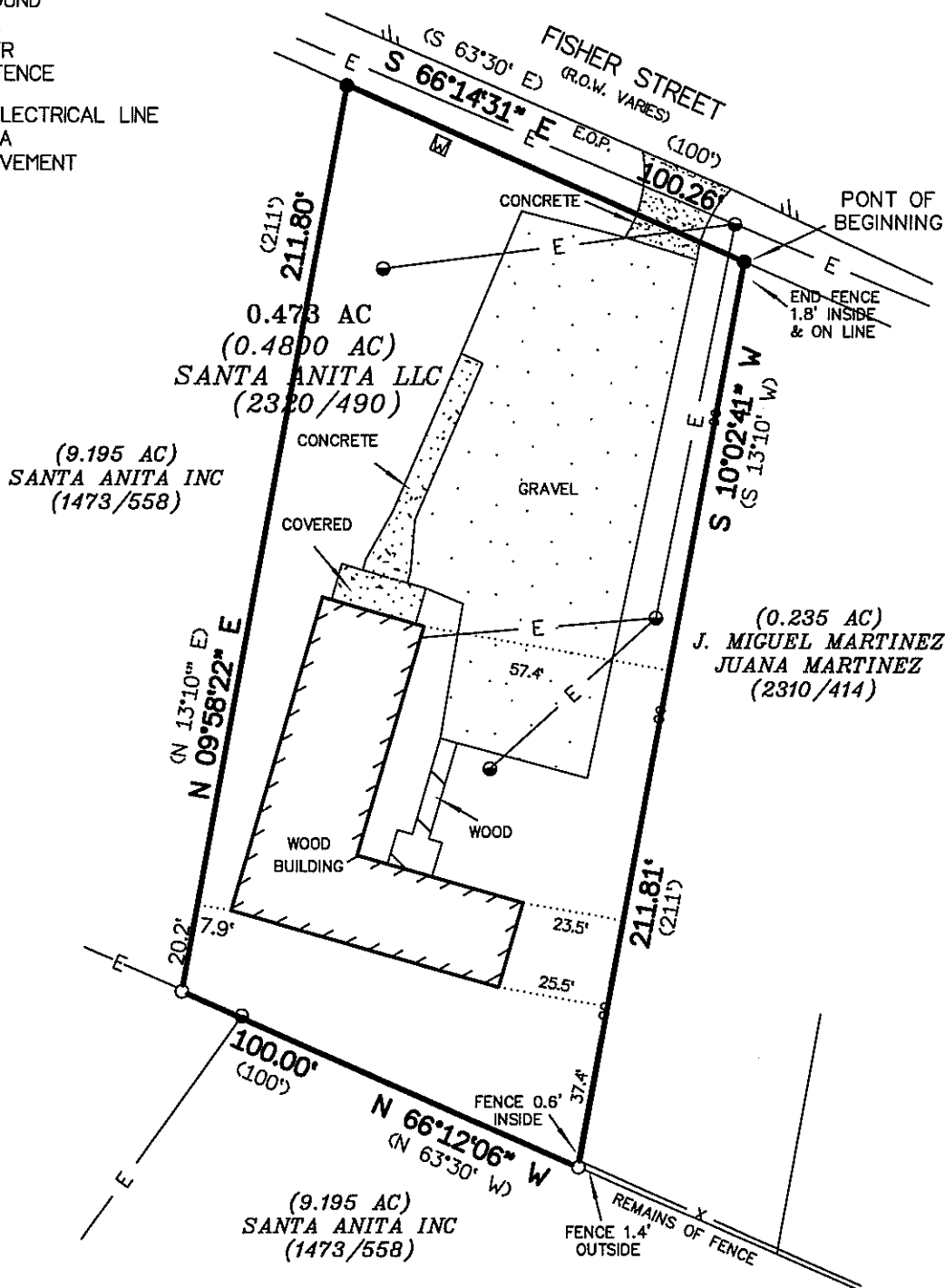
C. Richard Ralph, Professional Land Surveyor  
Registered Professional Land Surveyor No. 4758  
Project 1011075.5 – 0.473 – 178/7;113/52;122/78;114



# LEGEND

- IRON ROD SET
- IRON ROD FOUND
- POWER POLE
- ⊠ WATER METER
- ∞— CHAIN LINK FENCE
- X— WIRE FENCE
- E— OVERHEAD ELECTRICAL LINE
- (XXX) RECORD DATA
- E.O.P. EDGE OF PAVEMENT

40 0 40 80  
ORIGINAL SCALE: 1" = 40'



NOTE: HORIZONTAL CONTROL (BEARING BASIS) PER GRID NORTH, TEXAS CENTRAL COORDINATE ZONE, NAD83.

NOTE: THIS PROPERTY IS SUBJECT TO:  
RESTRICTIVE COVENANTS AND ANY EASEMENTS, EASEMENT RIGHTS  
EXCEPTIONS AND/OR RESERVATIONS (1473/558) (2020/3) (2320/490)

## FLOOD NOTE:

THE SUBJECT PROPERTY IS LOCATED IN ZONE X AND IS NOT WITHIN THE 100 YEAR FLOOD HAZARD AREA SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP (F.I.R.M.)

PANEL NO. 48021C 0100 E DATED JAN. 19, 2006.

WARNING: THIS FLOOD NOTE IS FOR INFORMATIONAL PURPOSES ONLY, DOES NOT INDICATE WHETHER OR NOT THE SUBJECT PROPERTY DOES OR DOES NOT FLOOD AND IS NOT TO BE CONSIDERED AS ANY TYPE OF DEVELOPMENT AUTHORIZATION OR FLOOD TYPE STUDY.

## TO THE OWNERS AND LIENHOLDERS:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT AN ON THE GROUND SURVEY WAS THIS DAY MADE OF THE PROPERTY AS DESCRIBED HEREON AND IS CORRECT, WITH DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AS SHOWN HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND IS SUBJECT TO ANY EASEMENTS HERETOFORE GRANTED, NOT RELEASED AND NOT SHOWN HEREON.

*C. Richard Ralph*

REGISTERED PROFESSIONAL LAND SURVEYOR

RICHARD RALPH

PROFESSIONAL LAND SURVEYOR

07/23/2021  
DATE

REFERENCE: BURNING TREE LODGE C/O RICO HERNANDEZ

SUBJECT: 0.473 ACRE OF LAND OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178, BASTROP COUNTY, TEXAS  
—METES AND BOUNDS DESCRIPTION PREPARED HEREWITH—

DRAWN: CRR DATE: 07/23/2021 PROJECT NO.: 1011075.5 - 0.473

CHECKED: CRR REVISED: FIELD BOOK: 178/7;113/52;  
122/78;114/7

© 2021, RICHARD RALPH, PROFESSIONAL LAND SURVEYOR



REG. PROFESSIONAL LAND SURVEYOR 4758  
PH: (512) 303-0952 116 TAHITIAN DRIVE  
PROFLANDSUR@aol.com BASTROP, TEXAS 78602

Attachment 3  
Staff Added Zoning Map



# Zoning Map



6/29/2021, 3:05:00 PM

## Zoning

- |                                                                                       |                                          |                                                                                       |                                                               |
|---------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------|
|  | A - Multiple Family Residential District |  | R2 - Single Family & Garage Apartment District                |
|  | C2 - General Commercial District         |  | R3 - Single Family/Two Family/Industrialized Housing District |
|  | C3 - Highway Commercial District         |  | Bastrop Parcels Jan 2021                                      |

**C3 - Highway Commercial District** **Bastrop Parcels Jan 2021** Web AppBuilder for ArcGIS

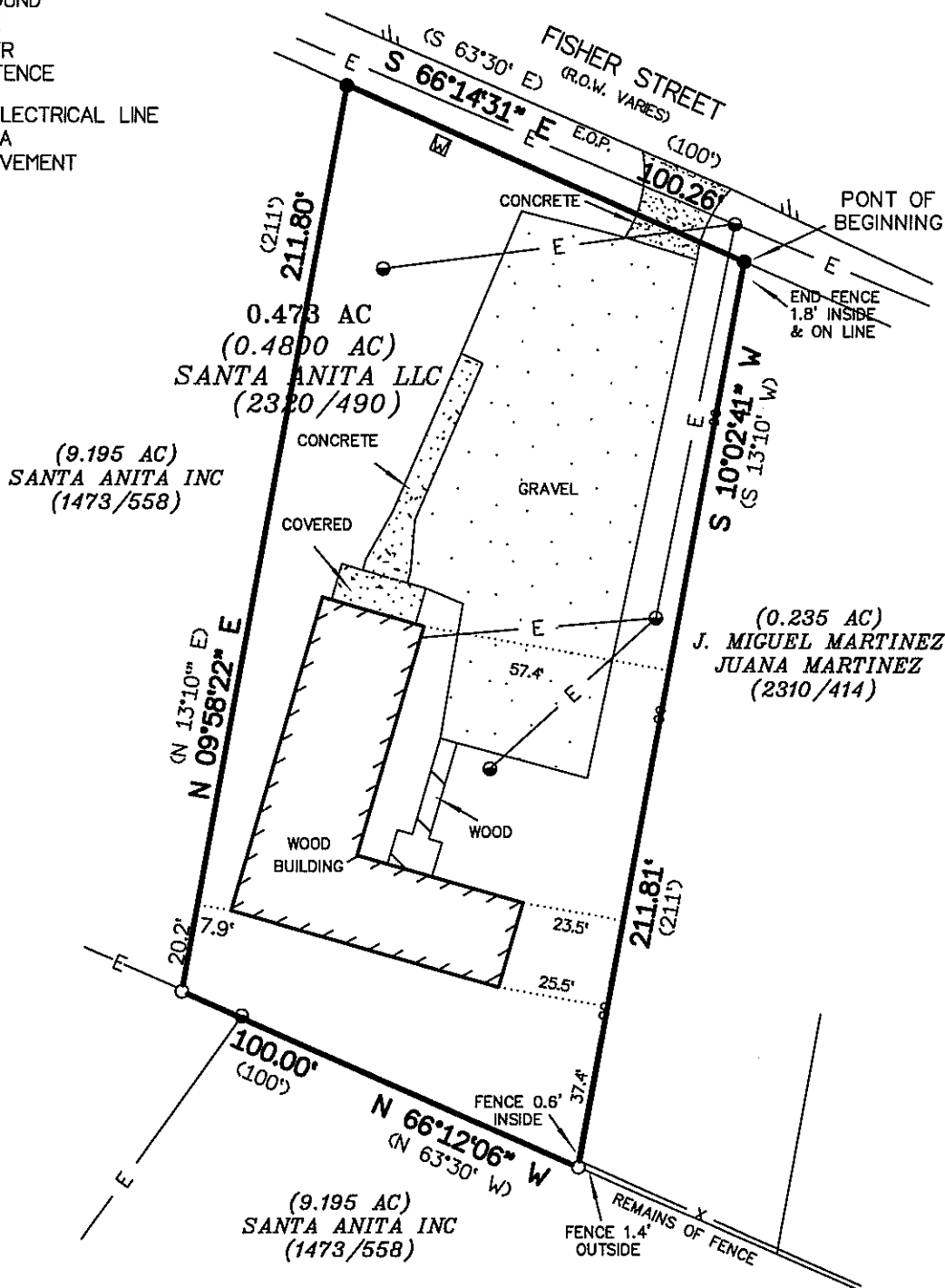
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Esri, HERE, Garmin, (c) OpenStreetMap contributors, ITRC GIS,

Attachment 4  
Applicant Site Plan & Survey

# LEGEND

- IRON ROD SET
- IRON ROD FOUND
- POWER POLE
- ⊠ WATER METER
- ∞— CHAIN LINK FENCE
- X— WIRE FENCE
- E— OVERHEAD ELECTRICAL LINE
- (XXX) RECORD DATA
- E.O.P. EDGE OF PAVEMENT

40 0 40 80  
ORIGINAL SCALE: 1" = 40'



NOTE: HORIZONTAL CONTROL (BEARING BASIS) PER GRID NORTH, TEXAS CENTRAL COORDINATE ZONE, NAD83.

NOTE: THIS PROPERTY IS SUBJECT TO:  
RESTRICTIVE COVENANTS AND ANY EASEMENTS, EASEMENT RIGHTS  
EXCEPTIONS AND/OR RESERVATIONS (1473/558) (2020/3) (2320/490)

## FLOOD NOTE:

THE SUBJECT PROPERTY IS LOCATED IN ZONE X AND IS NOT WITHIN THE 100 YEAR FLOOD HAZARD AREA SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP (F.I.R.M.)

PANEL NO. 48021C 0100 E DATED JAN. 19, 2006.

WARNING: THIS FLOOD NOTE IS FOR INFORMATIONAL PURPOSES ONLY, DOES NOT INDICATE WHETHER OR NOT THE SUBJECT PROPERTY DOES OR DOES NOT FLOOD AND IS NOT TO BE CONSIDERED AS ANY TYPE OF DEVELOPMENT AUTHORIZATION OR FLOOD TYPE STUDY.

## TO THE OWNERS AND LIENHOLDERS:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT AN ON THE GROUND SURVEY WAS THIS DAY MADE OF THE PROPERTY AS DESCRIBED HEREON AND IS CORRECT, WITH DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, AS SHOWN HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND IS SUBJECT TO ANY EASEMENTS HERETOFORE GRANTED, NOT RELEASED AND NOT SHOWN HEREON.

*C. Richard Ralph*

REGISTERED PROFESSIONAL LAND SURVEYOR

RICHARD RALPH

PROFESSIONAL LAND SURVEYOR

07/23/2021  
DATE

REFERENCE: BURNING TREE LODGE C/O RICO HERNANDEZ

SUBJECT: 0.473 ACRE OF LAND OUT OF THE THOMAS GARRETSON SURVEY, ABSTRACT 178, BASTROP COUNTY, TEXAS  
—METES AND BOUNDS DESCRIPTION PREPARED HEREWITH—

DRAWN: CRR DATE: 07/23/2021 PROJECT NO.: 1011075.5 - 0.473

CHECKED: CRR REVISED: FIELD BOOK: 178/7;113/52;  
122/78;114/7

© 2021, RICHARD RALPH, PROFESSIONAL LAND SURVEYOR



REG. PROFESSIONAL LAND SURVEYOR 4758  
PH (512) 303-0952 116 TAHITIAN DRIVE  
PROFLANDSUR@aol.com BASTROP, TEXAS 78602





## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT, THE PROPERTY BEING APPROXIMATELY 35.94 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

**DEPARTMENT:** Development Services.

**PROPOSED ACTION:** Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, TX adopted in Ch. 46, Sec. 46-3, revised Code of Ordinances, City of Elgin, TX, 2013 and making this amendment a part of said official zoning map (Eagles Landing Phase III Rezoning from R-3 to PDD).

**BACKGROUND:** See attached staff report.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** The Planning & Zoning Commission provided input of this item at their July 26, 2021, meeting. This has been included in the attached staff report.

**ATTACHMENTS:** Staff Report, Application w/ Owners Authorization, PDD Ordinance with Text and Maps, Staff added Comprehensive Plan Exhibits, Staff added Zoning Map, Staff Compliance Letter

☐ Staff will be making a detailed presentation on this agenda item at the meeting.

☒ Staff will provide brief comments and answer questions on this item at the meeting.

☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



Attachment 1  
Application w/ Owners Authorization

## PDD REZONING APPLICATION

Date: 6/30/2021

New ☒ Modification ☐

Modification of \_\_\_\_\_

### SITE INFORMATION

Project Address: 18501 Carlson

Parcel Identification Number (if no address): \_\_\_\_\_

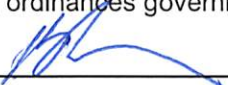
### APPLICANT

Name: Blake Reed

Postal Address: 230 Klattenhoff Lane Suite 100  
Hutto, TX 78634

E-Mail Address: Blake@timmermancapital.com; Phone Number: 512-496-8668

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

|                                                                                     |                   |                  |
|-------------------------------------------------------------------------------------|-------------------|------------------|
|  | <u>Blake Reed</u> | <u>6/30/2021</u> |
| Signature                                                                           | Printed Name      | Date             |

Project Description:

See Attached

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
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\_\_\_\_\_



310 North Main Street  
P.O. Box 591  
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

June 25, 2021

David Harrell, Planning and Development Director  
City of Elgin  
310 North Main Street  
Elgin, Texas 78621

Re: Agent Authorization Letter  
Eagles Landing – Phase 3  
Elgin, Texas

To Whom It May Concern:

As the owner of the 35.94 acres of land, more or less, out of the Henry Martin Survey No. 65, Abstract No. 65, in Travis County, Texas; Hagn Family Limited Partnership. is hereby granting William Blake Reed the right to act as Authorized Agents on development applications associated with this property. This includes, but is not limited to, Subdivision Platting, Construction Documents, and related applications as may be required.

Please contact me if you have any questions.

Sincerely,



Heather Smith

Vice President, Operations Manager of the GP  
512-585-9772

## **Project Description**

Eagles Landing Phase III is a 36-acre single family development consisting of 227 lots. Due to changing market demands and a shortage of housing in the Central Texas area, this PDD proposes development standards that vary slightly from current city code. The proposed standards can be found on Exhibit C of the PDD agreement and are consistent with other PDD agreements in the area.

Attachment 2

PDD Ordinance with Text and Maps

**ORDINANCE NO. 2021-10-12-??**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT DISTRICT THE PROPERTY BEING APPROXIMATELY 35.93 ACRE OUT OF THE MARTIN SURVEY NUMBER 65, ABSTRACT NUMBER 518, IN TRAVIS COUNTY, TEXAS AND BEING ALL OF A CALLED 35.94 ACRE TRACT, AS CONVEYED HAGN FAMILY PARTNERSHIP, RECORDED IN DOCUMENT NUMBER 2019007565, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS) SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

**WHEREAS**, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated here in, from R-3 Single Family, Two-Family, and Industrialized Home Dwelling District, and

**WHEREAS**, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its input, and

**WHEREAS**, the Planning and Zoning Commission held a workshop concerning the requested change on July 26, 2021, and

**WHEREAS**, the Planning and Zoning Commission has offered their input on the proposed change to the Official Zoning Map, and

**WHEREAS**, on October 12, 2021, after proper notification, the City Council held a public hearing on the requested zoning, and

**WHEREAS**, the City Council determines that the zoning provided for herein promote 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 Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

**I.**

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is classified as PDD Planned Development District.

**II.**

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. 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 matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this the 12<sup>th</sup> day of October 2021.

---

Ron M. Ramirez, Mayor

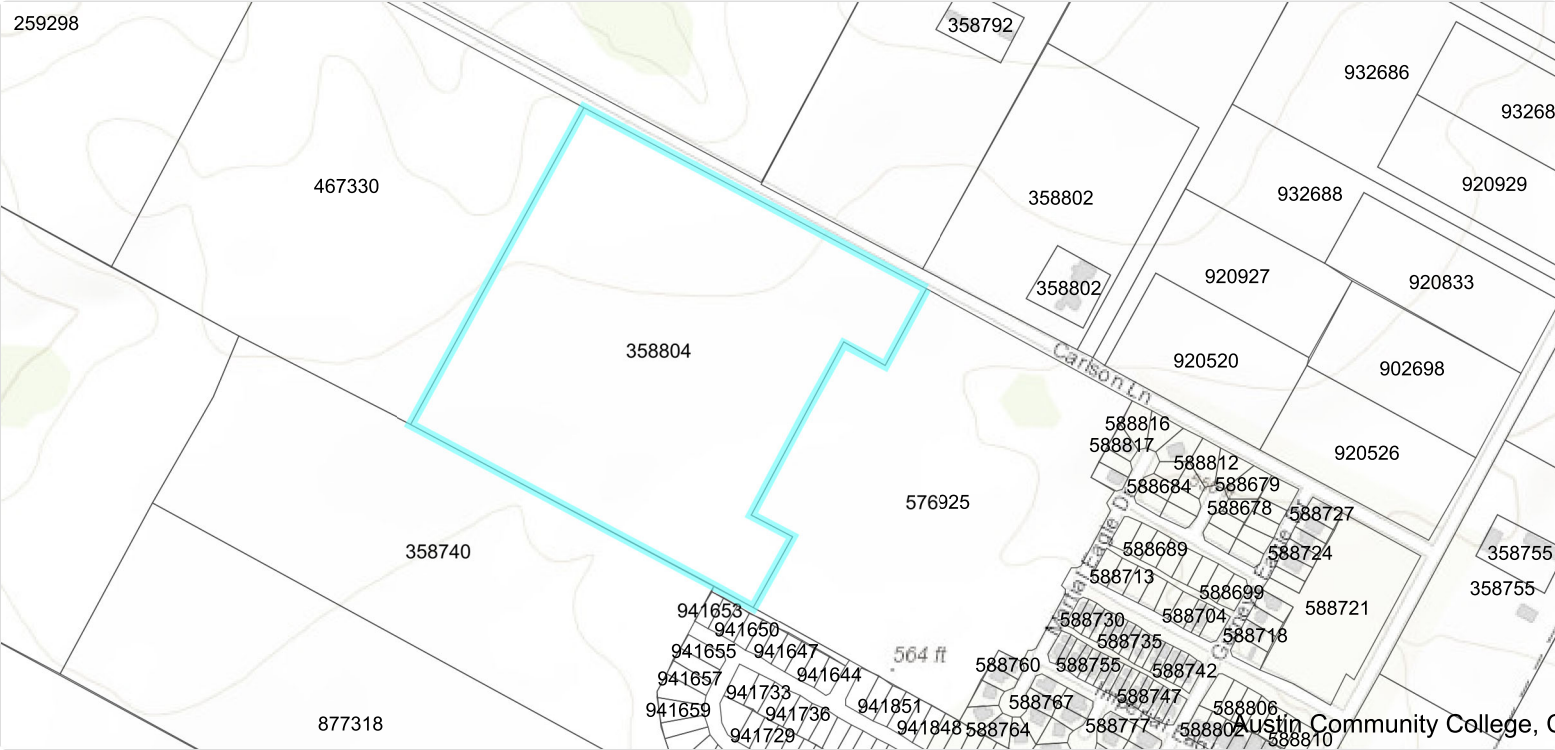
**ATTEST:**

---

Jennifer Stubbs, City Secretary



|                                                                               |                                                                                                                                                                                            |                                                                   |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Property Identification #: 358804                                             | Property Information: 2022                                                                                                                                                                 | Owner Identification #: 1794119                                   |
| Geo ID: 0651090401<br>Situs Address:<br>Property Type: Real<br>State Code: D1 | Legal: ABS 518 SUR 65 MARTIN H ACR<br>Description: 36.370 (1-D-1)<br>Abstract: A0518<br>Neighborhood: Land Region 320<br>Appraised Value: N/A<br>Jurisdictions: 2A, 0A, 2J, 68, 1L, 03, 5F | Name: HAGN FAMILY LIMITED PARTNERSHIP<br>Exemptions:<br>DBA: Null |



Travis CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Travis County Appraisal District expressly disclaims any and all liability in connection herewith.

**AGREEMENT AND DEVELOPMENT PLAN**  
**EAGLE’S LANDING PHASE III**  
**PLANNED DEVELOPMENT DISTRICT (PDD)**

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

**THIS AGREEMENT AND DEVELOPMENT PLAN** (this “Agreement”) is made and entered by and between the CITY OF ELGIN, TEXAS, a Texas municipal corporation, (hereinafter referred to as the "City"), and TACK DEVELOPMENT, LTD. , its successors and assigns, (hereafter referred to as the "Owner"); provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

**WHEREAS**, the Owner is the owner of certain real property consisting of approximately 35.94 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the “Property”) attached hereto and made a part hereof.

**WHEREAS**, the Owner has submitted a request to the City to zone the Property as a Planned Development District (the "PDD"), and those portions of the Property currently lie within City Limits.

**WHEREAS**, pursuant to Chapter 46, Article IV, Division 10, Code of Ordinances, City of Elgin, Texas, the Owner has submitted a Development Plan setting forth the development conditions and requirements within the PDD, which Development Plan is contained in Section II of this Agreement; and

**WHEREAS**, the City has held public hearings required by law to solicit input from all interested citizens and affected parties; and

**WHEREAS**, the City Council has reviewed the proposed Development Plan and determined that it promotes the health, safety, and general welfare of the citizens of Elgin and that it complies with the intent of the Planned Development District Ordinance of the City;

**NOW THEREFORE BY THIS AGREEMENT WITNESSETH** that, in consideration of the covenants and conditions set forth herein, the City and the Owner agree as follows:

## **GENERAL PROVISIONS**

### **1.CONFORMITY WITH DEVELOPMENT PLAN**

All uses and development within the Property shall conform to the Development Plan included in Section II herein the "Plan."

### **2. CHANGES AND MODIFICATIONS**

No changes or modifications will be made to this Development Plan unless all provisions pertaining to changes or modifications as stated herein are followed.

### **3.ZONING VIOLATION**

The Owner, his successors and assigns understand that any person, firm, corporation or other entity violating any conditions or terms of the Development Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in the Code of Ordinances, City of Elgin, Texas, as amended. This Plan will be filed in the Official Records of Travis County, thereby placing future purchasers of the property on notice of all of the terms and conditions of this Plan.

### **4.MISCELLANEOUS PROVISIONS**

#### **4.1     Assignment.**

Neither party may assign its rights and obligations under this Agreement without having first obtained the prior written consent of the other which consent shall not be unreasonably withheld. This section shall not prevent the Owner from selling the Property or portions of the Property, together with all development rights and obligations contained in this Development Plan, and no consent shall be required in connection with any sale provided the purchaser assumes Owner's obligations in writing as to such portions of the Property.

#### **4.2     Necessary Documents and Actions.**

Each party agrees to execute and deliver all such other and further instruments and undertake such actions as are or may become necessary or convenient to effectuate the purposes and intent of this Agreement.

**4.3 Severability.**

In case one or more provisions contained herein are deemed invalid, illegal or unenforceable in any respect such invalidity, illegality or unenforceability shall not affect any other provisions hereof and in such event, this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**4.4 Entire Agreement.**

This Agreement constitutes the entire agreement of the parties and supersedes any prior or contemporaneous oral or written understandings or representations of the parties respecting the subject matter hereof.

**4.5 Applicable Law.**

This Agreement shall be construed under and in accordance with the laws of the State of Texas.

**4.6 Venue.**

All obligations of the parties created hereunder are performable in Travis County, Texas and venue for any action arising hereunder shall be in Travis County.

**4.7 No Third Party Beneficiaries.**

Nothing in this Agreement, express or implied, is intended to confer upon any person or entity, other than the parties hereto (and their respective successors and assigns), any rights, benefits or remedies under or by reason of this Agreement.

**4.8 Duplicate Originals.**

This Agreement may be executed in duplicate original, each of equal dignity.

**4.9 Notices.**

Until changed by written notice thereof any notice required under this Agreement may be given to the respective parties, by certified mail, postage prepaid or by hand delivery to the address of the other party shown below:

OWNER

CITY OF ELGIN, TEXAS

TACK Development, LTD.  
230 Klattenhoff Lane  
Suite 100  
Hutto, TX 78634  
Attn: Tim Timmerman

City of Elgin, Texas  
P.O. Box 591  
Elgin, Texas 78621  
Attn: City Manager

**4.10 Effective Date.**

This Agreement shall be effective from and after the date of due execution hereof by all parties.

**4.11 Appeal of Administrative Decisions.**

Administrative decisions provided for in this Agreement may be appealed to the City Council in writing within 30 days following receipt by the Owner of the written confirmation of the decision.

**4.12 Binding Effect.**

This Agreement and the Development Plan binds and benefits the Owner and its successors and assigns.

**4.13 Sunset Provision**

In the event that this Planned Development Plan is not recorded within five (5) years from the date the Planned Development Plan is approved by the City Council, then the Planned Development Plan shall be automatically voided and the zoning shall revert to R-3 Single Family, and Zero Lot Line Duplex (the zoning ordinances in effect at the time of approval of this PDD).

## II

### DEVELOPMENT PLAN (“Plan”)

#### 1. **DEFINITIONS**

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances, as amended, City of Elgin, Texas, hereinafter referred to as "the Code"

#### 2. **PROPERTY**

This Development Plan (hereinafter referred to as “Plan”) covers approximately 35.94 acres of land, all of which is located within the city limits of Elgin, Texas, and more particularly described by metes and bounds in **Exhibit "A"**, attached hereto.

#### 3. **PURPOSE**

The purpose of this Plan is to insure a PDD that 1) is equal to or superior to development that would occur under the standard ordinance requirements, 2) does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and welfare, 3) is adequately provisioned by essential public facilities and services, and 4) will be developed and maintained so as not to dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

#### 4. **APPLICABILITY OF CITY ORDINANCES**

##### 4.1 **Zoning and Subdivision Ordinances**

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by applicable sections of the Code. This PDD Serves to augment and/or modify the standards for development outlined in the code to implement the vision for the Property and ensure a quality development not otherwise achieved solely by the underlying base zoning district. Refer to Exhibit “C”, Development Standards, for additional design standards set forth in the PDD Document. If there is a conflict between this Agreement and Plan and the Code, this Agreement and Plan shall supersede the specific conflicting provisions of the Code.

##### 4.2 **Other Ordinances**

All other Ordinances within the Code shall apply to the Property, except as clearly modified by this Plan.

#### 5. **PERMITTED USES**

The Property shall be used and developed as shown in the Concept Plan, **Exhibit "B"** attached hereto and incorporated herein. **Exhibit "B"** depicts the Development Plan for the property, **Exhibit "C"** depicts the development standards for the Residential Parcels within the Property.

**6. UNDERGROUND UTILITY SERVICE**

All utility lines must be underground to connection points provided by the utility service provider. All transformers must be visually screened.

**7. COUNTY LINE ROADWAY IMPACT**

**7.1 City Participation**

City agrees to pay for all costs ("Project Costs") related to the design and construction of the County Line Roadway Project ("Project") in accordance with the design plans as approved by the City, which shall include curbed and guttered roadway and associated storm sewer.

**7.2 Developer Participation**

Developer agrees to contribute to the Project Costs an amount not to exceed \$501,704 (the "Participation Amount").

**7.3 Developer Participation Schedule**

The Developer Participation Amount shall be \$2,312 per platted lot payable at or before final recordation on the plat.

**7.4 Escrow Amount**

On or before recordation of the first plat and Developer making the initial deposit into the Escrow Account, Developer and City shall execute an Escrow Agreement outlining the terms and conditions of the release of the escrow funds to be used for the construction of County Line Road.

**8. PARKLAND DEDICATION**

The parkland dedication requirements for the Property shall be met in full by providing the following:

**8.1 Parkland Fee in Lieu of Required**

\$500 per lot to be paid before recordation of the final plat.



**9. WATER QUALITY**

This Project will not be required to provide water quality facilities.

**10. STREETS, BLOCKS, LOTS, SIDEWALKS, BUILDING LINES, AND SETBACKS, DRAINAGE AND STORM SEWERS AND OTHER MATTERS**

**10.1 Development Standards**

The Project shall incorporate the Development Standards as depicted on **Exhibit "C"**.

**10.2 Buffer Zones**

The City of Elgin required buffer zones per Sec. 36-3 l2(b)(2) are hereby removed where Single Family Lots are located per the concept plan and preliminary plan.

**10.3 Traffic**

The Owner shall not be required to perform a Traffic Impact Analysis for the Project.

**10.4 Neighborhood Delivery and Collection Box**

The project shall not be subject to Section 36.60 of City Ordinance 2021-04-20-08.

**10.5 Perimeter Improvements**

The project will dedicate the required Right of Way for the future widening of Carlson Lane to the City of Elgin.

**10.6 Tree Preservation Plan**

Due to the project site having no trees onsite, no Tree Preservation Plan will be required. A registered Landscape Architect, Engineer, or Surveyor shall provide a sealed letter stating no trees are onsite that are 8" in diameter or greater that are considered native or protected per City of Elgin code.

**11 CHANGES TO AGREEMENT AND DEVELOPMENT PLAN**

**11.1 Minor Changes**

Minor changes to this Agreement or Plan, which do not substantially and adversely change this Plan, may be approved administratively, if approved in writing, by the City Engineer, the Director of Planning, the Director of Public Works, and the City Attorney.

#### **11.2 Major Changes**

All changes not permitted under section 11.1 above, shall be resubmitted following the same procedure required by the original PDD application; provided, however, that nothing herein or otherwise shall require an owner of a portion of the Property (the “Rezoning Owner”) to obtain the consent or approval of any other owner of a portion of the Property for a change in zoning (including amending this Agreement) as it applies to the land of the Rezoning Owner.

#### **11.3 Deed Restrictions and Creation of a Home Owner’s Association**

The Owner shall create a Home Owners Association responsible for, among other things, enforcement of deed restrictions required under this Agreement. The Association shall be created and deed restrictions recorded before commencement of any development on all or any portion of the Property. The Association shall be duly authorized, under applicable laws, to enforce the deed restrictions against all owners and developers of land within the Property. Any deed restrictions, and amendments thereto, regulating development of the Property shall be recorded in the Official Public Records of Travis County, Texas. Any deed restrictions regulating development of the Property, and any amendments thereto, shall be subject to this Agreement. Such deed restrictions shall further include a statement that they are subject to this Agreement and that, in the event of a conflict between the deed restrictions and this Agreement, this Agreement shall govern.

TACK Development LTD  
230 Klattenhoff Lane Suite 100  
Hutto TX

Manager: [Signature]

[Development Company]

By: Blake Reed

CITY OF ELGIN

By: \_\_\_\_\_  
RON RAMIREZ, Mayor

ATTEST:

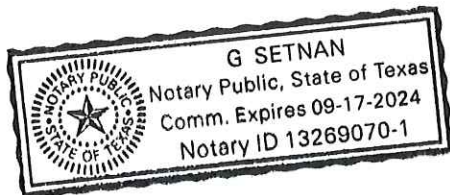
By: \_\_\_\_\_  
JENNIFER STUBBS, CITY SECRETARY

STATE OF TEXAS  
Travis COUNTY

Sworn and subscribed before me this the 15 day of Sept., 20 21 by  
\_[developer] Blake Reed.

SEAL

[Signature]  
Signature of Notary



STATE OF TEXAS

\_\_\_\_\_ COUNTY

Sworn and subscribed before me this the \_\_\_\_ day of \_\_\_\_, 20\_\_\_\_ by Ron Ramirez, Mayor, City of Elgin, Texas.

SEAL

\_\_\_\_\_  
Signature of Notary

STATE OF TEXAS

\_\_\_\_\_ COUNTY

Sworn and subscribed before me this the — day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ City Secretary, City of Elgin, Texas.

SEAL

\_\_\_\_\_  
Signature of Notary

## **EXHIBIT A – Legal Description of the Property**



Eagles Landing Phase 3  
Travis County, Texas

D&A Job No. 913-005  
June 22, 2021

### METES & BOUNDS DESCRIPTION

**BEING 35.93 ACRES OF LAND, MORE OR LESS, OUT OF THE HENRY MARTIN SURVEY NUMBER 65, ABSTRACT NUMBER 518, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 35.94 ACRE TRACT, AS CONVEYED HAGN FAMILY PARTNERSHIP, RECORDED IN DOCUMENT NUMBER 2019007565, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS [O.P.R.T.C.T.], SAID 35.93 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 5/8-inch iron rod found for the northeast corner of said 35.94 acre tract, and the northwest corner of a called 27.49 acre tract, described to Tack Development, LTD., recorded in Document Number 2018109085 [O.P.R.T.C.T.], same being in the southwest right-of-way of said Carlson Lane, a called 50-foot right-of-way per Eagles Landing Phase 1 plat, recorded in 200400192 [O.P.R.T.C.T.];

**THENCE**, leaving said southwest right-of-way of Carlson Lane, and continuing with the common line of said 35.94 acre tract and said 27.49 acre tract, the following five (5) courses and distances:

1. S27°16'48"W, a distance of 297.75 feet to a 1/2-inch iron rod found,
2. N62°45'08"W, a distance of 159.71 feet to a 5/8-inch iron rod found,
3. S27°18'12"W, a distance of 670.03 feet to a 5/8-inch iron rod found,
4. S62°41'55"E, a distance of 160.20 feet to a 5/8-inch iron rod found, and
5. S27°17'06"W, a distance of 288.87 feet to a 5/8-inch iron rod found for the southeast corner of said 35.94 acre tract and also being on the northeast line of Homestead Estates Unit 1, a plat or map recorded in Document Number 202000139 of the Plat Records of Travis County, Texas [P.R.T.C.T.];

**THENCE**, N62°43'42" with the common line of said Homestead Estates Unit 1 Plat, and the northeast line of the remnant portion of a called 120.601 acre tract of land described in Document Number 2018093369, a distance of 1,329.16 feet to a 5/8-inch iron rod found for the west corner of said 35.94 acre tract and being the southeast corner of a called 34.715 acre tract described to Larry H. Axelson and Mary Jo Bengtson, recorded in Volume 13334, Page 0050 [O.P.R.T.C.T.], same being on the northeast line of said 120.601 acre tract;

**THENCE** N26°41'00"E, leaving the north line of said 120.601 acre tract and continuing with the common line of said 345.94 acre tract and said 34.715 acre tract, a distance of 1,247.50 feet to a 5/8-inch iron rod found for the northwest corner of said 35.94 acre tract and the northeast corner of said 34.715 acre tract, same being on the said southwest right-of-way of Carlson Lane,

(CONTINUED ON NEXT PAGE)

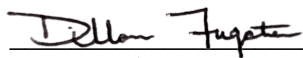


**THENCE** S63°07'41"E, with the common line of said 35.94 acre tract and said southwest right-of-way of Carlson Lane, a distance of 1341.99 feet to the POINT OF BEGINNING and containing approximately 35.93 acres.

Basis of bearings is the Texas Coordinate System, Central Zone [4203], NAD83 (2011), Epoch 2010. All distances are grid values, and may be converted to surface by applying scale factor of 1.00008, Units: U.S. Survey Feet.

This survey was performed without the benefit of a title commitment. Easements or other matters of record may exist where none are shown.

I, Surveyor Name, Registered Professional Land Surveyor, hereby certify that this property description and accompanying plat of even date represent an actual survey performed on the ground.



06/22/2021

Date

J. Dillon Fugate  
Registered Professional Land Surveyor  
Texas Registration No. 6360  
Doucet & Associates  
DFugate@DoucetEngineers.com  
TBPELS Firm Registration No. 10105800





## **EXHIBIT B – The Plan**

OVERALL PLAN

EAGLES LANDING  
PHASES 3 & 4  
EXHIBIT B

|             |         |
|-------------|---------|
| Drawn By    | JB      |
| Checked By  | JB      |
| Design By   | JB      |
| Project No. | 0772001 |
| Sheet       | 1       |

OF 01  
Project No.: 913-005

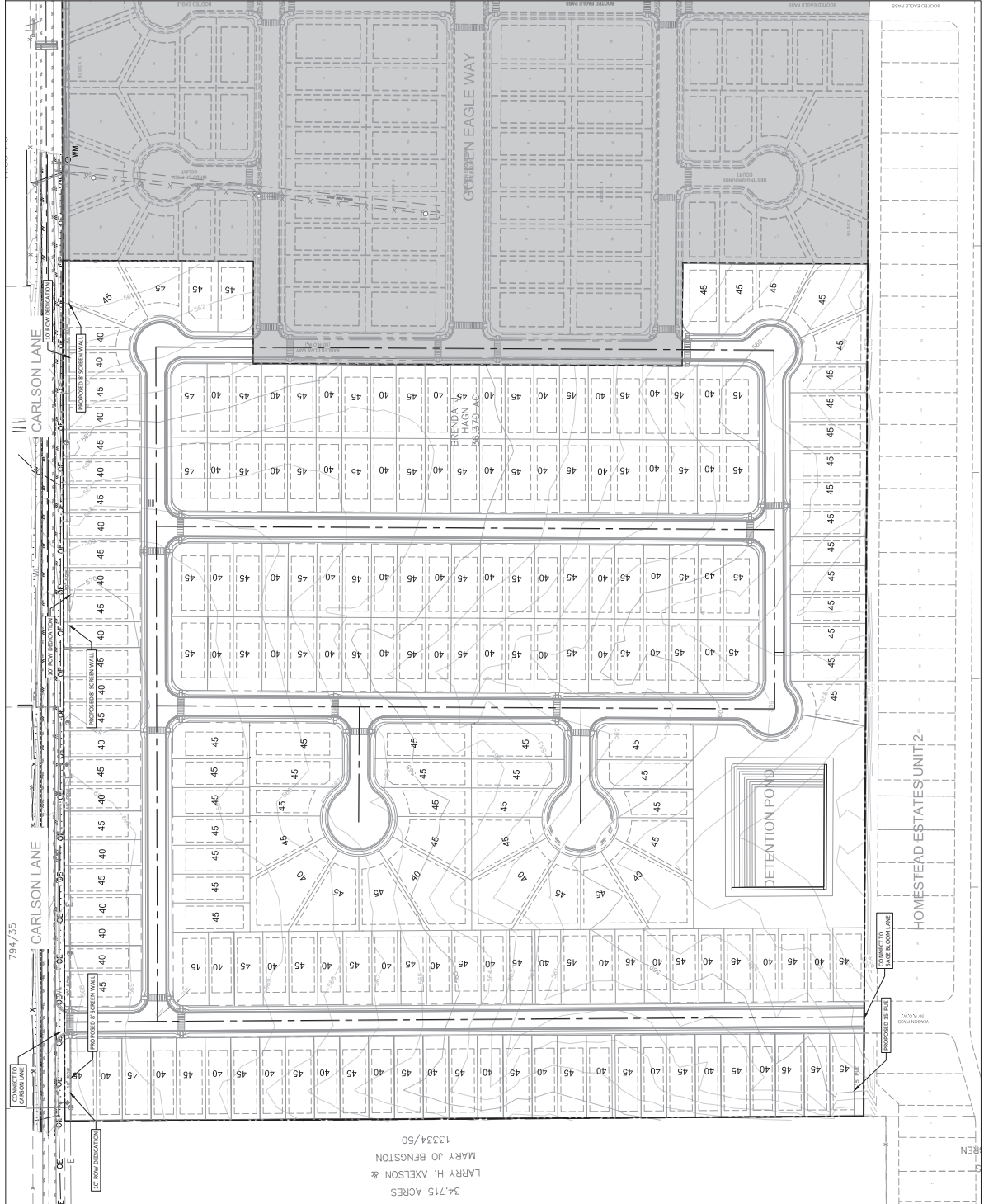


GRAPHIC SCALE 1"=100'

**LEGEND**

- IRON ROD FOUND
- FIRE HYDRANT
- SIGN
- POWER POLE
- DOWN SLOPE
- SUBDIVISION BOUNDARY
- LOT LINES
- NEW PAVEMENT TRACK
- EXISTING TRACK
- EXISTING GRADE
- PROPOSED GRADE
- RETAINING WALL

|                        |           |            |
|------------------------|-----------|------------|
| <b>SUMMARY</b>         | 83 (39%)  | TOTAL: 215 |
| 40' LOTS (30' PRODUCT) | 132 (61%) |            |
| 45' LOTS (35' PRODUCT) |           |            |



34.715 ACRES  
LARRY H. AXELSON &  
MARY JO BENGSTON  
13334/50

## EXHIBIT C –

### DEVELOPMENT PLAN

#### A. **Applicability and Base Zoning**

All aspects regarding the development of this Property shall comply with the City of Elgin Code of Ordinances in effect on (THE EFFECTIVE DATE) except as established in this exhibit, titled **Exhibit "C"**.

The base district zoning of R-3 Single Family, and Zero Lot Line Duplex, has been established for this Property.

All development within the Property will comply with the modified development standards of **Exhibit "C"**. In the case that this exhibit does not address a specific City requirement, the Elgin Code of Ordinances shall apply. In the event of a conflict between this exhibit and the identified base zoning district as defined in the Code of Ordinance on (THE EFFECTIVE DATE), this exhibit shall control.

#### B. **SINGLE FAMILY RESIDENTIAL LOT DESIGN STANDARDS**

The development of the Property will not exceed 215 single-family residential units. The potential product shall be developed in compliance with Table B.1

In addition to the design standards outlined in Table B.1, the following standards shall also apply:

1. Residential lot widths shall be measured from the front setback building line as established below.

| <b>Table B.1 Residential Development Standards</b> |                        |
|----------------------------------------------------|------------------------|
|                                                    | <b>FRONT<br/>LOADA</b> |
| <b>Lot Width Minimum</b>                           | 40 ft.                 |
| <b>Lot Depth Minimum</b>                           | 110 ft                 |
| <b>Setbacks</b>                                    |                        |
| Front (min.)                                       | 20 ft.                 |
| Rear (min.)                                        | 10 ft.                 |
| Garage Setback (min.)                              | 20 ft.                 |
| Side (min.)                                        | 5 ft.                  |
| Corner (min.)                                      | 15 ft.                 |
| <b>Building Height</b>                             | 35 ft.                 |
| <b>Minimum Lot Area</b>                            | 4,400 sq. ft.          |

### **C. ROADWAY STANDARDS**

- 1- The block length requirements per City of Elgin Sec. 36-202 are modified as shown in the Concept Plan for the perimeter blocks of the subdivision and are approved with this agreement. Approved modifications to the Concept Plan that affect block length will also be permitted per this agreement.
2. Sidewalks in front of residential lots will be installed during the installation of the residential landscape on said residential lot.

## Attachment 3

### Staff Added Comprehensive Plan Exhibits



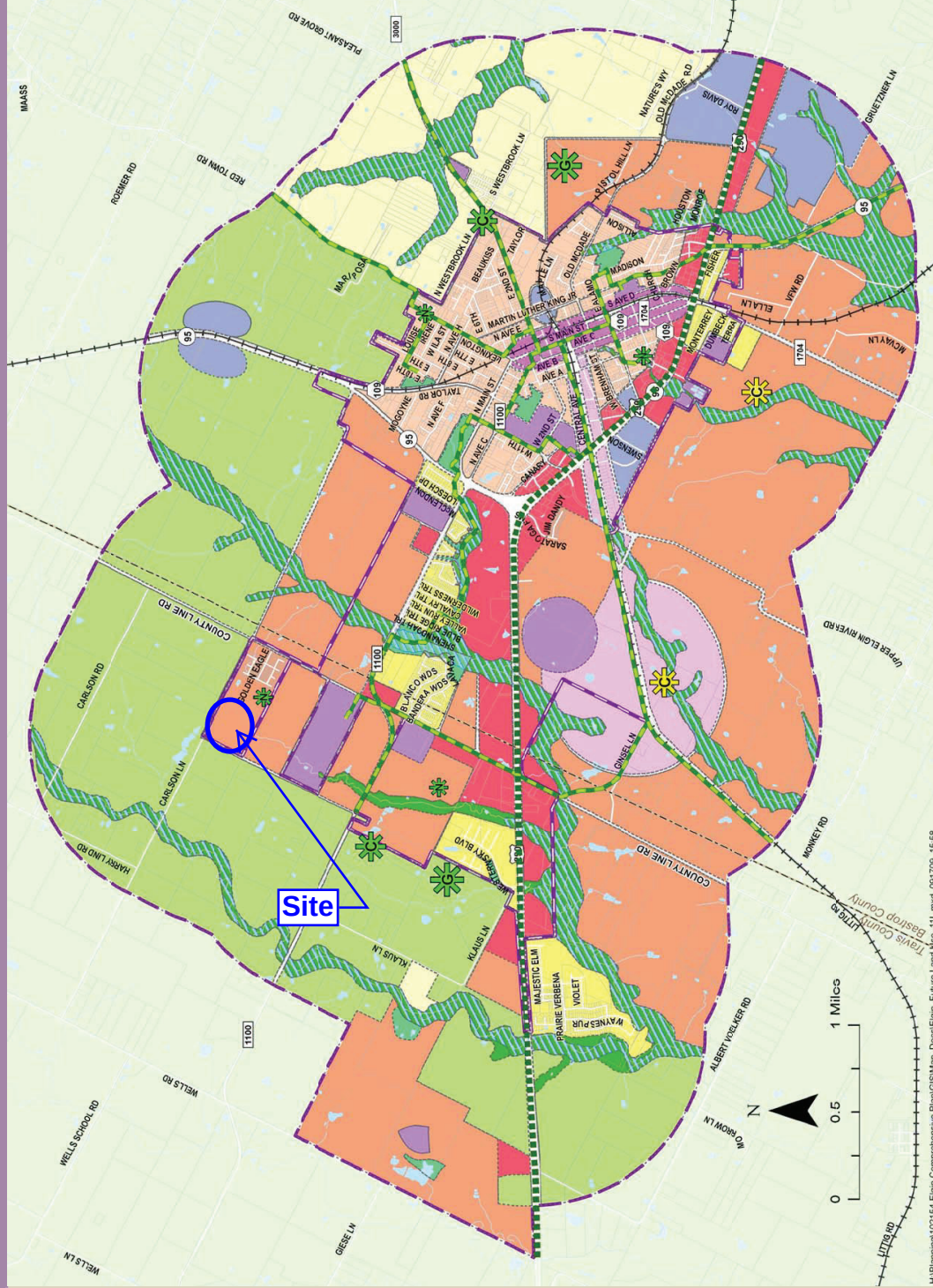
# Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

## Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GIS\Map\_Docs\Elgin\_Future Land Use\_11L.mxd 09/17/09 15:58  
Source: Wilbur Smith Associates, Inc., 2009.



## Traditional Neighborhood Development

**General Description:** Traditional Neighborhood Development (TND) is intended to bring the character and form of Elgin's older neighborhoods (the Central Elgin Neighborhood category) to newly developing areas of the community. Key characteristics include a grid pattern of streets with pedestrian and bicycle amenities, homes that have front porches rather than front garages, a compatible mix of housing types and land uses, and high quality landscaping and building materials.

**Transect Zone:** General Urban (T4)

**Primary Land Use:** Single Family Residential

**Supporting Land Uses:** Attached residential (townhomes, rowhouses), small apartment buildings, neighborhood-scale retail and office, schools, parks, and community facilities. Accessory dwellings or "granny flats" are encouraged with appropriate regulations regarding lot coverage, height, and parking.

**Residential Densities:** Approximately 5 units per acre.

**Form and Character:** TND areas should be built according to a traditional grid or modified grid street pattern without the use of cul-de-sacs to promote connectivity and walkability. Homes should address the street directly with garages placed to the side or preferably the rear of the home with access from an alley or lane. Front porches should be incorporated into most homes to promote community and neighborly interaction. Buildings are typically two to three stories tall with shallow to medium setbacks that allow landscaping, while also maintaining a close connection to the street and sidewalk. Lot and home sizes vary to offer a wider range of housing choice and affordability than is typically provided in conventional subdivisions. High quality building materials and landscaping should be used to enhance the overall character of development.

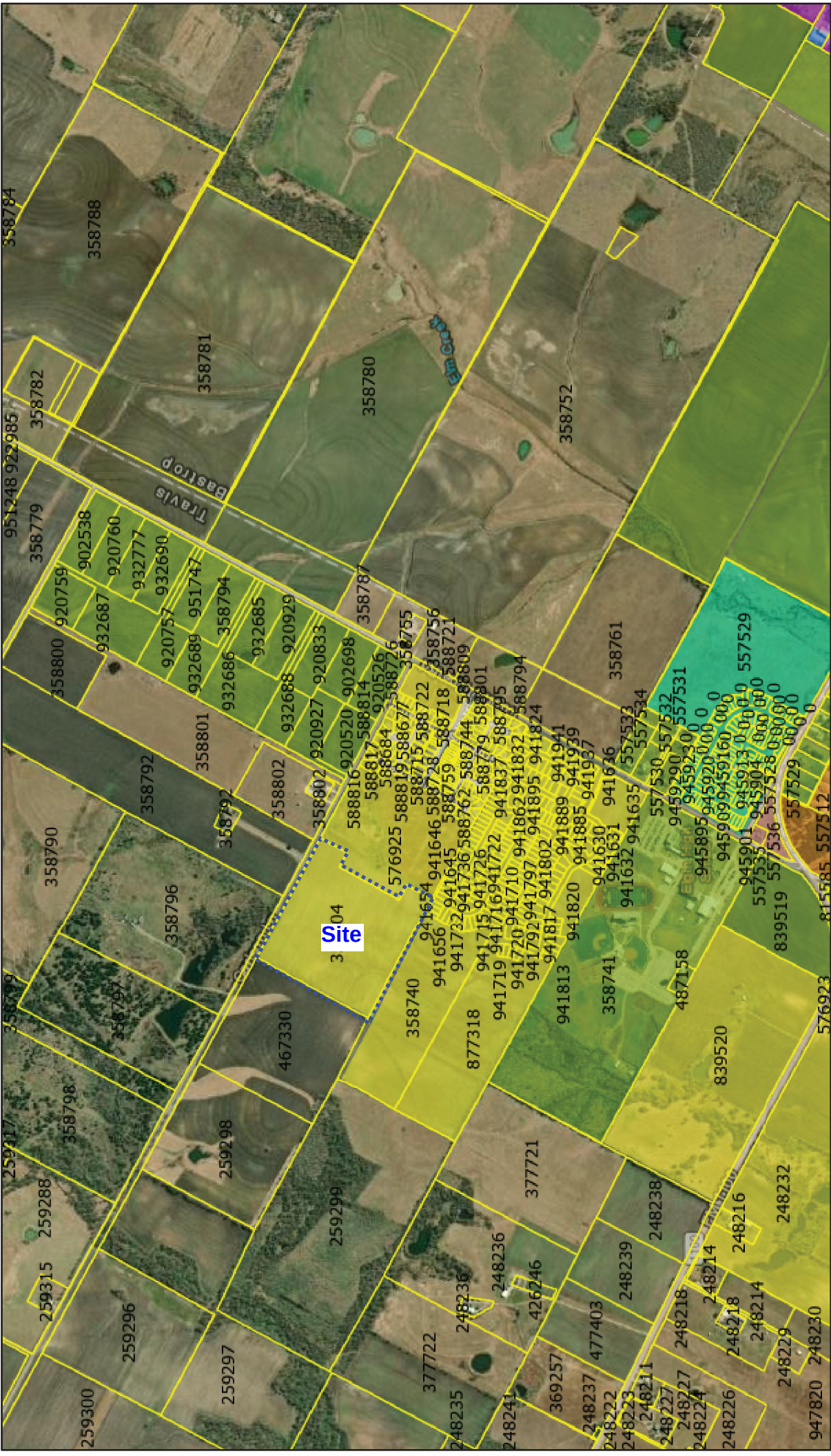
**Parks and Open Space:** Neighborhood parks should be interspersed regularly to ensure all residents have access to park space. Smaller pocket parks, playgrounds, and greens may also be provided. Sidewalks and bike trails should provide connections to parks and playgrounds within or outside of the neighborhood. Floodplains and existing vegetated areas should be preserved and incorporated into neighborhoods as open space amenities and natural buffers from surrounding development. However, floodplains should not be used to meet the active recreation needs of the community because construction of park facilities is limited in these areas.





Attachment 4  
Staff Added Zoning Map

ArcGIS Web Map

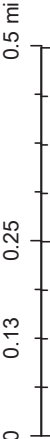


9/21/2021, 9:46:59 AM

Zoning

- A - Multiple Family Residential District
- C1 - Neighborhood Shopping District
- C3 - Highway Commercial District
- I - General Industrial District
- PDD - Planned Development District
- R1 - Single Family
- R3 - Single Family/Two Family/Industrialized Housing District

1:18,056



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Web AppBuilder for ArcGIS

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community | Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community | TRC GIS, City of Elgin |

Attachment 5  
Staff Compliance Letter





505 East Huntland Drive  
Suite 250  
Austin, Texas 78752

T 512.454.8716  
TRCcompanies.com  
T.B.P.E. #F-8632

September 15, 2021

Mr. David Harrell, Development Services Director  
City of Elgin  
310 N. Main St.  
Elgin, Texas 78621

**RE: Eagles's Landing Phase III PDD Review**

Dear Mr. Harrell:

TRC has reviewed the following documents listed below submitted by Doucet & Associates (DA):

1. Agreement and Development Plan for Eagle's Landing PDD dated September 14, 2021.

Our review finds that these documents have been prepared in general conformance with the City of Elgin's Code of Ordinances and any deviations from the Code have been negotiated with additional benefits included for the City.

As TRC did not provide the detailed design of the submitted documents, TRC and the City of Elgin must rely on the adequacy of the Registered Professional Land Surveyor and Registered Professional Engineer that prepared the documents and all responsibility for the surveying, engineering design and submitted documents shall remain with the Registered Professional Land Surveyor and Registered Professional Engineer. Note that prior to execution of the PDD, all applicable filing fees and invoices shall be paid. If you have any questions regarding this information, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Beau Perry'.

K. Beau Perry, P.E.  
Vice President

cc: Mr. Christopher A. Reid, P.E., Doucet & Associates



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Consideration of a request for financial support to conduct a land survey of the historic Latin Cemetery – *Mayor Ramirez*

**DEPARTMENT:** N/A

**PROPOSED ACTION:**

No Council action proposed by staff; This item has been placed on the agenda at the request of Mayor Ramirez for consideration of the topic as stated.

**BACKGROUND:**

Reviewed at last Council Meeting under Citizen Comments. No additional information available at this time.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**RECOMMENDATION:**

Consideration of Mayor Ramirez's agenda item as stated.

**ATTACHMENTS:**

None

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- { } Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## PUBLIC COMMENT FORM

The "PUBLIC COMMENT" item posted on the agenda is reserved for members of the public who would like to address the City Council regarding posted agenda items or non-agenda items. Individuals requesting to speak or address the City Council during the meeting shall do so under the "PUBLIC COMMENT" agenda item. Speakers shall be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material, handouts or information for Council, to the City Secretary prior to commencement of the Council meeting.

Speaker comments are limited to three (3) minutes. No formal action can be taken by the City Council on items not posted on the agenda. Items requiring a PUBLIC HEARING will allow a member of the public an opportunity to speak during the Public Hearing and does not require a "PUBLIC COMMENT FORM".

Speakers must address their comments to the Mayor or Presiding Officer rather than to an individual Council Member or Staff Member. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from any personal attacks or derogatory comments directed at any Council Member, Staff Member, other individual or group.

DATE: 9-7-2021 ARE COMMENTS RELATED TO AN AGENDA ITEM: YES \_\_\_\_\_ NO ☒

AGENDA ITEM NUMBER(S): \_\_\_\_\_

SUBJECT OF COMMENTS IF NOT ON THE AGENDA: Elgin Old Latin Cemetery

NAME: Debra Wahrmund PHONE NUMBER: 512-971-0274

ADDRESS: 905 MARVINS COVE  
ELGIN, TX 78621

ARE YOU A RESIDENT OR BUSINESS OWNER IN THE CITY OF ELGIN: YES ☒ NO \_\_\_\_\_

September 7, 2021  
The Honorable Ron Ramirez  
Mayor, City of Elgin

Dear Mayor Ramirez,

I am writing about Elgin Old Latin Cemetery, which lies within the Appraisal District's property identified by No. 87380. It is a subject of great interest to the Bastrop County Historical Commission's Cemetery Committee which handles one of our major responsibilities. From conversations with some of our members in Elgin, I know that we need the council's support in helping fund a property survey of this cemetery in order to determine clear boundaries.

A major part of our missions involves preserving historical areas, such as this cemetery. We believe it is an important part of Bastrop County's heritage, especially because it involves the lives of a significant minority population that has often been neglected.

Any help you can provide for this cause, which I believe we share with your council and citizens, would be very much appreciated. I can be reached at [Ken.Kesselus@gmail.com](mailto:Ken.Kesselus@gmail.com) or 512-940-7897.

Ken Kesselus

Chair Bastrop County Historical Commission



Comments Submittal, Copy to City Manager, Tom Mattis

Dear Mayor Ramirez and Elgin City Council Members,

Please accept this package during public comments at the September 7, 2021 for staff to use for the council to consider future funding and execution of a property survey for what is known as the ELGIN OLD LATIN CEMETERY (BCHC #63) to be voted on by the council in the future. The purpose of having a current survey is to establish a record for this historic cemetery with a correct boundary between private property, Elgin Cemetery and the City of Elgin Park. The survey will then be filed with the Bastrop County Appraisal District. Seed money from Donna Snowden and another private citizen has been promised amounting to \$1000 which can be added to City funds, if approved, to begin this process.

A package with the existing 1915 Deed, and supporting documentation is attached.

Sincerely,

Debbie Wahrmund, Member Bastrop County Historic Commission Cemetery Committee 2021-2023

Per Guidance from Tom Mattis, City Manager "...items on Council Meeting agendas are typically those placed there by staff or Councilmembers for action."

## Jennifer Stubbs

---

**From:** Deb Wahrmund <debbie.wahrmund@gmail.com>  
**Sent:** Tuesday, August 31, 2021 11:14 AM  
**To:** Jennifer Stubbs; Tom Mattis  
**Cc:** Elgin Mayor  
**Subject:** Request Citizen Comments for Sept. 7 Council Meeting- Re:#63 Elgin Old Latin Cemetery  
**Attachments:** ATTACH~1.PDF; 2 - Elgin.Old Latin Deed.pdf

CAUTION: This email originated from outside of the City of Elgin. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tom--thank you for your guidance, here is a modified submittal and attachments. Thank you! Have a good day. dw

Comments Submittal, Copy to City Manager, Tom Mattis

Dear Mayor Ramirez and Elgin City Council Members,

Please accept this package during public comments at the September 7, 2021 for staff to use for the council to consider future funding and execution of a property survey for what is known as the ELGIN OLD LATIN CEMETERY (BCHC #63) to be voted on by the council in the future. The purpose of having a current survey is to establish a record for this historic cemetery with a correct boundary between private property, Elgin Cemetery and the City of Elgin Park. The survey will then be filed with the Bastrop County Appraisal District. Seed money from private citizens has been promised which can be added to City funds, if approved, to begin this process. Ownership and existing fence line and flooding issues will not be addressed at this time.

A package with the existing 1915 Deed, and supporting documentation is attached.

Sincerely,

Debbie Wahrmund, Member Bastrop County Historic Commission Cemetery Committee 2021-2023

Per Guidance from Tom Mattis, City Manager "...items on Council Meeting agendas are typically those placed there by staff or Councilmembers for action."

**Attachment 1: THC Historic Cemetery Designation**

**Attachment 2: Elgin Old Latin Cemetery Deed**

vm or text 512-971-0274 (12-4-2020)



**TEXAS  
HISTORICAL  
COMMISSION**

*The State Agency for Historic Preservation*

GEORGE W. BUSH, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

**DECLARATION OF DEDICATION  
OF THE  
ELGIN CEMETERY**

THE STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP

§

That the Texas Historical Commission, an agency of the State of Texas, whose purpose is to provide leadership and coordinate services in the fields of archeology and historic preservation, does hereby certify and declare:

That the Elgin Cemetery, in the County of Bastrop, Texas, more particularly described in Exhibit A attached hereto, has been set aside and dedicated for cemetery purposes through historic use and that such property is now occupied by human graves and is a cemetery.

That the following property owners own lands that have common borders with the Elgin Cemetery: Elgin I.S.D.; Johnson & Sons Mfg. Inc.; City of Elgin – Memorial Park.

That the Texas Historical Commission has duly considered the evidence of existence and historic use of said cemetery and has listed it as an Official Historic Texas Cemetery, worthy of preservation.

That this dedication is subject to all the laws, rules, and regulations of the State of Texas regarding cemeteries now in effect and to those adopted after the effective date of this dedication, and is made in accordance with 13 Tex. Admin. Code § 21.30.

This Declaration of Dedication is signed and executed on the 2<sup>nd</sup> day of

August, 1999.

F. Lawrence Oaks  
Executive Director  
Texas Historical Commission

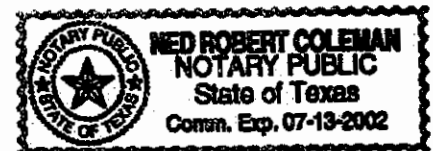
THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§



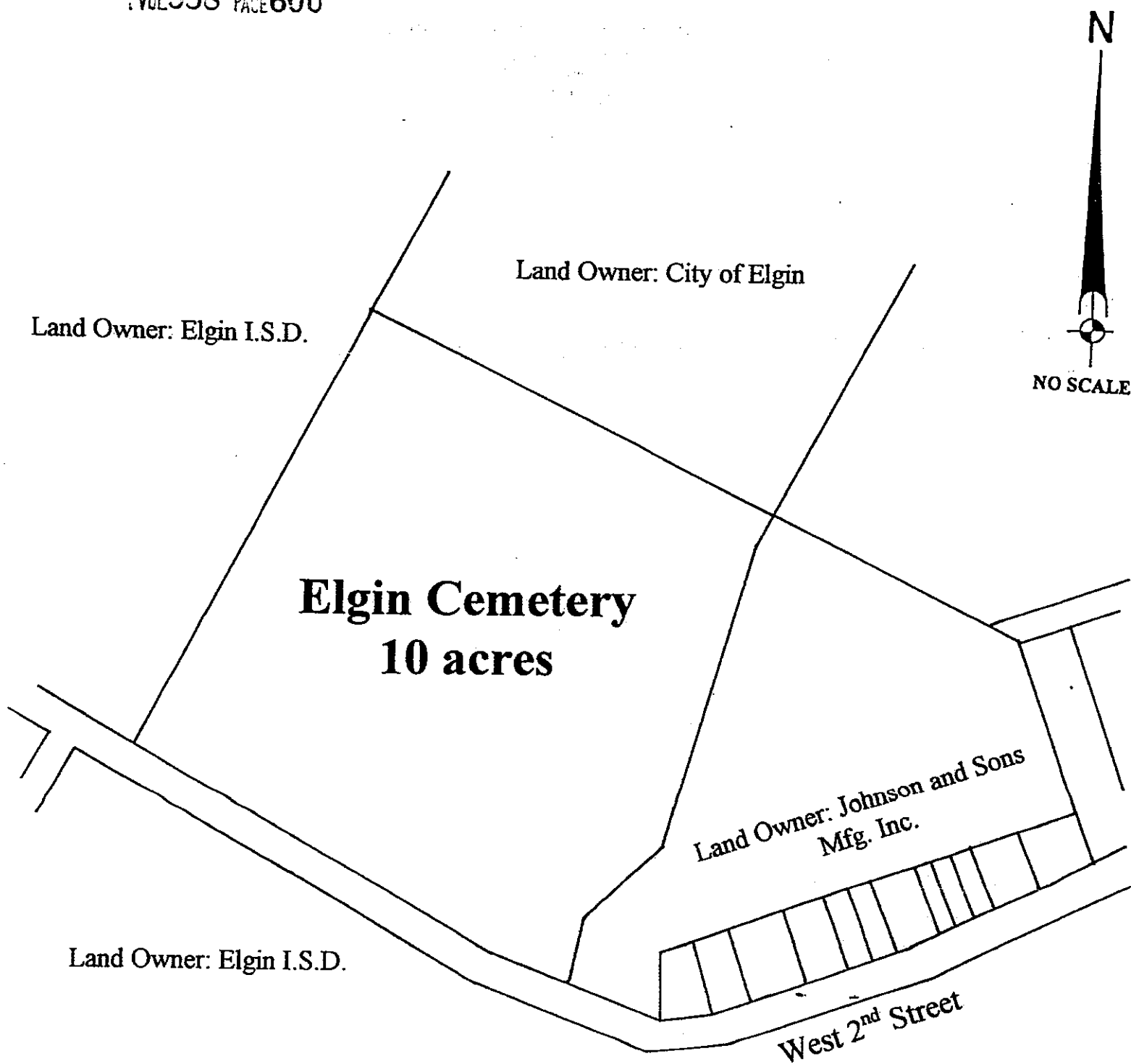
BEFORE ME, the undersigned authority, on this day personally appeared F. Lawrence Oaks, known to me to be a credible person, whose name is above subscribed, and said person swore to me the statements contained herein are true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME on this 2<sup>nd</sup> day of August, 1999.

Ned Robert Coleman  
NOTARY PUBLIC in and for the STATE OF TEXAS

# ATTACHMENT A

VOL 998 PAGE 600



Volume 6 Page 167 Bastrop County Deed Records

**Elgin Cemetery**  
Bastrop County

*Shirley Wilhelm*

1999 AUG 19 11:06 AM 199910422

Shirley Wilhelm

COUNTY CLERK

BASTROP COUNTY, TEXAS

By *B**Joy Fromme**600 W. 11**13.00**Elgin, TX 78621*

The State of Texas, \*  
County of Bastrop. \* KNOW ALL MEN BY THESE PRESENTS:

That I, Sallie F. Hill, acting for myself, and as Administratrix of the Estate of Geo. H. Hill, deceased, resident of the County of Bastrop, State of Texas, for and in consideration of the sum of One Hundred Dollars, to me paid and secured to be paid by Pablo Rosas and M. M. Torres, Trustees for the Elgin Mexican Cemetery Association, as follows:

Twenty Five Dollars cash in hand paid, the receipt of which is hereby acknowledged, and one Vendor's Lien note for \$25.00 due Sept. 15, 1915, and one Vendor's Lien for \$50.00 due Jan. 1, 1916. Both of said notes bearing interest from date at the rate of 8 per cent per annum, payable at Elgin, Texas. Each of said notes providing for ten per cent additional if collected by law, and each retaining the Vendor's Lien on the herein conveyed premises. The interest payable annually as it accrues,-

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY, unto the said Pablo Rosas and M. M. Torres, Trustees, for the use and benefit of the Elgin Mexican Cemetery of the County of Bastrop, State of Texas, all that certain tract lot or parcel of land, a part of the Johnathan Burleson original survey in Bastrop County and State of Texas, more particularly described as follows, to-wit:

Beginning at the N. W. corner of Mrs. Hill's tract of land on the East line of the Elgin Cemetery at the N. E. corner of said Cemetery lot, Cedar post in fence line for corner; Thence S. 50 W. 166-2/3 feet with East line of the Elgin Cemetery to Cedar post in fence line for corner; Thence S. 60 E. 100 feet to stake for corner; Thence N. 3 E. 166-2/3 feet to stake for corner; Thence N. 90 W. 55 feet to post in fence line at the S. E. corner of the J. W. Thomas lot; Thence S. 80 W. 42 feet to place of beginning and contains about (3/8) three eighths of an acre of land.

It is understood and agreed that the premises above and herein conveyed is to be used solely for burial ground purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Pablo Rosas and M. M. Torres, Trustees for the Elgin Mexican Cemetery & their assigns forever; and I do hereby bind myself my heirs, executors and administrators, to warrant and forever defend, all and singular the said premises unto the said Pablo Rosas and M. M. Torres, as Trustees for the Elgin Mexican Cemetery & their assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described note and all interest thereon, are fully paid according to their face and tenor, effect and reading, when this deed shall become absolute.

Witness my hand at Elgin, Texas, this 14th. day of July, A. D. 1915.

Sallie F. Hill,  
For self & as Admrx. of the Estate of  
Geo. H. Hill, Dec'd.

The State of Texas, \*  
County of Bastrop. \* Before me, A. H. Davis, a Notary Public in and for

Sallie F. Hill, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 14th. day of July, A. D. 1915.

A. H. Davis,

( Seal ).

Notary Public, Bastrop County, Texas.

A true copy of the original filed for record at 8 o'clock A. M. May 21st., 1917 and recorded at 2 o'clock P. M. May 21st., 1917.

H. H. Alexander, C.C.C.B. Co.,

By J. Jones, Deputy.

\*\*\*\*\*

State of Texas, \*  
County of Bastrop. \* KNOW ALL MEN BY THESE PRESENTS:  
e

THAT WHEREAS, A. B. Harrison departed this life intestate on March 9th., 1917 and his wife Pauline Harrison departed this life intestate on April 11th., 1917, both husband and wife for many years residing about six miles Northeast from Elgin in Bastrop County, Texas, There has been no application for administration of the respective estates of said A. B. Harrison and wife and as they owed no debts there is no necessity for an administration, and,

WHEREAS, the said A. B. Harrison had been married once before his marriage to the said Pauline Harrison, his former wife having died many years ago. As a result of said former marriage the said A. B. Harrison had two children, to-wit:

Walter Harrison and Mack Harrison, both deceased. That the said Walter Harrison died a bachelor and intestate prior to the death of his father, there being no administration of his estate and no necessity for an administration.

And the said Mack Harrison died intestate prior to the death of his father leaving surviving him his wife, Mac Harrison, and one daughter, Mac Clare Harrison, both of whom reside now in Eastland County, Texas, and,

WHEREAS, the said Pauline Harrison has been married once prior to her marriage to A. B. Harrison, her former husband, Thos. R. Owens having departed this life intestate many years ago there being no administration of his estate and no necessity of an administration. That as a result of said former marriage the said Pauline Harrison had one child, to-wit: Clay T. Owens. That the said Pauline Harrison and her former husband, Thos. R. Owens, acquired during their said marriage One Hundred Seventy-Seven acres of land, an interest in which is <sup>after</sup> ~~herein conveyed~~, the said land and premises being improved by A. B. Harrison after his marriage with the said Pauline Harrison. And after the death of her former husband, Thos. R. Owens, it being understood that said improvements placed on said premises by the said A. B. Harrison out of his separate estate amounted to one-third of said land and premises and that one-third belonged to Pauline Harrison as her community interest in the estate of her said deceased husband Thos. R. Owens and the other one-third to Clay T. Owens, the son and heir of said Thos. R. Owens, deceased, and,

WHEREAS, as a result of the marriage of A. B. Harrison and Pauline





Search Here:

87380



Show search results for 873

(1 of 2)

Parcel Owner: ELGIN CEMETERY

[View More Property Information](#)

[Click Here for GIS Shapefile Data](#)

**Property Information**

Property ID: 87380

Legal Acreage: 10.00

GEO ID: R87380

Legal Description: ELGIN CITY ACRES  
10.0000

Tract or Lot:

Abstract Subdivision Code: 00040

Block:

Neighborhood Code: NS-H00001

School District: 501

City Limits: 001

[Zoom In](#)





## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** Request for staff to develop a City of Elgin Emergency Sheltering Plan for formal consideration by the City Council - *Councilmember Maldonado*

**DEPARTMENT:** N/A

**PROPOSED ACTION:**

No Council action proposed by staff; This item has been placed on the agenda at the request of Councilmember Maldonado.

**BACKGROUND:**

For discussion only; no additional information available at this time.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was { } included { } not included in the current-year budget {X} N/A

**RECOMMENDATION:**

Consideration of Councilmember Maldonado's agenda item as stated.

**ATTACHMENTS:**

None

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*



## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** A RESOLUTION OF THE CITY OF ELGIN, TEXAS, CASTING ITS VOTES FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

**DEPARTMENT:** City Council

**PROPOSED ACTION:** Make nominations for the Bastrop County Appraisal District Board of Directors

**BACKGROUND:** The Appraisal District Board of Directors has a limited scope in District operations. The duties include:

- Hiring of the Chief Appraiser
- Setting of the budget of the District
- Approval of contracts
- Setting of policies and procedures of the Board of Directors
- Appointment of Appraisal Review Board Members

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was {} included {} not included in the current-year budget {X} N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** Make nominations to the BCAD Board of Directors

**ATTACHMENTS:** BCAD Letter, Entity Votes and Resolution

**{}** Staff will be making a detailed presentation on this agenda item at the meeting.

**{X}** Staff will provide brief comments and answer questions on this item at the meeting.

**{}** This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

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

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,  
NOMINATING MEMBERS FOR THE BASTROP CENTRAL  
APPRAISAL DISTRICT BOARD OF DIRECTORS;  
MAKING FINDINGS OF FACT; AND PROVIDING FOR  
RELATED MATTERS**

**WHEREAS** the Texas Property Tax Code allows tax jurisdictions to nominate up to five people to serve on the Board of the Bastrop Central Appraisal District for a term of office of two years beginning January 1, 2022;

**AND WHEREAS**, The City of Elgin desires to nominate a person or persons to said Board;

**AND WHEREAS**, said tax unit recognizes the importance of cost-effective operations of the Appraisal District,

**NOW THEREFORE**, we hereby nominate the following person or persons for a position on the Board of Directors of the Bastrop Central Appraisal District.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Approved** on this 12<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
RON M. RAMIREZ, Mayor  
Presiding Officer of Tax Unit

\_\_\_\_\_  
JENNIFER STUBBS, City Secretary  
Attest, Secretary of the Tax Unit



# BASTROP CENTRAL APPRAISAL DISTRICT

P.O. DRAWER 578 • BASTROP, TEXAS 78602-0578  
PHONE (512) 303-1930 • FAX (512) 303-4805

July 27, 2021

## BOARD OF DIRECTORS

DAVID REDD  
*Chairman*

BILL HECTOR  
*Secretary*

RODERICK EMANUEL

DAVID GLASS

DENNIS SNYDER

ELLEN OWENS

FAUN CULLENS, RPA CCA  
*Chief Appraiser*

The Hon. Ron Ramirez, Mayor  
City of Elgin  
P. O. Box 591  
Elgin TX 78621

Dear Mayor Ramirez:

As required by state law, I am notifying you of the elections process for the Board of Directors of the Bastrop Central Appraisal District. We are sending this letter out early to give the entities more time for the election process. The process begins by this notice letting you know the votes to which your tax unit is entitled. A copy of all voting tax units and their vote allocations which are based on the 2020 tax levies is enclosed.

Your tax unit may nominate up to five members to the Board but no nomination is required. For the past two years the following members have served on the Board:

- Mr. David Redd, Chairman of the Board
- Mr. Bill Hector, Secretary
- Mr. Roderick Emanuel
- Mr. Dennis Snyder
- Mr. David Glass

After their August 26 Board meeting, we will be able to let you know who are willing to stand for re-election. You may nominate one or all of them or others that your tax unit wishes to nominate. The requirements for service are that the nominee must have been a resident of Bastrop County for at least two years and may not be an employee of a tax unit unless they are an elected official.

A sample Nomination Resolution is enclosed for your use as well as the election calendar. Nominations are due before October 15. After we receive the nominations from all tax units, we will assemble a ballot before October 30 and your tax unit will have the opportunity to cast your votes for a single individual or you may disburse your votes in any way you wish. The voting is done by resolution of your board in regular session. The resolutions are to be returned to the District before December 15. The results will be announced immediately following that deadline.

If you have any questions about the procedures for the elections of the Board, please feel free to contact me or Gayle Junker at 512-303-1930, and we will be happy to answer your questions.

Sincerely yours,

Faun Cullens, RPA, CCA  
Chief Appraiser

Enclosures

cc: Mr. Tom Mattis, City Manager  
Charles Cunningham, Finance Director



# Bastrop CAD 2022-2023 Board Election Update



Gayle Junker <gaylej@bastropcad.org>

To: gaylej@bastropcad.org

Cc: Faun Cullens



Tue 3:46 PM

**CAUTION:** This email originated from outside of the City of Elgin. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Last month you should have received correspondence regarding the 2022-2023 Bastrop Central Appraisal District Board of Directors Elections. With the correspondence you were notified of the calculations for voting entitlement and given a sample Nomination Resolution.

Currently our Board of Directors is five (5) members. Each tax unit may nominate up to five individuals. Three of the current five members are willing to stand for re-election, leaving two potential vacancies. The three board members who have stated they would continue to serve if nominated and elected are David Glass, Bill Hector, and David Redd. Taxing units are not required to nominate current members who are willing to serve but can also nominate others interested in serving. The tax assessor-collector is the sixth member of the board and is a nonvoting director.

Regarding nominations, I recommend reading the eligibility requirements as published in the Appraisal District Director's Manual, page 4, available on the Comptroller's website. The following link should direct you to the source document: <https://comptroller.texas.gov/taxes/property-tax/board-of-directors/index.php>

The deadline to submit your written resolution of nominees is **October 15, 2021**. This deadline is important as I am required to prepare a ballot listing the nominees alphabetically and must deliver the ballot to each voting unit before October 30<sup>th</sup>.

The next important deadline is December 15<sup>th</sup>. The voting units must cast its vote by written resolution to the Chief Appraiser before this date. The unit may cast all its votes for one candidate or may distribute the votes among any number of candidates. You will receive a sample Voting Resolution with the ballot.

If you have any questions, please contact me or Gayle Junker at 512-303-1930.



**Faun Cullens, RPA, CCA**

Chief Appraiser – Bastrop CAD

Phone 512-303-1930 ext 126

Web [www.bastropcad.org](http://www.bastropcad.org)

Email [faun@bastropcad.org](mailto:faun@bastropcad.org)

212 Jackson Street; P.O. Drawer 578

Bastrop, Texas 78602

**CALCULATIONS for VOTING ENTITLEMENT  
BASTROP CENTRAL APPRAISAL DISTRICT  
2022-2023 BOARD OF DIRECTORS**

| <u>ENTITY</u>         | <u>2020 Levy</u> | <u>TOTAL LEVY</u>  |   |       |   |          |   |   |   |       | <u>VOTES</u> |
|-----------------------|------------------|--------------------|---|-------|---|----------|---|---|---|-------|--------------|
| Bastrop County        | \$40,465,841.00  | / \$144,124,485.00 | X | 1,000 | = | 280.7701 | X | 5 | = | 1,404 |              |
| Bastrop ISD           | 59,320,044.00    | / \$144,124,485.00 | X | 1,000 | = | 411.5889 | X | 5 | = | 2,058 |              |
| Bastrop City          | 5,858,490.00     | / \$144,124,485.00 | X | 1,000 | = | 40.6488  | X | 5 | = | 203   |              |
| Elgin ISD             | 18,254,083.00    | / \$144,124,485.00 | X | 1,000 | = | 126.6550 | X | 5 | = | 633   |              |
| Elgin City            | 3,567,229.00     | / \$144,124,485.00 | X | 1,000 | = | 24.7510  | X | 5 | = | 124   |              |
| Lexington ISD         | 31,948.00        | / \$144,124,485.00 | X | 1,000 | = | 0.2217   | X | 5 | = | 1     |              |
| McDade ISD            | 1,200,909.00     | / \$144,124,485.00 | X | 1,000 | = | 8.3324   | X | 5 | = | 42    |              |
| Smithville ISD        | 12,531,983.00    | / \$144,124,485.00 | X | 1,000 | = | 86.9525  | X | 5 | = | 435   |              |
| Smithville City       | 1,602,905.00     | / \$144,124,485.00 | X | 1,000 | = | 11.1217  | X | 5 | = | 56    |              |
| ACC-Elgin             | 1,291,053.00     | / \$144,124,485.00 | X | 1,000 | = | 8.9579   | X | 5 | = | 45    |              |
| Total Number of Votes |                  |                    |   |       |   |          |   |   |   | 5,000 |              |





## Elgin City Council Meeting Agenda Item Executive Summary

---

**ITEM:** RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING A REPRESENTATIVE TO THE TRAVIS CENTRAL APPRAISAL DISTRICT

**DEPARTMENT:** City Council

**PROPOSED ACTION:** Nominate an individual to serve on the Travis Central Appraisal District who is a resident of Travis County for the past two years immediately preceding the date he or she takes office. The letter states on or before December 17, 2021 the Chief Appraiser will count the votes and declare the results.

**BACKGROUND:** The Travis Central Appraisal District (TCAD) oversees the real and personal appraisal value of properties in Travis County as prescribed in Texas Tax Code, Chapter 6. The district is responsible for appraising all real and business personal property within Travis County, Texas. The Board hires the Chief Appraiser, approves the TCAD budget, approves contracts, sets general policies, and appoints the Chairman and secretary of the Appraisal Review Board (ARB). The Board does not appraise property or review property values, and the Board does not appoint members to the ARB.

**BUDGET/FINANCIAL IMPACT:**

Funding for this item was ☐ included ☐ not included in the current-year budget ☒ N/A

**Finance Approval:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**RECOMMENDATION:** Nominate an individual to serve of the Travis Central Appraisal District who is a resident of Travis County

**ATTACHMENTS:** Resolution and Letter

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☒ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ This is a routine procedural item and no presentation is planned for the meeting.

*Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.*

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

**RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING  
A REPRESENTATIVE TO THE TRAVIS CENTRAL APPRAISAL  
DISTRICT**

**WHEREAS**, the City of Elgin is a member of the Travis Central Appraisal District; and

**WHEREAS**, there is an opportunity to nominate an individual who must be a resident of Travis County and must have resided in the District for at least two years immediately preceding the date he or she takes office; and

**WHEREAS**, the City of Elgin can make a nomination selection by action of the City Council on or before October 22, 2021;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, TEXAS,  
THAT:**

\_\_\_\_\_ is hereby nominated from the City of Elgin to the Travis Central Appraisal Districts Board of Directors.

**APPROVED** this 12<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
RON M. RAMIREZ, Mayor  
City of Elgin, Texas

ATTEST:

\_\_\_\_\_  
JENNIFER STUBBS, City Secretary

# TRAVIS CENTRAL APPRAISAL DISTRICT

## BOARD OFFICERS

JAMES VALADEZ  
CHAIRPERSON  
BRUCE GRUBE  
VICE CHAIRPERSON  
THERESA BASTIAN  
SECRETARY/TREASURER



MARYA CRIGLER  
CHIEF APPRAISER

## BOARD MEMBERS

TOM BUCKLE  
DEBORAH CARTWRIGHT  
NICOLE CONLEY  
BRUCE ELFANT  
ANTHONY NGUYEN  
FELIPE ULLOA  
BLANCA ZAMORA-GARCIA

THE HONORABLE RONALD M RAMIREZ, MAYOR CITY  
OF ELGIN  
310 N MAIN ST  
P O BOX 591  
ELGIN, TX 78621

September 8, 2021

received  
9/9/21

Members of the Board of Directors of the Travis Central Appraisal District serve two year, staggered terms. The term of your current Board member **Anthony Nguyen** will expire this year. Accordingly, the election of member to the Board must be conducted this fall to select the person who will serve in that capacity for the term beginning January 1, 2022.

To be eligible to serve on the Board of Directors, and individual must be a resident of Travis County and must have resided in the District for at least two years immediately preceding the date he or she takes office. An elected official may be a member of the Board; however, an employee of a taxing jurisdiction may not be a member unless they are also an elected official.

Your jurisdiction is defined to be in the eastern part of the County and eligible to vote. A complete list of those jurisdictions is enclosed. Should you desire to make a nomination to the Board, you must deliver the name of the nominee to the Chief Appraiser in the form of a resolution on or before October 22, 2021.

After nominations have been submitted, on or before November 5, 2021, the Chief Appraiser will prepare a ballot listing all the candidates nominated and deliver a copy of such ballot to the presiding officer of the governing body of each city and school district in western Travis County. The ballot must be returned to the Chief Appraiser by December 3, 2021.

On or before December 17, 2021 the Chief Appraiser will count the votes by such cities and school districts, declare the results thereof, and submit the same to the governing bodies of each city and school district, and to each of the candidates nominated by such cities and school districts. In the event of a tie vote, according to the Property Tax Code, it will be resolved by a method of chance by the Chief Appraiser.

**If you desire to submit a nomination, please do so by October 22, 2021 in the form of a resolution to the following address:**

Marya Crigler  
Travis Central Appraisal District  
P.O. Box 149012  
Austin, TX 78714-9012

If you have any questions, please feel free to call me at (512) 834-9317, ext. 337.

Sincerely,  
Marya Crigler  
Chief Appraiser  
Travis Central Appraisal District

| <b>Representation</b> | <b>Jurisdiction</b>    | <b>Presiding Officer</b>                  |
|-----------------------|------------------------|-------------------------------------------|
| EAST                  | AUSTIN COMM COLL DIST  | DR. NAN MCRAVEN                           |
| EAST                  | CITY OF CREEDMOOR      | THE HONORABLE FRAN KLESTINEC , MAYOR      |
| EAST                  | CITY OF ELGIN          | THE HONORABLE RONALD M RAMIREZ, MAYOR     |
| EAST                  | CITY OF MANOR          | THE HONORABLE DR. LARRY WALLACE JR. MAYOR |
| EAST                  | CITY OF MUSTANG RIDGE  | THE HONORABLE DAVID BUNN, MAYOR           |
| EAST                  | CITY OF PFLUGERVILLE   | THE HONORABLE VICTOR GONZALES, MAYOR      |
| EAST                  | CITY OF ROUND ROCK     | THE HONORABLE CRAIG MORGAN, MAYOR         |
| EAST                  | COUPLAND ISD           | CRYSTAL WARD, PRESIDENT                   |
| EAST                  | DEL VALLE ISD          | REBECCA BIRCH, PRESIDENT                  |
| EAST                  | ELGIN ISD              | BYRON MITCHELL, PRESIDENT                 |
| EAST                  | MANOR ISD              | MONIQUE CELEDON, PRESIDENT                |
| EAST                  | PFLUGERVILLE ISD       | RENAE MITCHELL, PRESIDENT                 |
| EAST                  | ROUND ROCK ISD         | AMY WEIR, PRESIDENT                       |
| EAST                  | VILLAGE OF SAN LEANNA  | THE HONORABLE CHARLIE BURKS, MAYOR        |
| EAST                  | VILLAGE OF WEBBERVILLE | THE HONORABLE HECTOR GONZALES, MAYOR      |