



CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, DECEMBER 20, 2011 AT 6:30 P.M.
CEDAR PARK PUBLIC LIBRARY
550 DISCOVERY BOULEVARD CEDAR PARK, TEXAS 78613

AMENDED

COMMISSION MEMBERS

- ALAIN O'TOOL
- HOLLY HOGUE

- STEPHEN THOMAS, Chair
- NICHOLAS KAUFFMAN, Vice Chair
- LORENA ECHEVERRIA de Misi, Secretary

- THOMAS BALESTIERE
- JON LUX

- 1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
- 3 MINUTES: Approve Minutes from the Regular Meeting of November 15, 2011
- 4 CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
- 5 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. Scottsdale Crossing (Subdivision plat of Pecan Grove)(SFP-11-008)
7.619 acres, 3 commercial lots
Located on the east side of 183A just south of Scottsdale Drive
Owner: Pecan Grove, SPVEF
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove
2. Scottsdale Crossing Preliminary Plan (PP-11-007)
121.08 acres, 88 residential lots, 16 commercial lots
Located on 183A Toll Road at Scottsdale Drive
Owner: Pecan Grove, SPVEF
Staff Resource: Emily Barron
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

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: Approve

6. POSTPONEMENTS/WITHDRAWN/PULLED REQUESTS:

- A. Discussion and Possible Action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations Division 33 Corridor Overlay – To amend language regarding uses within Corridor Overlay – **Postponement request to January 17, 2012**
- B. Discussion and Possible Action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.02 Zoning Districts and Regulations, Division 5 Manufactured Home Residential (MH) District – To amend regulations of the MH district – **Postponement request to January 17, 2012**

7. 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 Commercial, Z-11-039 (Related to item 8A)
- B. City Initiated - 209-303 Cotton Pickin Lane, Z-11-043 (Related to item 8B)
- C. City Initiated – 208-210 Cotton Pickin' Lane, Z-11-044 (Related to item 8C)
- D. City Initiated – 204 Cotton Pickin' Lake, Z-11-045 (Related to item 8D)
- E. City Initiated – Remainder of 1150 S Bell, Z-11-046 (Related to item 8E)(**Amended**)
- F. City Initiated – NE Corner of S. Lakeline and Cypress Creek Road, Z-11-047 (Related to item 8F)
- G. City initiated – 1801 S. Lakeline, Z-11-048 (related to item 8G)
- H. 1431 Investors Inc., Z-11-049 (related to item 8H)
- I. Caspita, Z-11-050 (related to item 8I)

8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Continental Homes of Texas LP to rezone approximately 42.8 acres from Downtown District (DD) to Planned Development – Mixed Use (PD-M) for property located near the southwest corner of 183A Toll Road and East New Hope Drive. (Z-11-039)
Owner: Continental Homes of Texas LP
Agent: James Brewer, Gray Jansing and Associates
Staff Resource Person: Amy Link
Staff proposal to P&Z: Approve with Alternate Conditions
 - 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 1.9 acres for property located at 209-303 Cotton Pickin Lane. (Z-11-043)
Owners: Lois Hanks, Gloria Mayer, Cesar and Digna Garcia and Roger Campbell
Staff Resource Person: Emily Barron
Staff proposal to P&Z: Approve
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council
 - 3) P&Z Adoption of Final Report

- C. Consider a City initiated request to assign original zoning of General Retail (GR) for approximately 0.99 acres for property located at 208-210 Cotton Pickin Lane. (Z-11-044)
Owners: Herman and Nettie Waters
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 General Retail (GR) to approximately 0.49 acres located at 204 Cotton Pickin Lane. (Z-11-045)
Owners: John and Elizabeth Green
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 General Retail (GR) to approximately 7.1 acres property located at **1150 S. Bell Boulevard**. (Z-11-046) (**Amended**)
Owners: Hilltop Baptist Temple
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 rezone approximately 14.7 acres from Planned Development (PD) to General Retail (GR) for property located at the northeast corner of Cypress Creek Road and S. Lakeline Boulevard. (Z-11-047).
Owner: Randall's Food and Drug Inc, Austin Telco Federal Credit Union, Kentucky Lake Ltd., Archland Property II, LP, Lakeline Austin LLC
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

- G. Consider a City initiated request to rezone approximately 1.4 acres from Planned Development (PD) to General Retail (GR) for property located at 1801 S. Lakeline Boulevard. (Z-11-048)
Owner: Exxon Mobile Corp.
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

- H Consider a request by 1431 Investors Ltd., to assign original zoning of General Retail (GR) to approximately 29.6 acres for property located at the northwest corner of the intersection of E. Whitestone Boulevard and Ronald Reagan Boulevard. (Z-11-049)
Owner: 1431 Investors Ltd.
Agent: Henry Gilmore
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

- I. Consider a request by Caspita Industries to rezone approximately 2.8 acres from General Office (GO) to Local Retail with a Conditional Overlay (LR-CO) for property located on Old Mill Road west of South Lakeline Boulevard. (Z-11-050)
Owner: Caspita Industries
Agent: Jennie Braasch, Pohl Partners
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

9 FUTURE LAND USE PLAN AMENDMENTS:

- A Future Land Use Plan amendment for property located at Little Elm Trail and Fire Lane.

10 SUBDIVISIONS (ACTION AND PUBLIC HEARING): **None**

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

12. DISCUSSION AND POSSIBLE ACTION ITEMS:

- A Ordinance Amendments –

- 1 Discussion and Possible Action 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.
- 2. Discussion and Possible Action on Ordinance Amendments to Chapter 12 – Subdivision Section 12.12.010, Lot Arrangements - To amend language regarding flag lots

3 Discussion and Possible Action on Ordinance Amendments to Chapter 11 – Zoning, Article 11.10 Boards and Commissions, Division 3 Zoning Changes and Amendments - To amend language regarding the Neighborhood Communication Summary

13 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 Pertaining to Zoning Matters from November 17, 2011 and December 8, 2011
- B Director and Staff Comments
- C Commissioners Comments
- D Request for Future Agenda Items
- E Designate Delegate to Attend Next Council Meetings on December 22, 2011 and January 12, 2011

14 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

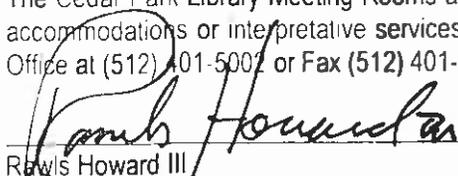
CERTIFICATE

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

DEC 13 '11 AM 9:45

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.


Rauls 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, 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
Chair Thomas called the meeting to order at 6:30 P.M. Chair Thomas read the "Chairman's Sheet" explaining the meeting procedures.
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS
Chair Thomas led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.
3. ROLL CALL
Commissioner O'Tool arrived at 6:34 P.M. during Item 4. Secretary Echeverria was absent. All other Commissioners were present and a quorum was declared.
4. MINUTES: Approve Minutes from the Regular Meeting of October 18, 2011
MOTION: Commissioner Lux moved to approve the Regular Called Meeting of October 18, 2011 Minutes as presented. Commissioner Balestiere 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. 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

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

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

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

- 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)

MOTION: Commissioner Lux moved to accept the Preliminary Reports for Items 8A 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 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

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 2200 East Whitestone Boulevard and is currently undeveloped. Staff recommended 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. 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.

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

MOTION: Commissioner Lux moved to recommend approval to the City Council of assigning 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) as presented by Staff. Vice Chair Kauffman seconded the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Commissioner Lux moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9A, Case Z-11-021. Commissioner Balestiere seconded the motion and the motion passed unanimously, 6-0, one absent.

Items 9B through 9E were called up together.

- 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

Senior Planner Emily Barron made the presentation and was available for questions. She advised the Commissioners that even though the discussion concerns all four parcels, each parcel will need a separate motion. 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 multiple parcels located near the

intersection of County Road 180 and New Hope Drive. These parcels were not contiguous so staff separated them for easier reference as sites A-D.



- **Site A:** Staff recommended General Retail (GR) for the thirty-three (33) acres on Site A (Z-11-035A). Site A is surrounded by undeveloped property to the north, south and the 183A Toll Road to the west.
- **Site B:** Staff recommended General Retail (GR) for the 7.2 acres on Site B (Z-11-035B). A portion of Site B is currently developed with a commercial business and the two tracts that abut New Hope Drive have residences on them. The tract is surrounded by undeveloped property to the north, County Road 180 and a future restaurant development to the south and west, New Hope Drive to the south and a Local Retail (LR) zoning to the east.
- **Site C:** Staff recommended Local Retail (LR) for the 2.34 acres on Site C (Z-11-035C). Site C 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.
- **Site D:** Staff recommended Local Retail with a conditional overlay (LR-CO) for the 5.12 acres on Site D (Z-11-035D). The conditional overlay requires a fifty foot (50') buffer along the eastern boundary where the property abuts residential property. 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 community by extending the buffer that exists in the form of Open Space Greenbelt (OSG) to the north of the site within Pecan Grove. Site D 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.

The requests for the tracts are consistent with the Comprehensive Plan and Future Land Use Plan as well as with the purpose statements of the zoning districts.

Public hearings were held on the above items. There being no public testimony, the public hearings were closed and the regular session reopened.

MOTION: Vice Chair Kauffman moved to recommend approval to the City Council of assigning original zoning of General Retail (GR) to 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) as presented by Staff. Commissioner Lux seconded the motion and the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Commissioner O'Tool moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9B, Case Z-11-035A. Commissioner Balestiere seconded the motion and the motion passed unanimously, 6-0, one absent.

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

MOTION: Commissioner Lux moved to recommend approval of assigning original zoning of General Retail (GR) to approximately 7.2 acres located near the intersection of County Road 180 and New Hope Drive. (Z-11-035B) as presented by Staff to the City Council. Commissioner Hogue seconded the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Vice Chair Kauffman moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9C, Case Z-11-035B. Commissioner O'Tool seconded the motion and the motion passed unanimously, 6-0, one absent.

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

MOTION: Vice Chair Kauffman moved to recommend approval to the City Council of assigning original zoning of Local Retail (LR) to approximately 2.34 acres located at the northwest corner of Cottonwood Creek Trail and New Hope Drive. (Z-11-035C) as presented by Staff. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Vice Chair Kauffman moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9D, Case Z-11-035C. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, one absent.

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

MOTION: Commissioner O'Tool moved to recommend approval to the City Council of assigning 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) as presented by Staff. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Commissioner Lux moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9E, Case Z-11-035D. Vice Chair Kauffman seconded the motion and the motion passed unanimously, 6-0, one absent.

- 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

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. The properties at 14100 and 14050 Ronald Reagan Boulevard currently have residences on them. The site is surrounded to the east and south by residential primarily in our Extra Territorial Jurisdiction (ETJ), Ronald Reagan Boulevard to the west, and Local Retail (LR) and Little Valley Road to the north. 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 other surrounding land uses, and is supported by the purpose statement of the district.

Commissioner O'Tool asked about alternate zoning districts available. Senior Planner Emily Barron advised that General Office (GO) would be compatible.

A public hearing was held. The following completed recognition cards and spoke against the rezoning: 1) Sharon Gardner and 2) Rhonda Spates. They were concerned about the intensity of the uses allowed in General Retail (GR). There being no further public testimony, the public hearing was closed and the regular session reopened.

There was general discussion among the Commissioners concerning the required buffer and masonry wall and the expectation of intense development along Ronald Reagan Boulevard.

MOTION: Commissioner Lux moved to recommend approval to the City Council of assigning original zoning of General Retail (GR) to approximately 9.5 acres for property located at 14100 and 14050 Ronald Reagan Boulevard (Z-11-036) as presented by Staff. Commissioner Hogue seconded the motion. The motion passed as follows:

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

MOTION: Commissioner Balestiere moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9F, Case Z-11-036. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, one absent.

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

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 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 183A Toll Road and detention facility for the Event Center to the east. 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 other surrounding land uses, 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: Commissioner Lux moved to recommend approval to the City Council of assigning 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) as presented by staff. Commissioner O'Tool seconded the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Vice Chair Kauffman moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9G, Case Z-11-037. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, one absent.

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

Senior Planner Amy Link made the presentation and was available for questions. The applicant requested 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. 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. The applicant's request is consistent with the Future Land Use Plan and housing goals of the Comprehensive Plan, but does not meet the purpose statement of the district. The parcels in the vicinity of this tract are predominantly zoned for single family residential use. Staff recommends denial of the applicant's request to rezone approximately 0.2628 acres from SF-1 to MH for property at 2500 Bois D'Arc Lane.

The applicant's agent, Loren Trux, was present. The owner is rehabbing manufactured homes.

A public hearing was held. The following completed recognition cards and spoke against the rezoning: 1) Sarah Jenkins, Andrew Lippert, Terry Craig, and LynAnne Ruth. Mrs. Melanie Lippert completed a recognition card stating she was against the rezoning, but did not speak. They were concerned that it would lower property values. They stated that the applicant owns five rental properties in the neighborhood and some look very bad. There being no further public testimony, the public hearing was closed and the regular session reopened. There was general discussion among the Commissioners concerning aesthetics and guidelines.

MOTION: Commissioner Lux moved to recommend denial to the City Council of the 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) as presented by Staff. Commissioner O'Tool seconded the motion and the motion passed unanimously, 6-0, one absent.

MOTION: Commissioner Hogue moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 9H, Case Z-11-040. Commissioner Lux seconded the motion and the motion passed unanimously, 6-0, one absent.

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.**

Rawls Howard, Director of Planning and Development Services, advised that references are made to the "Building Official" and he would like to change it to the "Director of Planning and Development Services or his/her designee". The term Building Official is a holdover from an earlier time.

Chair Thomas advised that he wants to know what the definition from the National Building Code states so that there would not be any conflict in terms.

MOTION: Commissioner Lux moved to postpone the above item to December Regular Scheduled meeting. Commissioner Hogue seconded the motion and the motion passed unanimously, 6-0, one absent.

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

Rawls Howard advised that the Planning and Zoning Commission related items were first readings on the October 20, 2011 Council agenda. Z-11-024 was postponed. The other zonings were approved at the November 3, 2011 Council meeting.

B. Director and Staff Comments – Special called meeting December 6, 2011

Director Rawls Howard advised that a Special Called meeting was scheduled for December 6, 2011 at 6:30 PM. The workshop will allow discussion concerning several revisions and amendments to the Zoning, Subdivision and Sign Ordinances.

C. Commissioners Comments.

Commissioner Lux thanked staff for the city initiated zonings that have been brought to the Commission. Rawls Howard advised that approximately one-third of the zonings will be completed by December, 2011. Chair Thomas wished everyone a happy Thanksgiving holiday.

D. Request for Future Agenda Items.

Chair Thomas asked when the training DVDs would be done. It was suggested that it be included on the workshop agenda in case there was time to review it. The training could be postponed to another meeting if it was a long meeting. Vice Chair Kauffman asked that a discussion concerning manufactured homes be included in the workshop.

E. Designate Delegate to Attend Next Council Meetings on November 17, 2011 and December 8, 2011

Commissioner Lux advised that he would attend both meetings.

15. **ADJOURNMENT**

Chair Thomas adjourned the meeting at 7:57 p.m.

PASSED AND APPROVED THE ____ DAY OF _____, 2011.

STEPHEN THOMAS, Chairman

ATTEST:

LORENA ECHEVERRIA DE MISI, Secretary

December 20,
2011
Subdivision

Planning and Zoning Commission
Pecan Grove

**Item:#
5A1**

Case Number: SFP-11-008

OWNER: Pecan Grove SPVEF, Dennis McDaniel.

AGENT: Paul Linehan

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

LOCATION: 183A Toll Road at Scottsdale

COUNTY: Williamson

AREA: 7.619 acres

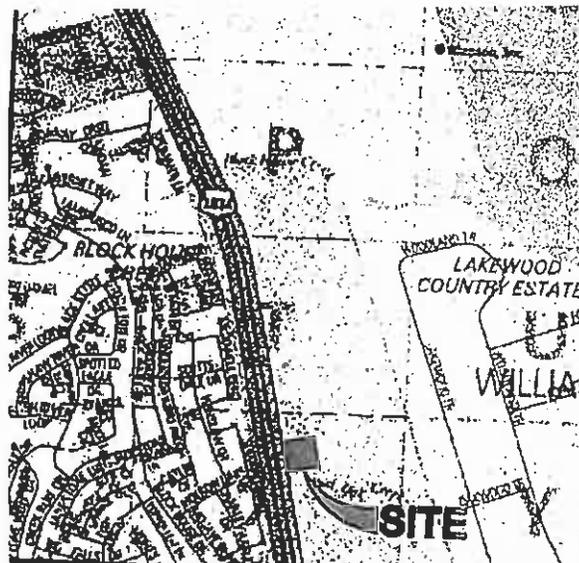
ZONING: GR

SUBDIVISION DESCRIPTION: 3 commercial lots

STAFF COMMENTS:

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

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



December 20,
2011
Subdivision

Planning and Zoning Commission
Scottsdale Crossing

**Item:#
5A2**

Case Number: PP-11-007

OWNER: Pecan Grove SPVEF, Dennis McDaniel.

AGENT: Paul Linehan

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

LOCATION: 183A Toll Road at Scottsdale

COUNTY: Williamson

AREA: 121.08 acres

ZONING: SF-3, GO, GR, GR-CO, LI

SUBDIVISION DESCRIPTION: 88 residential lots, 16 commercial lots

STAFF COMMENTS:

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

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



LOCATION MAP



December 20,
2011
Subdivision

Planning and Zoning Commission
Ranch at Brushy Creek Section 9C

**Item:#
5B1**

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

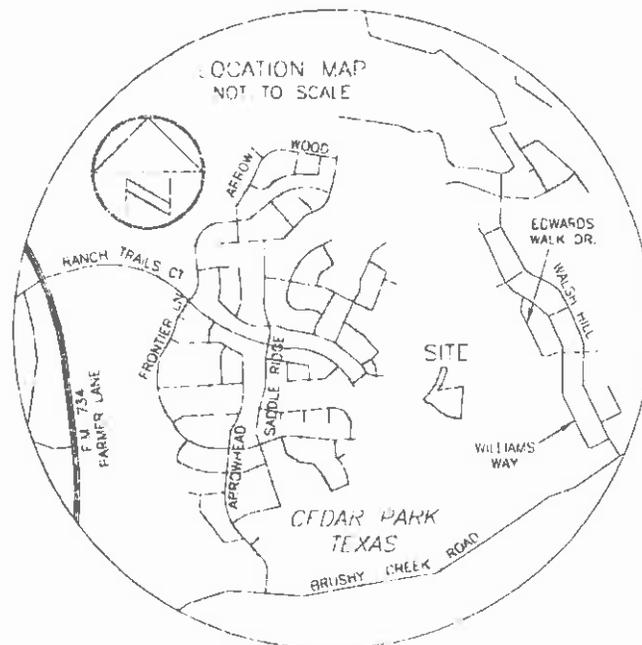
SUBDIVISION DESCRIPTION: 1 amenity lot

STAFF COMMENTS:

This preliminary plan meets all state and local requirements.

STAFF RECOMMENDATION:

Approve the preliminary plan



December 20,
2011
Zoning

Planning and Zoning Commission

Cedar Park Town Center Commercial

**Item:
7A & 8A**

Case Number: # Z-11-039

Owner: Continental Homes of Texas, LP

Agent: James Brewer, Gray Jansing and Associates

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

LOCATION: Near the southwest corner of E. New Hope Drive and 183A Toll Road

COUNTY: Williamson

AREA: 42.86 acres

EXISTING ZONING: Downtown District (DD)

PROPOSED ZONING: Planned Development-Mixed Use (PD-M)

STAFF RECOMMENDATION: Planned Development-Mixed Use (PD-M)

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

SUMMARY OF REQUEST:

The applicant is requesting to rezone approximately 42.86 acres from Downtown District (DD) to Planned Development-Mixed Use (PD-M) for property located near the southwest corner of East New Hope Drive and 183A Toll Road.

EXISTING SITE and SURROUNDING USES:

The site is currently undeveloped and is bounded by 183A Toll Road to the east, undeveloped commercial property to the north and south, and existing single family residential property to the west.

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Zoning

Planning and Zoning Commission
Cedar Park Town Center Commercial

**Item:
7A & 8A**

Case Number: # Z-11-039



December 20, 2011 Zoning	<i>Planning and Zoning Commission</i> Cedar Park Town Center Commercial	Item: 7A & 8A
Case Number: # Z-11-039		

PURPOSE OF REQUESTED ZONING DISTRICT:

The Planned Development District accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this chapter. While greater flexibility is given to allow special conditions or restrictions which would not otherwise allow the development to occur, procedures are established herein to ensure appropriate application for a PD and still offer increased flexibility.

COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

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

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

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

4.1.6 Economic Development Goals:

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

4.1.3 Housing Goals:

- Formulate a viable mix of housing types that will successfully diversify the housing market of Cedar Park, allowing it to grow into a sustainable community.
- Provide new housing opportunities for current and future residents of Cedar Park.

SITE INFORMATION:

Corridor Overlay:

This tract is partially located within the Corridor Overlay, extending 400 feet back from the right-of-way of East New Hope Drive and 183A Toll Road.

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Cedar Park Town Center Commercial

**Item:
7A & 8A**

Case Number: # Z-11-039

Transportation:

East New Hope Drive is classified as a 4 lane divided major arterial adjacent to the tract. In 2011, the traffic count west of 183A Toll Road was 13,409 vehicles trips per day.

The 183A Tollway Frontage Road carried 29,885 vehicles per day in 2010, between E. Whitestone and New Hope Drive.

Alamo Plaza Drive is proposed to extend from the western boundary of the tract to the 183A Toll Road. This roadway is proposed as a neighborhood collector, with 64 feet of right-of-way and 44 feet of pavement.

A second neighborhood collector is proposed south of Alamo Plaza Drive and will provide a second connection to the 183A Toll Road. This roadway will terminate prior to the western boundary of the PD, as depicted on the attached land plan. Access to Big Spring Drive shall be prohibited to/from the PD, except for emergency access as required by the City.

A smaller collector roadway is proposed to connect Alamo Plaza and the second neighborhood collector, internal to the tract. This is shown as McKinney Falls Drive on the land plan.

Big Bend Drive, located at the southwestern boundary of the tract, is not proposed to extend into the tract. Access to Big Bend Drive to/from the PD shall be prohibited, except for emergency access as required by the City.

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:

	Parcels 1-4 (GR or GO land uses)	Parcels 3 & 4 (MF land uses)
Front Setback	25'	25'
Side Setback	12'	10'
Side Setback adjacent to street	25'	25'
Rear Setback	5'	25'

Additional setback requirements have been established as part of the PD and are further described under Staff Commentary.

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Architectural Requirements:

Each exterior wall area of a site built in this district shall be a minimum of 75% masonry construction, exclusive of doors and windows.

CASE HISTORY:

Case Number	Request	P&Z Recommendation	CC Action
Z-99-022	Interim R-1 to DD	Recommend DD	Approved DD

STAFF COMMENTARY:

The subject tract is currently located within the Town Center Area of the Cedar Park Town Center, a master-planned development. Existing zoning within the Cedar Park Town Center is form based, emphasizing building appearance and orientation rather than permission of specific land uses. The Town Center Area promoted a mix of commercial and residential uses within a dense, pedestrian friendly environment. Since the creation of the Town Center master plan, market conditions have changed and it is believed that a development of this type cannot be supported by the local area. Therefore, the applicant is requesting to rezone the property to more traditional land uses through a PD-M.

All parcels within the PD-M are proposed for uses typically found in the General Retail (GR) and/or General Office (GO) districts. Parcels 3 and 4 also allow Multifamily (MF).

To ensure development of the commercial parcels within the subject tract, to maintain the pedestrian friendly development originally envisioned in the Town Center Master Plan, and to establish compatibility with the adjacent existing single family residential neighborhood, the following regulations are proposed as part of the PD:

Permitted Land Uses:

- 1) Parcel Identification (see attached map): Parcel 1 (P1)- General Office and General Retail (GO, GR,); Parcel 2 (P2) –General Retail, (GR); Parcel 3 (P3) – General Office, General Retail, Multifamily (GO, GR, MF); Parcel 4 (P4) - General Office, General Retail, Multifamily (GO, GR, MF).
- 2) A maximum of 400 multifamily dwelling units are permitted within the PD
- 3) Minimum site area shall be 3 acres for GO uses, 8 acres for MF uses, and 1 acre for GR uses.

Buffer and Setback Requirements:

1. General:
 - a. A buffer shall be provided along the western boundary of the PD as follows:
 - i. Provide a 6 foot masonry fence at the western property line;

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2011

Zoning

Planning and Zoning Commission

Cedar Park Town Center Commercial

**Item:
7A & 8A**

Case Number: # Z-11-039

- ii. Adjacent to the fence on the east, provide a twenty (20) foot landscape buffer;
2. Non-residential:
 - a. Adjacent to the landscape buffer, an 80' building setback shall be provided
3. Residential:
 - a. Adjacent to the landscape buffer, provide a twenty (20) foot building setback. Parking and unit parking garage clusters are allowed within the 20 foot building setback and shall be limited to fifteen (15) in height.
 - b. Any structure within 60' of the building setback shall be limited to a maximum height of 2 stories or 35', whichever is less.

Height Restrictions:

All non-residential structures shall have a maximum of three (3) floors or fifty-five feet, except hotels, which may have a maximum height of four (4) floors or fifty-five feet.

Exterior Elevation requirements:

- 1) Each exterior wall area of a site built in this district shall have a minimum of 75% masonry, exclusive of doors and windows.
- 2) Pitched roofs may have asphalt or fiberglass shingles as well as metal or tile.

Phasing Requirement:

No multifamily residential site development permit shall be issued on Parcels 3 or 4 until a certificate of occupancy has been issued for a minimum of 65,000 square feet of office development on Parcel 1.

Internal Drive Connections:

The development shall provide (a) a direct internal drive connection between Parcel 1 and the adjacent tract to the south at a location to be determined at the time of site development in accordance with Section 14.05.004(8) Access Standards, and (b) unrestricted cross access across Parcel 1.

Pedestrian Connectivity:

The development shall provide multiple pedestrian connections to and between proposed buildings and to adjacent sidewalk systems. The pedestrian network shall minimize walking distances when practical, provide safe and convenient crossings at street intersections, and provide an environment that is conducive to pedestrian activity.

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Cedar Park Town Center Commercial

**Item:
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Access

There shall be no public or private access to/from Big Bend Drive or Big Spring Drive to/from the PD except for emergency access as required by the City.

General Compliance Statement:

Unless otherwise specified in these PD Regulations, the minimum regulations for each development shall be those stated in the regulations of the most restrictive established zoning district in which designated uses are permitted.

STAFF RECOMMENDATION:

The applicant's proposed PD-M provides a mix of uses similar to what was originally contemplated in the Town Center plan. Compatibility between the PD tract and the residential neighborhood to the west will be enhanced by providing a masonry fence, landscape buffer, increased building setbacks and height limitations adjacent to the PD's western boundary. Traffic impacts to the surrounding neighborhood will be mitigated by prohibiting access to/from Big Bend Drive and Big Spring Drive to/from the PD. Finally, the regulations for pedestrian connectivity within the development preserve the spirit of the original Town Center plan, which attempted to promote a livable, walkable development, appealing to both residents of the development and surrounding neighborhoods.

Staff recommends the applicant's request to rezone approximately 42.86 acres from Downtown District (DD) to Planned Development-Mixed Use (PD-M), including the regulations listed above, and as depicted on the attached Land Plan.

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

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

PROPOSED CITY COUNCIL HEARINGS: (January 12, 2012) 1ST Reading
(January 26, 2012) 2ND Reading

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2011
Zoning

Planning and Zoning Commission

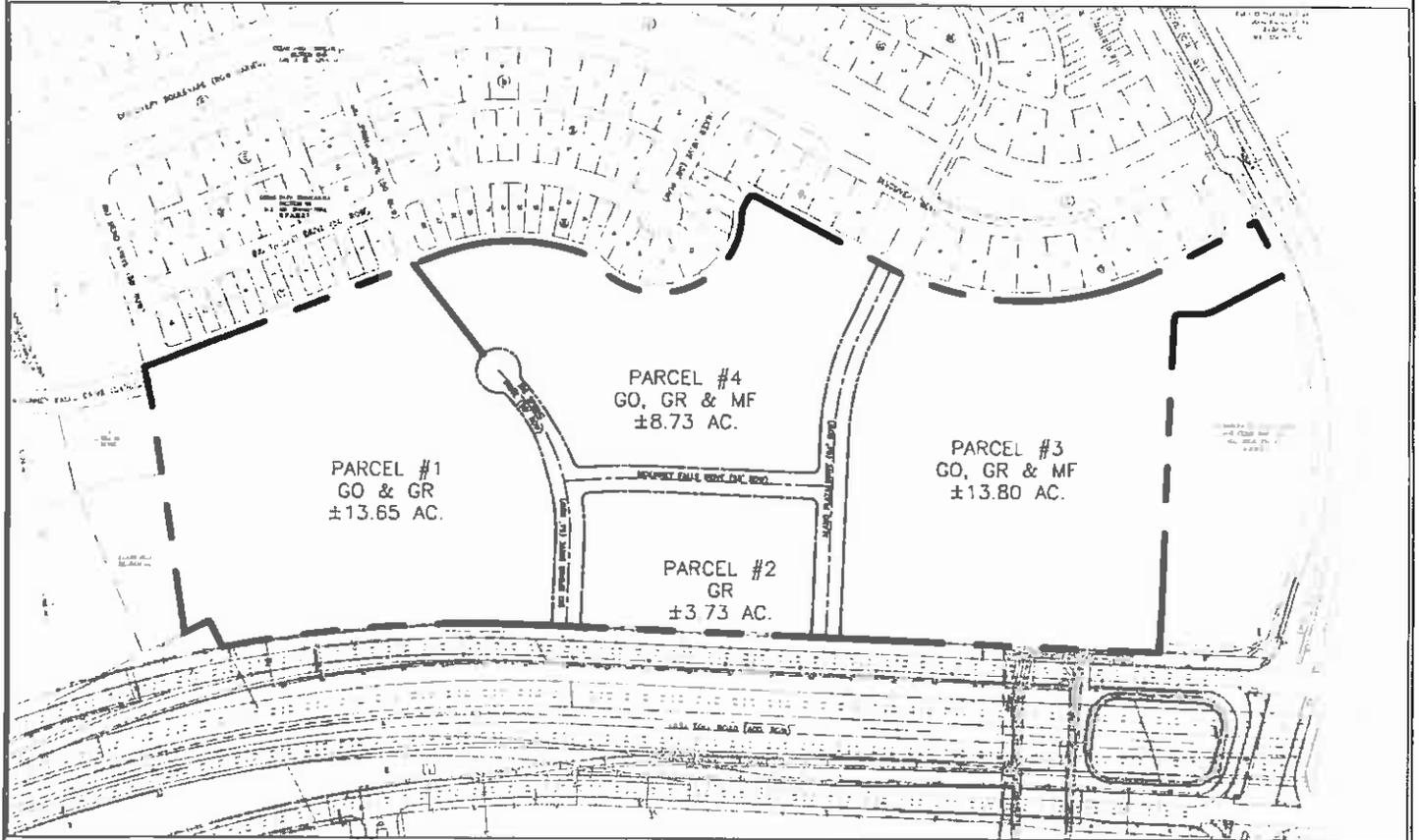
Cedar Park Town Center Commercial

Item:
7A & 8A

Case Number: # Z-11-039

Proposed Land Plan

CEDAR PARK TOWNCENTER COMMERCIAL ZONING EXHIBIT



SCALE: 1"=300'
GRAPHIC SCALE IN FEET
0 150 300 450 600

SWAY & ASSOCIATES, P.C.
Consulting Engineers
1017 West Creek Blvd., Suite 100
Austin, Texas 78704-1000
(512) 453-0071 SWAY&ASSOC@aol.com

December 20,
2011

Planning and Zoning Commission

**Item:
7B/8B**

Zoning

**City Initiated Zoning
209-303 Cotton Pickin Lane**

Case Number: # Z-11-043

OWNER: Lois Hanks, Gloria Mayer, Cesar and Digna Garcia, and Roger Campbell

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

LOCATION: 209-303 Cotton Pickin Lane

COUNTY: Williamson

AREA: 1.98 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

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

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

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 four parcels located at 209-303 Cotton Pickin Lane. These properties are currently developed as residential properties. The residences may be maintained until such time the property owners choose to develop their sites.

December 20,
2011

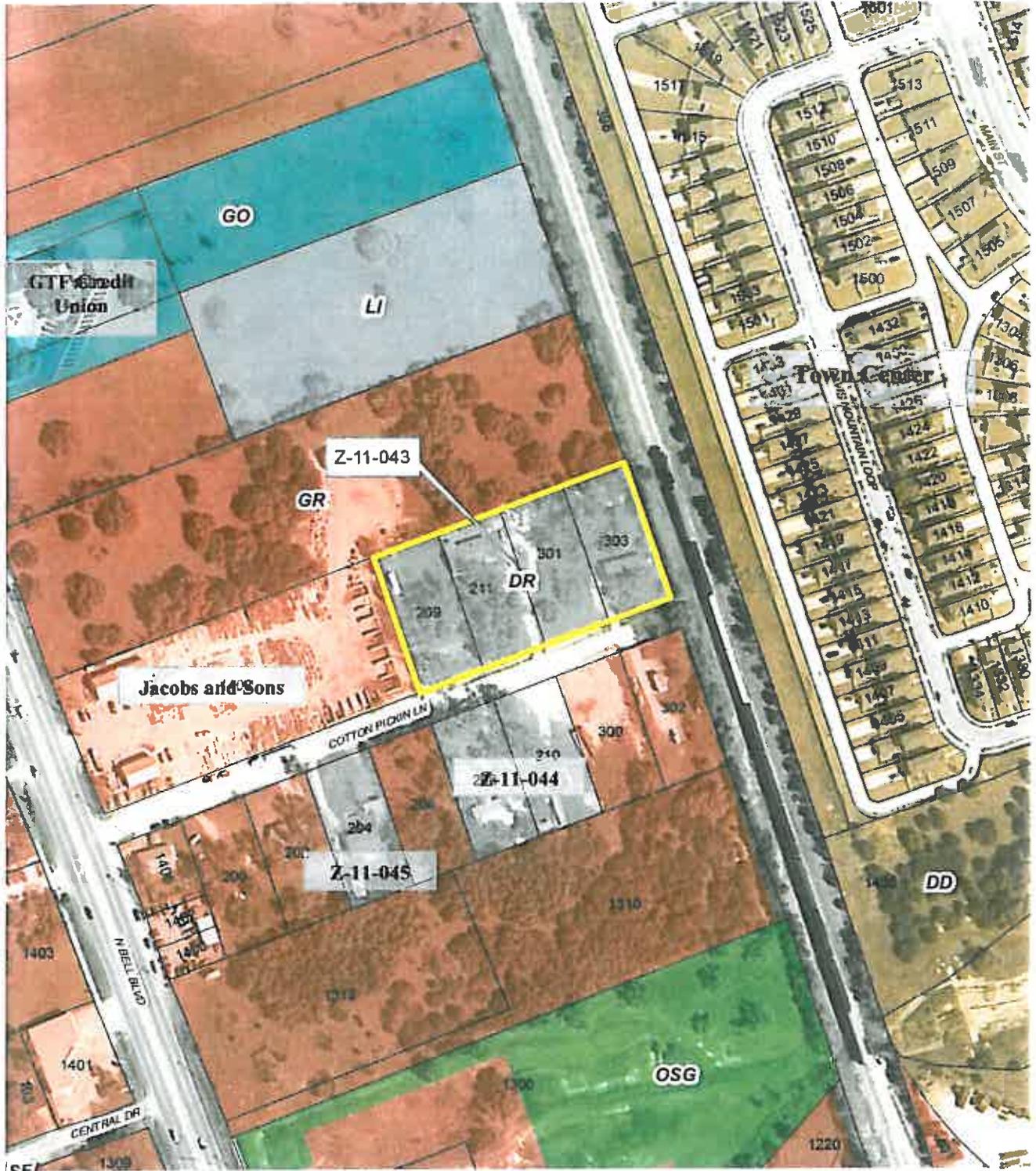
Zoning

Planning and Zoning Commission

City Initiated Zoning 209-303 Cotton Pickin Lane

Item:
7B/8B

Case Number: # Z-11-043



December 20,
2011

Planning and Zoning Commission

Item:
7B/8B

Zoning

**City Initiated Zoning
209-303 Cotton Pickin Lane**

Case Number: # Z-11-043

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.

FUTURE LAND USE PLAN:

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

COMPREHENSIVE PLAN

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

4.1.6 Economic Development Goals:

- 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 property is not within the Corridor Overlay.

Transportation:

Cotton Pickin Lane is classified as a local street.

December 20,
2011

Planning and Zoning Commission

Item:
7B/8B

Zoning

**City Initiated Zoning
209-303 Cotton Pickin Lane**

Case Number: # Z-11-043

Subdivision:

These properties have been legally subdivided.

Setback Requirements:

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

Architectural Requirements:

Each exterior wall area of a site built in this district shall have a minimum of 50% masonry construction exclusive of doors and windows.

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 NOTICE: December 8, 2011 Cedar Park Citizen
13 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: To date, no public input has been received regarding this request.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2011 ~ Public Hearing/1ST Reading
February 2, 2011 ~ 2ND Reading

December 20,
2011

Planning and Zoning Commission

Item:
7C/8C

Zoning

**City Initiated Zoning
208-210 Cotton Pickin Lane**

Case Number: # Z-11-044

OWNER: Herman and Nettie Waters

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

LOCATION: 208-210 Cotton Pickin Lane

COUNTY: Williamson

AREA: 0.992 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

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

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

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 two parcels located at 208 and 210 Cotton Pickin Lane. These properties are currently developed as residential properties. The residences may be maintained until such time the property owner chooses to develop their site.

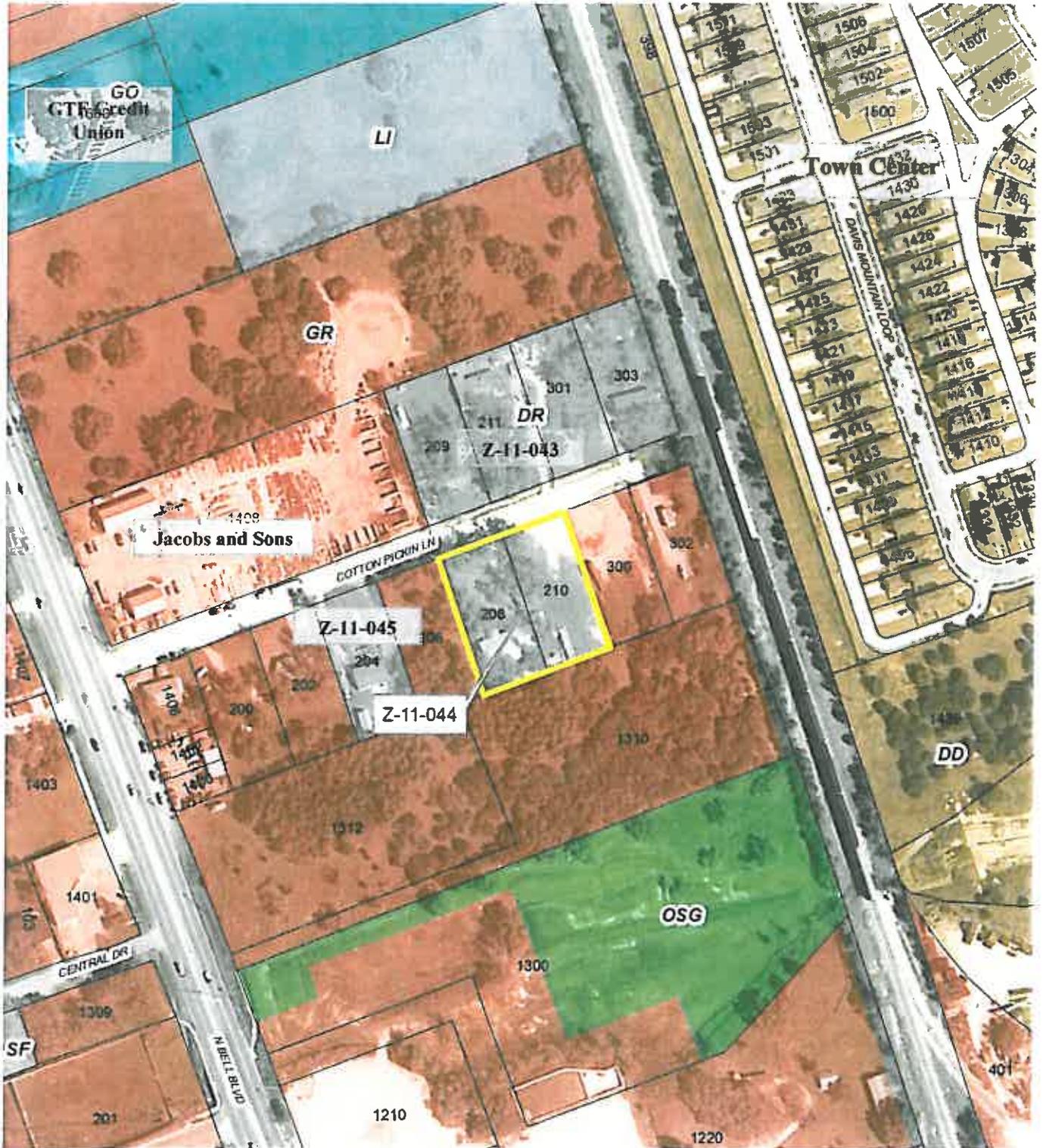
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Zoning

Planning and Zoning Commission
City Initiated Zoning
208-210 Cotton Pickin Lane

Item:
7C/8C

Case Number: # Z-11-044



December 20,
2011

Planning and Zoning Commission

Item:
7C/8C

Zoning

**City Initiated Zoning
208-210 Cotton Pickin Lane**

Case Number: # Z-11-044

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.

FUTURE LAND USE PLAN:

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

COMPREHENSIVE PLAN

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

4.1.6 Economic Development Goals:

- 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 property is not within the Corridor Overlay.

Transportation:

Cotton Pickin Lane is classified as a local street.

December 20,
2011

Planning and Zoning Commission

Item:
7C/8C

Zoning

**City Initiated Zoning
208-210 Cotton Pickin Lane**

Case Number: # Z-11-044

Subdivision:

These properties have been legally subdivided.

Setback Requirements:

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

Architectural Requirements:

Each exterior wall area of a site built in this district shall have a minimum of 50% masonry construction exclusive of doors and windows.

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 NOTICE: December 8, 2011 Cedar Park Citizen
13 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: To date, no public input has been received.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2011 ~ Public Hearing/1ST Reading
February 2, 2011 ~ 2ND Reading

December 20,
2011

Zoning

Planning and Zoning Commission
City Initiated Zoning
204 Cotton Pickin Lane

Item:
7D/8D

Case Number: # Z-11-045

OWNER: John and Elizabeth Green

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

LOCATION: 204 Cotton Pickin Lane

COUNTY: Williamson

AREA: 0.496 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

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

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

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 204 Cotton Pickin Lane. This property is currently developed as a residential property. The residence may be maintained until such time the property owner chooses to develop the site.

December 20,
2011

Planning and Zoning Commission

**Item:
7D/8D**

Zoning

**City Initiated Zoning
204 Cotton Pickin Lane**

Case Number: # Z-11-045

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.

FUTURE LAND USE PLAN:

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

COMPREHENSIVE PLAN

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

4.1.6 Economic Development Goals:

- 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 property is located within the Corridor Overlay of Bell Boulevard.

Transportation:

Cotton Pickin Lane is classified as a local street.

December 20,
2011

Planning and Zoning Commission

Item:
7D/8D

Zoning

**City Initiated Zoning
204 Cotton Pickin Lane**

Case Number: # Z-11-045

Subdivision:

This property has been legally subdivided.

Setback Requirements:

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

Architectural Requirements:

Each exterior wall area of a site built in this district shall have a minimum of 75% masonry construction exclusive of doors and windows.

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 NOTICE: December 8, 2011 Cedar Park Citizen
12 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: Staff spoke with the property owner and responded to questions regarding existing use of the property. At this time the property owner had no further questions.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2011 ~ Public Hearing/1ST Reading
February 2, 2011 ~ 2ND Reading

December 20,
2011

Planning and Zoning Commission

**Item:
7E/8E
9A**

Zoning

**City Initiated Zoning
Remainder of 1150 S Bell &
Future Land Use Plan Amendment**

Case Number: # Z-11-046

OWNER: Hilltop Baptist Temple

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

LOCATION: 1150 S. Bell

COUNTY: Williamson

AREA: 7.1 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

FUTURE LAND USE PLAN EXISTING: Employment Center

FUTURE LAND USE PLAN PROPOSED: Institutional

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 site is located at 1150 S. Bell Boulevard and is owned by Hilltop Baptist Temple. Hilltop is an existing church and school. The portion of the Hilltop Baptist Temple's property that fronts on S. Bell Boulevard has a permanent zoning designation of General Retail (GR), the remainder of the site has the Development Reserve (DR) designation and is the subject of this zoning request.

December 20, 2011	<i>Planning and Zoning Commission</i> City Initiated Zoning Remainder of 1150 S Bell & Future Land Use Plan Amendment	Item: 7E/8E 9A
Zoning	Case Number: # Z-11-046	

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.

FUTURE LAND USE PLAN:

The Future Land Use Plan identifies the area as Employment Center with compatible zoning districts such as Business District (BD), Light Industrial (LI), General Office (GO), Hospital (H), and Mixed Use (MU). The request for GR is not compatible with the Future Land Use Plan however, since the currently zoned portion of the church site is already zoned General Retail (GR) and the property is used as a church and private school, a Future Land Use plan amendment is being requested so that the site is consistently zoned and in compliance with the Future Land Use plan.

The rezoning request proposes approximately 7.1 acres of General Retail (GR); the amendment proposes to designate the remainder of the Hilltop Baptist Temple property as well as the City owned property along Fire Lane and Little Elm as Institutional in order to accommodate the zoning request and reflect more accurately the future use of the church and city properties.

The Future Land Use Plan amendment would remove 29.16 acres from the Employment Center category which would be added to the Institutional category.

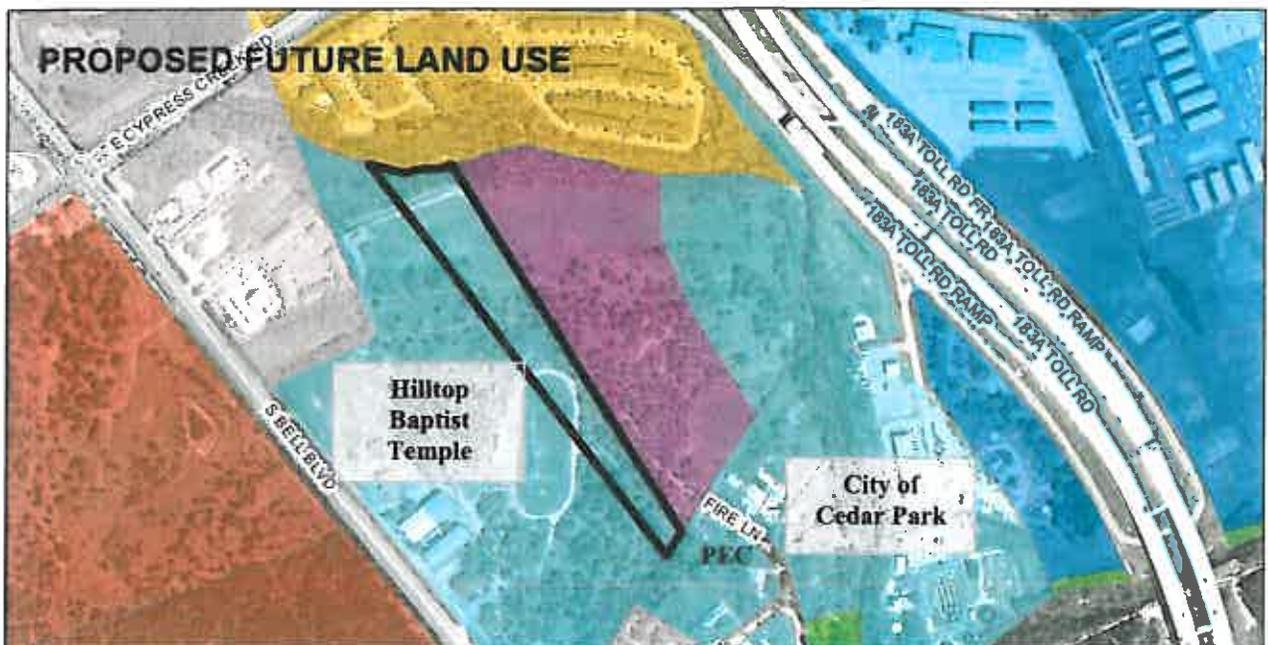
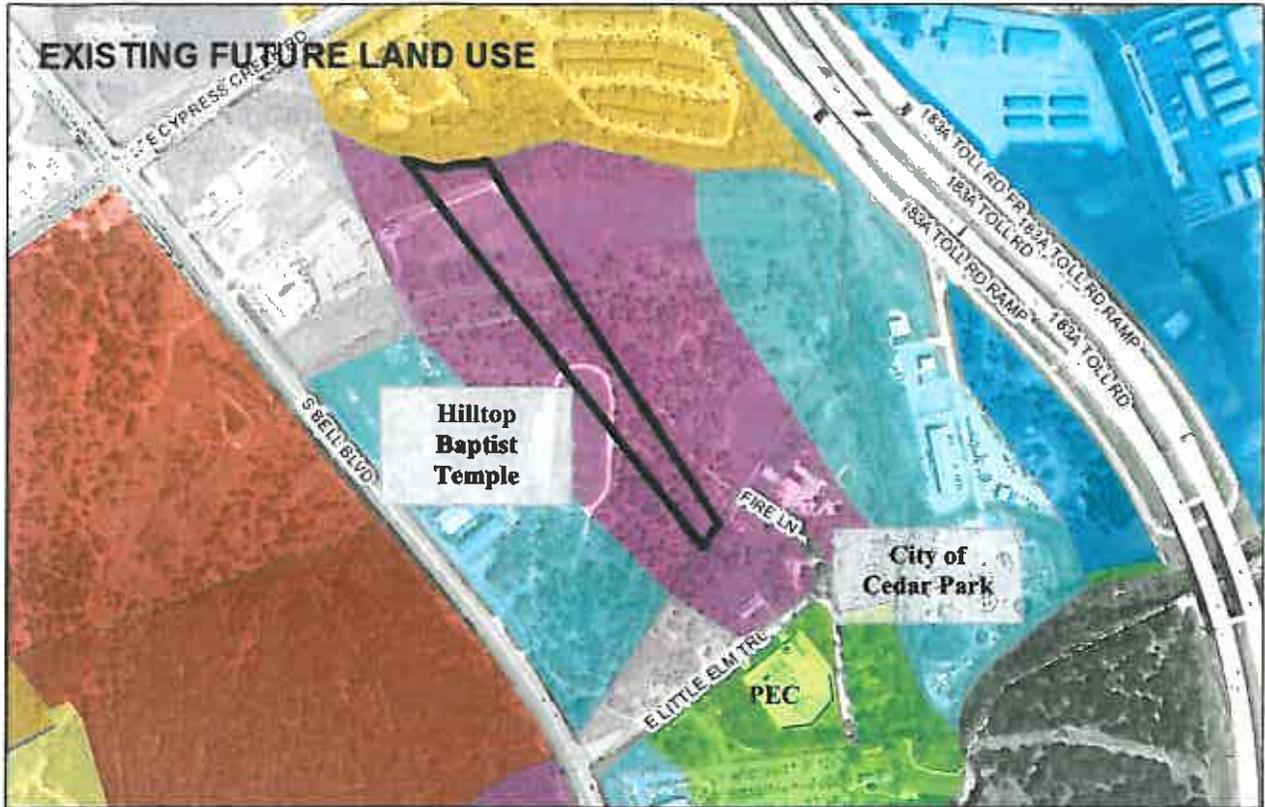
December 20,
2011

Zoning

Planning and Zoning Commission
City Initiated Zoning
Remainder of 1150 S Bell &
Future Land Use Plan Amendment

Item:
7E/8E
9A

Case Number: # Z-11-046



December 20,
2011

Planning and Zoning Commission
City Initiated Zoning
Remainder of 1150 S Bell &
Future Land Use Plan Amendment

Item:
7E/8E
9A

Zoning

Case Number: # Z-11-046

Land Use	Current Area/Percentage		Proposed Amendment/ Percentage		% Change
Employment Center	1,433.09	7.40%	1,403.93	7.24%	-0.16%
High Density Residential	391.52	2.02%	391.52	2.02%	
Industrial	454.97	2.35%	454.97	2.35%	
Institutional/Public/Utility	924.02	4.77%	953.18	4.92%	+0.15%
Low Density Residential	9,412.78	48.59%	9,412.78	48.59%	
Medium Density Residential	200.48	1.03%	200.48	1.03%	
Neighborhood Office/Retail/Commercial	2,351.40	12.14%	2,351.40	12.14%	
Parks and Open Space	2,319.22	11.97%	2,319.22	11.97%	
Regional Office/Retail/Commercial	1,885.91	9.73%	1,885.91	9.73%	

COMPREHENSIVE PLAN

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

4.1.6 Economic Development Goals:

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

SITE INFORMATION:

Corridor Overlay:

This property is within the Corridor Overlay.

Transportation:

South Bell Boulevard is classified as a major arterial.

Subdivision:

A subdivision may be needed for future development.

December 20, 2011	<i>Planning and Zoning Commission</i>	Item: 7E/8E 9A
Zoning	City Initiated Zoning Remainder of 1150 S Bell & Future Land Use Plan Amendment	
Case Number: # Z-11-046		

Setback Requirements:

	<u>GR</u>
Front Setback	25'
Side Setback	12'
Rear Setback	5'

Architectural Requirements:

Each exterior wall area of a site built in this district shall have a minimum of 50% masonry construction exclusive of doors and windows.

STAFF RECOMMENDATION:

Zoning:

Staff recommends that this site be assigned original zoning of General Retail (GR) for 7.1 acres. The designation is consistent with the Comprehensive Plan, compatible with the surrounding land uses and are supported by the purpose statement of the district.

Future Land Use Plan:

Based upon the information provided, it is recommended that the Future Land Use Plan for the area described above be amended to Institutional for the Hilltop Baptist Temple property and the City owned property along Little Elm Trail and Fire Lane.

PUBLIC NOTICE: December 8, 2011 Cedar Park Citizen
6 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: To date no public input has been received on this request.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2011 ~ Public Hearing/1ST Reading
February 2, 2011 ~ 2ND Reading

December 20, 2011	<i>Planning and Zoning Commission</i>	Item: 7F & 8F
Zoning	City Initiated Zoning Northeast Corner of S. Lakeline Blvd. and Cypress Creek Road	
Case Number: # Z-11-047		

OWNER(s): Randall's Food and Drug Inc., Austin Telco Federal Credit Union, Kentucky Lake LTD, Archland Property II LP, and Lakeline Austin LLC

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

LOCATION: Northeast corner of South Lakeline Boulevard and Cypress Creek Road

COUNTY: Williamson

AREA: 14.66 acres

EXISTING ZONING: Planned Development (PD)

PROPOSED ZONING: General Retail (GR)

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

This request is being initiated by the City in order to rezone a portion of the existing Lakeline Village Planned Development to reflect the commercial development that exists on the property today. City Council has tasked staff with rezoning planned developments 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.

EXISTING SITE & SURROUNDING LAND USES

The site is surrounded by undeveloped Local Retail (LR) zoned property to the north and east, South Lakeline Boulevard to the south and Cypress Creek Road to the west.

December 20,
2011

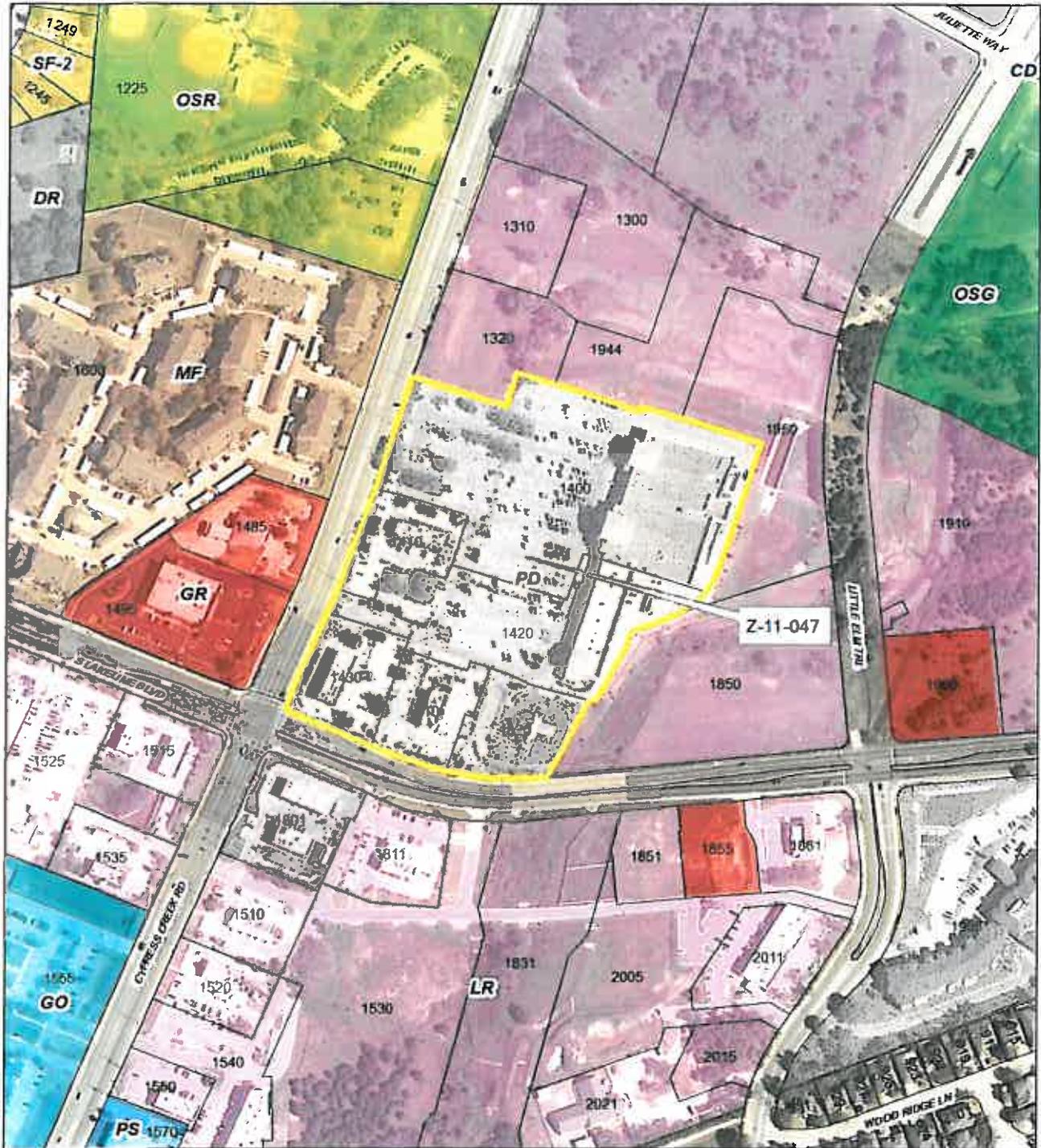
Planning and Zoning Commission

Zoning

City Initiated Zoning
Northeast Corner of S. Lakeline Blvd.
and Cypress Creek Road

Item:
7F & 8F

Case Number: # Z-11-047



December 20,
2011

Planning and Zoning Commission

Zoning

City Initiated Zoning Northeast Corner of S. Lakeline Blvd. and Cypress Creek Road

Item:
7F & 8F

Case Number: # Z-11-047

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:

Permitted uses in the GR district include the following:

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 (including 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)	

December 20, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	City Initiated Zoning Northeast Corner of Lakeline Blvd and Cypress Creek Road	7F & 8F
Case Number: # Z-11-047		

FUTURE LAND USE PLAN:

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

COMPREHENSIVE PLAN

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

4.1.6 Economic Development

- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses
- 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
- Attract commercial development to Cedar Park in order to reduce the tax burden on residential property

SITE INFORMATION:

Corridor Overlay:

This property is located within the Corridor Overlay.

Transportation:

South Lakeline Boulevard is classified as a four lane divided major arterial. The 2008 traffic count along South Lakeline Boulevard, south of Cypress Creek Road was 30,642 vehicles per day.

Cypress Creek Road is also classified as a 4 lane major arterial. The 2008 traffic count along Cypress Creek Road, east of Lakeline Boulevard was 17,067 vehicles per day.

Subdivision:

This property is currently subdivided.

December 20, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	City Initiated Zoning Northeast Corner of Lakeline Blvd and Cypress Creek Road	7F & 8F
Case Number: # Z-11-047		

Setback Requirements:

Front Setback	25'
Side Setback	12'
Site Setback at street	25'
Rear Setback	25'

Architectural Requirements:

Each exterior wall area of a site built in the GR district shall have a minimum of 50% masonry construction exclusive of doors and windows. Within the Corridor Overlay, 75% masonry construction is required.

Case History:

Case Number	Request	P&Z Recommendation	City Council Action
Z-96-017	From DR, MF and GR to PD	Recommended PD	Approved PD
Z-00-008	PD Amendment	Recommended	Approved Amendment

Staff Commentary and Recommendation:

The Lakeline Village Planned Development was originally zoned in 1997. An amendment to a portion of the PD was approved in 2000. The site consists of a Randall's grocery store and gas station, McDonald's restaurant, former Kentucky Fried Chicken restaurant, and an Austin Telco Federal Credit Union. The existing development was constructed between 2000 and 2002.

Based upon review of the building plans for this site, the existing development conforms to the zoning regulations of the GR district.

Therefore, staff recommends rezoning the subject portion of the Lakeline Village PD to GR. The rezoning request complies with the FLUP and exemplifies the purpose statement of the GR district.

PUBLIC NOTICE: December 8, 2011 Cedar Park Citizen
17 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: To date, no public input has been received regarding this request.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2012 ~ Public Hearing/1ST Reading
February 2, 2012 ~ 2ND Reading

December 20, 2011 Zoning	<i>Planning and Zoning Commission</i> City Initiated Zoning 1801 South Lakeline Boulevard	Item: 7G & 8G
Case Number: # Z-11-048		

OWNER(s): Exxon Mobile Corporation

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

LOCATION: 1801 South Lakeline Boulevard

COUNTY: Williamson

AREA: 1.424 acres

EXISTING ZONING: Planned Development (PD)

PROPOSED ZONING: General Retail (GR)

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

This request is being initiated by the City in order to rezone a portion of the existing Lakeline Village Planned Development to reflect the commercial development that exists on the property today. City Council has tasked staff with rezoning planned developments 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.

SURROUNDING LAND USES

The site is surrounded by developed Local Retail (LR) zoned property to the east and south, South Lakeline Boulevard to the north and Cypress Creek Road to the west.

December 20,
2011

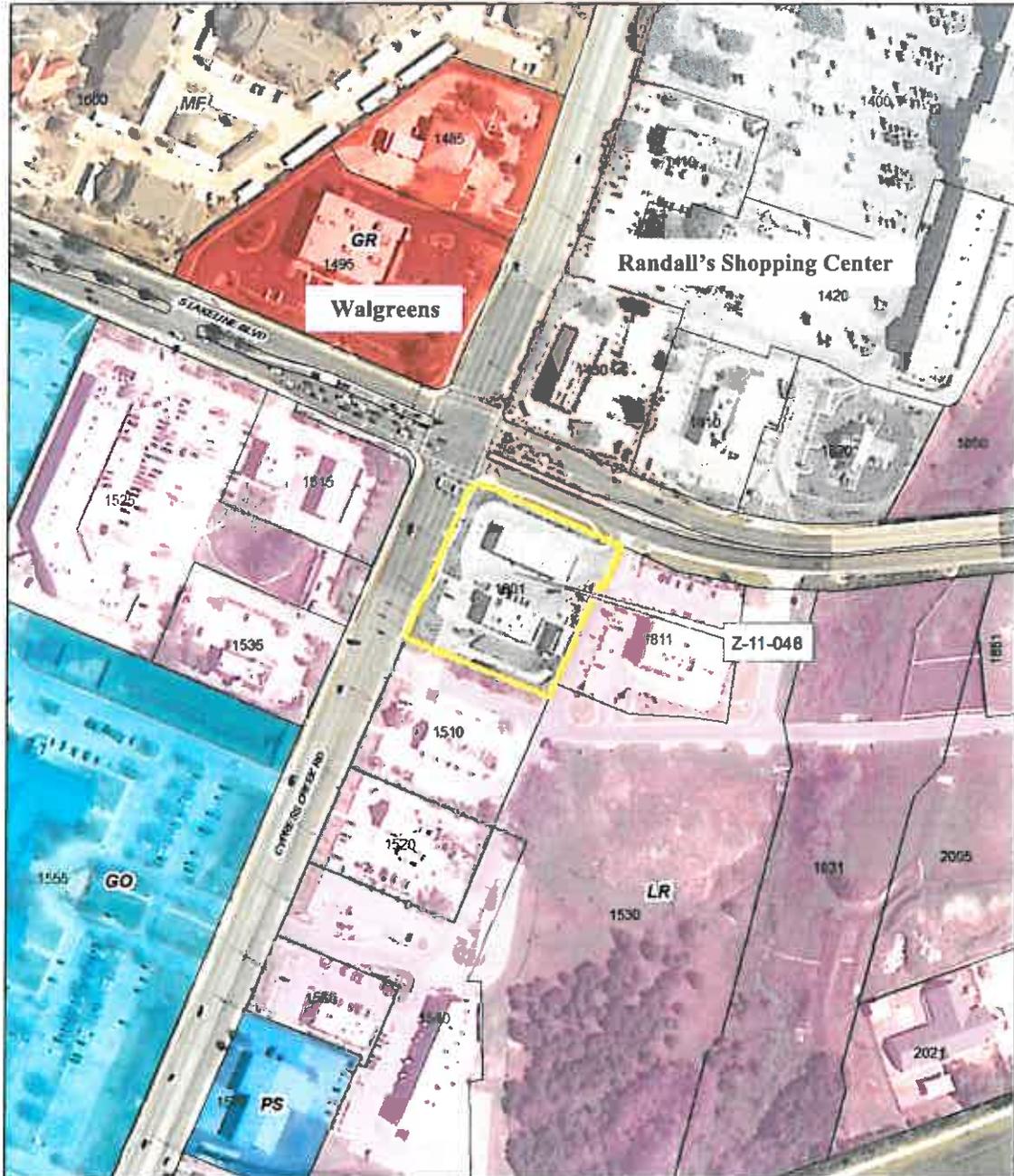
Zoning

Planning and Zoning Commission

City Initiated Zoning
1801 South Lakeline Boulevard

Item:
7G &
8G

Case Number: # Z-11-048



December 20,
2011

Planning and Zoning Commission

Item:
7G &
8G

Zoning

City Initiated Zoning
1801 South Lakeline Boulevard

Case Number: # Z-11-048

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:

Permitted uses in the GR district include the following:

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

December 20, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	City Initiated Zoning 1801 South Lakeline Boulevard	7G & 8G
Case Number: # Z-11-048		

FUTURE LAND USE PLAN:

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

COMPREHENSIVE PLAN

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

4.1.6 Economic Development

- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment, which supports existing businesses
- 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
- Attract commercial development to Cedar Park in order to reduce the tax burden on residential property

SITE INFORMATION:

Corridor Overlay:

This property is located within the Corridor Overlay.

Transportation:

South Lakeline Boulevard is classified as a four lane divided major arterial. The 2008 traffic count along South Lakeline Boulevard, south of Cypress Creek Road was 30,642 vehicles per day.

Cypress Creek Road is also classified as a 4 lane major arterial. The 2008 traffic count along Cypress Creek Road, east of Lakeline Boulevard was 17,067 vehicles per day.

Subdivision:

This property is currently subdivided.

December 20, 2011	<i>Planning and Zoning Commission</i>	Item:
Zoning	City Initiated Zoning 1801 South Lakeline Boulevard	7G & 8G
Case Number: # Z-11-048		

Setback Requirements:

Front Setback	25'
Side Setback	12'
Site Setback at street	25'
Rear Setback	25'

Architectural Requirements:

Each exterior wall area of a site built in the GR district shall have a minimum of 50% masonry construction exclusive of doors and windows. Within the Corridor Overlay, 75% masonry construction is required.

Case History:

Case Number	Request	P&Z Recommendation	City Council Action
Z-96-017	From DR, MF and GR to PD	Recommended PD	Approved PD

Staff Commentary and Recommendation:

The Lakeline Village Planned Development was originally zoned in 1997. The site consists of a gas station with convenience store. Based upon review of the building plans for this site, the existing development conforms to the zoning regulations of the GR district.

Therefore, staff recommends rezoning the subject portion of the Lakeline Village PD to GR. The rezoning request complies with the FLUP and exemplifies the purpose statement of the GR district.

PUBLIC NOTICE: December 8, 2011 Cedar Park Citizen
12 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: To date, no public input has been received regarding this request.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2012 ~ Public Hearing/1ST Reading
February 2, 2012 ~ 2ND Reading

December 20,
2011

Zoning

Planning and Zoning Commission
**City Initiated Zoning
Whitestone Investments**

**Item:
7H/8H**

Case Number: # Z-11-049

OWNER: 1431 Investors Ltd.

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

LOCATION: Northwest corner of Ronald Reagan and East Whitestone Boulevard

COUNTY: Williamson

AREA: 29.68 acres

EXISTING ZONING: Development Reserve (DR)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

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

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

The applicant's request is to assign original zoning of General Retail (GR) to approximately 29.68 acres for property located around the northwest corner of Ronald Reagan Boulevard and East Whitestone Boulevard.

The site is surrounded by undeveloped property to the west, Ronald Reagan Boulevard to the east, E. Whitestone Boulevard, fast food and gas/convenience store to the south, and church/school to the north.



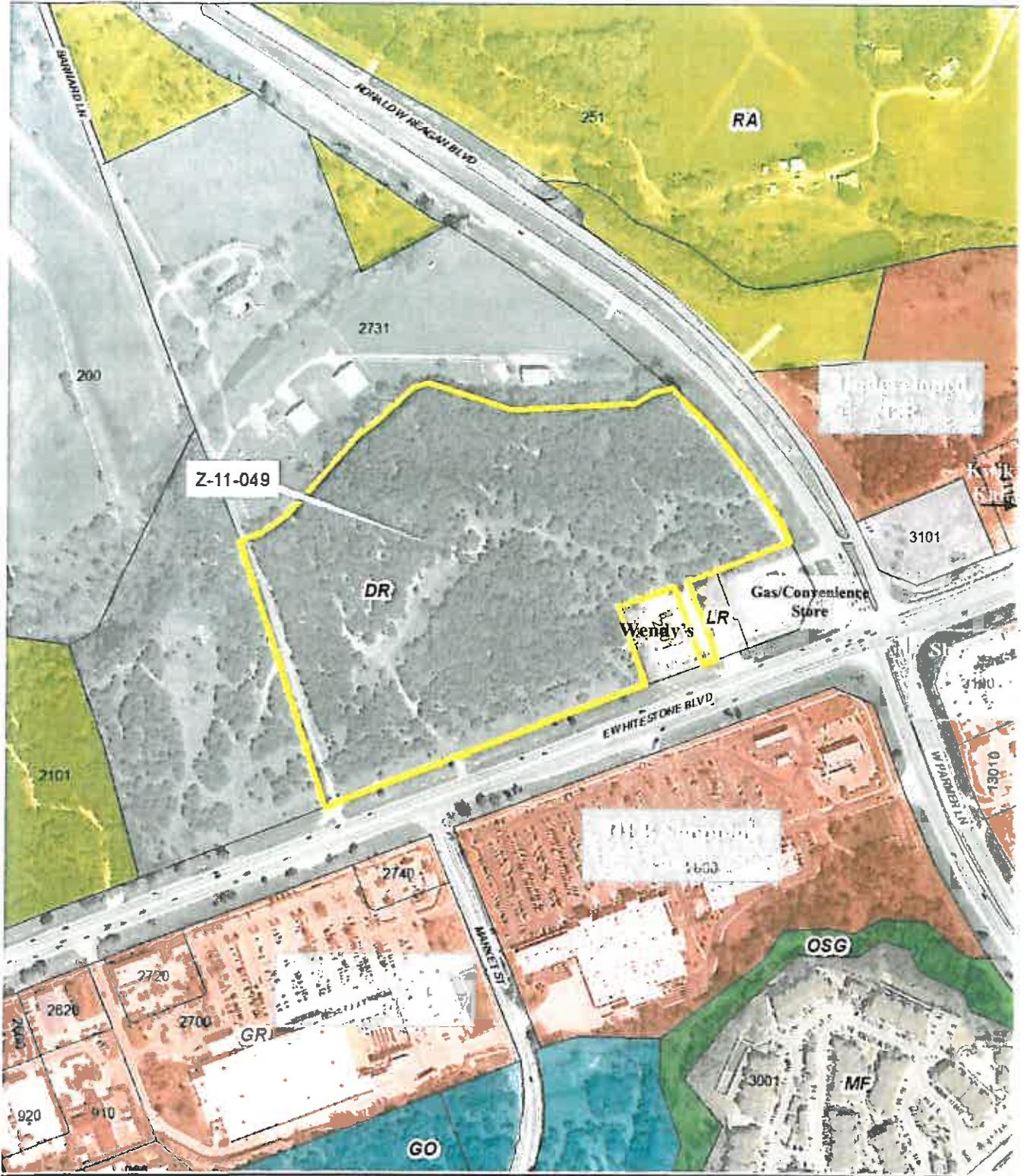
December 20,
2011

Zoning

Planning and Zoning Commission
City Initiated Zoning
Whitestone Investments

Item:
7H/8H

Case Number: # Z-11-049



December 20,
2011

Planning and Zoning Commission

**Item:
7H/8H**

Zoning

**City Initiated Zoning
Whitestone Investments**

Case Number: # Z-11-049

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.

FUTURE LAND USE PLAN:

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

COMPREHENSIVE PLAN

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

4.1.6 Economic Development Goals:

- 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 property is within the Corridor Overlay for E. Whitestone Boulevard and Ronald Reagan Boulevard.

Transportation:

E. Whitestone Boulevard and Ronald Reagan Boulevard are both classified as a major arterial. East Whitestone's 2010 traffic volumes were approximately 32,000 vehicles per day (vpd) west of Ronald Reagan. 2010 traffic volumes along Ronald Reagan were approximately 13,100 vpd.

December 20,
2011

Zoning

Planning and Zoning Commission

**City Initiated Zoning
Whitestone Investments**

**Item:
7H/8H**

Case Number: # Z-11-049

Subdivision:

Future development of this property may require a subdivision of the property.

Setback Requirements:

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

Architectural Requirements:

Each exterior wall area of a site built in this district shall have a minimum of 75% masonry construction exclusive of doors and windows, for the areas located within the corridor overlay and 50% masonry for the remainder.

Staff Recommendation:

Staff recommends that this site be assigned original zoning of General Retail (GR). The designation of GR is compatible with Future Land Use Plan and Comprehensive Plan, and is supported by the purpose statement of the district since the site is located on and has access to two major arterial roadways.

PUBLIC NOTICE: December 8, 2011 Cedar Park Citizen
10 letter notices were sent to property owners within 300 feet of the tract

PUBLIC INPUT: To date, no public input has been received.

PROPOSED CITY COUNCIL HEARINGS: January 26, 2012 ~ Public Hearing/1ST Reading
February 2, 2012 ~ 2ND Reading

December 8, 2011 Zoning	<i>Planning and Zoning Commission</i> Caspita Industries	Item: 71 & 81
Case Number: # Z-11-050		

Owner: Caspita Industries Ltd.

Agent: Jennie Braasch, Pohl Partners

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

LOCATION: Old Mill Road, west of S. Lakeline Boulevard

COUNTY: Williamson

AREA: 2.8386 acres

EXISTING ZONING: General Office (GO)

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

- Prohibit art gallery with retail sales, art studio, automotive parts and accessories sales, retail bakery, bed and breakfast, community center, consumer repair shop, convenience store, food sales-general, gasoline service station-limited, golf amusement, hardware stores, hotel, instant print copy services, landscape nursery and supply store, laundromat, liquor store, motel, movie and music rentals/sales, nonprofit seasonal fundraisers, pet grooming, rental libraries for sound and video recordings, research and development activities (software only), restaurant-general, retail stores, software sales/computer hardware sales, veterinary services.
- Building height shall not exceed thirty-five (35) feet
- Free standing light poles shall not exceed twenty (20) feet in height

STAFF RECOMMENDATION: Local Retail-Conditional Overlay (LR-CO) as requested by the applicant

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

SUMMARY OF REQUEST:

The applicant is requesting to rezone approximately 2.83 acres from General Office (GO) to Local Retail-Conditional Overlay (LR-CO) for property located on Old Mill Road, west of South Lakeline Boulevard.

December 8,
2011
Zoning

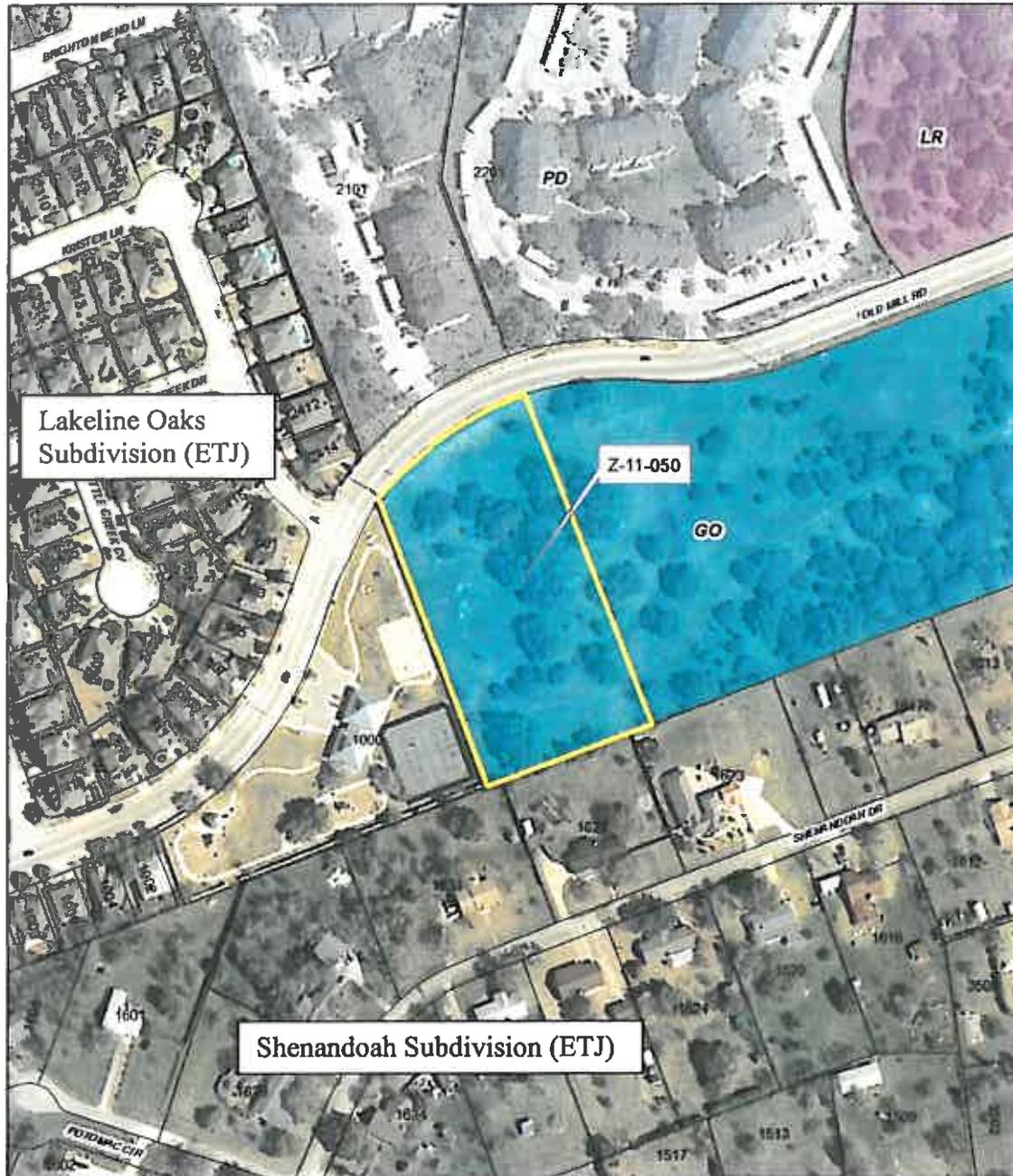
Planning and Zoning Commission
Caspita Industries

Item:
71 & 81

Case Number: # Z-11-050

EXISTING SITE and SURROUNDING USES:

The site is currently undeveloped and is surrounded by undeveloped GO property to the east, single family residential to the south (ETJ), a neighborhood park to the west (ETJ), and Old Mill Road to the north.



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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:

Accessory structures
Administrative offices
Art gallery
Art galleries with retail sales
Automated Teller Machines
Automobile parts and accessories sales
Bakery, retail
Banks (with or without drive-through facilities)
Bed and Breakfast
Community center
Consumer repair shop (including bicycles)
Convenience store
Day care center, adult
Day care center, child
Day care center, incidental
Drugstores
Dry cleaning and/or laundry, on-site
Food sales, limited

Food sales, general (grocery store)
Gasoline service stations, limited
Golf, amusement
Hardware stores
Instant print copy services
Landscape nursery and supply store, retail
Laundromat
Liquor store
Medical offices
Movie and music rentals, sales
Nonprofit seasonal fundraisers
Personal Improvement Services
Personal services
Pet grooming
Places of worship
Professional offices
Public buildings, uses
Restaurant, general

Rental libraries for sound and video recordings
Research and development activities (as it pertains to software only)
Retail gift store
Retail stores
Software development
Software sales, computer hardware sales
Studios/art studio, dance, music, drama, gymnastics, photography, interior design
Temporary buildings
Utility services, general
Veterinary Services
Vocational or trade school
Private schools (Accredited only, with curriculum equivalent to public elementary or secondary schools)

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COMPREHENSIVE PLAN AND FUTURE LAND USE PLAN:

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

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

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

4.1.6 Economic Development Goals:

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

SITE INFORMATION:

Corridor Overlay:

This tract is not located within the Corridor Overlay.

Transportation:

Old Mill Road is classified as a neighborhood collector, with 64 feet of right-of-way and 44 feet of pavement.

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:

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

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Architectural Requirements:

Each exterior wall area of a site built in the LR district shall have a minimum of 50% masonry construction exclusive of doors and windows.

CASE HISTORY:

Case Number	Request	P&Z Recommendation	CC Action
Z-95-007	Interim R-1 to PUD	Recommended PUD	Approved PUD
Z-03-013	PUD to CD, LR and GO	Recommended CD, LR and GO	Approved CD, LR and GO
Z-07-046	GO to MF	Recommended Denial	Withdrawn – no action taken

STAFF COMMENTARY:

The subject tract is currently zoned General Office (GO). The intent of the applicant is to develop an indoor sports and recreation facility on the site. This use is a conditional use within the LR district, which requires an additional public hearing and approval of the Planning and Zoning Commission at the time of site development. The applicant proposes to prohibit those LR uses that are not permitted in the existing GO zoning designation through a conditional overlay. For reference, a comparison of uses in the existing GO and proposed LR-CO zoning designations is provided as an attachment to this staff report. Uses highlighted in red are the uses proposed in the LR-CO request. Please note that the proposed LR-CO designation allows fewer permitted uses than currently allowed in the GO district.

In an effort to provide increased compatibility with the surrounding properties, the applicant proposes to limit the building height to thirty-five (35) feet and limit any free standing light poles on the property to twenty (20) feet. The building height limitation is ten feet less than what is permitted in the LR district, and 40 feet less than what is currently permitted on the property. The proposed light pole height is five feet less than what is currently permitted.

Including the conditional overlay in the applicant's request ensures that permitted land uses remain consistent with those that are currently permitted and provides greater compatibility between the proposed development and the surrounding neighborhood. A twenty (20) foot buffer and masonry fence will be required along the southern property line, adjacent to single family residences. A masonry fence already exists to the west and provides a buffer between the subject tract and an existing neighborhood park.

Finally, the applicant's request is compatible with the Future Land Use Plan and is supported by the purpose statement of the Local Retail and Conditional Overlay districts. The tract is located on a collector roadway, within a third of a mile of Lakeline Boulevard; the uses within the LR district will serve both the local market as well as the overall community; the proposal promotes

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compatibility between land uses and eases the transition from commercial zoning to the surrounding residential neighborhoods.

STAFF RECOMMENDATION:

Based upon the above information, staff recommends approval of LR-CO as requested by the applicant.

PUBLIC INPUT: To date, no public testimony has been received.

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

PROPOSED CITY COUNCIL HEARINGS: (January 26, 2012) 1ST Reading
(February 2, 2012) 2ND Reading

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GO USES

Accessory structures
Administrative offices
Ambulatory Surgery Center
Art gallery
Automated teller machines
Banks (with drive-through facilities as a secondary use only)
College and University
Communication services
Convalescent Nursing Home
Day Care Center, Adult
Day Care Center, Child
Day care center, incidental
Day nurseries, day care facilities
Drug Store
Dry cleaning and/or laundry, on-site plant
Extended care facilities, nursing home
Medical offices
Medical or dental clinics
Medical, surgical, and dental supply houses
Parking lots, driveways, on-site or off-site
Personal improvement services, limited
Personal services, general
Places of worship
Private schools
Professional offices
Public building, uses
Restaurant, limited
Retail gift store
Secondary uses permitted with convalescent nursing homes
Software development
Temporary buildings
Utility services, general
Vocational or trade school
Wireless telecommunications facilities

LR USES

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

December 20, 2011 Zoning	<i>Planning and Zoning Commission</i> Ordinance Amendment Zoning Chapter 11 Regarding definitions and/or references to Building Official	Item: 12A1
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 Services or his/her designee

Sec. 12.23.001 Definitions Purpose

Building official - The Director of Planning and Development Services 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.

At the November 15, 2011 Planning and Zoning Commission Meeting, Commissioners requested additional information on the definition for Building Official per the International Building Code (IBC). The International Residential Code uses the same definition. Below is the definition provided by the IBC:

Building Official: The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

December 20, 2011 Ordinance Amendment	<i>Planning and Zoning Commission</i> Flag Lot Regulations	Item: 12A2

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

At the request of the City Council and per discussion at the December 8th Planning and Zoning Commission Workshop, staff is proposing the following amendment to Chapter 12, Subdivision Ordinance, Section 12.12.010, Lot Arrangements regarding flag lots for consideration. This amendment makes available the general variance procedure outlined in Section 12.12.019 of the Subdivision Ordinance where the stated flag lot requirements are not met, but it further preserves the fundamental policy objectives of (a) providing for public and emergency access, and (b) preserving future development opportunities.

Sec. 12.12.010 Lot Arrangements

(A)(7) Flag lots are ~~expressly prohibited, unless~~ only allowed where:

~~(i)A.~~ The proposed lot configuration is needed to abate an acute topographical condition or other unusual property accessibility constraint not created by the applicant; or

~~(ii)The property has acute topographical conditions and constraints; or~~

~~(iii)B.~~ 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

~~(iv)C.~~ 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:~~

D. Where any of the above items are present, the Planning and Zoning Commission may allow the proposed lot configuration, provided the following conditions are met:

(i) The ~~variance~~ proposed lot does not circumvent the normal platting of streets for public and emergency access;

(ii) The ~~variance~~ proposed lot does not prevent the extensions of streets to adjacent property;

(iii) The proposed lot width is not less than fifty (50) feet in width at its frontage connection with the adjacent public or approved private street; and

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(iv) The narrow or elongated part of the proposed 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.

E. Where the foregoing requirements are not met, but the proposed lot configuration does not circumvent the normal platting of streets for public and emergency access and the proposed lot does not prevent the extensions of streets to adjacent property, the Planning and Zoning Commission may authorize a variance from these regulations pursuant to Sec. 12.12.019 of this chapter.

For reference, Section 12.12.019 of the Subdivision Ordinance is provided below.

Sec. 12.12.019 Variances for design standards

(a) The planning and zoning commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the planning and zoning commission shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings herein below required, the planning and zoning commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, and expected type and volume of traffic.

(b) No variance shall be granted unless the planning and zoning commission finds that all of the following are met:

(1) That there are special circumstances or conditions affecting the land involved such that the strict application at the provisions of this chapter would deprive the applicant of the reasonable use of his land; and

(2) That the variance is necessary for the preservation and enjoyment of substantial property rights of the applicants; and

(3) That the granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property or public facilities in the area (an area encompassing approximately a 200-foot radius); and

(4) That the granting of the variance will not have the effect of preventing the orderly development of the applicant's land and/or land in the vicinity in accordance with the provisions of this chapter.

(5) Pecuniary hardship to the applicant, standing alone, shall not be deemed to constitute undue hardship.

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(c) Such findings of the planning and zoning commission, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the planning and zoning commission meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done.

(d) All requested variances from this chapter shall be made in writing at least thirty (30) working days prior to the date on which consideration is to be given by the planning and zoning commission. Submittal shall be made to the planning department.

(e) Planning and zoning commission shall hold at least one public hearing on each application:

(1) Written notice of all public hearings on proposed variances shall be sent to all owners of property, or to the person rendering the same for city taxes, located within the area of application and within two hundred feet (200') of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail.

(2) Notice of all public hearings on proposed variances shall also appear in the local newspaper of general circulation within not less than ten (10) days before such hearing is held.

(f) Positive action by the planning and zoning commission or city council shall be recorded in the county clerk's office.

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**Summary of
Neighborhood Communication**

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

As a result of discussions during the December 8th Planning and Zoning Commission workshop, the following revisions to the zoning application are proposed. All proposed revisions are noted in red.

Applicant's Summary of Neighborhood Communications

1. Purpose. The purpose of the neighborhood meeting summary requirement is to educate the applicant about issues or concerns from surrounding neighborhoods and property owners that would be impacted by the proposed development. The process is intended to raise awareness of the proposed development, identify issues regarding perceived impacts, and work to resolve the issues in an inclusive manner.
2. Applicability and Exemptions. This neighborhood summary process is **required** for all applicants filing a conditional rezoning request that are **within 300 feet of a single family residential zoning district**. If there are no residential uses within 300 feet of the subject property, the applicant is exempt from this requirement.
3. The Neighborhood Summary Report. The applicant must submit the summary report to the Planning Director (or his/her designee) by 5pm the day prior to the day of the public hearing. The report must describe:
 - How the neighborhood was notified about the proposal, how the information regarding the proposal was shared, and who was involved in the discussions;
 - Any concerns that were raised during the process; and
 - Any development impacts that would result as a result of the concerns raised by the neighborhood at the meeting.
4. Summary Form. The attached form must be substantially completed in order to be accepted.
 - This form will be distributed to the Zoning Commission at the meeting;
 - Upon request, this form may be distributed to the general public one day prior to the public hearing.
5. Summary Presentation. The applicant, or his representative, must present the summary report at each public hearing on the request.

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**Summary of
Neighborhood Communication**

Applicant's Summary of Neighborhood Communications

Did you contact the surrounding neighborhood(s)? Y or N (circle one) If yes, please answer the following questions (additional pages may be attached as necessary to respond to each question).

1. How and when were the surrounding neighborhood and property owners notified, how was information shared, and who was directly involved in the communication process?

2a. Who was notified? Specifically, provide the number of property owners notified, and of those notified, how many are within 300 feet of the subject tract.

2b. Who responded to the notification? Specifically, provide the number of property owners who responded, and of those, how many are within 300 feet of the subject tract.

3. What concerns were raised during these communications?

4. What modifications to the conditions were made or considered in response to the concerns raised at the meeting?

5. Please provide copies of all materials distributed as part of this process and all comments received in response to the distributed materials.

The above information is deemed to be true to the best of my knowledge.

Signed: _____

Date _____

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Planning and Zoning Commission

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Amendment

**Summary of
Neighborhood Communication**

Excerpt from the Zoning Ordinance for reference

Sec. 11.10.027 Applicant's Summary of Neighborhood Communications for Zoning Changes

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

- 1) **Applicability:** The neighborhood communication requirements of this section apply to all zoning applications for properties within 300 feet of single family zoned property. If there are no single family zoned properties within 300 feet of the property under consideration, the applicant is exempt from neighborhood communication summary requirements.
- 2) **Summary Report**
 1. Prior to the public hearing, the applicant must submit a summary report to the Planning Director by 5pm the day prior to the scheduled public hearing. The summary report must describe:
 - A. Efforts, if any, to notify neighborhoods about the proposal (how and when notification occurred, and who was notified);
 - B. How information about the proposal was shared with neighborhoods (mailings, workshops or meetings, open houses, flyers, door-to-door handouts, etc.);
 - C. Who was involved in the discussions;
 - D. Suggestions and concerns raised by the neighborhoods; and
 - E. What specific conditions were added to or modified within the zoning request in response to concerns raised at the meeting.
 2. The applicant must present the summary report to the authorized decision-making body at the public hearing.