



**AGENDA ITEM SUMMARY FORM**

**PROPOSED MEETING DATE:** February 21, 2024  
**PREPARED BY:** Scott Dunlop, Director  
**DEPARTMENT:** Development Services

**AGENDA ITEM DESCRIPTION:**

Consideration, discussion and possible action on the Fourth Amendment to Development Agreement (Butler/East Hwy 290 & 13100 N. FM 973).

**BACKGROUND/SUMMARY:**

On June 15, 2022, Butler Family Partnership, 13100 FM 973, Inc. and the City entered into a Development Agreement for the project on Hwy 290 and FM 973. The City has since approved the First Amendment, Second Amendment and Third to the Development Agreement and GenCap has since purchased a portion of the property. 13100 FM 973, Inc. (“Owner”) is the owner of the property (the “Shopping Center”), save and except Parcel A. Owner is requesting this amendment as it relates to the Shopping Center to prohibit parking in certain location not be required to provide connectivity among inner lots, modifications to Exhibit C and adding an Exhibit D which provides for a conceptual lot layout. This fourth amendment to the development agreement is provided for City Council consideration.

**LEGAL REVIEW:** Yes, Veronica Rivera, Assistant City Attorney  
**FISCAL IMPACT:** No  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Fourth Amendment to Development Agreement

**STAFF RECOMMENDATION:**

The City Staff recommends that the City Council approve the Fourth Amendment to the Development Agreement (Butler/East Hwy 290 & 13100 N. FM 973).

**PLANNING & ZONING COMMISSION:**                      **Recommend Approval**                      **Disapproval**                      **None**