



CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, NOVEMBER 15, 2011 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY

550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

ALAIN O'TOOL
 HOLLY HOGUE

STEPHEN THOMAS, Chair
 NICHOLAS KAUFFMAN, Vice Chair
 LORENA ECHEVERRIA, Secretary

THOMAS BALESTIERE
 JON LUX

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
3. ROLL CALL
4. MINUTES: Approve Minutes from the Regular Meeting of October 18, 2011
5. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
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. Ranch at Brushy Creek 9D (PP-11-005)
2.416 acres, 1 lot
Located on North Frontier Lane just south of Remington Road
Owner: Silverado Austin Development Ltd.
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
2. Ranch at Brushy Creek 9D (FP-11-008)
2.416 acres, 1 lot
Located on North Frontier Lane just south of Remington Road
Owner: Silverado Austin Development Ltd.
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
3. Ranch at Brushy Creek Revised Preliminary – Remaining Sections South (PP-11-006)
92.61 acres, 307 lots
Located on southeast corner of S. Frontier Lane and Ranch Trails

Owner: Silverado Austin Development Ltd.
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

1. Reserve at Brushy Creek Section One (FP-11-007)
25.18 acres, 42 single family lots, 3 commercial lots
Located at 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: Approve
2. Northwest Corner of 183 and New Hope Subdivision (SFP-11-007)
2.83 acres, 1 commercial lot
Located at the southwest corner of 183A and New Hope Drive
Owner: Cedar Park Town Center LP
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. City Initiated – Spanish Oak Creek (Eric and Michelle Adelman), Z-11-021 (Related to item 9A)
- B. City Initiated – 183A/New Hope Properties, Z-11-035 A (Related to item 9B)
- C. City Initiated – 183A/New Hope Properties, Z-11-035 B (Related to item 9C)
- D. City Initiated – 183A/New Hope Properties, Z-11-035 C (Related to item 9D)
- E. City Initiated – 183A/New Hope Properties, Z-11-035 D (Related to item 9E)
- F. City Initiated – 14100 and 14050 Ronald Reagan, Z-11-036 (Related to item 9F)
- G. City initiated – Outland Ltd. at New Hope Drive, Z-11-037 (related to item 9G)
- H. 2500 Bois D’Arc Lane, Z-11-040 (related to item 9H)

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 2.05 acres and Open Space Greenbelt (OSG) to approximately 2.9 acres for property located on the south side of East Whitestone Boulevard just east of Arrow Point Drive. (Z-11-021)
Owner: Eric and Michelle Adelman
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

- B. Consider a City initiated request to assign original zoning of General Retail (GR) for approximately 33 acres for property located along the eastern boundary of 183A just north of the intersection of New Hope Drive and 183A. (Z-11-035A)
Owners: Jill Chadwick, Janice Hurst, Alfren John Findeisen Jr., and Lisa Pryor Johnson Trustee
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 General Retail (GR) for approximately 7.2 acres located near the intersection of CR 180 and New Hope Drive. (Z-11-035B)
Owners: Mary F Thompson Family Trust, Wallace and Susan Price, and Kimberley and David Smyth
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) for approximately 2.34 acres located at the northwest corner of Cottonwood Creek Trail and New Hope Drive. (Z-11-035C)
Owners: Randall Wright
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 assign original zoning of Local Retail with a conditional overlay (LR-CO) for 5.12 acres with the condition that the buffer be increased from 20 feet to 50 feet along the eastern boundary where the lots abut residential, for property located near the northeast corner of Cottonwood Creek Trail and New Hope Drive. (Z-11-035D)
Owners: James and Sandra Taylor
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

- F. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 9.5 acres for property located at 14100 and 14050 Ronald Reagan Boulevard. (Z-11-036)
Owner: Philip Bell and J&J Holdings
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

- G. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 26.313 acres located at the northeast corner of Avenue of the Stars and New Hope Drive. (Z-11-037)
Owner: Outland Ltd and 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
- H. Consider a request by Oscar Amaya to rezone approximately 0.268 acres from Single Family Large Suburban Lot (SF-1) to Manufactured Home Residential (MH) for property located at 2500 Bois D'Arc Lane. (Z-11-040)
Owner: Oscar Amaya
Agent: Joe Sanches
Staff Resource Person: Amy Link
Staff proposal to P&Z: Denial
- 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 –

- 1. Discussion on Ordinance Amendments to Chapter 11 – Zoning Section 11.12, Subdivision Ordinance, Section 12.23.001 and Sign Ordinance Section 13.01.004 to amend the definitions or references to Building Official.

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 October 20, 2011 and November 3, 2011
- B. Director and Staff Comments – Special called meeting December 6, 2011
- C. Commissioners Comments
- D. Request for Future Agenda Items
- E. Designate Delegate to Attend Next Council Meetings on November 17, 2011 and December 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.

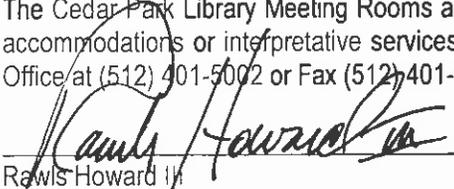
CERTIFICATE

I certify that the above notice of the Regular 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:

NOV 4 '11 PM 3:39

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, OCTOBER 18, 2011 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

NICHOLAS KAUFFMAN
 ALAN YORE

STEPHEN THOMAS, Vice-Chair
 LORENA ECHEVERRIA, Secretary
 HOLLY HOGUE

THOMAS BALESTIERE
 JON LUX

1. CALL TO ORDER
Chair Thomas called the meeting to order at 6:30 p.m. Chair Thomas read meeting procedures from the "Chairman's Sheet".
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 arrived at the beginning of Item 9.A. All other Commissioners were present and a quorum was declared.
4. MINUTES: Approve Minutes from the Regular Meeting of September 20, 2011
MOTION: Commissioner Lux moved to approve the Regular Called Meeting of September 20, 2011 Minutes as presented. Commissioner Kauffman seconded the motion and the motion passed unanimously, 6-0, one absent.
5. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
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, Replat of Lot 1 (SFP-11-003)
4.69 acres, 2 commercial lots
Located at 1400 East Whitestone Boulevard
Owner: Strategic Texas Investments
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
 - B. SUBDIVISION APPROVALS:
 1. Buttercup Creek Phase V Section 15 (FP-11-004)
5.451 acres, 19 single family lots, 2 landscape lots, 1 open space lot
Located at the northwest corner of Buttercup Creek Boulevard and Lakeline Boulevard
Owner: Forestar (USA) Real Estate Group Inc.
Staff Resource: Emily Barron
Staff Proposal to P&Z: Approve

2. Brushy Creek Enclave Preliminary Plan (PP-11-003)
41.06 acres, 105 single family lots, 3 commercial lots
Located at 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: Approve

MOTION: Commissioner Lux moved to recommend approval of Consent Agenda Items 6.A.1 through 6.B.2 as presented. Commissioner Balestiere seconded the motion, and the motion passed unanimously, 6-0, one absent.

7. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS:
 - A. City Initiated – 3003 and 3100 Woodall Dive, Z-11-009 – **ITEM HAS BEEN WITHDRAWN**
Senior Planner Emily Barron advised that Item 7A had been withdrawn and no further action was needed.

Senior Planner Emily Barron advised the Commissioners that Items 8B and 9B had already been zoned and no further action was needed on these items.

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. Cedar Park Town Center – NW Corner of 1431 and 183A, Z-11-027 (Related to item 9A)
 - B. City Initiated – Elmore Tract, Z-11-022 (Related to item 9B) ***Pulled, See Item 7.***
 - C. City Initiated – Biszalik at Cottonwood Creek, Z-11-028 (Related to item 9C)
 - D. City Initiated – Whitestone Investments, Z-11-029 (Related to item 9D)
 - E. City Initiated – Pampered and Associates, Z-11-030 (Related to item 9E)
 - F. City Initiated – Carsow Family Partnership, Z-11-031 (Related to item 9F)
 - G. Lakeline Park, Z-11-033 (Related to item 9G)
 - H. City Initiated – 2000 S. Lakeline, Z-11-034 (Related to item 9H)

MOTION: Commissioner Lux moved to accept the Preliminary Reports for Items 8A, 8C through 8H as presented by Staff. Vice Chair Kauffman seconded the motion, and the motion passed unanimously, 6-0, one absent.

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:
 - A. Consider a request by Cedar Park Town Center LP to rezone approximately ~~47.394~~ 49.114 acres from Downtown District (DD) to Planned Development (PD) for property located at the northwest corner of Whitestone Boulevard and 183A. (Z-11-027)
Owner: Cedar Park Town Center LP, Michael Ainbinder
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. The applicant requested to rezone 49.114 acres from Downtown District (DD) to Planned Development (PD) for property located at the northwest corner of 183A Toll Road and East Whitestone Boulevard.

Parcels 1 (10.70 acres), 2 (13.31 acres) and 3 (11.43 acres), located along the major commercial corridors of 183A Toll Road and East Whitestone, are proposed for uses typically found in the General Retail (GR) and General Office (GO) districts. Parcel 4 (13.67 acres), located in the northwestern quadrant of the tract, allows a greater mix of uses, permitting not only GR and GO uses, but also Townhome (TH) and Condominium Residential (CD) uses. Staff recommended that 49.114 acres be zoned Planned Development (PD), including the regulations provided in the staff report. The requested district is in compliance with the Future Land Use Plan and meets the goals of the City's Comprehensive Plan. Scott Foster, Kimley-Horn, represented the Applicant. He advised that he supported staff's recommendation. There was discussion among the Commissioners concerning buffers, mixed use component and parking.

A public hearing was held on the above item. The following filled out a Recognition Card stating their position on the rezoning of the subject tract from Downtown District (DO) to Planned Development (PD): 1) Scott Foster (did not speak – in favor) 2) Mollie Francis (spoke – not sure if she was for or against), 3) Jackie Galli (spoke- against rezoning), 4) Ken Johnson (did not speak – against rezoning), and 5) Florence Parnham (did not speak – against rezoning). There being no further public testimony, the public hearing was closed and the regular session reopened.

There was discussion among the Commissioners concerning the reasons for the rezoning request. Commissioner Balestiere was concerned about changing the overall concept.

MOTION: Commissioner Lux moved to recommend approval of rezoning approximately 49.114 acres from Downtown District (DD) to Planned Development (PD) for property located at the northwest corner of Whitestone Boulevard and 183A as presented by Staff to the City Council. Commissioner Kauffman seconded the motion and the motion passed as follows:

Yes: Thomas, Kauffman, Echeverria, O'Tool, Hogue, Lux
No: Balestiere

MOTION: Secretary Echeverria moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9A, Case Z-11-027. Commissioner Lux seconded the motion and the motion passed unanimously, 7-0.

- B. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 2.252 acres located at the southwest corner of CR 180 and Ronald Reagan Boulevard. (Z-11-022)
Owner: Richard and Suzanne Elmore
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

Pulled, See Item 7.

- C. Consider a City initiated request to assign original zoning of Local Retail (LR) to approximately 2.760 acres located at 1310 Cottonwood Creek Trail. (Z-11-028)
Owner: Sandi Biszalik
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 request is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item is 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 request is located at 1310 Cottonwood Creek Trail and is currently undeveloped. Staff recommended that this site be assigned original zoning of Local Retail (LR). The request is compatible with Future Land Use Plan and Comprehensive Plan, and is supported by the purpose statement of the district.

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 assigning original zoning of Local Retail (LR) to approximately 2.76 acres located at 1310 Cottonwood Creek Trail as presented by staff to the City Council. Commissioner Lux seconded the motion and the motion passed unanimously, 7-0.

MOTION: Commissioner Lux moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9C, Case Z-11-028. Secretary Echeverria seconded the motion and the motion passed unanimously, 7-0.

- D. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 49.987 acres located at 3975 E. Whitestone Boulevard. (Z-11-029)
Owner: Whitestone Investments Inc.
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 request is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item is 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 request contains one parcel located at 3975 East Whitestone. This site is currently developed with a concrete batch plant. Emily Barron advised that staff had spoken with the attorney representing the owner and they supported the rezoning. Staff recommended that this site be assigned original zoning of General Retail (GR). The designation of GR is consistent with adjacent GR zoned tracts, is compatible with Future Land Use Plan and Comprehensive Plan, and is supported by the purpose statement of the district.

A public hearing was held on the above item. The following filled out a Recognition Card stating their support for the original zoning of the subject tract to General Retail (GR): 1) R.C Galloway (did not speak) and 2) Kathy Galloway (spoke in favor). There being no further public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Lux moved to recommend approval of assigning original zoning of General Retail (GR) to approximately 49.987 acres located at 3975 East Whitestone Boulevard as

presented by staff to the City Council. Vice Chair Kauffman seconded the motion and the motion passed unanimously, 7-0.

MOTION: Commissioner Balestiere moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9D, Case Z-11-029. Commissioner Lux seconded the motion and the motion passed unanimously, 7-0.

- E. Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 0.517 acres located at 1403 W. Whitestone Boulevard. (Z-11-030)
Owner: Pampered and Associates
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 request is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item is 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 request contains one parcel located at 1403 West Whitestone. This site is currently commercially developed. Staff recommended that this site be assigned original zoning of General Retail (GR). The designation of GR is consistent with adjacent GR zoned tracts, is compatible with Future Land Use and Comprehensive Plan, and is supported by the purpose statement of the district.

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

MOTION: Commissioner Lux moved to recommend approval of assigning original zoning of General Retail (GR) to approximately 0.517 acres located at 1403 W. Whitestone Boulevard as presented by staff to the City Council. Secretary Echeverria seconded the motion and the motion passed unanimously, 7-0.

MOTION: Secretary Echeverria moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9E, Case Z-11-030. Commissioner Hogue seconded the motion and the motion passed unanimously, 7-0.

- F Consider a City initiated request to assign original zoning of General Retail (GR) to approximately 14.286 acres located at 1505 Medical Parkway. (Z-11-031)
Owner: Carssow Family Partnership
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 request is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item is 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 request is located at 1505 Medical Parkway and is currently developed as a residence. This site is currently commercially developed. Staff recommended that this site be assigned original zoning of General Retail (GR). The designation of GR is consistent with adjacent GR zoned tracts, is compatible with Future Land Use and Comprehensive Plan, and is supported by the purpose statement of the district.

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

MOTION: Commissioner Lux moved to recommend approval of assigning original zoning of General Retail (GR) to approximately 14.286 acres located at 1505 Medical Parkway as presented by staff to the City Council. Commissioner Balestiere seconded the motion and the motion passed unanimously, 7-0.

MOTION: Commissioner Lux moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9F, Case Z-11-031. Commissioner Balestiere seconded the motion and the motion passed unanimously, 7-0.

G. Consider a request by F.F.S.C. Inc. to rezone approximately 4 acres from Single Family (SF-1) to Local Retail with a 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

for property located at the southeast corner of Park Street and Lakeline Boulevard. (Z-11-033)

Owner: F.F.S.C Inc.

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. The applicant requested to rezone approximately 4.0 acres from Single Family-Large Lot (SF) to Local Retail-Conditional Overlay (LR-CO) for property located at the southeast corner of West Park Street and Lakeline Boulevard. The site is currently undeveloped. The new request for LR-CO allows flexibility in the types of uses permitted while the conditional overlay ensures compatibility with the surrounding neighborhood. Staff received the "Applicant's Summary of Neighborhood Communications" from the applicant's agent. Staff recommended approval of LR-CO as requested by applicant with one additional condition access to Amelia Drive be limited to pedestrian access only. The LR-CO request complies with the Future Land Use Plan and is supported by the purpose statement of the district.

Samir Desai, applicant's agent, addressed the Commissioners. He advised that he had a statistical survey done and visited many neighbors. The conditions in the rezoning request were determined by neighborhood responses.

A public hearing was held on the above item. The following filled out a Recognition Card stating their opposition for the rezoning of the subject tract to Local Retail-Conditional Overlay (LR-CO): 1) Barry Taylor (spoke against rezoning), 2) David Hoffman (spoke against rezoning), and 3) Mary Brown (spoke against rezoning). There being no further public testimony, the public hearing was closed and the regular session reopened.

Samir Desai addressed comments made during public hearing. There was discussion among the Commissioners concerning the conditions included in the rezoning. Commissioner Lux voiced his concern that Local Retail was too much of a higher intensity next to single family. He stated that it should be rezoned to Transitional Office. Commissioner Kauffman stated that there was significant frontage and with the conditions, the rezoning request seemed reasonable. Secretary Echeverria stated that LR abuts SF on the west side of Lakeline. Chair Thomas asked staff if any responses were received from the City notification letters. Senior Planner Amy Link advised that fifty-two notification letters were mailed and five written responses were received. There were less than ten phone calls responding to the notification. Commissioner Balestiere stated that adding more restrictive hours of operation would not be good for retail.

MOTION: Vice Chair Kauffman moved to recommend approval of rezoning approximately 4 acres from Single Family (SF-1) to Local Retail with a Conditional Overlay (LR-CO) with the conditions as presented by staff and to include that access to Amelia Drive be limited to pedestrian access only to the City Council. Secretary Echeverria seconded the motion and the motion passed as follows:

Yes: Thomas, Kauffman, Echeverria, O'Tool, Balestiere

No: Lux, Hogue

MOTION: Vice Chair Kauffman moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9G, Case Z-11-033. Secretary Echeverria seconded the motion and the motion passed as follows:

Yes: Thomas, Kauffman, Echeverria, O'Tool, Balestiere

No: Lux, Hogue

- H. Consider a City initiated request to rezone approximately 22.84 acres from Planned Development (PD) to Multi Family (MF) for property located at 2000 S. Lakeline (Z-11-034)
Owner: Northland Lakeline LP
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 request is being initiated by the City in order to provide assignment of original zoning to a currently designated Development Reserve (DR) tract. This item is 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. The Lakeline Village Planned Development was originally zoned in 1997. The existing Lodge at Lakeline apartment complex was built in 2002. The owner is in support of the rezoning.

Based upon review of the building plans for this site and a current property survey provided by the property owner, the existing development conforms to the zoning regulations of the Multi Family (MF) district. Staff recommended rezoning the subject portion of the Lakeline Village PD to MF. The rezoning request complies with the Future Land Use and Comprehensive Plan, and exemplifies the purpose statement of the MF district.

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

MOTION: Commissioner Lux moved to recommend approval of rezoning approximately 22.84 acres from Planned Development (PD) to Multi Family (MF) for property located at 2000 South Lakeline as presented by staff to the City Council. Commissioner Balestiere seconded the motion and the motion passed unanimously, 7-0.

MOTION: Commissioner Balestiere moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9H, Case Z-11-034. Secretary Echeverria seconded the motion and the motion passed unanimously, 7-0.

10. FUTURE LAND USE PLAN AMENDMENTS:

A. Future Land Use Plan amendment for property located along West Whitestone Boulevard Senior Planner Amy Link made the presentation and was available for questions. The location of the amendment is West Whitestone Boulevard between Walton Way and Lakeline Boulevard.

Staff recommended the following amendments to the Future Land Use Plan:

- Amend the Future Land Use Map for approximately 83 acres located along West Whitestone Boulevard from Neighborhood Office/Retail/Commercial and Institutional/Public/Utility to Regional Office/Retail/Commercial
- Amend the Future Land Use Map for approximately 19 acres located on the south side of West Whitestone from Low Density Residential and Neighborhood Office/Retail/Commercial to Institutional/Public/Utility.

MOTION: Secretary Echeverria moved to recommend approval of amending the Future Land Use Plan for Item 10.A as presented by Staff to the City Council. Commissioner Lux seconded the motion and the motion passed unanimously, 7-0.

B. Future Land Use Plan amendment for property located along East Whitestone Boulevard Senior Planner Emily Barron made the presentation and was available for questions. In conjunction with the City initiated Whitestone Investments request (Z-11-030), staff recommended the following amendment to the Future Land Use Plan: (1) Amend the Future Land Use Map for 150.88 acres located on the north side of East Whitestone Boulevard from Industrial to Regional Office/Retail/Commercial (98.76 acres) and Employment Center (52.12 acres).

MOTION: Secretary Echeverria moved to recommend approval of amending the Future Land Use Plan for Item 10.B as presented by Staff to the City Council. Vice Chair Kauffman seconded the motion and the motion passed unanimously, 7-0.

11. SUBDIVISIONS (ACTION AND PUBLIC HEARING):

- A. Variance Request – SFP-11-003 Variance request by Strategic Texas Investments, LP, Robert Tesch to City Code of Ordinances Chapter 12, Subdivision Ordinance, Section 12.12.010(A)(7) Lot Arrangements regarding flag lots for property located on East Whitestone Boulevard, otherwise known as Lot 1, Block A, Tower Centre Section 1 in Williamson County Texas.
Owner: Strategic Texas Investments, LP
Agent: Robert Tesch
Staff Resource Person: Amy Link
Staff proposal to P&Z: Deny
1) Public Hearing
2) P&Z Action

Senior Planner Amy Link made the presentation and was available for questions. The applicant requested a variance from Chapter 12, Subdivision Ordinance, Section 12.12.010(A)(7) Lot Arrangements regarding flag lots. The variance request is for Lot 4 of Tower Centre Section One, Replat of Lot 1. Flag lots are expressly prohibited, unless: (A) The proposed lot configuration is needed to abate an unusual property accessibility constraint not created by the applicant; or (B) The property has acute topographical conditions and constraints; or (C) The proposed lot is located within the RA Rural Agricultural District or the ES Estate Lot Residential District or for lots under two (2) acres within the city's ETJ; or (D) The unusual adjacent property boundary configuration constrains the arrangement of an otherwise standard lot configuration. Where any of the above items are present, the planning and zoning commission may grant a variance to allow such configuration, provided the following conditions are met: (i) The variance does not circumvent the normal platting of streets for public and emergency access; (ii) The variance does not prevent the extensions of streets to adjacent property; (iii) The lot width is not less than fifty (50) feet in width at its frontage connection with the adjacent public or approved private street; and (iv) The narrow or elongated part of the lot 'pole' does not exceed one hundred (100) ft. in length, measured from the connecting street frontage to where the lot widens into a 'flag' shape to receive a suitable building area where a building setback line shall be established; nor shall more than two (2) adjacent neck lots be connected. Senior Planner Amy Link advised that the request must meet one of the items listed as (A) through (D) in order for the Planning and Zoning Commission to consider a flag lot variance. If one of these criteria is met, then in order to approve the variance request, the lot in question shall meet all items listed as (D) (i) through (iv).

The subject property was originally subdivided in 2009. During review of the original subdivision, staff alerted the applicant of potential issues with platting the subject lot, as the frontage for the lot was not adequate to meet lot frontage or flag lot requirements. In June 2011, the applicant submitted an amended plat to Tower Centre Section One, requesting a shift in lot lines. After submitting this application, the applicant revised the application to replat Lot 1 of Tower Center Section One into two commercial lots. The proposed replat has triggered the variance request. This lot configuration is identical to what the applicant originally contemplated in 2009 but later revised to meet Code requirements. Staff stated the required criteria were not met for the following reasons: (A) There are no unusual property accessibility constraints. As currently platted, each lot has adequate frontage along East Whitestone Boulevard and a joint access agreement exists for all tracts within the subdivision; (B) No topographical conditions or constraints exist on the property; (C) The proposed lot is located within the full purpose city limits and is zoned General Retail (GR); (D) The applicant chose to subdivide the lots in the original subdivision, understanding that compliance with subdivision regulations would be difficult if Lot 1 was re-subdivided in the future. Staff recommended denial of the applicant's request for a variance to Section 12.12.010(A)(7) Lot arrangements regarding flag lots for Lot 4, Tower Centre Section One, Replat of Lot 1.

The applicant's agent, Bob Tesch, addressed the Commission. Michelle Lynch and Chris Whitworth (purchasing lot 1) also addressed the Commission. They proposed that multiple access points and access easements would meet the criteria.

A public hearing was held on the above item. The following filled out a Recognition Card stating their support of the variance: 1) Bob Tesch 2) Michelle Lynch (did not speak), and 3) Chris Whitworth (did not speak). There being no public testimony, the public hearing was closed and the regular session reopened.

There was much discussion among the Commission on the required criteria. J.P. LeCompte, Assistant City Attorney, advised the Commissioners that the variance request must meet at least one of the criteria A-D and if it did, it must meet all of the criteria (i) through (iv).

MOTION: Commissioner Lux moved to recommend denial of Item 11A, Case SFP-11-003, Variance request by Strategic Texas Investments, LP, as presented by Staff. Commissioner Balestiere seconded the motion and the motion passed unanimously, 7-0.

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

13. **DISCUSSION AND POSSIBLE ACTION ITEMS:** None

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 September 22, 2011 and October 6, 2011

It was noted that the Planning and Zoning Commission related items Z-11-006, Z-11-014, Z-11-017 were first readings on the September 22, 2011 Council agenda. Alain O'Tool was appointed to the Planning and Zoning Commission. The above zonings were approved at the October 6, 2011 Council meeting. Nicholas Kauffman was reappointed to Place 5. Z-11-014 was postponed to December 8, 2011.

B. Director and Staff Comments

Director Rawls Howard advised the Commission that he was working on a State of the City Report which will include a comparison of 2000 and 2010 census data. He will be presenting it to Planning and Zoning Commission and the City Council. He advised that the Commission may need to meet twice a month when there is a need for a workshop. The meeting would be scheduled for the first Tuesday of the month if it is needed. He provided a copy of the City Council Strategic Map for their review. He will be meeting with a consultant for the redevelopment plan. He asked for input on training DVDs. He provided the titles of the four that have been purchased and the Commission requested "Site Planning" for their first DVD.

C. Commissioners Comments.

Chair Thomas welcomed Alain O'Tool to the Commission.

D. Request for Future Agenda Items. None

E. Designate Delegate to Attend Next Council Meetings on October 20, 2011 and November 3, 2011

Chair Thomas advised that he would attend the October 20th meeting. Secretary Echeverria advised that she would try to attend the November 3rd meeting. Commissioner Hogue stated she may be able to attend if Secretary Echeverria was not able to attend.

15. ADJOURNMENT

Chair Thomas adjourned the meeting at 10:52 p.m.

PASSED AND APPROVED THE ____ DAY OF _____, 2011.

STEPHEN THOMAS, Chairman

ATTEST:

LORENA ECHEVERRIA DE MISI, Secretary

November 15,
2011

Subdivision

Planning and Zoning Commission

Ranch at Brushy Creek Section 9D

**Item:#
6A1**

Case Number: PP-11-005

OWNER: Silverado Austin Development, Inc.

AGENT: Karen Wunsch

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

LOCATION: Located on North Frontier Lane just south of Remington Road

COUNTY: Williamson

AREA: 2.416 acres

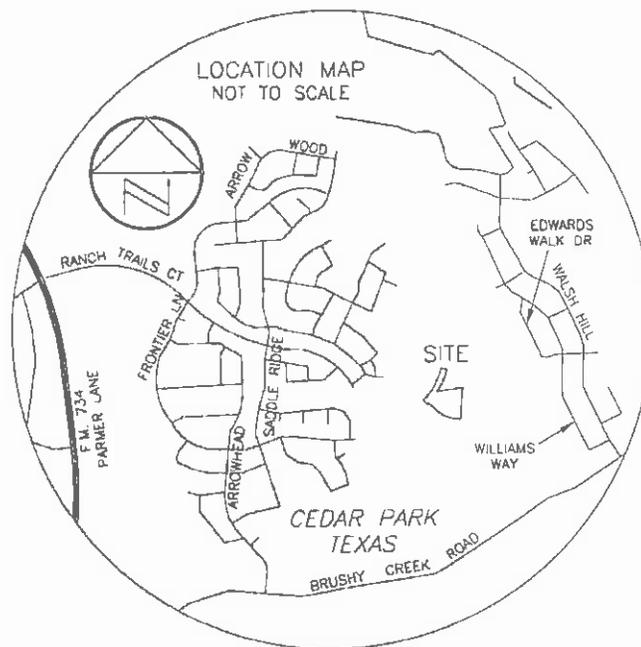
ZONING: SF-3

SUBDIVISION DESCRIPTION: 1 amenity 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.



November 15,
2011

Subdivision

Planning and Zoning Commission

Ranch at Brushy Creek Section 9D

**Item:#
6A2**

Case Number: FP-11-008

OWNER: Silverado Austin Development, Inc.

AGENT: Karen Wunsch

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

LOCATION: Located on North Frontier Lane just south of Remington Road

COUNTY: Williamson

AREA: 2.416 acres

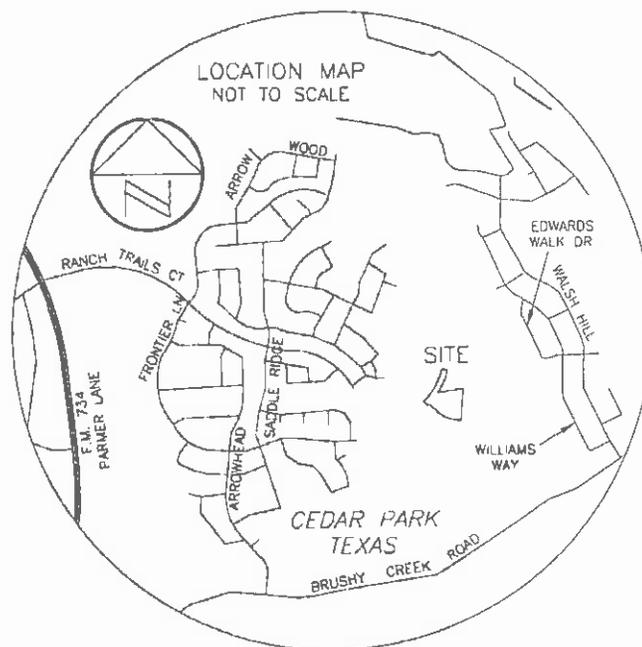
ZONING: SF-3

SUBDIVISION DESCRIPTION: 1 amenity 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.



November 15,
2011

Subdivision

Planning and Zoning Commission
**Ranch at Brushy Creek Revised
Preliminary Plan – Remaining Sections
South**

**Item:#
6A3**

Case Number: PP-11-006

OWNER: Silverado Austin Development, Inc.

AGENT: Karen Wunsch

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

LOCATION: Located at the southeast corner of S. Frontier Lane and Ranch Trails

COUNTY: Williamson

AREA: 92.61 acres

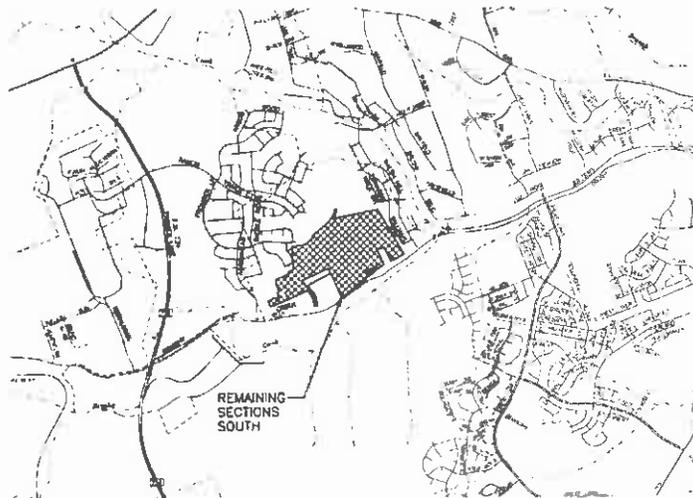
ZONING: SF-3 and SF-2

SUBDIVISION DESCRIPTION: 303 single family residential 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.



November 15,
2011

Subdivision

Planning and Zoning Commission

Reserve at Brushy Creek Sec 1

**Item:#
6B1**

Case Number: FP-11-007

OWNER: Wilson Land and Cattle Company

AGENT: Garrett Martin, Milestone Community 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: 25.18 acres

ZONING: SF-2-CO and LR-CO

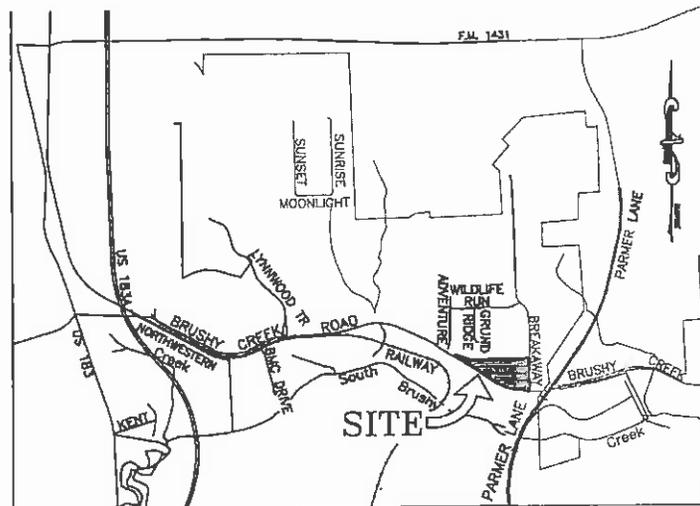
SUBDIVISION DESCRIPTION: 42 single family lots, 3 commercial lots

STAFF COMMENTS:

This plat meets all state and local requirements.

STAFF RECOMMENDATION:

Approve plat



November 15,
2011

Subdivision

Planning and Zoning Commission

NW Corner 183A New Hope Subdivision

**Item:#
6B2**

Case Number: SFP-11-007

OWNER: Cedar Park Town Center LP

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

LOCATION: Northwest corner of 183A and New Hope

COUNTY: Williamson

AREA: 2.83 acres

ZONING: DD (GR request pending)

SUBDIVISION DESCRIPTION: 1 commercial lot

STAFF COMMENTS:

This subdivision meets all state and local requirements.

STAFF RECOMMENDATION:

Approve plat



SITE MAP
(N.T.S.)

November 15,
2011

Planning and Zoning Commission

Item:
8A & 9A

Zoning

**City Initiated – Spanish Oak Creek
(Eric and Michelle Adelman)**

Case Number: # Z-11-021

Owner: Eric and Michelle Adelman

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

LOCATION: Southside of E. Whitestone Boulevard just east of Arrowpoint Drive

COUNTY: Williamson

AREA: 4.956 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR) 2.0acres
Open Space Greenbelt (OSG) 2.9acres

STAFF RECOMMENDATION: General Retail (GR) 2.0acres
Open Space Greenbelt (OSG) 2.9acres

EXISTING FUTURE LAND USE DESIGNATION: Parks and Open Space and Regional
Office/Retail/Commercial

PROPOSED FUTURE LAND USE DESIGNATION: Parks and Open Space and Regional
Office/Retail/Commercial

SUMMARY OF REQUEST:

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 request contains one parcel located at 2200 E. Whitestone Boulevard. This site is currently undeveloped.

EXISTING SITE and SURROUNDING USES:

The site is currently undeveloped and is surrounded by Spanish Oak Creek and General Retail (GR) to the east; General Industrial (GI) to the west, home to BMC; E. Whitestone Boulevard creates the northern border; and Development Reserve (DR) property is located to the south.

November 15,
2011

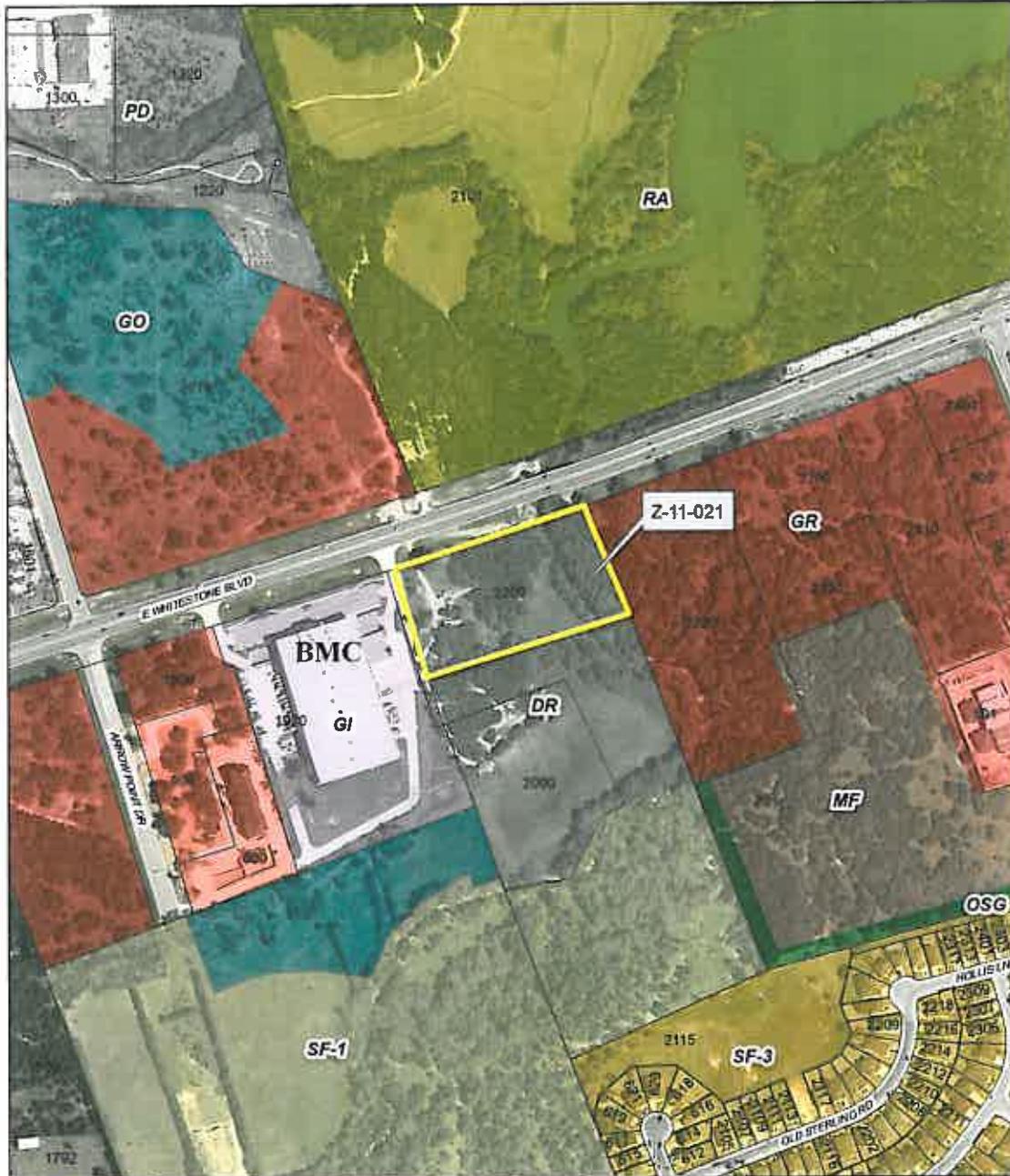
Zoning

Planning and Zoning Commission

City Initiated – Spanish Oak Creek
(Eric and Michelle Adelman)

Item:
8A & 9A

Case Number: # Z-11-021



Z-11-021



November 15,
2011

Zoning

Planning and Zoning Commission

City Initiated – Spanish Oak Creek
(Eric and Michelle Adelman)

Item:
8A & 9A

Case Number: # Z-11-021

PURPOSE OF REQUESTED ZONING DISTRICT:

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

The Open Space Greenbelt District, OSG, is established to protect dedicated greenbelts and parklands from unsightly intrusions that can have a negative impact on the image of the community, incorporate open space planning into the assignment of land use designations, and develop and implement a system of "greenway" parks and link home, retail, employment centers, parks, and nature preserves, all goals found in the Comprehensive Plan and the Parks Master Plan.

PERMITTED USES IN GR:

Accessory structures	Convenience store	Instant print copy services	Research and development activities (as it pertains to software only)
Administrative offices	Day care center, adult	Landscape nursery and supply store, retail	Retail gift store
Art gallery	Day care center, child	Laundromat	Retail stores
Art galleries with retail sales	Day care center, incidental	Liquor store	Software development
Automated Teller Machines	Drugstores	Medical offices	Software sales, computer hardware sales
Automobile parts and accessories sales	Dry cleaning and/or laundry, on-site	Motel	Special events
Automobile sales, new	Equipment rental, sales, service and/or repair	Movie and music rentals, sales	Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Automobile repair shop	Food sales, limited	Nonprofit seasonal fundraisers	Temporary buildings
Automotive tire stores	Food sales, general (grocery store)	Office/showroom	Theaters, indoor
Bakery, retail	Funeral home	Office/warehouse	Theaters, outdoor
Banks (with or without drive-through facilities)	Furniture store	Personal Improvement Services	Transit station
Bar, Cocktail lounge	Gasoline service stations, limited and general	Personal services	Utility services, general
Bed and Breakfast	Golf, amusement	Personal improvement services	Veterinary Services
Car washes	Hardware stores	Pet grooming	Vocational or trade school
Civic clubs and fraternal organizations	Home improvement center	Places of worship	Private schools
Community center	Hotel	Professional offices	
Commercial parking lots	Indoor sports and recreation	Public buildings, uses	
Consumer repair shop (including bicycles)		Reception hall	
		Restaurant, general	
		Rental libraries for sound and video recordings	

November 15,
2011

Zoning

Planning and Zoning Commission

**City Initiated – Spanish Oak Creek
(Eric and Michelle Adelman)**

**Item:
8A & 9A**

Case Number: # Z-11-021

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Parks and Open Space with compatible zoning districts of Open Space Greenbelt (OSG) and Open Space Recreation (OSR).

Staff is requesting Open Space Greenbelt (OSG) for 2.9 acres of the 4.9 acres. These 2.9 acres are located within the floodplain. The OSG request is supported by the following goals of the Comprehensive Plan:

4.1.4 Parks and Open Space Goals:

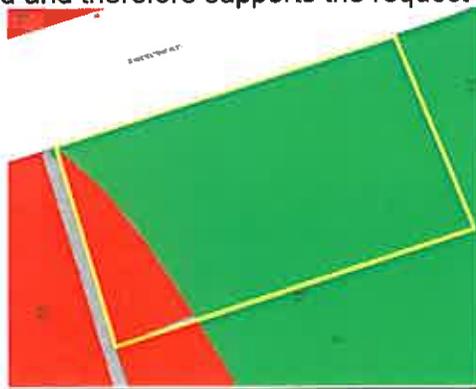
- Establish a viable park, recreation and open space system for the City where residents and visitors can enjoy the natural beauty of the Hill Country.

The floodplain area for Spanish Oak Creek was surveyed by the owner of the property allowing us to distinguish the developable area from the area that would likely be undevelopable. The General Retail (GR) district being proposed for the area that is developable is consistent with the surrounding areas and location of the site. In addition this request is consistent with the following goals outlined 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.

The Future Land Use Plan does contemplate Regional Office/Retail/Commercial for this area as the floodplain is better defined and therefore supports the request for GR at this location.



November 15, 2011 Zoning	Planning and Zoning Commission City Initiated – Spanish Oak Creek (Eric and Michelle Adelman)	Item: 8A & 9A
Case Number: # Z-11-021		

SITE INFORMATION:

Corridor Overlay: This tract is located within the Corridor Overlay.

Transportation: E. Whitestone Boulevard is classified as a major arterial.

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

Subdivision: The property is not subdivided.

Setback Requirements:

	Open Space Greenbelt	General Retail (GR)
Front Setback	25'	25'
Side Setback	10'	12'
Rear Setback adjacent to single family	10'	20'

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

STAFF COMMENTARY:

Staff recommends that this site be assigned original zoning of General Retail (GR) for 2.0 acres and Open Space Greenbelt (OSG) for 2.9 acres. The designation of OSG is consistent with the Future Land Use Plan and Comprehensive Plan and is supported by the purpose statement of the district. When considering the specifics of the property and the actual location of the floodplain, this request preserves the floodplain area as well as the developable area with the GR request. The GR request is consistent with the Comprehensive Plan and the purpose statement of the district and meets the intent of the Future Land Use Plan.

STAFF RECOMMENDATION:

Staff recommends OSG and GR for the subject tract.

PUBLIC INPUT: Staff has met with the owner of this site and have worked with them on defining the zoning boundaries. The owner is support of the City's request to zone their property.

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
6 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8B & 9B
Case Number: # Z-11-035A		

Owner: Jill Chadwick, Janice Hurst, Alfren John Findeisen Jr., and Lisa Pryor Johnson
Trustee

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

LOCATION: Located on the east side of 183A just north of the intersection of New Hope Drive and 183A

COUNTY: Williamson

AREA: 33 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED AND RECOMMENDED ZONING: General Retail (GR) 33acres

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

PROPOSED FUTURE LAND USE DESIGNATION: Regional Office/Retail/Commercial

SUMMARY OF REQUEST:

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 request contains multiple parcels located near the intersection of CR180 and New Hope Drive. Because these parcels are not contiguous staff has broken them up for easier reference as sites A-D.

EXISTING SITE and SURROUNDING USES:

This tract is surrounded by undeveloped property to the north, south and the 183A Toll road to the west. There are four existing parcels located on the 183A Toll Road. All of these parcels are undeveloped.

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

**Item:
8B & 9B**

Case Number: # Z-11-035A



November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

**Item:
8B & 9B**

Case Number: # Z-11-035A

PURPOSE OF REQUESTED ZONING DISTRICT:

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

PERMITTED USES IN GR:

Accessory structures	Convenience store	Landscape nursery and supply store, retail	Retail gift store
Administrative offices	Day care center, adult	Laundromat	Retail stores
Art gallery	Day care center, child	Liquor store	Software development
Art galleries with retail sales	Day care center, incidental Drugstores	Medical offices	Software sales, computer hardware sales
Automated Teller Machines	Dry cleaning and/or laundry, on-site	Motel	Special events
Automobile parts and accessories sales	Equipment rental, sales, service and/or repair	Movie and music rentals, sales	Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Automobile sales, new	Food sales, limited	Nonprofit seasonal fundraisers	Temporary buildings
Automobile sales, used	Food sales, general (grocery store)	Office/showroom	Theaters, indoor
Automobile repair shop	Funeral home	Office/warehouse	Theaters, outdoor
Automotive tire stores	Furniture store	Personal Improvement Services	Transit station
Bakery, retail	Gasoline service stations, limited and general	Personal services	Utility services, general
Banks (with or without drive-through facilities)	Golf, amusement	Personal improvement services	Veterinary Services
Bar, Cocktail lounge	Hardware stores	Pet grooming	Vocational or trade school
Bed and Breakfast	Home improvement center	Places of worship	Private schools
Car washes	Hotel (incl extended stay)	Professional offices	
Civic clubs and fraternal organizations	Indoor sports and recreation	Public buildings, uses	
Community center	Instant print copy services	Reception hall	
Commercial parking lots		Restaurant, general	
Consumer repair shop (including bicycles)		Rental libraries for sound and video recordings	
		Research and development activities (as it pertains to software only)	

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Regional Office/Retail/Commercial with compatible zoning districts include General Office (GO), General Retail (GR) and Mixed Use (MU).

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8B & 9B
Case Number: # Z-11-035A		

This request is consistent, for all tracts, with the following goals outlined 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.

SITE INFORMATION:

Corridor Overlay:

183A is a corridor overlay roadway.

Transportation:

183A is classified as a toll road.

Water and Wastewater Utilities:

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

Subdivision:

Future subdivisions of property may be required for development.

Setback Requirements:

	General Retail (GR)
Front Setback	25'
Side Setback	12'
Rear Setback adjacent to single family	20'

Architectural Requirements:

Property within the corridor overlay requires a 75% masonry construction.

STAFF COMMENTARY:

The designations selected by staff are the highest and best uses for the property based on the Future Land Use Plan and Comprehensive Plan.

The request for this tract is consistent with the Comprehensive Plan and Future Land Use Plan as well as consistent with the purpose statements of the zoning district.

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8B & 9B
Case Number: # Z-11-035A		

STAFF RECOMMENDATION:

Staff recommends GR for the subject tracts.

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

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
3 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

Item:
8C & 9C

Case Number: # Z-11-035B

Owner: Mary F. Thompson Family Trust and Wallace and Susan Price

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

LOCATION: Near the northwest corner of CR180 and New Hope Drive

COUNTY: Williamson

AREA: 7.2 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED AND RECOMMENDED ZONING: General Retail (GR)

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

PROPOSED FUTURE LAND USE DESIGNATION: Regional Office/Retail/Commercial

SUMMARY OF REQUEST:

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 request contains multiple parcels located near the intersection of CR180 and New Hope Drive. Because these parcels are not contiguous staff has broken them up for easier reference as sites A-D.

EXISTING SITE and SURROUNDING USES:

A portion of this tract is currently developed with a commercial business and the two tracts that abut New Hope Drive currently have residences on them. This tract is surrounded by undeveloped property to the north, CR 180 and a future restaurant development to the south and west, New Hope Drive to the south and a LR zoning to the east.

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

Item:
8C & 9C

Case Number: # Z-11-035B



November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

**Item:
8C & 9C**

Case Number: # Z-11-035B

PURPOSE OF REQUESTED ZONING DISTRICT:

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

PERMITTED USES GR :

Accessory structures	Convenience store	Landscape nursery and supply store, retail	Retail gift store
Administrative offices	Day care center, adult	Laundromat	Retail stores
Art gallery	Day care center, child	Liquor store	Software development
Art galleries with retail sales	Day care center, incidental Drugstores	Medical offices	Software sales, computer hardware sales
Automated Teller Machines	Dry cleaning and/or laundry, on-site	Motel	Special events
Automobile parts and accessories sales	Equipment rental, sales, service and/or repair	Movie and music rentals, sales	Studios/art studio, dance, music, drama, gymnastics,
Automobile sales, new	Food sales, limited	Nonprofit seasonal fundraisers	photography, interior design
Automobile sales, used	Food sales, general (grocery store)	Office/showroom	Temporary buildings
Automobile repair shop	Funeral home	Office/warehouse	Theaters, indoor
Automotive tire stores	Furniture store	Personal Improvement Services	Theaters, outdoor
Bakery, retail	Gasoline service stations, limited and general	Personal services	Transit station
Banks (with or without drive-through facilities)	Golf, amusement	Personal improvement services	Utility services, general
Bar, Cocktail lounge	Hardware stores	Pet grooming	Veterinary Services
Bed and Breakfast	Home improvement center	Places of worship	Vocational or trade school
Car washes	Hotel (incl extended stay)	Professional offices	Private schools
Civic clubs and fraternal organizations	Indoor sports and recreation	Public buildings, uses	
Community center	Instant print copy services	Reception hall	
Commercial parking lots		Restaurant, general	
Consumer repair shop (including bicycles)		Rental libraries for sound and video recordings	
		Research and development activities (as it pertains to software only)	

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Regional Office/Retail/Commercial. Compatible zoning districts include General Office (GO), General Retail (GR) and Mixed Use (MU).

November 15, 2011 Zoning	Planning and Zoning Commission City Initiated – 183A/New Hope Properties	Item: 8C & 9C
Case Number: # Z-11-035B		

This request is consistent, for all tracts, with the following goals outlined 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.

SITE INFORMATION:

Corridor Overlay:

New Hope Drive is a corridor overlay roadway.

Transportation:

New Hope Drive is classified as a major arterial that will be upgraded to a four lane divided roadway. CR 180 serves as access to the commercial business on the property. This roadway is being upgraded south of this site and with future development the roadway will continue to be improved.

Water and Wastewater Utilities:

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

Subdivision:

These properties have been subdivided. Future subdivisions of property may be required for development.

Setback Requirements:

	General Retail (GR)
Front Setback	25'
Side Setback	12'
Rear Setback adjacent to single family	20'

Architectural Requirements:

The portion of sites located that abut 183A and New Hope Drive are within the Corridor Overlay, which requires 75% masonry construction. For areas outside the Corridor Overlay a 50% masonry construction will be required.

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8C & 9C
Case Number: # Z-11-035B		

STAFF COMMENTARY:

The designations selected by staff are the highest and best uses for the property based on the Future Land Use Plan and Comprehensive Plan. This request is consistent with the Comprehensive Plan and Future Land Use Plan as well as the purpose statement of the zoning districts.

STAFF RECOMMENDATION:

Staff recommends GR for the subject tracts.

PUBLIC INPUT: No public input was received by the time of publication of this report.

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
6 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8D & 9D
Case Number: # Z-11-035C		

Owner: Randall Wright

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

LOCATION: On New Hope Drive near the intersection of Cottonwood Creek Trail and New Hope Drive

COUNTY: Williamson

AREA: 2.34 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED AND RECOMMENDED ZONING: Local Retail (LR)

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

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

SUMMARY OF REQUEST:

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 request contains multiple parcels located near the intersection of CR180 and New Hope Drive. Because these parcels are not contiguous staff has broken them up for easier reference as sites A-D.

EXISTING SITE and SURROUNDING USES:

This site currently has a residence on the property. It is surrounded by undeveloped property to the north, Local Retail (LR) zoned property to the west, a residence to the east and New Hope Drive to the south.

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

Item:
8D & 9D

Case Number: # Z-11-035C



November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

Item:
8D & 9D

Case Number: # Z-11-035C

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.

PERMITTED USES IN LR:

Accessory structures	Day care center, child	Medical offices	Retail gift store
Administrative offices	Day care center,	Movie and music rentals,	Retail stores
Art gallery	incidental Drugstores	sales	Software development
Art galleries with retail sales	Dry cleaning and/or laundry, on-site	Nonprofit seasonal fundraisers	Software sales, computer hardware sales
Automated Teller Machines	Food sales, limited	Personal Improvement Services	Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Automobile parts and accessories sales	Food sales, general (grocery store)	Personal services	Temporary buildings
Bakery, retail	Gasoline service stations, limited	Pet grooming	Utility services, general
Banks (with or without drive-through facilities)	Golf, amusement	Places of worship	Veterinary Services
Bed and Breakfast	Hardware stores	Professional offices	Vocational or trade school
Community center	Instant print copy services	Public buildings, uses	Private schools
Consumer repair shop (including bicycles)	Instant print copy services	Restaurant, general	
Convenience store	Landscape nursery and supply store, retail	Rental libraries for sound and video recordings	
Day care center, adult	Laundromat	Research and development activities (as it pertains to software only)	
	Liquor store		

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

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

This request is consistent, for all tracts, with the following goals outlined 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.

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

Item:
8D & 9D

Case Number: # Z-11-035C

- Remain focused on long-term goals of building an economically, socially, and ecologically sustainable city within a regional context.

SITE INFORMATION:

Corridor Overlay:

New Hope Drive is a corridor overlay roadway.

Transportation:

New Hope Drive is classified as a major arterial that will be upgraded to a four lane divided roadway.

The collector plan calls for Scottsdale to be extended into the property to the north of the subject tracts, known as Pecan Grove, and turn to the south to eventually connect to Cottonwood Creek Trail. The general alignment is show below with the dark orange line.



Water and Wastewater Utilities:

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

Subdivision:

This property has been subdivided.

Setback Requirements:

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

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8D & 9D
Case Number: # Z-11-035C		

Architectural Requirements:

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

STAFF COMMENTARY:

The designations selected by staff are the highest and best uses for the property based on the Future Land Use Plan and Comprehensive Plan.

The commercial collector that will extend from Scottsdale to Cottonwood Creek Trail will provide for adequate connections between the commercial development and hospital to the south, through the commercial development on the subject tract to the office, industrial and residential tracts to the north of the site.

This request for Local Retail (LR) is consistent with the Comprehensive Plan and Future Land Use Plan and are consistent with the purpose statements of the zoning districts.

STAFF RECOMMENDATION:

Staff recommends LR for this property.

PUBLIC INPUT: No public input has been received..

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
7 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8E & 9E
Case Number: # Z-11-035D		

Owner: Z-11-035 James and Sandra Taylor

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

LOCATION: On New Hope Drive near the intersection of New Hope Drive and Cottonwood Creek Trail

COUNTY: Williamson

AREA: 5.12 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED AND RECOMMENDED ZONING: Local Retail with a conditional overlay (LR-CO)
– The conditional overlay requires a 50’ buffer along the eastern boundary where the property abuts residential property

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

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

SUMMARY OF REQUEST:

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 request contains multiple parcels located near the intersection of CR180 and New Hope Drive. Because these parcels are not contiguous staff has broken them up for easier reference as sites A-D.

EXISTING SITE and SURROUNDING USES:

This tract is surrounded by undeveloped property to the north, a residence to the west and east and New Hope Drive to the south. A residence currently exists on the property.

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

Item:
8E & 9E

Case Number: # Z-11-035D



November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – 183A/New Hope Properties

**Item:
8E & 9E**

Case Number: # Z-11-035D

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).

PERMITTED USES IN LR and GR (the highlighted uses are only permitted in GR):

Accessory structures	Day care center, child	Medical offices	Retail gift store
Administrative offices	Day care center,	Movie and music rentals,	Retail stores
Art gallery	incidental Drugstores	sales	Software development
Art galleries with retail sales	Dry cleaning and/or laundry, on-site	Nonprofit seasonal fundraisers	Software sales, computer hardware sales
Automated Teller Machines	Food sales, limited	Personal Improvement Services	Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Automobile parts and accessories sales	Food sales, general (grocery store)	Personal services	Temporary buildings
Bakery, retail	Gasoline service stations, limited	Pet grooming	Utility services, general
Banks (with or without drive-through facilities)	Golf, amusement	Places of worship	Veterinary Services
Bed and Breakfast	Hardware stores	Professional offices	Vocational or trade school
Community center	Instant print copy services	Public buildings, uses	Private schools
Consumer repair shop (including bicycles)	Landscape nursery and supply store, retail	Restaurant, general	
Convenience store	Laundromat	Rental libraries for sound and video recordings	
Day care center, adult	Liquor store	Research and development activities (as it pertains to software only)	

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

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

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8E & 9E
Case Number: # Z-11-035D		

This request is consistent, for all tracts, with the following goals outlined 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.

SITE INFORMATION:

Corridor Overlay:

New Hope Drive is a corridor overlay roadway.

Transportation:

New Hope Drive is classified as a major arterial that will be upgraded to a four lane divided roadway.

Water and Wastewater Utilities:

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

Subdivision:

This property has been subdivided. Future subdivisions of property may be required for development.

Setback Requirements:

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

Architectural Requirements:

This site is subject to the corridor overlay masonry requirements of 75%.

STAFF COMMENTARY:

The designations selected by staff are the highest and best uses for the property based on the Future Land Use Plan and Comprehensive Plan. A conditional overlay is recommended for this property due to the shared property line with residences located in Lakewood Country Estates. The condition chosen is to preserve the residential character of the Lakewood Country Estates

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 183A/New Hope Properties	Item: 8E & 9E
Case Number: # Z-11-035D		

community by extending the buffer that exists in the form of Open Space Greenbelt (OSG) to the north of the site (within Pecan Grove).

This request is consistent with the Comprehensive Plan and Future Land Use Plan and is consistent with the purpose statement of the zoning district.

STAFF RECOMMENDATION:

Staff recommends LR-CO for the subject tract.

PUBLIC INPUT: No public input has been received for this request at the time of publication of this report.

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
11 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 14100 and 14050 Ronald Reagan	Item: 8F & 9F
Case Number: # Z-11-036		

Owner: J&J Holdings and Phillip Bell

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

LOCATION: 14100 and 14050 Ronald Reagan Boulevard

COUNTY: Williamson

AREA: 9.50 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

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

PROPOSED FUTURE LAND USE DESIGNATION: Regional Office/Retail/Commercial

SUMMARY OF REQUEST:

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.

These properties currently have residences on them. The site is surrounded to the east and south by residential primarily in our ETJ, Ronald Reagan to the west and Local Retail (LR) and Little Valley Road to the north.

November 15,
2011

Zoning

Planning and Zoning Commission
**City Initiated – 14100 and 14050 Ronald
Reagan**

**Item:
8F & 9F**

Case Number: # Z-11-036



November 15,
2011

Zoning

Planning and Zoning Commission
City Initiated – 14100 and 14050 Ronald
Reagan

Item:
8F & 9F

Case Number: # Z-11-036

PURPOSE OF REQUESTED ZONING DISTRICT:

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

PERMITTED USES IN LR and GR (the highlighted uses are only permitted in GR):

Accessory structures	Convenience store	Landscape nursery and supply store, retail	Retail gift store
Administrative offices	Day care center, adult	Laundromat	Retail stores
Art gallery	Day care center, child	Liquor store	Software development
Art galleries with retail sales	Day care center, incidental Drugstores	Medical offices	Software sales, computer hardware sales
Automated Teller Machines	Dry cleaning and/or laundry, on-site	Motel	Special events
Automobile parts and accessories sales	Equipment rental, sales, service and/or repair	Movie and music rentals, sales	Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Automobile sales, new	Food sales, limited	Nonprofit seasonal fundraisers	Temporary buildings
Automobile sales, used	Food sales, general (grocery store)	Office/showroom	Theaters, indoor
Automobile repair shop	Funeral home	Office/warehouse	Theaters, outdoor
Automotive tire stores	Furniture store	Personal Improvement Services	Transit station
Bakery, retail	Gasoline service stations, limited and general	Personal services	Utility services, general
Banks (with or without drive-through facilities)	Golf, amusement	Personal improvement services	Veterinary Services
Bar, Cocktail lounge	Hardware stores	Pet grooming	Vocational or trade school
Bed and Breakfast	Home improvement center	Places of worship	Private schools
Car washes	Hotel (incl extended stay)	Professional offices	
Civic clubs and fraternal organizations	Indoor sports and recreation	Public buildings, uses	
Community center	Instant print copy services	Reception hall	
Commercial parking lots		Restaurant, general	
Consumer repair shop (including bicycles)		Rental libraries for sound and video recordings	
		Research and development activities (as it pertains to software only)	

November 15, 2011 Zoning	Planning and Zoning Commission City Initiated – 14100 and 14050 Ronald Reagan	Item: 8F & 9F
Case Number: # Z-11-036		

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Regional Office/Retail/Commercial. Compatible zoning districts include General Office (GO), General Retail (GR) and Mixed Use (MU).

This request is consistent with the following goals outlined 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.

SITE INFORMATION:

Corridor Overlay:

This site abuts Ronald Reagan Boulevard and is subject to the corridor overlay requirements.

Transportation:

Ronald Reagan is classified as a major arterial roadway.

Water and Wastewater Utilities:

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

Subdivision:

Neither property is currently subdivided.

Setback Requirements:

	General Retail (GR)
Front Setback	25'
Side Setback	12'
Rear Setback adjacent to single family	20'

Architectural Requirements:

This site is subject to the Corridor Overlay which requires 75% masonry construction.

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – 14100 and 14050 Ronald Reagan	Item: 8F & 9F
Case Number: # Z-11-036		

STAFF RECOMMENDATION:

Staff recommends that this site be assigned original zoning of General Retail (GR). The designation of GR is consistent with adjacent GR zoned tracts, is compatible with other surrounding land uses, and is supported by the purpose statement of the district.

PUBLIC INPUT: Staff met with one of the property's representatives regarding this request. After discussion their agent expressed no concerns regarding the assignment of zoning. Staff has not heard from the other property owner nor any surrounding property owners at the time of publication of this report.

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
15 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – Outland Ltd. @ New Hope	Item: 8G & 9G
Case Number: # Z-11-037		

Owner: Outland Ltd. and City of Cedar Park

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

LOCATION: Northeast corner of E. New Hope Drive and Avenue of the Stars

COUNTY: Williamson

AREA: 26.313 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

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

PROPOSED FUTURE LAND USE DESIGNATION: Regional Office/Retail/Commercial

SUMMARY OF REQUEST:

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 property currently has a residence on the site. The site is surrounded by the Event Center to the north, New Hope Drive to the south, Avenue of the Stars to the west and the detention facility for the Event Center and 183A to the east.

November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – Outland Ltd. @ New Hope

Item:
8G &
9G

Case Number: # Z-11-037



November 15,
2011
Zoning

Planning and Zoning Commission
City Initiated – Outland Ltd. @ New Hope

Item:
8G &
9G

Case Number: # Z-11-037

PURPOSE OF REQUESTED ZONING DISTRICT:

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

PERMITTED USES IN LR and GR (the highlighted uses are only permitted in GR):

Accessory structures	Convenience store	Landscape nursery and supply store, retail	Retail gift store
Administrative offices	Day care center, adult	Laundromat	Retail stores
Art gallery	Day care center, child	Liquor store	Software development
Art galleries with retail sales	Day care center, incidental Drugstores	Medical offices	Software sales, computer hardware sales
Automated Teller Machines	Dry cleaning and/or laundry, on-site	Motel	Special events
Automobile parts and accessories sales	Equipment rental, sales, service and/or repair	Movie and music rentals, sales	Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Automobile sales, new	Food sales, limited	Nonprofit seasonal fundraisers	Temporary buildings
Automobile sales, used	Food sales, general (grocery store)	Office/showroom	Theaters, indoor
Automobile repair shop	Funeral home	Office/warehouse	Theaters, outdoor
Automotive tire stores	Furniture store	Personal Improvement Services	Transit station
Bakery, retail	Gasoline service stations, limited and general	Personal services	Utility services, general
Banks (with or without drive-through facilities)	Golf, amusement	Personal improvement services	Veterinary Services
Bar, Cocktail lounge	Hardware stores	Pet grooming	Vocational or trade school
Bed and Breakfast	Home improvement center	Places of worship	Private schools
Car washes	Hotel (incl extended stay)	Professional offices	
Civic clubs and fraternal organizations	Indoor sports and recreation	Public buildings, uses	
Community center	Instant print copy services	Reception hall	
Commercial parking lots		Restaurant, general	
Consumer repair shop (including bicycles)		Rental libraries for sound and video recordings	
		Research and development activities (as it pertains to software only)	

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Regional Office/Retail/Commercial. Compatible zoning districts include General Office (GO), General Retail (GR) and Mixed Use (MU).

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – Outland Ltd. @ New Hope	Item: 8G & 9G
Case Number: # Z-11-037		

This request is consistent with the following goals outlined 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.

SITE INFORMATION:

Corridor Overlay:

This site abuts 183A and New Hope Drive and is subject to the corridor overlay requirements.

Transportation:

183A is classified as a toll road. New Hope Drive is classified as a major arterial. Avenue of the Stars is a commercial collector that serves the Event Center.

Water and Wastewater Utilities:

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

Subdivision:

The properties along New Hope Drive have been subdivided. Future subdivisions of property may be required for development.

Setback Requirements:

	General Retail (GR)
Front Setback	25'
Side Setback	12'
Rear Setback adjacent to single family	20'

Architectural Requirements:

This site is subject to the Corridor Overlay which requires 75% masonry construction.

STAFF RECOMMENDATION:

Staff recommends that this site be assigned original zoning of General Retail (GR). The designation of GR is consistent with adjacent GR zoned tracts, is compatible with other surrounding land uses, and is supported by the purpose statement of the district.

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated – Outland Ltd. @ New Hope	Item: 8G & 9G
Case Number: # Z-11-037		

PUBLIC INPUT: Staff did not hear from the property owner or any surrounding property owners at the time of publication of this report.

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
4 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2011) 2ND Reading

November 15,
2011
Zoning

Planning and Zoning Commission

2500 Bois D'Arc Lane

**Item:
8H & 9H**

Case Number: # Z-11-040

Owner: Oscar Amaya

Agent: Joe Sanches

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

LOCATION: 2500 Bois D'Arc Lane

COUNTY: Williamson

AREA: 0.268 acres

EXISTING ZONING: Single Family – Large Suburban Lot (SF-1)

PROPOSED ZONING: Manufactured Home Residential (MH)

STAFF RECOMMENDATION: Denial

EXISTING FUTURE LAND USE DESIGNATION: Low Density Residential

SUMMARY OF REQUEST:

The applicant is requesting to rezone approximately 0.268 acres from SF-1 to MH for property located at 2500 Bois D'Arc Lane.

EXISTING SITE:



November 15,
2011
Zoning

Planning and Zoning Commission

2500 Bois D'Arc Lane

Item:
8H & 9H

Case Number: # Z-11-040

SURROUNDING USES:

The site is currently undeveloped and is bounded by Pear Lane to the south and Bois D'Arc Lane to the west. An existing single family residence exists to the north and undeveloped commercial property exists to the east.



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2011
Zoning

Planning and Zoning Commission
2500 Bois D'Arc Lane

Item:
8H & 9H

Case Number: # Z-11-040

PURPOSE OF REQUESTED ZONING DISTRICT:

The Manufactured Home District, MH, is established to provide a single-family residential zoning district most appropriate to an established neighborhood that contains predominantly manufactured home residences. This district allows for manufactured homes, modular homes, or other site-built homes on individual lots and provides for a diversity of housing options. Nonresidential uses, such as religious and educational facilities, and open spaces are provided to maintain an orderly, convenient, and attractive residential area. The permitted uses of this district are considered compatible with the residential character of the district to preserve its safety and quality of life.

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the subject area as suitable for Low Density Residential land uses, with compatible districts such as Rural Agriculture (RA), Single Family (SF), Single Family Large Suburban Lot (SF-1), Single Family Large Urban Lot (SF-2), Single Family Urban Lot (SF-3), and Manufactured Home (MH).

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

The request is also consistent with the Housing goals of the Comprehensive Plan:

SITE INFORMATION:

Corridor Overlay:

This tract is not located within the Corridor Overlay.

Transportation:

Bois D'Arc Lane is classified as a local street and forms the western boundary of the tract.

Pear Lane is also classified as a local street and forms the southern boundary of the tract.

Water and Wastewater Utilities:

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

Subdivision:

The property is subdivided.

November 15,
2011
Zoning

Planning and Zoning Commission

2500 Bois D'Arc Lane

**Item:
8H & 9H**

Case Number: # Z-11-040

Setback Requirements:

	Manufactured Home (MH)
Front Setback	25'
Side Setback	10'
Side Setback adjacent to street	15'
Rear Setback	25'

Architectural Requirements:

Manufactured homes must be securely tied down, blocked and completely skirted prior to occupancy. No masonry treatment is required for manufactured homes.

STAFF COMMENTARY

Although consistent with the Future Land Use Plan and housing goals of the Comprehensive Plan, the applicant's request for MH zoning does not meet the purpose statement of the district. As expressed in the purposed statement, MH zoning is appropriate in established neighborhoods that contain predominantly manufactured home residences; however, Bois D'Arc Lane in the vicinity of this tract is predominantly zoned for single family residential use. In addition, Pear Lane south of the tract and Cypress Lane west of the tract, create natural boundaries between single family zoned properties and manufactured home zoned properties. Finally, there are opportunities in the area to develop on existing MH zoned properties.

RECOMMENDATION:

Staff recommends denial of the applicant's request to rezone approximately 0.268 acres from SF-1 to MH for property located at 2500 Bois D'Arc Lane.

PUBLIC INPUT: To date, no public comments have been received.

PUBLIC NOTIFICATION: Cedar Park Citizen, November 3, 2011
25 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (December 22, 2011) 1ST Reading
(January 12, 2012) 2ND Reading

November 15, 2011 Zoning	<i>Planning and Zoning Commission</i> Ordinance Amendment Zoning Chapter 11 Regarding definitions and/or references to Building Official	Item: 13A1
OA-11-008		

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

Sec. 11.12.002 Terms

Building official – The Director of Planning and Development Service or his/her designee

Sec. 12.23.001 Definitions Purpose

Building official - The Director of Planning and Development Service or his/her designee

Sec. 13.01.004 Compliance required

(a) It shall be unlawful for any person to erect, construct, enlarge, move or convert any sign within the city or its extraterritorial jurisdiction (ETJ) without first obtaining a sign permit from and paying a permit fee to the **Director of Planning and Development Services or his/her designee ~~building official~~** unless specifically noted otherwise in this article. A change of business requires a new sign permit.