



CEDAR PARK

CITY OF CEDAR PARK
SPECIAL CALLED MEETING OF THE
PLANNING & ZONING COMMISSION
TUESDAY, JANUARY 28, 2014 AT 6:30 P.M.
CEDAR PARK CITY HALL COUNCIL CHAMBERS
450 CYPRESS CREEK ROAD, BUILDING FOUR, CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

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

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS
3. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
4. ORDINANCE AMENDMENT PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:
 - A. Consideration Of An Ordinance Effecting A Moratorium On The Acceptance Of Applications For Permits For Development Of Commercial Property For New And/Or Used Automotive Sales Within The Corporate Limits Of The City Of Cedar Park. (OA-14-002)
 - 1) Public Hearing
 - B. Consideration of a proposed revision to the Code of Ordinances: specifically, to Chapter 11 Zoning, Article 11.02 Zoning Districts and Boundaries, Division 13 Duplex Residential District, Section 11.02.101 Permitted Uses; Division 14 Multifamily Residential District, Section 11.02.111 Permitted Uses; Division 15 Transitional Office District, Section 11.02.122 Permitted Uses; Division 17 General Office District, Section 11.02.138 Permitted Uses; Division 31 Mixed Use District, Section 11.02.252 Permitted Uses; Division 22 Hospital Districts, Section 11.02.182 Permitted Uses; Division 38, Section 11.02.341 Zoning District Chart Residential Districts; Section 11.02.342 Zoning District Chart Nonresidential Districts, and; Article 11.12 Definitions, Division 1 Definition of Terms, Section 11.12.002 Terms to amend the definitions and permitted zoning districts for residential type commercial uses. (OA-13-009)
 - 1) Public Hearing
 - 2) P&Z Recommendation to City Council
5. 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. Director and Staff Comments
 - B. Commissioners Comments
 - C. Request for Future Agenda Items

6. ADJOURNMENT

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

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

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

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

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

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

CERTIFICATE

I certify that the above notice of the Special Called Planning and Zoning Commission Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on:

Date Stamped (Month, Day, Year, AM/PM, Time) JAN 24 14 PM 2:28

The Cedar Park City Hall Complex 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.



Development Services Department

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

January 28, 2014

Planning and Zoning Commission

Moratorium For New and/or Used Automotive Sales

**Item:
4A**

Case Number: OA-14-002

STAFF: Josh Selleck, 512-401-5368, josh.selleck@cedarparktexas.gov

As you know, City staff has already commenced the ordinance amendment process with respect to a proposed amendment of Chapter 11, Zoning Ordinance, of the City's Code of Ordinances, which would remove new and used automotive sales as a permitted use in the General Retail ("GR") Zoning District. In order to preserve the public ordinance amendment process and to allow time for Council's full consideration of uses within the GR District, staff proposes the adoption of a temporary moratorium to suspend new and/or used automotive sales development within the GR District.

Subsequent to staff's publication of notice for this proposed amendment to the GR District regulations, staff was advised that sizeable tracts along the City's major commercial corridors are being targeted by developers for new and used automotive sales. These developments tend to cluster, and this is of particular concern for 183A – the City's emerging main commercial corridor – where the City has invested roughly

\$85M in economic development incentives for projects such as the Cedar Park Event Center, CPRMC, DANA, Pecan Grove/Scottsdale Crossing, Town Center, Costco, and 1890 Ranch, in addition to other direct costs of public infrastructure.

Currently, new and used automotive sales are permitted by right within the GR District, except to the extent used automotive sales are restricted by the Corridor Overlay ("CO"), which prohibits used automotive sales within 500' of the City's main commercial corridors (whether as a primary or accessory/secondary use).

Before completion of the public ordinance amendment process, through which Council would have an opportunity to consider staff's recommendation and adopt any desired amendments, prospective applicants could establish rights to develop under the current provisions, thereby preserving their ability to develop without being affected by Council's action (if any).

If adopted, this moratorium would preserve the City's public hearing and ordinance amendment process as it relates to the appropriateness of these uses and the GR District, and maintain the opportunity for optimal commercial development in accordance with the City's economic development initiatives and strategic goals.

This moratorium would not affect further development of any current or existing projects, nor would it prevent development of new projects not contemplating new and/or used automotive sales.

Please note that this public hearing does not require action by the Planning and Zoning Commission.

City Council held a first reading and public hearing on January 21, 2014. Council action and second reading will be considered on January 30, 2014.