

MINUTES FOR
CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, DECEMBER 17, 2013 AT 6:30 P.M.
450 CYPRESS CREEK ROAD, BUILDING FOUR, CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

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|--|---|--|
| <input checked="" type="checkbox"/> SCOTT ROGERS, Place 1 | <input checked="" type="checkbox"/> NICHOLAS KAUFFMAN, Place 5, Chair | <input checked="" type="checkbox"/> KELLY BRENT, Place 7 |
| <input checked="" type="checkbox"/> THOMAS BALESTIERE, Place 2 | <input type="checkbox"/> AUDREY WERNECKE, Place 4, Vice Chair | <input checked="" type="checkbox"/> HOLLY HOGUE, Place 6,
Secretary |
| <input checked="" type="checkbox"/> KEVIN HARRIS, Place 3 | | |

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
Chair Kauffman called the meeting to order at 6:30 P.M. Commissioner Balestiere arrived at 6:47 PM. Vice Chair Wernecke and Commissioner Harris were absent. Four Commissioners were present and a quorum was declared. Chair Kauffman read the standard introduction explaining the meeting procedures.
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS
Chair Kauffman led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.
3. MINUTES: Approve Minutes from the Regular Meeting of November 19, 2013
MOTION: Commissioner Brent moved to approve the Minutes of the Regular Meeting of November 19, 2013 as presented. Commissioner Rogers seconded the motion. The motion passed unanimously, 4-0, with three absent.
4. CITIZEN COMMUNICATIONS *(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)* **NONE.**
5. CONSENT AGENDA:
 - A. STATUTORY DISAPPROVAL:
 1. Star Subdivision (SFP-13-016)
3.075 acres, 1 lot into 2 commercial lots
Located north of Kenai Drive and west of West Parmer Lane
Owners: Mass Project Managers and Consultants
Staff Resource: Rian Amiton
Staff Proposal to P&Z: Statutorily Disapprove
 2. Ranch at Brushy Creek Section 8C and 8D (FP-13-008)
19.88 acres, 49 residential lots, 1 drainage and water quality lot
Located on the north side of Brushy Creek Road and east of West Parmer Lane
Owners: Silverado Austin Development, Ltd. and Standard Pacific of Texas, Inc.
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
 - B. SUBDIVISION APPROVALS:
 1. Cedar Park Villas (SFP-13-014) **Pulled from Agenda (See Item 6E)**
5.58 acres, 1 multifamily lot
Located on the west side of South Bell Boulevard, south of Little Elm Trail
Owners: Cedar Park Villas LP and Austin Premium Properties LC
Staff Resource: Rian Amiton
Staff Proposal to P&Z: Approve

C. EXCUSED ABSENCES FOR PLANNING AND ZONING COMMISSIONERS: NONE
MOTION: Secretary Hogue moved to recommend approval of Consent Agenda Items 5.A.1 through 5.A.2 as presented. Commissioner Rogers seconded the motion. The motion passed unanimously, 4-0, with three absent.

6. POSTPONEMENT/WITHDRAWN/PULLED REQUESTS:

- A. Cedar Park Town Center, Z-13-006 – Indefinite postponement request by applicant
- B. Ozone Lakeline, Z-13-011 – Postponement request by applicant to February 18, 2014
- C. Misty Valley, Z-13-027 – Postponement request by applicant to January 21, 2014
- D. Nitro Swim Center, Z-13-030 – Postponement request by applicant to January 21, 2014
- E. Buttercup Creek Phase V Sec. 7, Resubdivision of Lot 161 Block A – Pulled due to notification error

Planning Manager Amy Link made the presentation and was available for questions. She advised that the postponement of Item 6D, Z-13-030, was due to the annexation schedule.

MOTION: Commissioner Rogers moved to postpone Items 6A through 6D, to above dates as requested. Secretary Hogue seconded the motion. The motion passed unanimously, 4-0, with three absent.

7. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS:

- A. Abrantes V, Z-13-021 (related to item 8A)
- B. Logan Tract, Z-13-028 (related to item 8B)
- C. 903 Royal Lane, Z-13-029 (related to item 8C)

MOTION: Commissioner Brent moved to accept the Preliminary Reports for Items 7A through 7C as presented. Secretary Hogue seconded the motion. The motion passed unanimously, 4-0, with three absent.

Commissioner Balestiere arrived.

8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Creekside Park LTD to rezone approximately 5.7 acres from General Office (GO) to Condominium Residential (CD) for property located on Arrow Point Drive, south of East Whitestone Boulevard. (Z-13-021)
 Owner: Creekside Park LTD
 Agent: Robert Tesch
 Staff resource Person: Amy Link
 Staff proposal to P&Z: General Office (GO)
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council
 - 3) P&Z Adoption of Final Report

Planning Manager Amy Link made the presentation and was available for questions. The applicant requested rezoning a total of approximately 5.7 acres from General Office (GO) to Condominium Residential (CD) for property located on Arrow Point Drive, south of East Whitestone Boulevard. The Applicant's Communication Summary was received. The CD request is not consistent with the Future Land Use Plan and is not supportive of the economic development goals of the Comprehensive Plan. The tract also lacks the minimum six acres required for a condominium residential development as stipulated in the Zoning Ordinance. Staff recommended retention of the General Office (GO) zoning designation for this tract. Applicant Bob Tesch made the presentation. Also speaking in support of the applicant's

request were: Eric Rome, Charles Heimsath (provided feasibility analysis for applicant), and Rod Madden (Abrantes developer).

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

There was general discussion among the Commissioners concerning the change from commercial to residential.

MOTION: Commissioner Balestiere moved to recommend approval to the City Council of rezoning Item 8A, Case Z-13-021, Condominium Residential (CD) with the condition that the condos be detached units. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, with two absent.

MOTION: Secretary Hogue moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 8A, Case Z-13-021. Commissioner Balestiere seconded the motion. The motion passed unanimously, 5-0, with two absent.

- B. Consider a request by Hakim and Sammie Wakil, Mildred Logan, Linda Logan, Gary and Jane Henderson, and Patrick Henfrey to assign original zoning of Single Family-Large Urban Lot (SF-2) to approximately 42.62 acres located north of Arrow Wood Road. (Z-13-028)
Owner: Hakim and Sammie Wakil, Mildred Logan, Linda Logan, Gary and Jane Henderson, and Patrick Henfrey
Agent: Paul Linehan and Jim Vater
Staff resource Person: Rian Amiton
Staff proposal to P&Z: SF-2-CO with a condition to require a 65 foot minimum lot width**
- 1) Public Hearing**
 - 2) P&Z Recommendation to City Council**
 - 3) P&Z Adoption of Final Report**

Planner Rian Amiton made the presentation and was available for questions. The applicant requested original zoning of Single Family-Large Urban Lot (SF-2) for a total of approximately 42.62 acres for property located north of Arrow Wood Road. The site is currently undeveloped. This zoning request is being processed concurrent with a voluntary annexation petition for the property. The Applicant's Communication Summary was received. The request complies with the goals of the Comprehensive Plan and the Future Land Use Plan. Staff recommended approval of the applicant's request for SF-2 zoning with the following condition: 65 foot minimum lot width. The applicant was present and available for questions.

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

MOTION: Commissioner Balestiere moved to recommend approval to the City Council of rezoning Item 8B, Case Z-13-028, to SF-2-CO with the condition that a 65 foot minimum lot width is required. Commissioner Rogers seconded the motion. The motion passed unanimously, 5-0 with two absent.

MOTION: Commissioner Rogers moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 8B, Case Z-13-028. Commissioner Balestiere seconded the motion. The motion passed unanimously, 5-0 with two absent.

- C. Consider a request by Aldea Verde School, LLC to rezone approximately 0.47 acres from Multifamily Residential (MF) to Local Retail (LR) for property located at 903 Royal Lane. (Z-13-029)
Owner: Joseph and Elsie Schumaker
Agent: Jason Westigard
Staff resource Person: Rian Amiton
Staff proposal to P&Z: LR
- 1) Public Hearing
 - 2) P&Z Recommendation to City Council
 - 3) P&Z Adoption of Final Report

Planner Rian Amiton made the presentation and was available for questions. The applicant requested rezoning a total of approximately 0.47 acres from Multifamily Residential (MF) to Local Retail (LR) for property located at 903 Royal Lane. A single family house currently occupies the site. The Applicant's Communication Summary was received. The request is compliant the Comprehensive Plan Goals. It does not comply with the Future Land Use Plan. Staff recommended approval of the applicant's request for Local Retail (LR) zoning. The applicant was present and available for questions.

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

MOTION: Commissioner Balestiere moved to recommend approval to the City Council of rezoning Item 8C, Case Z-13-029, as recommended by staff. Commissioner Brent seconded the motion. The motion passed unanimously, 5-0 with two absent.

MOTION: Commissioner Brent moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 8C, Case Z-13-029. Commissioner Balestiere seconded the motion. The motion passed unanimously, 5-0 with two absent.

9. **FUTURE LAND USE PLAN AMENDMENTS: NONE.**

- A. Future Land Use Amendment for property located Arrow Point Drive, south of East Whitestone Boulevard (related to item 8A).

Planning Manager Amy Link made the presentation and was available for questions. She advised that this Future Land Use Plan amendment was requested in conjunction with Case Z-13-021. Staff supported the applicant's request.

MOTION: Commissioner Balestiere moved to recommend approval to the City Council of amending the Future Land Use Plan for property located at Arrow Point Drive, south of East Whitestone Boulevard. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, with two absent.

- B. Future Land Use Amendment for 903 Royal Lane (related to item 8C).

Planner Rian Amiton made the presentation and was available for questions. He advised that this Future Land Use Plan amendment was requested in conjunction with Case Z-13-029.

MOTION: Commissioner Balestiere moved to recommend approval to the City Council of amending the Future Land Use Plan for property located at 903 Royal Lane. Commissioner Rogers seconded the motion. The motion passed unanimously, 5-0, with two absent.

10. SUBDIVISIONS (ACTION AND PUBLIC HEARING):

- A. Shops at Lakeline Section 3, Resubdivision of Lot 2 (SFP-13-009)
20 acres, 2 commercial lots
Located at 1910 South Lakeline Boulevard
Owner: Becky LTD
Staff Resource: Rian Amiton
Staff Proposal to P&Z: Approve
1) Public Hearing
2) P&Z Action

Planner Rian Amiton advised that this subdivision met all state and local requirements. Staff recommended approval of the plat.

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 Rogers moved to recommend approval of Item 10A, Case SFP-13-009, as presented by Staff. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, with two absent.

- B. Lakewood Country Estates Phase One, Resubdivision of Lot 3 Block D (SFP-13-011)
5.02 acres, 2 residential lots
Located at 132 Lakewood Trail
Owner: Cecil and Norma Holder
Staff Resource: Rian Amiton
Staff Proposal to P&Z: Approve
1) Public Hearing
2) P&Z Action

Planner Rian Amiton advised that this subdivision met all state and local requirements. Staff recommended approval of the plat.

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

MOTION: Secretary Hogue moved to recommend approval of Item 10B, Case SFP-13-011, as presented by Staff. Commissioner Brent seconded the motion. The motion passed unanimously, 5-0, with two absent.

11. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **NONE**
12. ORDINANCE AMENDMENT PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS: **NONE**
13. DISCUSSION AND POSSIBLE ACTION: **NONE**
14. ADMINISTRATIVE ITEMS:
(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

- A. Report on City Council Actions Pertaining to Zoning Matters from November 21st and December 12th.

November 21, 2013 – Commissioner Harris attended. Planning Manager Amy Link advised that the Z-13-020 was on the agenda for 1st reading and public hearing. The following cases were on the agenda for 2nd public hearing: ANX-13-002, ANX-13-003, and ANX-13-004. Z-13-010 was postponed to December 12, 2013.

December 12, 2013 – Commissioner Rogers attended. The following cases were on the agenda for public hearing: ANX-13-002, ANX-13-003, ANX-13-004 and ANX-13-005. The following Cases were on the agenda for 1st reading and public hearing: Z-13-022, Z-13-024, Z-13-026, and OA-13-007.

- B. Director and Staff Comments.

- 1) Possible Special Called Meeting on January 7, 2014

Planning Manager Amy Link advised that a Special Called meeting was needed because a potential economic development project needs to be rezoned.

Planning Manager Amy Link introduced the new Senior Planner Shandrian Jarvis to the Commissioners. She is a University of Texas graduate and comes to us from the City of Austin with more than twelve years of experience.

- C. Commissioners Comments.

Commissioner Brent requested that the meeting rules be more strictly adhered to and that people in the audience not be allowed to speak during the Commissioners deliberations.

- D. Request for Future Agenda Items. **None.**

- E. Designate Delegate to Attend Next Council Meetings on December 19th and January 9th.

Commissioner Balestiere advised that he would attend the December 19th Council meeting and Commissioner Rogers advised that he would attend the January 9th Council meeting.

15. ADJOURNMENT

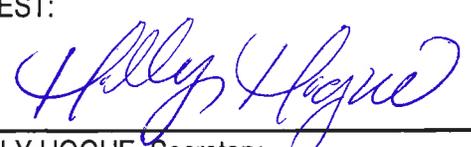
Chair Kauffman adjourned the meeting at 8:17 p.m.

PASSED AND APPROVED THE 21ST DAY OF JANUARY, 2014.



NICHOLAS KAUFFMAN, Chairman

ATTEST:



HOLLY HOGUE, Secretary