



CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, AUGUST 16, 2011 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

- | | | |
|--|---|--|
| <input type="checkbox"/> NICHOLAS KAUFFMAN | <input type="checkbox"/> SANDY TRUJILLO, Chair | <input type="checkbox"/> THOMAS BALESTIERE |
| <input type="checkbox"/> ALAN YORE | <input type="checkbox"/> STEPHEN THOMAS, Vice-Chair | <input type="checkbox"/> JON LUX |
| | <input type="checkbox"/> LORENA ECHEVERRIA, Secretary | |

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
3. ROLL CALL
 - A. Roll Call
 - B. Excuse the absence of Chair Trujillo at the July 19, 2011 Regular Called Meeting.
 - C. Election of Officers
 - a. Chair
 - b. Vice-Chair
 - c. Secretary
4. MINUTES: Approve Minutes from the Regular Meeting of June 21, 2011 and July 19, 2011
5. CITIZEN COMMUNICATIONS
6. CONSENT AGENDA:
 - A. STATUTORY DISAPPROVAL:

(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)

 1. Buttercup Creek Phase V Section 15 (FP-11-004)
5.451 acres, 18 single family lots, 1 drainage lot, 3 landscape/open space lots
Located on North Lakeline Boulevard between Buttercup Creek Blvd and Anthony Court
Owner: Forestar Real Estate Group Inc
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
 2. St. Mary Romanian Church (FPD-11-004)
0.56 acres, 1 lot
Located at 200 Monaco Drive
Owner: St. Mary Romanian Orthodox Church

Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove

3. Ranch at Brushy Creek Section 9C (FP-11-006)
11.56 acres, 48 single family lots, 3 landscape lots, 2 parkland lots
Located on North Frontier Lane
Owner: Standard Pacific of Texas, Inc.
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
4. Brushy Creek Enclave (PP-11-003)
41.06 acres, 105 single family lots, 3 commercial lots
Located on the northwest corner of Brushy Creek Road and Breakaway Road
Owner: Wilson Land and Cattle Company
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
5. Cedar Park Town Center Section 10 (FP-11-005)
19.965 acres, 104 lots
Located along Discovery Boulevard, south of East New Hope Drive
Owner: Continental Homes of Texas LP
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

1. Creekview Phase 4 (FP-10-005)
13.18 acres, 70 residential lots
Located west of Glacial Stream Lane and north of Conn Creek Road
Owner: Continental Homes of Texas, LP
Agent: Jenny Pollard, Randall Jones and Associates Engineering
Staff Resource: Emily Barron
Staff Proposal to P&Z: Approve
2. Cypress Bend Section 2 Phase A, Resub of Lot 9 Block I (SFP-10-009) Extension Request
0.261 acres, 1 residential lot
Located at 2220 Heather Drive
Owner: Richard and Veronica Caldwell
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve

7. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS: **None**

8. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS: In accordance with the statutory requirements of the Texas Local Government Code reflected in Section 211.007, acceptance of preliminary reports for the following applications is recommended.

- A. 210 North Lakeline, Z-11-014 (Related to item 9A)
- B. City Initiated - Brushy Creek Lake, Z-11-006 (Related to item 9B)
- C. City Initiated – 3003 and 3100 Woodall Dive, Z-11-009 (Related to item 9C)
- D. City Initiated – Brushy Creek Road, Z-11-010 (Related to item 9D)
- E. City Initiated – 13406 Anderson Mill Road, Z-11-017 (Related to item 9E)

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Adrian Barron to rezone approximately 1.57 acres from Transitional Office (TO) to Local Retail-Conditional Overlay (LR-CO) with the following conditions:
 - Limit the building height to 35 feet
 - Pitched roofs shall be required for all buildings, with the slope at a minimum ratio of 4:12
 - Hours of operation shall be limited to the hours of 7am and 10pm
 - Window and door fenestration glazed openings shall account for at least twenty-five (25) percent of the overall wall surface on walls fronting a public street
 - Prohibit automated teller machines, automobile parts and accessory sales, convenience store, gas station limited, golf amusement, liquor store, restaurant general, rental libraries for sound and video recordings

This request applies to property located at 210 North Lakeline Boulevard. (Z-11-014)

Owner: Adrian Barron, Independent Executor of the Estate of Frank Barron

Agent: Samir Desai

Staff Resource Person: Amy Link

Staff proposal to P&Z: Local Retail-Conditional Overlay (LR-CO)

- 1) Public Hearing
- 2) P&Z Recommendation to City Council
- 3) P&Z Adoption of Final Report

- B. Consider a City Initiated request to rezone approximately 1.20 acres from Single Family (SF) to Open Space Recreation (OSR) and assign original zoning of Open Space Recreation (OSR) to approximately 93.636 acres located at the Brushy Creek Lake Park on Brushy Creek Road. (Z-11-006)

Owner: City of Cedar Park and Will Wilson

Staff Resource Person: Emily Barron

Staff proposal to P&Z: Approve

- 1) Public Hearing
- 2) P&Z Recommendation to City Council
- 3) P&Z Adoption of Final Report

- C. Consider a City Initiated request to assign original zoning of Light Industrial (LI) to approximately 11.6 acres located at 3003 and 3100 Woodall Drive. (Z-11-009)

Owner: James and Martha Isbell and Lake Bum Enterprises

Staff Resource Person: Emily Barron

Staff proposal to P&Z: Approve

- 1) Public Hearing
- 2) P&Z Recommendation to City Council
- 3) P&Z Adoption of Final Report

- D. Consider a City initiated request to assign original zoning of Local Retail (LR) to approximately 24.308 acres and Light Industrial (LI) to approximately 95.53 acres located on the south side of Brushy Creek Road just west of Brushy Creek Sports. (Z-11-010)
Owner: Margaret Everett, Kuen-An and Chang-Lan Liu, Carl Wells, Fausto and Catalina Castro, Terry Lamar Robinson, Russell and Vickie Garner, JE and Summerlin Spring
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council
 - 3) P&Z Adoption of Final Report

- E. Consider a City initiated request to rezone approximately 5.25 acres from Single Family-Large Urban Lot (SF-2) to Transitional Commercial-Conditional Overlay (TC-CO) with a condition to limit the hours of operation to between the hours of 7am and 8pm, for property located at 13406 Anderson Mill Road. (Z-11-017)
Owner: Elizabeth Ann Hasler Life Estate
Staff Resource Person: Amy Link
Staff proposal to P&Z: Approve
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council
 - 3) P&Z Adoption of Final Report

- 10. FUTURE LAND USE PLAN AMENDMENTS: **None**

- 11. SUBDIVISIONS (ACTION AND PUBLIC HEARING): **None**

- 12. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **None**

- 13. DISCUSSION AND POSSIBLE ACTION ITEMS:
 - A. Zoning Ordinance Amendments – Public Hearing and P&Z Action:
 - 1. Discussion on ordinance amendment to Chapter 11 – Zoning regarding provision for allowing poultry in residential districts.

 - B. Review of Training DVD - "Regulating Controversial Uses"

- 14. ADMINISTRATIVE ITEMS:
(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)
 - A. Report on City Council Actions from July 28, 2011 and August 11, 2011
 - B. Director and Staff Comments –TX APA Conference is in Austin October 5-7
 - C. Commissioners Comments
 - D. Request for Future Agenda Items
 - E. Designate Delegate to Attend Next Council Meetings on August 25, 2011 and September 8, 2011

- 15. ADJOURNMENT

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the Planning and Zoning Commission.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the Planning and Zoning Commission, non-agenda items may be presented by citizens to the Planning and Zoning Commission for informational purposes; however, by law, the Planning and Zoning Commission shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

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

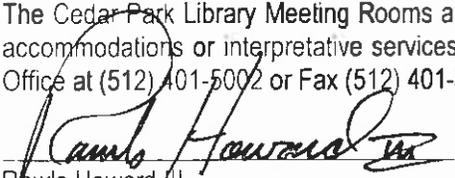
CERTIFICATE

I certify that the above notice of the Special Called Planning and Zoning Commission Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 600 N. Bell Boulevard, Cedar Park, Texas. This notice was posted on:

AUG 5 '11 PM 3:18

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

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


Rawls Howard III
Director of Planning and Development Services

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

MINUTES FOR
CITY OF CEDAR PARK
REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, JUNE 21, 2011 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

NICHOLAS KAUFFMAN
 ALAN YORE

SANDY TRUJILLO, Chair
 STEPHEN THOMAS, Vice-Chair
 LORENA ECHEVERRIA, Secretary

THOMAS BALESTIERE
 JON LUX

1. CALL TO ORDER
Chair Trujillo called the meeting to order at 6:30 p.m.
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
Vice Chair Thomas led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.
3. ROLL CALL
Secretary Echeverria was absent. Commissioner Lux arrived during Item 4. Commissioner Balestiere arrived during Item 9B. All other Commissioners were present and a quorum was declared.
4. MINUTES: Approve minutes from the Regular Meeting of April 19, 2011 and May 17, 2011
MOTION: Commissioner Yore moved to approve the Regular Called Meeting of April 19, 2011 Minutes as presented. Vice Chair Thomas seconded the motion, and the motion passed as follows:
Yes: Trujillo, Yore, Thomas, Kauffman
No: None
Abstain: Lux (Did not attend meeting)
Absent: Balestiere, Echeverria

There were only three Commissioners at the dais that attended the Regular Meeting of May 17, 2011 so this item was tabled until four Commissioners were present.

Chair Trujillo recalled Item 4 after Item 13.A.2.

MOTION: Vice Chair Thomas moved to approve the Regular Called Meeting of May 17, 2011 Minutes as presented. Commissioner Yore seconded the motion, and the motion passed as follows:
Yes: Thomas, Balestiere, Kauffman, Yore
No: None
Abstain: Lux, Trujillo (Did not attend meeting)
Absent: Echeverria

5. CITIZEN COMMUNICATIONS **None.**

6. CONSENT AGENDA:

A. STATUTORY DISAPPROVAL:

(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete.

Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)

1. Amended Plat of Lots 10 and 11 Block "A", Anderson Mill Park (FPD-11-002)
2.670 acres, 2 commercial lots
Located at the northeast corner of Windy Terrace and Anderson Mill Road
Owner: Domenico Fazzino
Agent: Gary Jones
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove

2. Buttercup Creek Phase V Section 13 (FP-11-003)
16.466 acres, 48 single family residential lots
Located at Gaspar Bend and Erica Kaitlen Lane
Owner: Forestar USA Real Estate Group Inc
Agent: Douglas Rummel
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS: NONE

MOTION: Vice Chair Thomas moved to recommend approval of Consent Agenda Items 6.A.1 through 6.A.2 as presented. Commissioner Yore seconded the motion, and the motion passed unanimously, 5-0 with 2 absent.

7. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS: **None.**

8. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS: In accordance with the statutory requirements of the Texas Local Government Code reflected in Section 211.007, acceptance of preliminary reports for the following applications is recommended.

Chair Trujillo corrected the numbering for the projects under Item 8.

A. Pecan Grove, Z-11-005 (Related to item 9A) - **WITHDRAWN**

Chair Trujillo stated that this item had been withdrawn by the applicant.

B. 1890 Ranch LTD, Z-11-011 (Related to item 9B)

MOTION: Commissioner Yore moved to accept the Preliminary Report for Item 9B as presented by Staff. Vice Chair Thomas seconded the motion, and the motion passed unanimously, 5-0 with 2 absent.

CORRECTED MOTION: Commissioner Yore moved to accept the Preliminary Report for Item 8B as presented by Staff. Vice Chair Thomas accepted the correction, and the motion passed unanimously, 5-0 with 2 absent.

BC. Kathleen and Laurice Peloquin, Z-11-012 (Related to item 9C)

MOTION: Commissioner Yore moved to accept the Preliminary Report for Item 8C as presented by Staff. Vice Chair Thomas seconded the motion, and the motion passed unanimously, 5-0 with 2 absent.

GD. 3320 W. Whitestone, Z-11-013 (Related to item 9D)

MOTION: Commissioner Yore moved to accept the Preliminary Report for Item 8D as presented by Staff. Vice Chair Thomas seconded the motion, and the motion passed unanimously, 5-0 with 2 absent.

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

A. Consider a request by Pecan Grove – SPVEF, L.P., to rezone approximately 19.54 acres from General Retail (GR) and Open Space Greenbelt (OSG) to Single Family – Urban Lot (SF-3) located on the east side of 183A just east of the intersection of Scottsdale and 183A. (Z-11-005)
Owner: Pecan Grove – SPVEF, L.P.

Agent: Paul Linehan

Staff Resource Person: Emily Barron

Staff proposal to P&Z: General Retail (GR)

ITEM WITHDRAWN – NO ACTION REQUIRED

B. Consider a request by 1890 Ranch LTD to rezone approximately ~~3.44~~ 0.344 acres from General Retail (GR) to General Office (GO) for property located on the east side of 183A just south of Medical Parkway. (Z-11-011)

Owner: 1890 Ranch LTD.

Agent: Daniel Campbell

Staff Resource Person: Emily Barron

Staff proposal to P&Z: Approve

1) Public Hearing

2) P&Z Recommendation to City Council

3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. Staff supported the applicant's request to rezone approximately 0.344 acres from General Retail (GR) to General Office (GO) for property located on the east side of 183A just south of Medical Parkway. The applicant's request supports the goals of the Comprehensive Plan and is consistent with the Future Land Use Plan as well as the purpose statement of the General Office (GO) district. No opposition had been received by staff. The applicant, Daniel Campbell, was present to answer questions.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

Commissioner Kauffman asked for further discussion on staff's recommendation for split-zoning. The applicant responded that the original zoning district (GB-3) for 1890 Ranch subdivision allowed GO uses. When the new zoning districts were applied, some GO uses were no longer included in the GR district assigned to the parcel. The applicant has met with representatives from the hospital and they were not opposed to the rezoning.

MOTION: Vice Chair Thomas moved to recommend approval of the rezoning of Item Z-11-011 from General Retail (GR) to General Office (GO) for property located on the east side of 183A just south of Medical Parkway as presented by Staff to the City Council. Commissioner Yore seconded the motion and the motion passed unanimously, 6-0, with one absent.

Chair Trujillo reopened Item 9.B.3 after Item 9.C.

MOTION: Vice Chair Thomas moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9B, Case Z-11-011. Commissioner Yore seconded the motion and the motion passed unanimously, 6-0, with one absent.

- C. Consider a request by Kathleen and Laurice Peloquin to rezone approximately 7.79 acres from General Retail (GR) to General Office (GO), for property located on the southwest corner of E. Whitestone Boulevard and Arrow Point Drive. (Z-11-012)
Owner: Kathleen and Laurice Peloquin
Agent: Alan Hucaby, GHLA Architects
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. Staff supported the applicant's request to rezone approximately 7.79 acres from General Retail (GR) to General Office (GO) for property located on the southwest corner of East Whitestone Boulevard and Arrow Point Drive. The applicant's request supports the goals of the Comprehensive Plan and is consistent with the Future Land Use Plan as well as the purpose statement of the General Office (GO) district. No opposition had been received by staff.

The applicant's representative, Peter Longo from Cantex, was present to answer questions. He provided an overview of the proposed in-patient facility. They plan to build a 112-bed, one story, skilled nursing center with 96 private rooms and 8 semi-private rooms. There was discussion among the Commissioners concerning salary ranges and number of jobs provided.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Lux moved to recommend approval of the rezoning of Item Z-11-012 from General Retail (GR) to General Office (GO) for property located on the southwest corner of East Whitestone Boulevard and Arrow Point Drive as presented by Staff to the City Council. Commissioner Kauffman seconded the motion and the motion passed unanimously, 6-0, with one absent.

MOTION: Vice Chair Thomas moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9C, Case Z-11-012. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, with one absent.

- D. Consider a request by Jimmy Nassour, Stephen Oyster and Cobot Chase LTD to rezone approximately 3.80 acres from Commercial Services (CS) to Light Industrial (LI) for property located at 3320 W. Whitestone. (Z-11-013)
Owner: Jimmy Nassour, Stephen Oyster and Cobot Chase LTD.
Agent: Coy Foust
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. Staff supported the applicant's request to rezone approximately 3.80 acres from Commercial Services (CS) to Light Industrial (LI) for property located at 3320 West Whitestone. The Light Industrial (LI) district matches the purpose of the zoning district, the Future Land Use Plan as well as the Comprehensive Plan and accommodates a variety of uses. The applicant's agent, Coy Foust, was present to answer questions. He advised the Commissioners that they anticipate adding thirty-five jobs. The building is currently vacant.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

There was discussion among the Commissioners concerning redevelopment of the property.

MOTION: Commissioner Lux moved to recommend approval of the rezoning of Item Z-11-013 from Commercial Services (CS) to Light Industrial (LI) for property located at 3320 West Whitestone as presented by Staff to the City Council. Commissioner Yore seconded the motion and the motion passed unanimously, 6-0, with one absent.

MOTION: Vice Chair Thomas moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9D, Case Z-11-013. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, with one absent.

10. FUTURE LAND USE PLAN AMENDMENTS: None

11. SUBDIVISIONS (ACTION AND PUBLIC HEARING):

- A. Replat of Lots 1, 2, & 3 of the Replat of Block "A" , Quest Village, Section 2 Subdivision (SFP-11-005)
6.327 acres, 2 commercial lots
Located at the southwest corner of Discovery Boulevard and E. Whitestone Boulevard
Owner: LADA One, Ltd.
Agent: Jim Huffcutt, Pape-Dawson Engineers
Staff Resource: Emily Barron
Staff Proposal to P&Z: Approve

Senior Planner Emily Barron made the presentation and was available for questions. She advised that Staff had reviewed the plat and it met all state and local requirements. Staff recommended approval of the plat. The applicant, Jim Huffcutt, was present to answer questions.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Lux moved to recommend approval of Item 11A, Case SFP-11-005, as presented by Staff. Commissioner Yore seconded the motion and the motion passed unanimously, 6-0, with one absent.

12. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): None

13. DISCUSSION AND POSSIBLE ACTION ITEMS:

- A. Zoning Ordinance Amendments – Public Hearing and P&Z Action:
1. Discussion on ordinance amendments to Chapter 11 Zoning, Article 11.12 Definitions, Division 1: Definition of Terms Section 11.12.002 - Regarding definitions for Medical Office and Medical and Dental Clinics

Rawls Howard, Planning and Development Services Director, reviewed the current language for definitions of Medical Clinics and Medical Office. The current definitions are almost identical. The new language focuses on their impact. He requested feedback from the Commissioners.

There was much discussion among the Commissioners concerning the need to differentiate between the two definitions. The Commissioners requested that "and dental" be removed from "Medical and dental clinics". Under the Medical Office definition, they requested that the word "groups" be removed from "treatment by groups of doctors".

The final wording for the amendment providing better clarification between Medical Office and Medical Clinic is as follows:

Medical clinics: *The use of the site for the provision of medical, psychiatric, or surgical services on an out-patient basis. These facilities can be differentiated from a medical office in that such facilities would typically be composed of staff of various medical specialties, be primarily open to and operated for the general, walk-in public, and would not normally require an appointment. Example: emergency clinic or urgent care facility.*

Medical Office: *The use of the site for the consultation, diagnosis, therapeutic, preventative, or corrective personal treatment by doctors, dentists, or similar practitioners of medical and healing arts for humans, medical or dental laboratories. These facilities can be differentiated from a medical clinic in that such facilities primarily operate on an appointment basis, are generally not open to the general walk-in public, and offer specialized services or attention. Examples: doctor's office, diagnostic center, radiological association.*

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Vice Chair Thomas moved to recommend approval of the definitions as modified above. Commissioner Lux seconded the motion, and the motion passed as follows:

Yes: Thomas, Balestiere, Kauffman, Lux
No: Yore
Absent: Echeverria

2. Discussion on ordinance amendments to Chapter 11 – Zoning, Article 11.10 Boards and Commissions Division 3, Zoning Changes and Amendments – To add language regarding a Summary of Neighborhood Communications

Rawls Howard reviewed the amendment adding language regarding a Summary of Neighborhood Communications. He advised that this summary would be a tool that places responsibility on the applicant to detail communication efforts with neighborhood groups. It would be included as part of the zoning application package. He reviewed the process specifics. A meeting is not required, but the applicant must complete the summary form and return it to staff the day before the scheduled public hearing. He advised that it could be a valuable tool for decision making.

There was discussion among the Commissioners concerning the requirement that the form must be completed. They requested that Sec. 11.10.XXX 2)1.A. be changed from "efforts to notify" to

"efforts, if any, to notify". They also requested that Sec. 11.10.XXX 2)3. be removed. They stated that if a blank form could be submitted, there was no reason to postpone the application if the form was not submitted by the deadline. The Commissioner requested that staff rework the amendment and present the revisions at the next meeting.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Vice Chair Thomas moved to table this item to the next meeting. Commissioner Lux seconded the motion, and the motion passed unanimously, 6-0 with one absent.

Chair Trujillo recalled Item 4. See Item 4.

14. ADMINISTRATIVE ITEMS:

(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

A. Report on City Council actions from May 26, 2011 (Thomas Balestiere) and June 16, 2011 (Lorena Echeverria de Misi).

Commissioner Balestiere advised that a small group came to the May 26, 2011 meeting concerning the Wilson tract rezoning. City Council approved the zoning at the June 16, 2011 meeting. Rawls Howard advised that he gave a presentation on Home Occupation.

B. Director and Staff Comments

Rawls Howard advised that staff will bring the Rules and Procedures changes to the next meeting for their review. He advised that there will be staff-initiated zonings brought to the July and August meetings for Development Reserve districts. He advised that he will include the training program "Regulating Controversial Meetings" on the next agenda for discussion.

B. Commissioners Comments.

Commissioner Balestiere was concerned about the signs/banners on the new Murphy Mart canopy. He compared it to the Signature Convenience Store that recently went in. Rawls Howard advised that he would check with the Building Inspections department.

D. Request for Future Agenda Items.

Commissioner requested that the Sign Ordinance relating to current issues be included as a future agenda item. Rawls Howard stated that the professional development training would be included.

E. Designate Delegate to Attend Next Council Meeting on July 14, 2011

Commissioner Yore advised that he would attend the July 14th meeting.

15. ADJOURNMENT

Chair Trujillo adjourned the meeting at 8:18 p.m.

PASSED AND APPROVED THE ____ DAY OF _____, 2011.

SANDY TRUJILLO, Chairman

ATTEST:

LORENA ECHEVERRIA DE MISI, Secretary

MINUTES FOR
CITY OF CEDAR PARK
REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, JULY 19, 2011 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

NICHOLAS KAUFFMAN
 ALAN YORE

SANDY TRUJILLO, Chair
 STEPHEN THOMAS, Vice-Chair
 LORENA ECHEVERRIA, Secretary

THOMAS BALESTIERE
 JON LUX

1. CALL TO ORDER
Vice Chair Thomas called the meeting to order at 6:30 p.m.
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
Vice Chair Thomas led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.
3. ROLL CALL
Commissioner Balestiere arrived after Item 9.C. Chair Trujillo and Commissioner Lux were absent. All other Commissioners were present and a quorum was declared.
4. MINUTES: Approve minutes from the Regular Meeting of June 21, 2011
MOTION: Commissioner Kauffman moved to approve the Regular Called Meeting of June 21, 2011 Minutes as presented. Commissioner Yore seconded the motion.

MOTION WITHDRAWN: Commissioner Kauffman withdrew his motion because Secretary Echeverria had been absent at that meeting and there would not be a quorum if she abstained from the vote. Commissioner Yore withdrew his second. This item was postponed.
5. CITIZEN COMMUNICATIONS **None.**
6. CONSENT AGENDA:
 - A. STATUTORY DISAPPROVAL:
(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)
 1. Tower Centre Section 1, Amended Plat of Lots 1 & 2 (FPD-11-003)
6.652 acres, 2 commercial lots
Located on the south side of E. Whitestone Blvd, east of the 183A Toll Road
Owner: Bob Tesch, Strategic Texas Investments LP
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
 - B. SUBDIVISION APPROVALS:
 1. Buttercup Creek Phase V Section 13 (FP-11-003)
16.446 acres, 48 residential lots, 1 preserve lot

B. SUBDIVISION APPROVALS:

1. Buttercup Creek Phase V Section 13 (FP-11-003)
16.446 acres, 48 residential lots, 1 preserve lot
Located at the southeast corner of Gaspar Bend and Erica Kaitlin Lane
Owner: Forestar (USA) Real Estate
Agent: Charles Brigance
Staff Resource: Emily Barron
Staff Proposal to P&Z: Approve

2. Whitestone Oaks at Anderson Mill Section 3 (FP-11-001)
21.875 acres, 86 residential lots, 4 landscape/open space lots
Located along West New Hope Drive, north of Woodall Drive
Owner: Whitestone Oaks LP
Agent: John Hines, Gray Jansing and Associates
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve

3. Coco's Corner (SFP-11-004)
0.912 acres, 1 commercial lot
Located at the northwest corner of Anderson Mill Rd and Lime Creek Rd
Owner: Kochwelp Family Limited Partnership
Agent: Brent Hammond
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve

MOTION: Commissioner Yore moved to recommend approval of Consent Agenda Items 6.A.1 through 6.B.3 as presented. Commissioner Kauffman seconded the motion, and the motion passed unanimously, 4-0 with three absent.

7. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS: **None.**
Senior Planner Amy Link advised that the applicant had requested postponement of Items 8C and 9C to the August meeting.

MOTION: Secretary Echeverria moved to postpone Items 8C and 9C, Case Number Z-11-014, to the August 16, 2011 meeting. Commissioner Yore seconded the motion, and the motion passed unanimously, 4-0 with three absent.

8. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS: In accordance with the statutory requirements of the Texas Local Government Code reflected in Section 211.007, acceptance of preliminary reports for the following applications is recommended.

- A. City Initiated – 1400 Treeline, Z-11-007 (Related to item 9A)
- B. City Initiated – 1900 N. Lakeline, Z-11-008 (Related to item 9B)
- C. 210 North Lakeline, Z-11-014 (Related to item 9C)
- D. Pecan Grove, Z-11-015 (Related to item 9D)
- E. City Initiated – 1400 W. Whitestone Blvd., Z-11-016 (Related to item 9E)
- F. City Initiated – 1570 Cypress Creek Road, Z-11-018 (Related to item 9F)

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a City Initiated request to assign original zoning of Open Space Recreation (OSR) to approximately 4.038 acres located at 1400 Treeline. (Z-11-007)
Owner: City of Cedar Park
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. This zoning was being initiated by the City in order to provide assignment of original zoning of Open Space Recreation (OSR) to a currently designated Development Reserve (DR) tract. This property, 1400 Treeline, is currently developed and serves as an area for passive recreational sports as well as serving its primary purpose as a detention pond for a portion of the Carriage Hills neighborhood.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Kauffman moved to recommend approval of the rezoning of Item Z-11-007 from Development Reserve (DR) to Open Space Recreation (OSR) for property located at 1400 Treeline as presented by Staff to the City Council. Commissioner Yore seconded the motion and the motion passed unanimously, 4-0, with three absent.

MOTION: Commissioner Kauffman moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9A, Case Z-11-007. Commissioner Yore seconded the motion and the motion passed unanimously, 4-0, with three absent.

- B. Consider a City Initiated request to assign original zoning of Open Space Recreation (OSR) to approximately 8.63 acres located at 1900 N. Lakeline Boulevard. (Z-11-008)
Owner: City of Cedar Park
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. This zoning was being initiated by the City in order to provide assignment of original zoning of Open Space Recreation (OSR) to a currently designated Development Reserve (DR) tract. This property, 1900 North Lakeline Boulevard, is currently developed and serves as an area for passive recreational sports, known as New Hope Park, as well as serving its primary purpose as a detention pond for a northern portion of the Carriage Hills neighborhood. Emily Barron advised that staff received one supportive response and no negative responses for this item.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Secretary Echeverria moved to recommend approval of the rezoning of Item Z-11-008 from Development Reserve (DR) to Open Space Recreation (OSR) for property located at 1900 North

Lakeline Boulevard as presented by staff to the City Council. Commissioner Yore seconded the motion and the motion passed unanimously, 4-0, with three absent.

MOTION: Secretary Echeverria moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9B, Case Z-11-008. Commissioner Yore seconded the motion and the motion passed unanimously, 4-0, with three absent.

- C. Consider a request by Adrian Barron to rezone approximately 1.57 acres from Transitional Office (TO) to Local Retail (LR), for property located at 210 North Lakeline Boulevard. (Z-11-014)
Owner: Adrian Barron, Independent Executor of the Estate of Frank Barron
Agent: Samir Desai
Staff Resource Person: Amy Link
Staff proposal to P&Z: Transitional Commercial (TC)
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Item was postponed.

- D. Consider a request by Pecan Grove, SPVEF LP to rezone approximately 79.06 located on the east side of 183A northeast of the intersection of Scottsdale and 183A to the following: 22.02 acres from General Retail (GR) to General Retail with a Conditional Overlay (GR-CO) to only permit the following uses: administrative offices, medical offices, software development, food sales (limited), research and development activity (software only), day care center (incidental), professional offices, art galleries with retail sales, personal services (general), retail gift store, studios/art studio, dance, music, drama; personal improvement services, automobile parts/accessories sales, banks w/ or wo/ drive thru, convenience store, golf (amusement), hardware store, drugstore, retail stores, restaurant (limited), equipment rental, sales, service, repair; hotel (including extended stay), motel, software sales, computer hardware sales, automated teller machine, bakery (retail), consumer repair shop (including bicycles), dry cleaning and/or laundry on site, food sales (general), liquor store, restaurant (general), veterinary services, bar, cocktail lounge, furniture store, office/showrooms, theaters (indoor); 20.52 acres from General Retail (GR) to Single Family Residential, Urban Lot (SF-3); 22.51 acres from General Retail (GR) to General Office (GO); and 14.01 acres from General Retail (GR) to Light Industrial (LI). (Z-11-015)
Owner: Pecan Grove SPVEF, L.P.
Agent: Paul Linehan, Land Strategies
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Emily Barron made the presentation and was available for questions. The property is located on the northbound side of 183A Toll Road, east of the intersection of Scottsdale and 183A. The applicant had requested to rezone approximately 79.06 acres from General Retail (GR) to 22.02 acres of General Retail with a Conditional Overlay (GR-CO) (Tract 1); 20.52 acres of Single Family-Urban Lot (SF-3) (Tract 2), 22.51 acres of General Office (GO) (Tract 3), 14.01 acres of Light Industrial (LI) (Tract 4). Tracts 1 and 3 are in compliance with the Future Land Use Plan and meet the goals of the Comprehensive Plan.

Staff recommended the applicant's request for:

Tract 1 – General Retail with a Conditional Overlay (GR-CO) to limit the permitted uses to the following:

administrative offices	drugstore,
medical offices	retail stores,
software development	restaurant (limited)
food sales (limited)	equipment rental, sales, service, repair
research and development	hotel (including extended stay)
activity (software only)	motel
day care center (incidental),	software sales
professional offices	computer hardware sales
art galleries with retail sales,	automated teller machine
personal services (general)	bakery (retail)
retail gift store	consumer repair shop (including bicycles)
studios/art studio, dance,	dry cleaning and/or laundry on site
music, drama	food sales (general)
personal improvement	liquor store
services	restaurant (general)
automobile parts/accessories	veterinary services
sales	bar
banks w/ or without drive thru	cocktail lounge
convenience store	furniture store
golf (amusement)	office/showrooms
hardware store,	theaters (indoor)

Tract 2 – Urban Single-Family Residential District (SF-3)

Tract 3 – General Office (GO)

Tract 4 – Light Industrial (LI)

Emily Barron advised that if the applicant's request was recommended for approval, a Future Land Use Plan amendment will be required for Tract 2 to allow for SF-3 and for Tract 4 to allow for LI.

The applicant's agent, Paul Linehan, made a presentation and was available for questions. He advised that he had been working with the Planning and Economic Development staff. The applicant had worked the roadway locations to preserve as many trees as possible.

The Commissioners discussed the following: the size of lots, what made them unique, whether focus would be on building retail or residential, need for secondary access, and trail network.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

There was discussion among the Commissioners concerning the conditional overlay.

MOTION: Secretary Echeverria moved to recommend approval of the rezoning of Item Z-11-015 from General Retail (GR) to 22.02 acres of General Retail with a Conditional Overlay (GR-CO) (Tract 1); 20.52 acres of Single Family-Urban Lot (SF-3) (Tract 2), 22.51 acres of General Office (GO) (Tract 3), 14.01 acres of Light Industrial (LI) (Tract 4) as presented by Staff to the City Council. Commissioner Yore seconded the motion and the motion passed as follows:

Yes: Echeverria, Yore, Thomas, Balestiere
No: Kauffman
Absent: Trujillo, Lux

MOTION: Commissioner Yore moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9D, Case Z-11-015. Secretary Echeverria seconded the motion and the motion passed unanimously, 5-0, with two absent.

- E. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 1.34 acres located at 1400 West Whitestone Boulevard. (Z-11-016)
Owner: City of Cedar Park
Staff Resource Person: Amy Link
Staff proposal to P&Z: Approve
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

Senior Planner Amy Link made the presentation and was available for questions. This zoning was being initiated by the City in order to provide assignment of original zoning of General Retail (GR) to a currently designated Development Reserve (DR) tract. The former City Police Station site, located at 1400 West Whitestone Boulevard, is currently vacant. Existing structures on the tract were recently demolished in preparation for sale of the lot.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Secretary Echeverria moved to recommend approval of the rezoning of Item Z-11-016 from Development Reserve (DR) to General Retail (GR) for property located at 1400 West Whitestone Boulevard as presented by Staff to the City Council. Commissioner Kauffman seconded the motion and the motion passed unanimously, 5-0, with two absent.

MOTION: Secretary Echeverria moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9E, Case Z-11-016. Commissioner Yore seconded the motion and the motion passed unanimously, 5-0, with two absent.

- F. Consider a City initiated request to assign original zoning of Public Service (PS) to approximately 1.02 acres located at 1570 Cypress Creek Road. (Z-11-018)
Owner: City of Cedar Park
Staff Resource Person: Emily Barron

Senior Planner Emily Barron made the presentation and was available for questions. This zoning was being initiated by the City in order to provide assignment of original zoning of Public Service (PS) to a currently designated Development Reserve (DR) tract. This property, located at 1570 Cypress Creek Road, is currently developed and is home to Fire Station #2.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Yore moved to recommend approval of the rezoning of Item Z-11-018 from Development Reserve (DR) to Public Service (PS) for property located at 1570 Cypress Creek Road as presented by Staff to the City Council. Commissioner Balestiere seconded the motion and the motion passed unanimously, 5-0, with two absent.

MOTION: Commissioner Yore moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9F, Case Z-11-018. Commissioner Balestiere seconded the motion and the motion passed unanimously, 5-0, with two absent.

10. FUTURE LAND USE PLAN AMENDMENTS:

Items 10A and 10B were voted on together.

A. Future Land Use Plan amendment for property located along 183A known as Pecan Grove Senior Planner Emily Barron made the presentation and was available for questions. In conjunction with the Pecan Grove rezoning request (Z-11-015), staff is recommending the following amendments to the Future Land Use Plan: (1) Tract 2: Amend the Future Land Use map for 20.52 acres located on 183A north from Neighborhood Retail /Office / Commercial to Low Density Residential and (2) Tract 4: Amend the Future Land Use map for 14.01 acres located on 183A at the southeast corner of the property known as Pecan Grove from Neighborhood Office / Retail / Commercial to Industrial.

B. Future Land Use Plan amendment for property located at 1400 W. Whitestone Boulevard Senior Planner Amy Link made the presentation and was available for questions. In conjunction with the Old Police Station rezoning request (Z-11-016), staff is recommending the following amendment to the Future Land Use Plan: (1) Amend the Future Land Use Map for approximately 1.34 acres located at 1400 West Whitestone Boulevard from Neighborhood Office / Retail / Commercial to Regional Office/Retail/Commercial.

MOTION: Commissioner Kauffman moved to recommend approval of amending the Future Land Use Plan for Items 10.A and 10.B as presented by Staff to the City Council. Commissioner Balestiere seconded the motion and the motion passed unanimously, 5-0, with two absent.

11. SUBDIVISIONS (ACTION AND PUBLIC HEARING): None

12. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): None

13. DISCUSSION AND POSSIBLE ACTION ITEMS:

A. Zoning Ordinance Amendments – Public Hearing and P&Z Action:

1. Discussion on ordinance amendments to Chapter 11 – Zoning, Article 11.10 Boards and Commissions Division 3, Zoning Changes and Amendments – To add language regarding a Summary of Neighborhood Communications

Rawls Howard, Planning and Development Services Director, reviewed the revisions requested by the Commissioners at the June meeting.

Staff supports the following revised amendment:

Sec. 11.10.XXX Applicant's Summary of Neighborhood Communications for Zoning Changes

A neighborhood communication summary will be required for all properties located within 300' of a single family zoned property. The purpose of the neighborhood communication summary is to educate the applicant and the neighborhood about each other's interests, to attempt to resolve issues in a manner that respects those interests and to identify unresolved issues. This process seeks to enhance communications with the neighborhood but does not mandate a neighborhood meeting.

- 1) **Applicability:** The neighborhood communication requirements of this section apply to all zoning applications for properties within 300 feet of single family zoned property. If there are no single family zoned properties within 300 feet of the property under consideration, the applicant is exempt from neighborhood communication summary requirements.
- 2) **Summary Report**
 1. Prior to the public hearing, the applicant must submit a summary report to the Planning Director by 5pm the day prior to the scheduled public hearing. The summary report must describe:
 - A. Efforts, if any, to notify neighborhoods about the proposal (how and when notification occurred, and who was notified);
 - B. How information about the proposal was shared with neighborhoods (mailings, workshops or meetings, open houses, flyers, door-to-door handouts, etc.);
 - C. Who was involved in the discussions;
 - D. Suggestions and concerns raised by the neighborhoods; and
 - E. What specific conditions were added to or modified within the zoning request in response to concerns raised at the meeting.
 2. The applicant must present the summary report to the authorized decision-making body at the public hearing.
 3. ~~If the summary report is not received by the deadline the application will be postponed to the following Planning and Zoning Commission hearing.~~

MOTION: Commissioner Yore moved to recommend approval of adding language regarding a Summary of Neighborhood Communications as modified above. Commissioner Kauffman seconded the motion, and the motion passed 5-0, with two absent.

B. Discussion on modifications to the Planning and Zoning Commission Rules and Procedures
Rawls Howard presented the staff recommended modification of Chapter 3, Rule 3.1 of the Commission's Rules and Procedures to specify when election of officers will take place each year. The proposed amendments are noted below.

Chapter 3: Conduct of Meetings

Rule 3.1 Officers. The Officers of the Planning and Zoning Commission shall consist of a Chair, vice-chair, and secretary. The Officers of the Board shall be elected on an annual basis by majority vote of the Planning and Zoning Commission at the regular scheduled meeting in August ~~first meeting following Council appointments/reappointments~~. Terms of office shall be one (1) year. An officer may be reelected for an additional one year term but no individual shall serve for more than two (2) consecutive terms. All officers shall be subject to removal from office at any time by a vote of the majority of the entire Commission. A vacancy in the office of any officer shall be filled by a vote of a majority of the Commission.

MOTION: Commissioner Yore moved to recommend approval of the amendment revisions specifying that election of officers will take place at the Regular Scheduled meeting in August. Commissioner Kauffman seconded the motion.

AMENDED MOTION: Commissioner Yore moved to amend his motion as follows: recommend approval of the amendment revisions by specifying that election of officers will be held at the first regular scheduled meeting in August. Commissioner Kauffman accepted the amended motion, and the motion passed 5-0, with two absent.

C. Discussion on possible amendment to Future Land Use Plan along West Whitestone Boulevard between Walton Way and Lakeline Boulevard.

Rawls Howard advised the Commissioners that staff will bring suggestions to amend the Future Land Use Plan along West Whitestone Boulevard between Walton Way and Lakeline Boulevard to the August meeting. Several of the properties are already zoned for higher intensity land uses.

D. Review of training DVD - "Regulating Controversial Uses"

Rawls Howard requested that discussion on this item be postponed.

14. ADMINISTRATIVE ITEMS:

(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

A. Report on City Council actions from July 14, 2011

Rawls Howard advised that the Medical Office definition was accepted as proposed.

B. Director and Staff Comments **None.**

C. Commissioners Comments.

Commissioner Kauffman stated that he appreciated the excellent staff reports.

D. Request for Future Agenda Items.

Commissioners stated that Item 9D was postponed so it should be included on the August agenda.

E. Designate Delegate to Attend Next Council Meetings on July 28, 2011 and August 11, 2011

Commissioner Kauffman advised that he would attend the July 28th meeting. Commissioner Balestiere advised that he would attend the August 11th meeting.

15. ADJOURNMENT

Vice Chair Thomas adjourned the meeting at 8:00 p.m.

PASSED AND APPROVED THE ____ DAY OF _____, 2011.

SANDY TRUJILLO, Chairman

ATTEST:

LORENA ECHEVERRIA DE MISI, Secretary

August 16, 2011

Planning and Zoning Commission

Item:#

Subdivision

Buttercup Creek Phase V Section 15

6A1

Case Number: FP-11-004

OWNER: Forestar Real Estate Group Inc

AGENT: Charles Brigance, Carlson Brigance and Doering

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on North Lakeline Blvd between Buttercup Creek Blvd and Anthony Court

COUNTY: Williamson

AREA: 5.451 acres

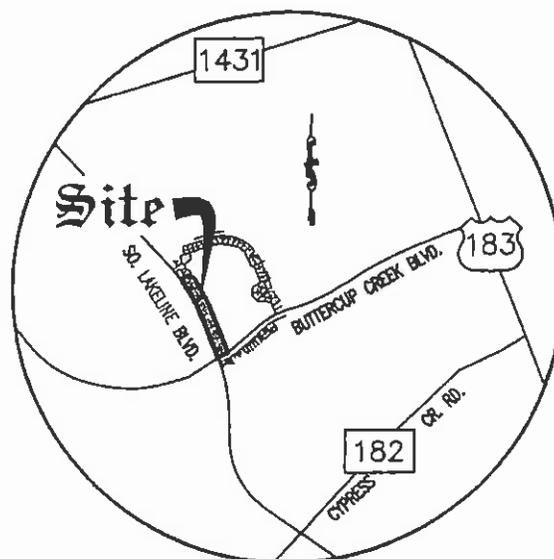
ZONING: SF-2

SUBDIVISION DESCRIPTION: 18 single family lots, 1 drainage lot, 3 landscape lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



= LOCATION MAP =
N.T.S.

August 16, 2011

Planning and Zoning Commission

Item:#

Subdivision

St. Mary Romanian Church

6A2

Case Number: FPD-11-004

OWNER: St. Mary Romanian Church

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located at 200 Monaco Drive

COUNTY: Williamson

AREA: .056 acres

ZONING: SF-1

SUBDIVISION DESCRIPTION: 1 lot

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



August 16, 2011

Planning and Zoning Commission

Item:#

Subdivision

Ranch at Brushy Creek Section 9C

6A3

Case Number: FP-11-006

OWNER: Standard Pacific of Texas, Inc.

AGENT: Karen Wunsch

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Located on North Frontier Lane

COUNTY: Williamson

AREA: 11.56 acres

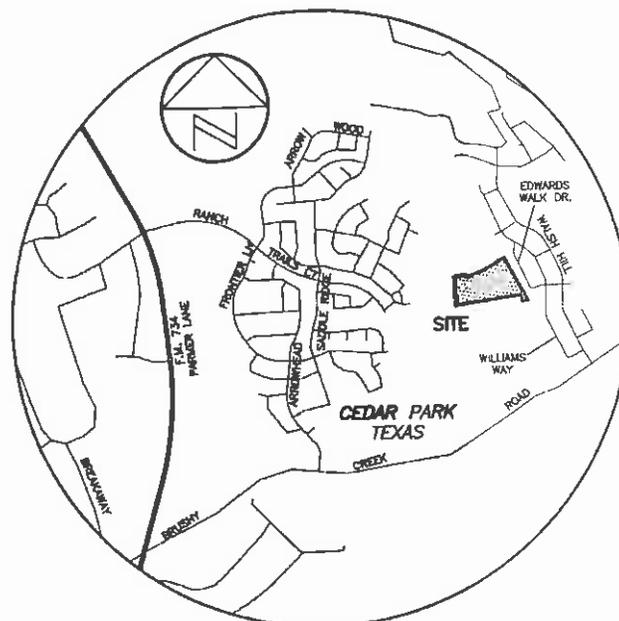
ZONING: SF-3

SUBDIVISION DESCRIPTION: 48 single family lots, 3 landscape lots, 2 parkland lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



LOCATION MAP
NOT TO SCALE

August 16, 2011

Planning and Zoning Commission

Item:#

Subdivision

Brushy Creek Enclave

6A4

Case Number: PP-11-003

OWNER: Wilson Land and Cattle Company

AGENT: Garrett Martin, Milestone Builders

STAFF: Amy Link, 401-5056, link@cedarparktx.us

LOCATION: Located at the northwest corner of Brushy Creek Road and Breakaway Road

COUNTY: Williamson

AREA: 41.06 acres

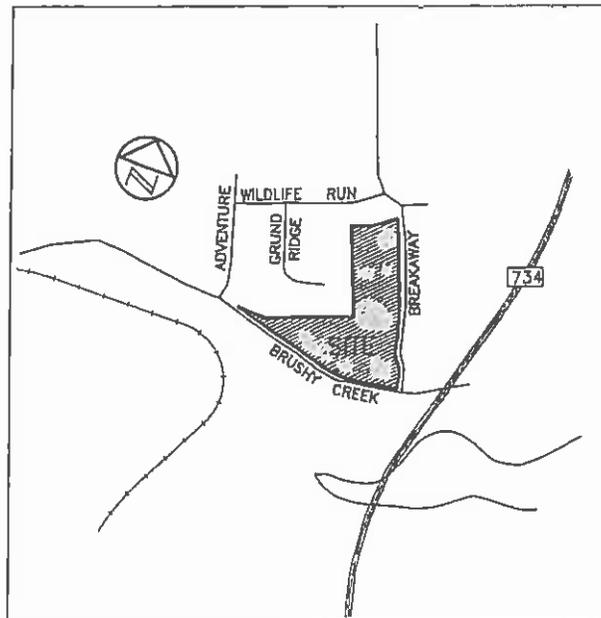
ZONING: SF-2-CO and LR-CO

SUBDIVISION DESCRIPTION: 105 single family lots, 3 commercial lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



LOCATION MAP
(N.T.S.)

August 16, 2011

Planning and Zoning Commission

Item:#

Subdivision

Cedar Park Town Center Sec 10

6A5

Case Number: FP-11-005

OWNER: Continental Homes of Texas LP

AGENT: James Brewer, Gray Jansing and Associates

STAFF: Amy Link, 401-5056, link@cedarparktx.us

LOCATION: Located along Discovery Boulevard, south of East New Hope Drive

COUNTY: Williamson

AREA: 19.965 acres

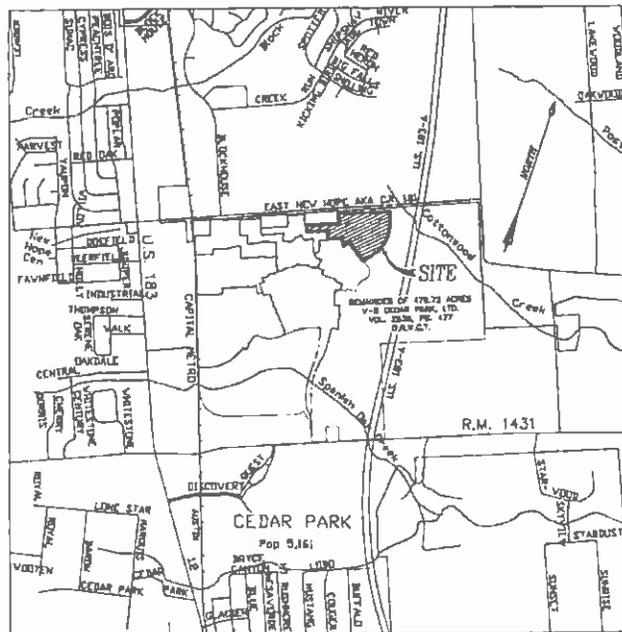
ZONING: DD

SUBDIVISION DESCRIPTION: 104 lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



LOCATION MAP
NOT TO SCALE

August 16, 2011

Planning and Zoning Commission

Item:#

Subdivision

Creekview Phase 4

6B1

Case Number: FP-10-005

OWNER: Continental Homes of Texas, L.P.

AGENT: Randall Jones & Associates Engineering

STAFF: Emily Barron, 401-5054, barron@cedarparktx.us

LOCATION: Located off Glacial Stream Lane

COUNTY: Williamson

AREA: 13.18 acres

ZONING: SF-2

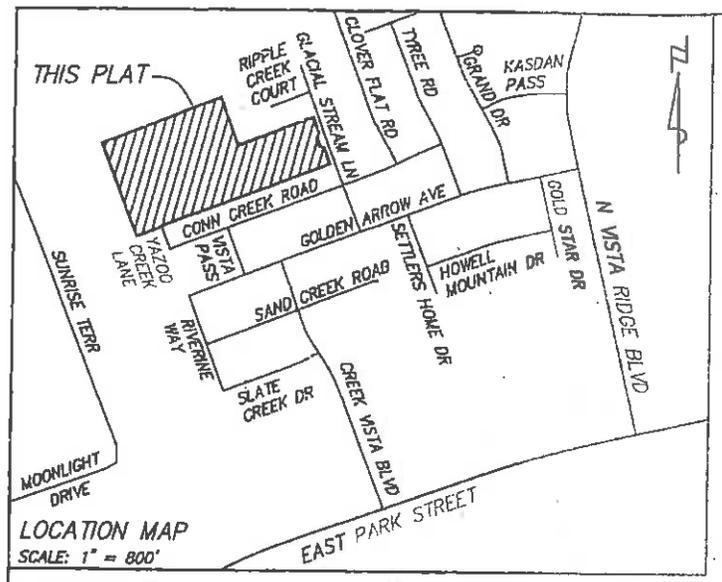
SUBDIVISION DESCRIPTION: 70 residential lots

STAFF COMMENTS:

This final plat meets all state and local requirements.

STAFF RECOMMENDATION:

Approval



August 16, 2011

Planning and Zoning Commission

Subdivision

**Cypress Bend Section 2 Phase A,
Resubdivision of Lot 9 Block I
Extension Request**

**Item:#
6B2**

Case Number: SFP-10-009

OWNER: Richard and Veronica Caldwell

STAFF: Amy Link, 401-5056, amy.link@cedarparktx.us

LOCATION: Located at 2220 Heather Drive

COUNTY: Williamson and Travis

AREA: 0.261 acres

ZONING: SF-2

SUBDIVISION DESCRIPTION: 1 single family lot

STAFF COMMENTS:

This plat was originally approved by the Planning and Zoning Commission on September 7, 2010. The applicant is in the process of recording the plat pending sign off from the lien holder for the property. The applicant has been unable to secure the lien holder signature and has asked for additional time to complete the process. Please see attached extension request letter.

The Planning and Zoning Commission may grant up to a one (1) year extension, so long as the final plat remains consistent with the Comprehensive Plan and ordinances of the City.

STAFF RECOMMENDATION:

The plat remains consistent with the Comprehensive Plan and ordinances of the City; therefore, staff recommends granting a one (1) year extension.

August 3, 2011

Re: Re-plat of 2220 Heather Dr.

Dear Amy,

It is our understanding that the process is complete with the exception of the signature of the lien holder. We have been unable to meet the requirements of Wells Fargo Home Mortgage Company to obtain their signature on the re-plat. We are requesting an extension to the timeline so that we can attempt to complete the process.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Richard Caldwell", with a long horizontal flourish extending to the right.

Richard and Veronica Caldwell

2220 Heather Dr. Cedar Park, TX 78613

512-250-5656 Home

August 16, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	210 North Lakeline Boulevard	8A & 9A
Case Number: # Z-11-014		

Owner: Adrian Barron, Independent Executor of the Estate of Frank Barron

Agent: Samir Desai

STAFF: Amy Link, 401-5056, amy.link@cedarparktx.us

LOCATION: 210 North Lakeline Boulevard

COUNTY: Williamson

AREA: 1.57 acres

EXISTING ZONING: Transitional Office (TO)

PROPOSED ZONING: Local Retail-Conditional Overlay (LR-CO) with the following conditions:

- Limit the building height to 35 feet
- Pitched roofs shall be required for all buildings, with the slope at a minimum ratio of 4:12
- Hours of operation shall be limited to the hours of 7am and 10pm
- Window and door fenestration glazed openings shall account for at least twenty-five (25) percent of the overall wall surface on walls fronting a public street
- Prohibit automated teller machines, automobile parts and accessory sales, convenience store, gas station limited, golf amusement, liquor store, restaurant general, rental libraries for sound and video recordings

STAFF RECOMMENDATION: Local Retail-Conditional Overlay (LR-CO) with the following conditions:

- Limit the building height to 35 feet
- Pitched roofs shall be required for all buildings, with the slope at a minimum ratio of 4:12
- Hours of operation shall be limited to the hours of 7am and 10pm
- Window and door fenestration glazed openings shall account for at least twenty-five (25) percent of the overall wall surface on walls fronting a public street
- Prohibit automated teller machines, automobile parts and accessory sales, convenience store, gas station limited, golf amusement, liquor store, restaurant general, rental libraries for sound and video recordings

EXISTING FUTURE LAND USE DESIGNATION: Neighborhood Office/Retail/Commercial

SUMMARY OF REQUEST:

The applicant is requesting to rezone approximately 1.57 acres from Transitional Office (TO) to Local Retail-Conditional Overlay (LR-CO) for property located at 210 North Lakeline Boulevard.

EXISTING SITE and SURROUNDING USES:

The site is currently undeveloped and is surrounded by undeveloped property to the north (zoned LI), south (zoned TO) and west (zoned LR). The tract to the east is currently zoned Single Family-Large Lot (SF).



August 16, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	210 North Lakeline Boulevard	8A & 9A
Case Number: # Z-11-014		

PURPOSE OF REQUESTED ZONING DISTRICT:

The Local Retail District, LR, is established to provide for office and retail businesses that are intended to serve the overall community, with a larger market than the immediate neighborhoods in the area. In order to accommodate the traffic generated from these businesses without negatively impacting the residential neighborhoods, these uses should be located primarily at pulse points or activity nodes where collector streets and arterial roadways intersect or at arterial roadway intersections. These uses generally serve a larger market than businesses found in a TC District; yet generally serve a local market opposed to the regional market served by uses in a GR District.

The purpose of a Conditional Overlay Combining District (CO) is to modify use and site development regulations to address the specific circumstances presented by a site. The Conditional Overlay Combining District may be used to promote compatibility between competing and potentially incompatible land uses (ex. prohibit a permitted use in the base district); ease the transition from one base district to another (ex. requiring additional buffers); address land uses or sites with special requirements (ex. prohibit access to a specific roadway from a site); and guide development in unique circumstances (ex. increase the minimum lot size).

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Neighborhood Office/Retail/Commercial uses, with compatible zoning districts such as Transitional Office (TO), Transitional Commercial (TC), General Office (GO), Local Retail (LR) and Mixed Use (MU).

The applicant's request does comply with the Future Land Use Plan (FLUP).

The request is also consistent with the following goals set forth in the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses.
- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues.
- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context.

August 16, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	210 North Lakeline Boulevard	8A & 9A
Case Number: # Z-11-014		

SITE INFORMATION:

Corridor Overlay:

This tract is located within the Corridor Overlay.

Transportation:

North Lakeline Boulevard is classified as a 4 lane divided major arterial adjacent to the tract. In 2008, the traffic count south of RM 1431 was 20,320 vehicles trips per day.

Water and Wastewater Utilities:

Water and wastewater lines are sized adequately for the existing and requested zoning on the site.

Subdivision:

The property is currently subdivided.

Setback Requirements:

	Local Retail (LR)
Front Setback	25'
Side Setback	12'
Rear Setback adjacent to single family	20'

Architectural Requirements:

The site is located entirely within the Corridor Overlay, which requires 75% masonry construction.

CASE HISTORY:

Case Number	Request	P&Z Recommendation	CC Action
Z-02-004	SF to LR	Recommended TO	Approved TO
Z-05-004	TO to MF	case withdrawn by applicant	
Z-05-032	TO to LR	Recommended denial of LR	Denied LR request

August 16, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	210 North Lakeline Boulevard	8A & 9A
Case Number: # Z-11-014		

STAFF COMMENTARY:

When preparing a recommendation for this request, staff reviewed two previous rezoning requests that included the subject tract. Cases Z-02-004 and Z-05-032 were both requests for the LR district. Both requests encompassed just under 4 acres, extending from the northeast corner of the intersection of W. Park St. and N. Lakeline Blvd, north to the northern boundary of the subject tract. Neither LR request was recommended by the Planning and Zoning Commission (P&Z) or recommended by the City Council. The original LR request resulted in approval of the current TO district. In 2005, the request for LR was recommended for denial and City Council ultimately denied the applicant's request. Concerns raised by citizens in the area at the time of these two requests included increased traffic along Park Street and compatibility with existing neighborhoods along Park Street. A valid petition opposing the 2005 request was also submitted by the surrounding property owners.

Based upon case history, staff had initially proposed an alternate recommendation of Transitional Commercial (TC). The case was postponed at the July 19th Planning and Zoning Commission meeting to allow the applicant to continue discussions with the neighborhood in an attempt to find some consensus regarding proposed development of the tract. Based upon subsequent discussions with the applicant and supporting documentation from neighborhood communication, staff is recommending the applicant's request for LR-CO.

The proposed LR district allows flexibility in the types of uses permitted while the conditions ensure compatibility with the surrounding neighborhood. The small building scale (height limited to maximum 35 feet) and architectural features (articulation and roof design) will provide for features consistent with residential styles. The limited hours of operation (7am to 10pm) and prohibition of some intense land uses will preserve a compatible transition from the more intense commercial land use west of Lakeline to lesser intense commercial uses east of Lakeline, and finally to the single family residential uses east of the subject tract.

STAFF RECOMMENDATION:

Staff's recommendation is to approve LR-CO as requested by the applicant.

PUBLIC INPUT: To date, staff has received some telephone inquiries and written responses. Written responses as well as documentation from the applicant's neighborhood communications are attached for reference.

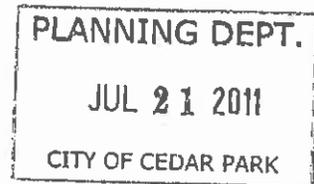
PUBLIC NOTIFICATION: Cedar Park Citizen, July 7, 2011
8 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (September 22, 2011) 1ST Reading
(October 6, 2011) 2ND Reading

5608 Standing Rock Drive
Austin, TX 78730

confidential
fax

To: **Amy Link**
Fax Number: 512-258-6083



From: **Joe Konopka**
Fax Number:
Business Phone: 512-345-9298
Home Phone: 512-345-9298

Pages: 2
Date/Time: 7/19/2011 6.06 17 PM
Subject: Zoning File# Z11-11-014 (Barron's Request to Rezone Rejected)

Amy,

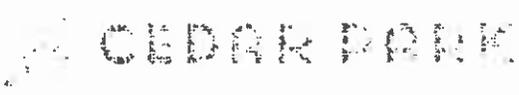
A copy of my rejection of the Barron's request to rezone 210 N. Lakeline (Lot3 Block A Cedar Park Ranchette Resubdivision of Tract 90) follows

I bought Lot 2 from the Barrons with the understanding that the three lots were zoned Transtion Office (TO) limited to medical and clinical use. I have approval from the City to build. Rezoning would have a significant impact on my investment because of the increased traffic, spill over parking, security and lack of a professional use general area

I would have trouble trying to rent the approved office space as professionl offices and many complaints from the potential renters

Joe Konopka

512-345-9298



Notice of Public Hearings on a Proposed Zoning Change

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:
Z-11-014

The City of Cedar Park shall hold a public hearing on a request by Adrian Burdick to rezone approximately 57 acres from Transitional Office (TO) to Local Retail (LR) for property located at 210 N. Lancelme, otherwise described as Lot 3, Block A, Cedar Park Ranchettes Resubdivision of Tract 9, in Williamson County, Texas.

The Planning and Zoning Commission may recommend and the City Council may consider assigning any zoning district which is equivalent or more restrictive than that which is requested and which is deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

A public hearing will be held by the Planning and Zoning Commission on Tuesday, July 19, 2011 at 6:30pm.

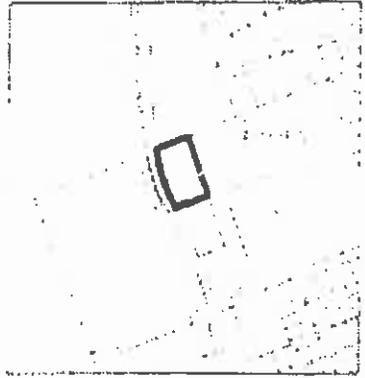
A public hearing will be held by the Cedar Park City Council on Thursday, August 25, 2011 at 6:30pm.

Construction and second reading may be considered at the meeting to follow the public hearing (September 8, 2011).

Cedar Park Library Meeting Room
1700 Executive Blvd., Cedar Park, Texas

Agent: Sammie Duester, 681-4458

For more information regarding this application, contact the Planning Department at 681-2116 or 48556.



PLANNING DEPT.
JUL 21 2011
CITY OF CEDAR PARK

You may send your written comments to the Planning Department (690 N. Bell Blvd., Cedar Park, Texas 78613) or e-mail planning@cedarparktx.us (title: Zoning File #: Z-11-014)

Name: Joseph J. Krompholtz

Address: 5100 Sanding Park Dr, Cedar Park, TX 78613

I am in favor, this is why:

I am not in favor, and this is why:

Re-zoned properly with understanding.

Re-zoning would preserve property

that it was zoned for prior.

in best ability to best benefit

medical office use.

of increase traffic, security and

Page One

1.) Dear Neighbors, The owners of 210 N Lakeline Blvd are planning to build a high quality commercial retail center on the site. We would greatly appreciate your input and your preference for businesses at this location. You may de-select any businesses that you do not prefer from the choices below. Thank you for your time.

- Coffee Shop
- Small or Unique Retail Shops
- Personal Services Shops (Hair Salon, Nail Salon etc.)
- Medical and/or Dental Services
- Veterinarian
- Other Pet Related
- Dry Cleaners and/or Laundromat
- Bakery
- Local or Unique Restaurants
- General Restaurants *No fast food*
- Professional Service Office (e.g. architect, lawyer, accountant)
- Banking Services
- Gas Station
- 24 hour Convenience Store
- Limited Hours Small Convenience Store
- 24 Hour Retail Store
- Limited Hours Retail Store
- Limited Hour Repair Shop
- Limited Hour Auto Supply Store
- Limited Hour Drug Store
- Liquor Store

2.) Please, provide additional comments or thoughts (if any) on this topic.

No late night or loud business.

3.) Your Contact Information:

*Ed Campos
589-4284*

Page One

1.) Dear Neighbors, The owners of 210 N Lakeline Blvd are planning to build a high quality commercial retail center on the site. We would greatly appreciate your input and your preference for businesses at this location. You may de-select any businesses that you do not prefer from the choices below. Thank you for your time.

- Coffee Shop
- Small or Unique Retail Shops
- Personal Services Shops (Hair Salon, Nail Salon etc.)
- Medical and/or Dental Services
- Veterinarian
- Other Pet Related
- ~~Dry Cleaners and/or Laundromat~~
- Bakery
- Local or Unique Restaurants
- General Restaurants
- Professional Service Office (e.g. architect, lawyer, accountant)
- Banking Services
- ~~Gas Station~~
- ~~24 hour Convenience Store~~
- ~~Limited Hours Small Convenience Store~~
- ~~24 Hour Retail Store~~
- Limited Hours Retail Store
- Limited Hour Repair Shop
- ~~Limited Hour Auto Supply Store~~
- Limited Hour Drug Store
- ~~Liquor Store~~

2.) Please, provide additional comments or thoughts (if any) on this topic.

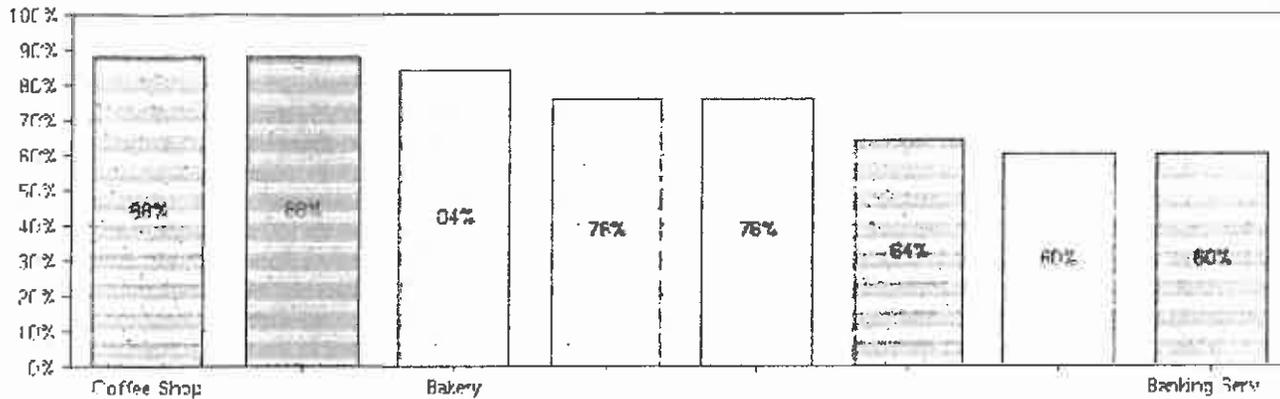
Steven Smith
100 N Lakeline Blvd

3.) Your Contact Information:

512 - 219 - 1389

Summary Report - Jul 7, 2011

210 N. Lakeline Blvd Retail



Dear Neighbors, The owners of 210 N Lakeline Blvd are planning to build a high quality commercial retail center on the site. We would greatly appreciate your input and your preference for businesses at this location. Industrial, manufacturing and Adult oriented businesses are NOT Permitted and are not considered in our plan. You may de-select any businesses that you do not prefer from the choices below. Thank you for your time.

Value	Count	Percent %	Statistics
Coffee Shop	22	88%	Total 25 Responses
Small or Unique Retail Shops	22	88%	Sum 192.0
Personal Services Shops (Hair Salon, Nail Salon, etc.)	19	76%	Average 24.0
Medical and/or Dental Services	12	48%	Max 24.0
Veterinarian	10	40%	
Other Pet Related	9	36%	
Dry Cleaners and/or Laundromat	11	44%	
Bakery	21	84%	
Local or Unique Restaurants	19	76%	
General Restaurants	13	52%	
Professional Service Office (e.g. architect, lawyer, accountant)	16	64%	
Banking Services	15	60%	
Gas Station	9	36%	
24 hour Convenience Store	4	16%	
Limited Hours Small Convenience Store	7	28%	
24 Hour Retail Store	4	16%	
Limited Hours Retail Store	16	64%	
Limited Hour Retail Shop	3	12%	
Limited Hour Auto Supply Store	5	20%	
Limited Hour Drug Store	11	44%	
Book Store	9	36%	

Neighborhoods Covered:

- West Park Street between Bluejack Place and Lakeline Blvd.
- Dear Trace Drive
- Bluejack Place
- Colby Lane
- Sugarberry drive
- Mahogany Lane
- Sophora Place
- Shelby Trails Pass
- S. Prize Oaks drive
- Prize Oaks drive
- Settlers Drive
- Brianna Court
- Oakmont Forest
- Amelia Drive
- Foster Drive

I personally distributed survey to more than 300 homes on the streets listed above.

W Park St

Mahogany Ln

Sugartown Dr
Sophora Pl

Shady Trails Pass

S Prize Oaks Dr

Brianna Ct

Colby Ln

Colby
Larae Park

Colby Ln

Amelia Dr

Foster Dr

Oakmont Forest

Colby Ln

N Park St

Derek Dr

Deer Trace Cove

Deer Trace

Sellers Dr

Prize Oaks Dr

W Park St

Yellow Rose Trail

Thistle Trail

Pamir Brush Trail

Folie

CI

August 16, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	City Initiated Zoning	8B/9B
	Brushy Creek Lake	
Case Number: # Z-11-006		

OWNER: City of Cedar Park and Will Wilson

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Brushy Creek Lake Park on Brushy Creek Road

COUNTY: Williamson

AREA: 93.636 acres

EXISTING ZONING: Development Reserve (DR) – 92.436 acres
Single Family (SF) – 1.20 acres

PROPOSED ZONING: Open Space Recreation (OSR)

STAFF RECOMMENDATION: Open Space Recreation (OSR)

FUTURE LAND USE PLAN EXISTING: Parks and Open Space

FUTURE LAND USE PLAN PROPOSED: Parks and Open Space

This zoning is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item, along with many others, are being brought forward as a request by the City Council to reflect actual land uses on properties, promote economic development of areas, and to indicate the highest and best use of property as designated on the Future Land Use Plan. This particular site, unlike the majority of the City initiated requests contains 1.20 acres of property that is zoned Single Family (SF). We have included this area in our request in order to better reflect the uses on the ground within this tract.

This property is located within Brushy Creek Lake Park and is primarily Brushy Creek.

August 16, 2011

Planning and Zoning Commission

**Item:
8B/9B**

Zoning

**City Initiated Zoning
Brushy Creek Lake**

Case Number: # Z-11-006



August 16, 2011

Planning and Zoning Commission
City Initiated Zoning
Brushy Creek Lake

Item:
8B/9B

Zoning

Case Number: # Z-11-006

PURPOSE OF REQUESTED ZONING DISTRICT:

The Open Space Recreation District, OSR, is established to implement the goals of the Comprehensive Plan to develop and implement a system of parks and recreational opportunities throughout the community that responds to the broad variety of recreational needs of the different age groups and interests of people residing in all areas of the City.

Permitted uses within the Open Space Recreation (OSR) zoning district include:

- Historic Landmarks, limited (buildings and or structures only)
- Passive outdoor sports and recreation
- Parking lot, accessory (Publicly owned parking areas constructed only for public access to a greenbelt or park area)
- Utility services, local
- Outdoor sports and recreation
- Parks, playgrounds, community buildings, recreation centers and other public recreational facilities and activities
- Public restrooms, storage facilities, (as part of the principal building and/or in separate buildings as accessory uses to the principal permitted use only)
- Retention, detention and water quality ponds
- Temporary buildings
- Accessory structures

FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Parks and Open Space which states that Open Space Greenbelt (OSG) and Open Space Recreation (OSR) are appropriate districts.

SITE INFORMATION:

Corridor Overlay:

This property is not within the Corridor Overlay.

Transportation:

Brushy Creek Road is classified as an arterial roadway and abuts the site to the north.

Subdivision:

This site has a legal lot status.

<p>August 16, 2011</p> <p>Zoning</p>	<p><i>Planning and Zoning Commission</i></p> <p>City Initiated Zoning</p> <p>Brushy Creek Lake</p>	<p>Item: 8B/9B</p>
<p>Case Number: # Z-11-006</p>		

Setback Requirements:

Front Setback	25'
Side Setback	12'
Rear Setback	10'

Architectural Requirements:

Each exterior wall area of a site built in this district shall have one hundred (100) percent masonry construction exclusive of doors and windows.

Staff Commentary:

The City sent a letter to the property owner of the 1.20acre portion of the property in July. The property owner contacted staff and had several questions but ultimately had no objection to the rezoning of the property.

The requested district meets Future Land Use Plan and Comprehensive Plan.

Staff Recommendation:

Staff recommends that this site be assigned Open Space Recreation (OSR).

PUBLIC NOTICE: August 4, 2011 Cedar Park Citizen

PUBLIC INPUT: Staff has received no public input at the time of publication of this report

PROPOSED CITY COUNCIL HEARINGS: September 22, 2011 ~ Public Hearing/1ST Reading
October 6, 2011 ~ 2ND Reading

August 16, 2011

Planning and Zoning Commission
City Initiated Zoning
Brushy Creek Lake

Item:
8B/9B

Zoning

Case Number: # Z-11-006



Z-11-006



August 16, 2011

Planning and Zoning Commission

**Item:
8C/9C**

Zoning

**City Initiated Zoning
3003 and 3100 Woodall**

Case Number: # Z-11-009

OWNER: Lake Bum Enterprises and James and Martha Isbell

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: 3003 and 3100 Woodall

COUNTY: Travis

AREA: 11.6 acres

EXISTING ZONING: Development Reserve (DR) – 11.6 acres

PROPOSED ZONING: Light Industrial (LI) – 11.6 acres

STAFF RECOMMENDATION: Light Industrial (LI) – 11.6 acres

FUTURE LAND USE PLAN EXISTING: Industrial

FUTURE LAND USE PLAN PROPOSED: Industrial

This zoning is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item, along with many others, are being brought forward as a request by the City Council to reflect actual land uses on properties, promote economic development of areas, and to indicate the highest and best use of property as designated on the Future Land Use Plan.

Site:



August 16, 2011

Zoning

Planning and Zoning Commission
City Initiated Zoning
3003 and 3100 Woodall

Item:
8C/9C

Case Number: # Z-11-009



August 16, 2011

Planning and Zoning Commission

**Item:
8C/9C**

Zoning

**City Initiated Zoning
3003 and 3100 Woodall**

Case Number: # Z-11-009

PURPOSE OF REQUESTED ZONING DISTRICTS:

The Light Industrial District, LI, is intended to accommodate a variety of commercial services and limited manufacturing operations contained principally within an enclosed structure, while implementing measures to ensure the sustainability of both the industries and the neighborhoods and to maintain the quality of life in the City.

Permitted uses

- Art studio, industrial
- Manufacturing, custom
- Manufacturing, processing and assembly facilities, light
- Office/warehouse
- Seasonal businesses, See Article 11.07 [11.06], Division 2 [Chapter 6, Article 6.02.]
- Telecommunication towers
- Transit station
- Utility services, general
- Warehousing and distribution, limited
- Wholesale sales, Sec. 11.02.217C
- Temporary buildings, Sec. 11.01.010
- Temporary uses specific to this district, Sec. 11.02.217A
- Secondary uses specific to this district, Sec. 11.02.217B
- Accessory structures see Secs. 11.04.001–11.04.004

FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Industrial uses which includes the Light Industrial (LI), General Industrial (GI) and Heavy Industrial (HI) zoning districts.

SITE INFORMATION:

Corridor Overlay:

The rear portion of this property is located within the Corridor Overlay.

Transportation:

Woodall Drive is the former alignment of W. Whitestone which was realigned in 2009.

Subdivision:

A subdivision or legal lot determination will need to be completed prior to development.

August 16, 2011

Planning and Zoning Commission

**Item:
8C/9C**

Zoning

**City Initiated Zoning
3003 and 3100 Woodall**

Case Number: # Z-11-009

Setback Requirements:

	LI
Front Setback	25'
Side Setback	25'
Rear Setback	25'

Architectural Requirements:

Each exterior wall area of a site built in this district shall be required to have 50-75% masonry construction dependent on which portions of each lot fall within the corridor overlay.

Staff Commentary:

The City sent a letter to the property owners of each lot. We requested comments or concerns from the property owners and to date we have not heard from any of them. One of the lots has an existing RV storage use on the property. This use will remain as an existing non-conforming use until such time the owner chooses to develop the site in conformance with assigned zoning district.

The requested district meets the Future Land Use Plan and the goals and objectives of the City's Comprehensive Plan.

Staff Recommendation:

Staff recommends that 11.6 acres be zoned Light Industrial (LI).

PUBLIC NOTICE: August 4, 2011 Cedar Park Citizen

PUBLIC INPUT: Staff has received no public input at the time of publication of this report

PROPOSED CITY COUNCIL HEARINGS: September 22, 2011 ~ Public Hearing/1ST Reading
October 6, 2011 ~ 2ND Reading

August 16, 2011

Zoning

Planning and Zoning Commission
City Initiated Zoning
3003 and 3100 Woodall

Item:
8C/9C

Case Number: # Z-11-009



Z-11-009



August 16, 2011

Planning and Zoning Commission
**City Initiated Zoning
Brushy Creek**

**Item:
8D/9D**

Zoning

Case Number: # Z-11-010

OWNER: Margaret Everett, Kuen-An and Chang-Lan Liu, Carl Wells, Fausto and Catalina Castro, Terry Lamar Robinson, Russell and Vickie Garner, and J.E. and Summerlin Spring

STAFF: Emily Barron, 401-5054, emily.barron@cedarparktx.us

LOCATION: Brushy Creek Road just west of the Brushy Creek Sports Park

COUNTY: Williamson

AREA: 119.83 acres

EXISTING ZONING: Development Reserve (DR) – 119.83 acres

PROPOSED ZONING: Local Retail (LR) – 24.308 acres
Light Industrial (LI) – 95.53 acres

STAFF RECOMMENDATION: Local Retail (LR) – 24.308 acres
Light Industrial (LI) – 95.53 acres

FUTURE LAND USE PLAN EXISTING: Neighborhood Office/Retail/Commercial and
Employment Center

FUTURE LAND USE PLAN PROPOSED: Neighborhood Office/Retail/Commercial and
Employment Center

This zoning is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item, along with many others, are being brought forward as a request by the City Council to reflect actual land uses on properties, promote economic development of areas, and to indicate the highest and best use of property as designated on the Future Land Use Plan.

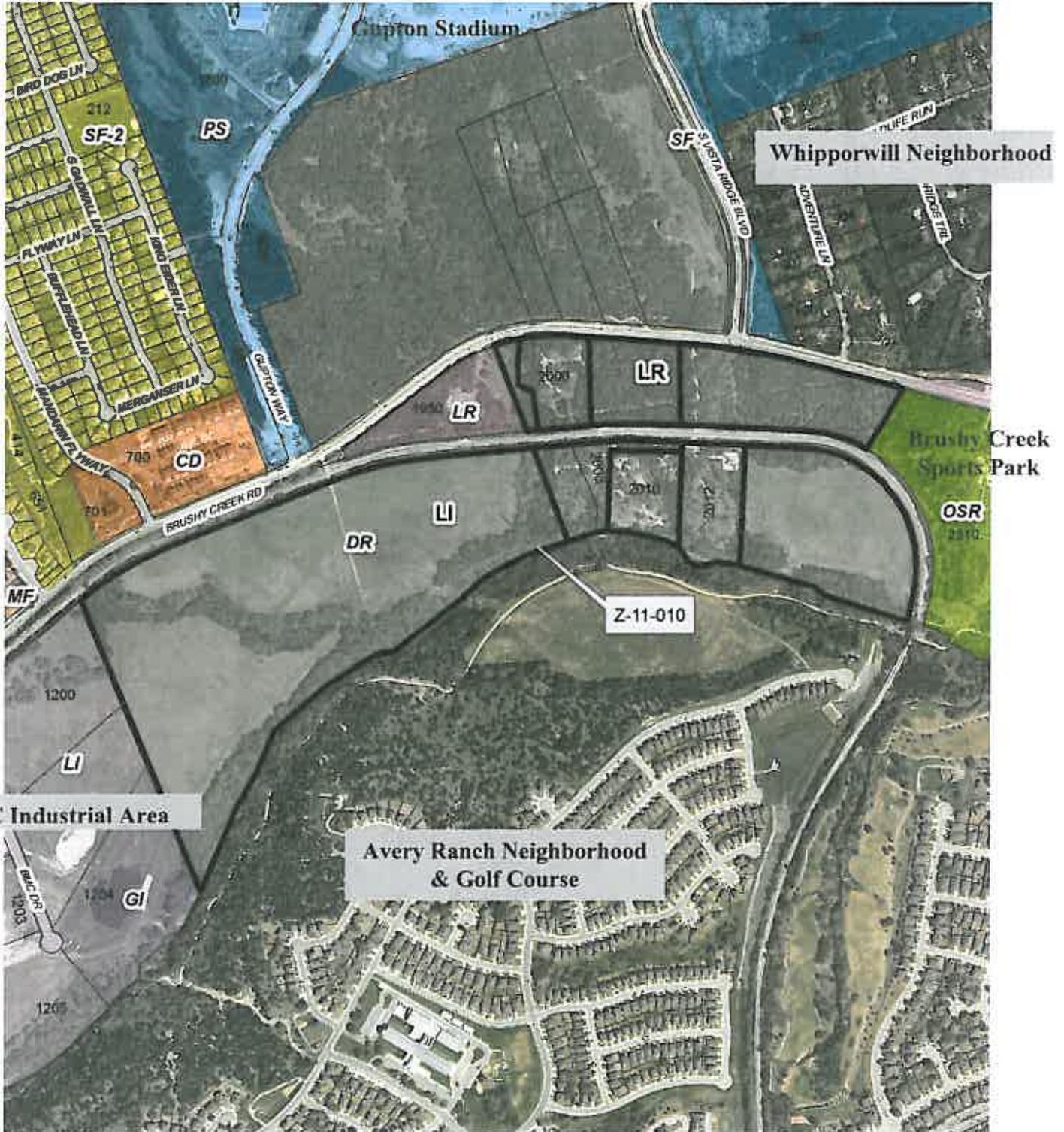
August 16, 2011

Planning and Zoning Commission
City Initiated Zoning
Brushy Creek

Item:
8D/9D

Zoning

Case Number: # Z-11-010



August 16, 2011

Planning and Zoning Commission
City Initiated Zoning
Brushy Creek

Item:
8D/9D

Zoning

Case Number: # Z-11-010

PURPOSE OF REQUESTED ZONING DISTRICTS:

Local Retail (LR):

The Local Retail District, LR, is established to provide for office and retail businesses that are intended to serve the overall community, with a larger market than the immediate neighborhoods in the area. In order to accommodate the traffic generated from these businesses without negatively impacting the residential neighborhoods, these uses should be located primarily at pulse points or activity nodes where collector streets and arterial roadways intersect or at arterial roadway intersections. These uses generally serve a larger market than businesses found in a TC District; yet generally serve a local market opposed to the regional market served by uses in a GR District.

Permitted uses

- Administrative offices
- Art gallery
- Day care center, incidental
- Medical offices
- Places of worship
- Professional offices
- Public buildings, uses
- Software development
- Temporary buildings
- Utility services, general
- Accessory structures
- Private schools (Accredited only, with curriculum equivalent to public elementary or secondary schools)
- Wireless telecommunications facilities, see art. 14.09.
- Art galleries with retail sales
- Bed and Breakfast
- Community center
- Day care center, adult
- Day care center, child
- Food sales, limited
- Instant print copy services
- Movie and music rentals, sales
- Personal services, general
- Research and development activities (as it pertains to software only)
- Retail gift store
- Studios/art studio, dance, music, drama, gymnastics, photography, interior design
- Software sales, computer hardware sales
- Vocational or trade school

August 16, 2011

Planning and Zoning Commission

Zoning

**City Initiated Zoning
Brushy Creek**

**Item:
8D/9D**

Case Number: # Z-11-010

- Personal Improvement Services
- Automated Teller Machines
- Automobile parts and accessories sales
- Bakery, retail
- Banks (with or without drive-through facilities)
- Consumer repair shop (including bicycles)
- Convenience store
- Dry cleaning and/or laundry, on-site
- Gasoline service stations, limited
- Golf, amusement, Sec. 11.12.002
- Food sales, general (grocery store)
- Hardware stores
- Landscape nursery and supply store, retail
- Laundromat
- Liquor store, Sec. 11.02.152D
- Nonprofit seasonal fundraisersDrugstores
- Personal Improvement Services, Limited
- Pet grooming
- Restaurant, general
- Rental libraries for sound and video recordings
- Retail stores, See. 11.02.152E
- Veterinary Services, Sec. 11.02.152F
- Non-Emergency Medical Transport Service (Conditional)

Light Industrial (LI):

The Light Industrial District, LI, is intended to accommodate a variety of commercial services and limited manufacturing operations contained principally within an enclosed structure, while implementing measures to ensure the sustainability of both the industries and the neighborhoods and to maintain the quality of life in the City.

Permitted uses

- Art studio, industrial
- Manufacturing, custom
- Manufacturing, processing and assembly facilities, light
- Office/warehouse
- Seasonal businesses, See Article 11.07 [11.06], Division 2 [Chapter 6, Article 6.02.]
- Telecommunication towers
- Transit station
- Utility services, general
- Warehousing and distribution, limited
- Wholesale sales, Sec. 11.02.217C
- Temporary buildings, Sec. 11.01.010

August 16, 2011

Planning and Zoning Commission

Zoning

**City Initiated Zoning
Brushy Creek**

**Item:
8D/9D**

Case Number: # Z-11-010

- Temporary uses specific to this district, Sec. 11.02.217A
- Secondary uses specific to this district, Sec. 11.02.217B
- Accessory structures see Secs. 11.04.001–11.04.004

FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for 1) Neighborhood Office/Retail/Commercial which includes Transitional Commercial (TC), Transitional Office (TO), General Office (GO), Local Retail (LR) and Mixed Use (MU) and 2) Employment Center which includes Business Center (BD), Light Industrial (LI), General Office (GO), Hospital (H) and Mixed Use (MU).

SITE INFORMATION:

Corridor Overlay:

This property is partially within the Corridor Overlay.

Transportation:

Brushy Creek Road is classified as an arterial roadway and abuts the site to the north.

Subdivision:

This site has a legal lot status.

Setback Requirements:

	LR	LI
Front Setback	25'	25'
Side Setback	12'	25'
Rear Setback	5'	25'

Architectural Requirements:

Each exterior wall area of a site built in this district shall be required to have 50-75% masonry construction dependent on which portions of each lot fall within the corridor overlay.

Staff Commentary:

The City sent a letter to the property owners of each lot. We requested comments or concerns from the property owners and to date we have not heard from any of them.

August 16, 2011

Planning and Zoning Commission

Zoning

**City Initiated Zoning
Brushy Creek**

**Item:
8D/9D**

Case Number: # Z-11-010

The requested districts meet the Future Land Use Plan and the goals and objectives of the City's Comprehensive Plan.

Staff Recommendation:

Staff recommends that 24.308 acres be zoned LR and 95.53 acres be zoned LI.

PUBLIC NOTICE: August 4, 2011 Cedar Park Citizen

PUBLIC INPUT: Staff has received no public input at the time of publication of this report

PROPOSED CITY COUNCIL HEARINGS: September 22, 2011 ~ Public Hearing/1ST Reading
October 6, 2011 ~ 2ND Reading

August 16, 2011

Planning and Zoning Commission
City Initiated Zoning
Brushy Creek

Item:
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Zoning

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Z-11-010



August 16, 2011

Planning and Zoning Commission

**Item:
8E and
9E**

Zoning

**13406 Anderson Mill Road
City Initiated**

Case Number: Z-11-017

OWNER: Elizabeth Ann Hasler Life Estate

STAFF: Amy Link, (512) 401-5056, amy.link@cedarparktx.us

LOCATION: 13406 Anderson Mill Road

COUNTY: Travis County

AREA: 5.25 acres

EXISTING ZONING: Single Family-Large Urban Lot (SF-2)

STAFF RECOMMENDATION: Transitional Commercial-Conditional Overlay (TC-CO) with a condition to limit the hours of operation to between the hours of 7am and 8pm

SUMMARY OF REQUEST:

This item is being brought forward as a request by the City Council to promote economic development of areas and to indicate the highest and best use of property as designated on the Future Land Use Plan.

EXISTING SITE:



August 16, 2011

Planning and Zoning Commission

**Item:
8E and
9E**

Zoning

**13406 Anderson Mill Road
City Initiated**

Case Number: Z-11-017

SURROUNDING LAND USES:



August 16, 2011

Planning and Zoning Commission

Item:

Zoning

**13406 Anderson Mill Road
City Initiated**

**8E and
9E**

Case Number: Z-11-017

PURPOSE OF REQUESTED ZONING DISTRICTS:

The Transitional Commercial District, TC, is established to provide for various types of small retail, business, and service uses to be located adjacent to residential areas with a positive impact. Permitted uses in this district are more compatible with adjacent residential areas by having limited hours of operation, small building scale, and architectural and landscape features that are consistent with residential style. This district is intended to allow for limited, nonresidential land uses that provide for a smooth transition to and from the area to preserve the integrity of the residential neighborhood. The TC District provided [provides] shopping and retail services that are generally compatible near or adjacent to residential neighborhoods, allowing access to services by pedestrians and bicycles.

The purpose of a Conditional Overlay Combining District (CO) is to modify use and site development regulations to address the specific circumstances presented by a site. The Conditional Overlay Combining District may be used to promote compatibility between competing and potentially incompatible land uses (ex. prohibit a permitted use in the base district); ease the transition from one base district to another (ex. requiring additional buffers); address land uses or sites with special requirements (ex. prohibit access to a specific roadway from a site); and guide development in unique circumstances (ex. increase the minimum lot size).

FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Neighborhood Office/Retail/Commercial land uses, with compatible zoning districts such as Local Retail (LR), Transitional Commercial (TC), General Office (GO), Transitional Office (TO) and Mixed Use (MU).

COMPREHENSIVE PLAN

The request is consistent with the following goals set forth in the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues.
- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses.
- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context.

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4.2.4 Redevelopment:

- Prepare for future commercial redevelopment and encourage redevelopment where possible.

SITE INFORMATION:

Corridor Overlay:

Anderson Mill Road is a corridor roadway.

Transportation:

Anderson Mill Road is classified as a major divided arterial roadway. 2008 traffic counts south of Cypress Creek were 14,572 vehicles per day.

Subdivision:

A subdivision may be required for this tract.

Setback Requirements:

Front Setback	25'
Side Setback	12'; 20' adjacent to single family
Rear Setback	5'; 20' adjacent to single family

Architectural Requirements:

This site is subject to the corridor overlay requiring 75% masonry construction on all exterior walls.

STAFF ANALYSIS:

The subject property was annexed into the City in February of 1994. At the time, the City had a policy of assigning, by default, a single family zoning designation to the property until more appropriate zoning could be applied. This property received this temporary single family zoning designation; however, it has not been modified since annexation. The property is currently used both as a residence and a boat and RV storage yard.

The TC designation is intended to allow for limited, nonresidential land uses that provide for a smooth transition to and from the area to preserve the integrity of the residential neighborhood. The requested TC-CO district is consistent with the commercially zoned property to the south and provides an appropriate compatibility buffer with the adjacent residences.

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City Initiated**

**8E and
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For reference: the following uses are permitted in the TC district.

Administrative offices	Private Schools (accredited only)
Art gallery	Wireless telecommunication facilities
Day care center, incidental	Instant print copy services
Medical offices	Movie and music rentals, sales
Places of worship	Personal services, general
Professional offices	Research and development activities (software only)
Public buildings	Retail gift store (max 3,000sf)
Software development	Studios – art, dance, music drama, gymnastics, photography, interior design
Utility Services-general	Software sales, computer hardware sales
Art galleries with retail sales	Vocational or trade school
Bed and breakfast	Personal improvement services
Community center	
Day care center, adult	
Day care center, child	
Food sales, limited	

A letter was sent to the property owner of the subject tract in July. The property owner is generally in favor of the rezoning; however, concern was expressed regarding increase in taxes based upon a commercial designation. The Travis Central Appraisal District confirmed that there was potential for the market value to increase based upon a commercial designation; however, there is a homestead exemption on the property that would limit the amount of future tax increases.

STAFF RECOMMENDATION:

Staff recommends rezoning this property from Single Family-Large Urban Lot (SF-2) to Transitional Commercial-Conditional Overlay (TC-CO) with a condition to limit the hours of operation to between the hours of 7am and 8pm.

PUBLIC NOTICE: August 4, 2011 - Cedar Park Citizen
Notices were mailed to 53 property owners within 300' of the subject tract

PUBLIC INPUT: Staff received one telephone inquiry at the time of publication of this report.

PROPOSED CITY COUNCIL HEARINGS: September 22, 2011 ~ 1ST Reading
October 6, 2011 ~ 2ND Reading

July 19, 2011

Planning and Zoning Commission
**Ordinance Amendment Zoning Chapter
11 Regarding the provision for allowing
poultry in residential districts**

**Item:
13A1**

Zoning

STAFF: Rawls Howard, 401-5066, rawls.howard@cedarparktx.us

After conversations with citizens regarding the use of chickens in residential districts staff is proposing the following amendments to the Zoning Chapter regarding the use of poultry in residential zoning districts.

DIVISION 5: MANUFACTURED HOME RESIDENTIAL DISTRICT, MH (M-1)

Sec. 11.02.018 Permitted uses

4. Personal livestock, **see Sec. 11.02.026A** (poultry only as a secondary use to a dwelling, see Sec. 11.02.026B)

Sec. 11.02.026 Regulations specific to this district

A. ~~Personal livestock and poultry shall be allowed only on a lot of one (1) acre or greater and confined to the boundaries of the property. Livestock shall be limited to one (1) with an additional one (1) per each additional acre of land. Poultry shall be limited to fifteen (15) maximum, limited to one (1) rooster.~~

B. Poultry shall **be allowed** only if the following provisions are **met**:

1. ~~For properties with a lot size of 5,000sf-9,999sf three (3) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
2. ~~For properties with a lot size of 10,000sf-1acre six (6) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
3. ~~For properties with a lot size of 1acre or greater fifteen (15) chickens and one (1) rooster are permitted.~~
4. ~~All animals must be kept and maintained in accordance with Chapter 2 Animal Control.~~

~~C B.~~ Domestic pets shall be limited to domestic animals only. No commercial boarding or breeding is allowed in this district. (Refer to Definitions, Sec. 11.12.002)

~~D C.~~ Open storage is not allowed in the area from the street to and including the front of the residence or principle building except where,

~~E D.~~ Nonresidential uses in this district, with the exception of parks and playgrounds, shall be located only on a corner lot with driveway access directly onto a collector or arterial street as defined in the Cedar Park Transportation Master Plan. (Residential uses are not excluded as permitted uses on these lots.)

July 19, 2011

**Planning and Zoning Commission
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DIVISION 6: ESTATE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT, ES

Sec. 11.02.028 Permitted uses

3. Personal livestock ~~see Sec. 11.02.036A~~ (poultry as a secondary use to a dwelling, see Sec. 11.02.036B)

Sec. 11.02.036 Regulations specific to this district

~~A. Personal livestock and poultry shall be allowed only on a lot of one (1) acre or greater and confined to the boundaries of the property. Livestock shall be limited to one (1) with an additional one (1) per each additional acre of land. Poultry shall be limited to fifteen (15) maximum, limited to one (1) rooster.~~

~~B. Poultry shall be allowed only under the following conditions:~~

- ~~1. For properties with a lot size of 5,000sf-9,999sf three (3) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
- ~~2. For properties with a lot size of 10,000sf-1acre six (6) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
- ~~3. For properties with a lot size of 1acre or greater fifteen (15) chickens and one (1) rooster are permitted.~~
- ~~4. All animals must be kept and maintained in accordance with Chapter 2 Animal Control.~~

~~C B. Domestic pets shall be limited to domestic animals only. No commercial boarding or breeding is allowed in this district. (Refer to Definitions, Sec. 11.12.002)~~

~~D C. Open storage is not allowed in the area from the street to and including the front of the residence or principle building except where,~~

~~E D. Nonresidential uses in this district, with the exception of parks and playgrounds, shall be located only on a corner lot with driveway access directly onto a collector or arterial street as defined in the Cedar Park Transportation Master Plan. (Residential uses are not excluded as permitted uses on these lots.)~~

DIVISION 7: LARGE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT, SF

Sec. 11.02.038 Permitted uses

3. Personal livestock, ~~see Sec. 11.02.046A~~ poultry as a secondary use to a dwelling, see Sec. 11.02.046B.

Sec. 11.02.046 Regulations specific to this district

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~~A. Personal livestock and poultry shall be allowed only on a lot of one (1) acre or greater and confined to the boundaries of the property. Livestock shall be limited to one (1) with an additional one (1) per each additional acre of land. Poultry shall be limited to fifteen (15) maximum, limited to one (1) rooster.~~

~~B. Poultry shall be allowed only under the following conditions:~~

- ~~1. For properties with a lot size of 5,000sf-9,999sf three (3) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
- ~~2. For properties with a lot size of 10,000sf-1acre six (6) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
- ~~3. For properties with a lot size of 1acre or greater fifteen (15) chickens and one (1) rooster are permitted.~~
- ~~4. All animals must be kept and maintained in accordance with Chapter 2 Animal Control.~~

~~C B. Domestic pets shall be limited to domestic animals only. No commercial boarding or breeding is allowed in this district. (Refer to Definitions, Sec. ~~11.01.002~~ 11.12.002)~~

~~D C. Open storage is not allowed in the area from the street to and including the front of the residence or principle building.~~

~~E D. Nonresidential uses in this district, excluding parks, playgrounds, and uses agricultural in nature, shall be located only on a lot having driveway access directly onto a collector street or arterial street as defined in the Cedar Park Transportation Master Plan. (Residential uses are not excluded as permitted uses on these lots.)~~

DIVISION 8: LARGE SUBURBAN LOT SINGLE-FAMILY RESIDENTIAL DISTRICT, SF-1

Sec. 11.02.048 Permitted uses

~~13. Poultry as a secondary use to a dwelling, see Sec. 11.02.056D~~

Sec. 11.02.056 Regulations specific to this district

~~D. Poultry shall be allowed only under the following conditions:~~

- ~~1. For properties with a lot size of 5,000sf-9,999sf three (3) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
- ~~2. For properties with a lot size of 10,000sf-1acre six (6) laying hens are permitted however, there may be no roosters or other types of poultry that make a noise clearly audible at the property line;~~
- ~~3. For properties with a lot size of 1acre or greater fifteen (15) chickens and one (1) rooster are permitted.~~
- ~~4. All animals must be kept and maintained in accordance with Chapter 2 Animal Control.~~

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DIVISION 9: LARGE URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT, SF-2

Sec. 11.02.058 Permitted uses

12. Poultry as a secondary use to a dwelling, see Sec. 11.02.066E

Sec. 11.02.066 Regulations specific to this district

- E. Poultry shall be allowed only under the following conditions:
1. For properties with a lot size of 5,000sf-9,999sf three (3) laying hens **are** permitted however, there may be **no** roosters or other types of poultry that make **a noise clearly audible** at the property line;
 2. For properties with a lot size of 10,000sf-1acre six (6) laying hens **are** permitted however, there may be no roosters or other types of poultry that make **a noise clearly audible** at the property line;
 3. For properties with a lot size of 1acre or greater fifteen (15) chickens and one (1) rooster are permitted.
 4. All animals must be kept and maintained in accordance with Chapter 2 Animal Control.

DIVISION 10: URBAN SINGLE-FAMILY RESIDENTIAL DISTRICT, SF-3

Sec. 11.02.068 Permitted uses

12. Poultry as a secondary use to a dwelling, see Sec. 11.02.076D

Sec. 11.02.076 Regulations specific to this district

- D. Poultry shall be allowed only under the following conditions:
1. For properties with a lot size of 5,000sf-9,999sf three (3) laying hens **are** permitted however, there may be **no** roosters or other types of poultry that make **a noise clearly audible** at the property line;
 2. For properties with a lot size of 10,000sf-1acre six (6) laying hens **are** permitted however, there may be no roosters or other types of poultry that **make a noise clearly audible** at the property line;
 3. For properties with a lot size of 1acre or greater fifteen (15) chickens and one (1) rooster are permitted.
 4. All animals must be kept and maintained in accordance with Chapter 2 Animal Control.

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Sec. 11.02.341 Zoning District Chart Residential Districts

P Permitted

Use*	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF	MU
Personal Livestock		P	P	P								
Poultry*		P	P	P	P	P	P					

*See specific Zoning District for details on each use