

**PLANNING AND ZONING COMMISSION  
WEDNESDAY, JULY 19, 2017 AT 7:00 PM**

**DRAFT - MEETING MINUTES**

**A. CALL TO ORDER**

The Round Rock Planning and Zoning Commission met in regular session on July 19, 2017, in the Round Rock City Council Chambers located at 221 East Main Street. With a quorum present, Chairman David Pavliska called the meeting to order at 7:00 p.m.

**B. ROLL CALL**

Present were Chairman David Pavliska, Commissioner Stacie Bryan, Commissioner Casey Clawson, Commissioner Jennifer Henderson, Commissioner Greg Rabaey, Commissioner Jennifer Sellers, and Commissioner Selicia Sanchez. Commissioners Matthew Baker and Rob Wendt were absent.

Planning and Development Services Department staff included Brad Wiseman, Susan Brennan, Clyde von Rosenberg, David Fowler, Laton Carr, and Veronica Chandler. Also present were Gerald Pohlmeier and Kamie Fitzgerald from the Transportation Department, Katie Baker from PARD, and Charlie Crossfield from the City attorney's office.

**C. PLEDGES OF ALLEGIANCE**

**D. APPROVAL OF MINUTES:**

**D1. Consider approval of the minutes for the June 21, 2017, Planning and Zoning Commission meeting.**

With there being no questions or comments, a motion was offered.

**Motion:** Motion by Commissioner Henderson, second by Commissioner Sanchez to approve Agenda Item D1 as presented.

**Vote: AYES:** Chairman Pavliska, Commissioner Bryan, Commissioner Clawson, Commissioner Henderson, Commissioner Rabaey, Commissioner Sellers, and Commissioner Sanchez. Vote to approve: 7 - 0. The motion carried unanimously.

**E. POSTPONED WITH PUBLIC HEARING:**

**E1. Consider public testimony concerning the request filed by Perales Engineering, LLC, to replat Lot 10, Block A, Apache Oaks Subdivision. Generally located on the southeast corner of N. A.W. Grimes Blvd. and Timberline Dr. Case No. FP1706-004**

Noting that this agenda item had been postponed, Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against this item to come forward. Mr. Larry Regallo, 2141 Green Oaks Cir., expressed concerns about traffic and the potential increase in traffic that the proposed development might generate on A.W. Grimes Blvd.

Staff informed Mr. Regallo that property owners within 300 ft. of the subject tract will be re-notified of the new meeting date and recommended that he return at that time.

**Motion:** Motion by Commissioner Bryan, second by Commissioner Henderson to postpone Agenda Item E1 and continue the public hearing.

**Vote: AYES:** Chairman Pavliska, Commissioner Bryan, Commissioner Clawson, Commissioner Henderson, Commissioner Rabaey, Commissioner Sellers, and Commissioner Sanchez. Vote to approve: 7 - 0. The motion carried unanimously.

**E2. Consider public testimony concerning the request filed by Waeltz and Prete Inc., to approve a Concept Plan to be known as the Chisholm Trail Tech Center. Generally located at the southwest corner of Chisholm Trail Rd. and E. Old Settlers Blvd. Case No. CP1706-001**

Chairman Pavliska stated this item had been postponed and then opened the public hearing asking for anyone wishing to speak for or against this item to come forward. Ms. Hilda Montgomery, 1201 Lacey Oak Loop, spoke during the public hearing and stated that though her property was not within the within the 300 ft. of the subject tract, she would like to know more about the proposed development and receive a notice of public hearing.

Mr. David Fowler asked the commission to close the public hearing and stated that property owners within 300 ft. of the subject tract will be re-notified when a meeting date has been set for this project. Mr. Pavliska closed the public hearing.

**Motion:** Motion by Commissioner Bryan, second by Commissioner Sellers to postpone Agenda Item E2 and close the public hearing.

**Vote: AYES:** Chairman Pavliska, Commissioner Bryan, Commissioner Clawson, Commissioner Henderson, Commissioner Rabaey, Commissioner Sellers, and Commissioner Sanchez. Vote to approve: 7 - 0. The motion carried unanimously.

**F. PLATTING AND ZONING:**

**F1. Consider approval of the Avery Centre Town Center Phase 2 Preliminary Plat. Generally located on the west side of N. A.W. Grimes Blvd.; between Seton Pkwy. and N. A.W. Grimes Blvd. Case No. PP1706-001**

Mr. Fowler briefly reviewed the application, stating that the purpose of the application was to divide the 9.69 tract of land into two lots. He explained that the property was located within District 6 of PUD 84 (Planned Unit Development). Staff recommended approval as conditioned.

The owner's representative, Mr. Tom Heinemann, with Pape-Dawson Engineers, was available to answer questions.

With there being no questions or comments, a motion was offered.

**Motion:** Motion by Commissioner Sanchez, second by Commissioner Henderson to approve as conditioned.

**Vote: AYES:** Chairman Pavliska, Commissioner Bryan, Commissioner Clawson, Commissioner Henderson, Commissioner Rabaey, Commissioner Sellers, and Commissioner Sanchez. Vote to approve: 7 - 0. The motion carried unanimously.

**F2. Consider approval of the Avery Centre Town Center Phase 2, Lot 1, Block A Final Plat. Generally located on the west side of N. A.W. Grimes Blvd.; between Seton Pkwy. and N. A.W. Grimes Blvd. Case No. FP1706-001**

Mr. Fowler reviewed the details of the application stating that the final plat was for the northern lot of the previous Preliminary Plat (Agenda Item F1). He explained that the proposed development was for a rehabilitation hospital which is currently under review.

The owner's representative, Mr. Tom Heinemann, with Pape-Dawson Engineers, requested clarification about the conditions listed in the staff report.

Following a discussion between the applicant and city staff regarding the conditions in the report, the applicant agreed to staff recommendations and city staff agreed to work with the applicant to pursue a less restrictive solution, if possible.

A motion was offered.

**Motion:** Motion by Commissioner Bryan, second by Commissioner Sanchez to approve as conditioned.

**Vote: AYES:** Chairman Pavliska, Commissioner Bryan, Commissioner Clawson, Commissioner Henderson, Commissioner Rabaey, Commissioner Sellers, and Commissioner Sanchez. Vote to approve: 7 - 0. The motion carried unanimously.

**F3. Consider public testimony and a recommendation concerning the request filed by the property owner, Jeff Woodley, for the rezoning of a property from the SF-2 (Single-family standard lot) zoning district to C-1 (General Commercial) zoning district. Generally located on the east side of S. Mays St.; between Mays St. and Cushing Dr. Case No. ZON1705-002**

Mr. von Rosenberg gave background information regarding this application stating that the Commission had reviewed this property on June 21, 2017 and had recommended the C-1a (General commercial limited) zoning district. This was done with the property owner's consent. He stated that, following the Commission's recommendation, the property owner requested that the C-1 (General commercial) zoning district be considered instead.

Mr. von Rosenberg explained that staff recommended the C-1a district because it is the most recent general commercial zoning district to be adopted by the City Council, in 2005, and it therefore reflects the City's intention for general commercial land uses. He noted that Mays Avenue is a gateway to downtown, which has been part of significant investments by the City. He reviewed all the newly zoned general commercial properties for the last five years and noted that each of these properties were zoned to C-1a (General Commercial – limited). He then reviewed each of the new and amended PUDs (Planned Unit Developments) with general commercial uses for the last five years and noted that all included C-1a as the basis for commercial regulations.

Mr. von Rosenberg stated that when the C-1a district was adopted, the C-1 district was retained to avoid the need to rezone every existing C-1 zoned property, which would have created numerous non-conforming situations.

He explained the C-1a zoning district prohibits certain uses, including: pawn shops, tattoo parlors, self-service storage, manufactured homes, portable building sales, shooting ranges, truck service or repair, and sexually oriented business. Other uses, for example vehicle sales, rental or leasing, including boats and campers, are allowed only on property which has IH-35 frontage.

Mr. von Rosenberg noted that the owner had previously acknowledged that he had used the property for automobile sales and photographs taken in the past several years were presented, confirming this use. Since the property is zoned as SF-2, the automobile sales use was not permitted at that time. He also said that if a zoning change to commercial were to be approved, for either C-1 or C-1a, and commercial uses proposed, the property would have to come into compliance with the Code's site development standards including sidewalk installation, commercial driveway requirements, drainage, fire code, landscaping, and parking lot design.

Finally, Mr. von Rosenberg stated that the staff recommendation was for disapproval of the rezoning from SF-2 to C-1.

The property owners, Mr. and Mrs. Jeff Woodley, gave a brief presentation and requested the C-1 zoning district for their property, which would allow them to continue using the site for commercial purposes, as they have done for the last two years.

Following a discussion, a motion was offered.

**Motion:** Motion by Commissioner Henderson, second by Commissioner Rabaey to recommend approval of the rezoning to C-1.

**Vote: AYES:** Chairman Pavliska, Commissioner Henderson, Commissioner Rabaey, and Commissioner Sellers. **NAY:** Commissioner Bryan, Commissioner Clawson, and Commissioner Sanchez. Vote: 4 - 3. The motion carried.

**G. STAFF REPORT:**

- G1. Consider an update regarding Council actions related to Planning and Zoning items.**
- G2. Consider an update regarding the change of the meeting time for Planning and Zoning Commission meetings beginning October 4, 2017.**

Mr. Wiseman stated that meeting time for City Council and Planning and Zoning Commission meetings will change to 6:00 p.m. beginning in October. He explained that the purpose of changing the meeting to an earlier time was to give the public an opportunity to get more involved in local government and to minimize administrative costs for the City. The first Planning and Zoning Commission meeting at the new meeting time is scheduled for October 4, 2017.

**H. ADJOURNMENT**

There being no further discussion, the meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Veronica Chandler, Planning Tech