



City of Round Rock

Zoning Board of Adjustment

Meeting Agenda - Final

Chairman Roy Beard
Boardmember Robert Eskridge
Boardmember Patrick Gove
Boardmember John Holman
Boardmember Lora Kaasch
Alternate Victor Mares
Alternate Rudy Porter
Alternate Rick Villareal
Alternate Andrew Wolfe

Tuesday, August 22, 2017

5:30 PM

City Council Chambers, 221 East Main St.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES:

- C.1 [2017-4713](#) Consider approval of the minutes for the December 16, 2015 Zoning Board of Adjustment meeting.

D. SPECIAL EXCEPTION:

- D.1 [2017-4714](#) Consider action regarding an application to allow a special exception to the compatibility buffer requirement, in accordance with Section 46-200 (d), Chapter 46 of the City of Round Rock Code of Ordinances, 2010 Edition. Generally located between N. IH-35 and N. Mays St. north of W. Palm Valley Blvd. Case No. ZBA1707-001

E. ADJOURNMENT

In addition to any executive session already listed above, the Zoning Board of Adjustment for the City of Round Rock reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code for the following purposes:

§551.071 Consultation with Attorney

§551.072 Deliberations regarding Real Property

§551.073 Deliberations regarding Gifts and Donations

§551.074 Personnel Matters

§551.076 Deliberations regarding Security Devices

§551.087 Deliberations regarding Economic Development Negotiations

POSTING CERTIFICATION

I certify that this notice of the Zoning Board of Adjustment was posted on this 15th day of August, 2017 at 5:00 p.m. as required by law in accordance with Section 551.043 of the Texas Government Code.

//ORIGINAL SIGNED//

Meagan Spinks, Deputy City Clerk

Zoning Board of Adjustment December 16, 2015, Regular Meeting Minutes

A. Call to Order: 6:00 P. M.

B. Roll Call

Present for roll call were Chairperson Roy Beard; Vice Chairperson Robert Eskridge; Board Member Lora Kassch, Board Member Greg Rabaey, Alternate Board Member John Holman

City staff present were Aneil Naik, Development Services Manager; Bradley Dushkin, Senior Planner; John Dean, Assistant Transportation Director; Charlie Crossfield with the City attorney's office; and Amanda Neil, Planning Technician.

C. Approval of Minutes:

C.1. Consider approval of the minutes for the February 11, 2015 Zoning Board of Adjustment meeting.

Vote: AYE: Chairperson Roy Beard; Vice Chairperson Robert Eskridge; Board Member Lora Kassch, Board Member Greg Rabaey. Alternate Board Member John Holman. NAY: None. The Vote was 5-0.

D. Special Exception: Public Hearing/Disposition:

D.1. Consider action regarding the application for a special exception in accordance with Section 46-160 (i), Chapter 46 of the City of Round Rock Code of Ordinances, 2010 Edition, to allow a day care facility within the C-2 zoning district to exceed 10,000 square feet in size.

Mr. Bradley Dushkin presented the staff analysis for an increase in the allowance for building square footage at 4350 East Old Settlers Boulevard. He stated that staff recommended approval with the following conditions:

- Locate the detention pond to ensure a minimum eight foot (8') wide landscape buffer along the full length of the compatibility fence;
- Six (6) large trees evenly spaced in a single row at no greater than 50 feet apart shall be required in the eight foot (8') landscape buffer along the fence. Trees must be a minimum three (3) caliper inches at time of planting;
- The landscaping within the eight foot (8') buffer may be used toward the landscape screening required for the side of the detention pond closest to the compatibility fence;
- The remaining sides of the detention pond shall be landscaped in accordance with the standard Code requirement;
- Provide additional landscaping within the 25-foot unencumbered landscape buffer and south of the eight foot (8') landscape buffer in the following manner:
 - 11 medium trees evenly dispersed between the large trees at no greater than 25' apart. Trees may be planted at varying depths between the boundaries of the two buffers. Trees must be a minimum two (2) caliper inches at time of planting;

- All trees must be of an evergreen species and must be irrigated in accordance with the Code; and
- Freestanding light fixtures in the rear yard shall not exceed 12 feet in height, may not be placed in the 25-foot unencumbered landscape buffer, and the bulbs shall be shielded to prevent light from spilling over to adjacent properties.

Robert Garza of RPGA Design Group, Inc., the applicant's architect, made a presentation and stated that the applicant's request stems from their desire to open a Children's Lighthouse day care facility, but the corporate template for such a facility is 11,211 square feet. The Board's approval would be required for the applicant to build a facility exceeding 10,000 square feet.

After a brief discussion concerning traffic and parking, a motion was offered.

Motion: Motion by Alternate Board Member Holman, Second by Board Member Kaasch, to approve the special exception request with the conditions recommended by staff.

Vote: AYE: Chairperson Roy Beard; Vice Chairperson Robert Eskridge; Board Member Lora Kassch, Board Member Greg Rabaey; Alternate Board Member John Holman. NAY: None. The Vote was 5-0.

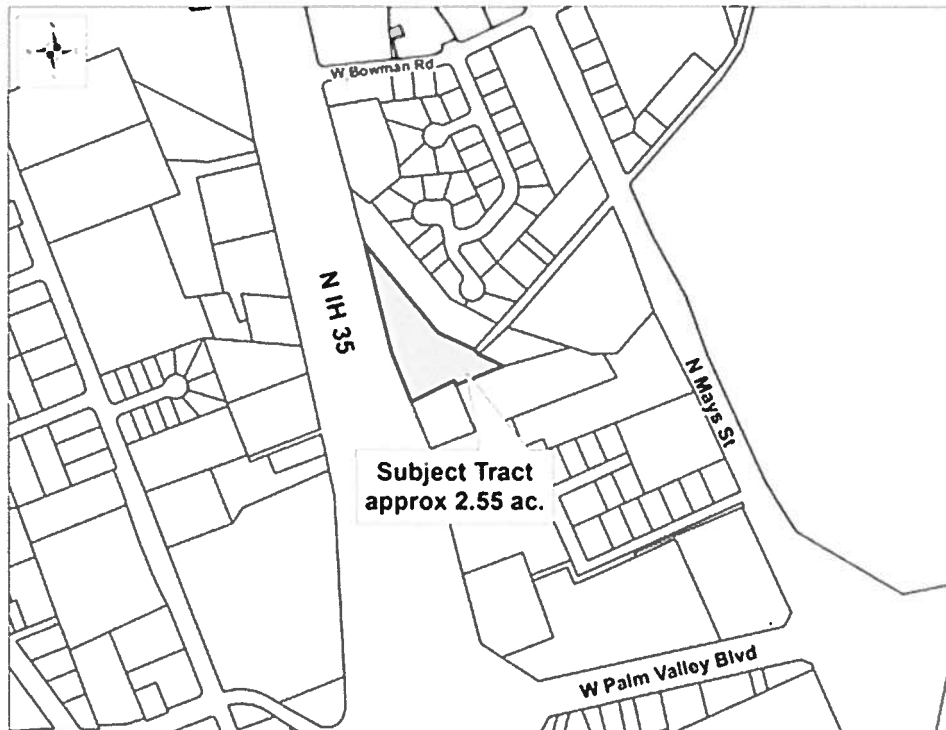
F. Adjournment:

The meeting adjourned at 6:17 p.m.

Respectfully Submitted,

**Amanda Neil
Planning Technician**

SPECIAL EXCEPTION REQUEST
1405 N. IH 35



SPECIAL EXCEPTION REQUEST: To allow an exception to the compatibility buffer requirement.

BACKGROUND:

A site plan has been filed for an internally accessed, multi-story storage facility, a use that is allowed by right in the C-1 (General Commercial) zoning district. The site borders property that is zoned as SF-2 (Single family – standard lot). Section 46-200 of the Code requires a compatibility buffer composed of a landscape buffer and a compatibility fence when development in the C-1 zoning district abuts property in the SF-2 zoning district. Compatibility buffering is intended to minimize the effects of the commercial uses which share a common lot line with the single-family uses, while maintaining the flexibility of allowing such more intense land uses in appropriate circumstances.

Section 46-200 provides a special exception process for the compatibility buffer requirement through which the Zoning Board of Adjustment (ZBA) can exempt the proposed use from the

compatibility requirements. The exception is based on one or more of the following factors:

- distance to existing residential structures on the abutting SF-2 property;
- likelihood that the abutting SF-2 property will be developed into single family dwelling units if presently vacant;
- change in elevation, or presence of natural features such as creeks or trees.

In order to approve the special exception, the ZBA must find that the presence of such factors substantially meets the intent of the compatibility buffer requirement by providing adequate separation or buffering between the proposed use and the SF-2 property.

DATE OF REVIEW:	August 22, 2017
OWNERS:	Bee Safe Palm Valley, LLC
DESCRIPTION	Interstate Park Subdivision, Lot 1, Block A
ZONING:	C-1 (General Commercial)
LAND USE:	Existing: Auto repair shop on a portion of the tract Proposed: Internally accessed, multi-story self-storage building
LOCATION:	Between N. IH-35 and N. Mays St. north of W. Palm Valley Blvd.
ADJACENT LAND USE:	North: C-1 (General Commercial) - vacant South: C-1 (General Commercial) – motorcycle sales and service East: SF-2 (Single family – standard lot) - vacant West: IH-35 right-of-way
GENERAL PLAN POLICY:	Commercial
STAFF ANALYSIS:	The applicant has prepared a site plan for the 2.55-acre site, the southeast corner of which has approximately 315 linear feet that is adjacent to three properties which are zoned as SF-2. One of these properties abuts and is directly behind the motorcycle sales store to the south of the project

site. It is under the same ownership as the motorcycle sales store. A second property is owned by the City of Round Rock as a drainage easement. The third property appears to be a section of unimproved right-of-way for Old Bowman Road. All three properties are within the floodplain. Although zoned as SF-2, the properties have little potential for future development due to floodplain. They are designated for commercial use on the Future Land Use Map in General Plan 2020, the City's general plan.

The requested special exception shall be reviewed by the ZBA according to specific criteria described in Section 46-101. The criteria and staff analysis are provided below:

- 1) Consistent with Zoning Ordinance:
The proposed exception shall be specifically listed as permitted by special exception in the zoning district under consideration. The proposed exception shall meet the purpose and intent of this chapter and the use shall meet all the minimum standards established in this chapter for this type of use.
- 2) Consistent with General Plan:
The proposed exception shall be consistent with the development policies and goals and objectives as embodied in the general plan.
- 3) Compatible with surrounding area:
The required site plan shall ensure compatibility with existing land uses in the surrounding area. The proposed use will not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.
- 4) Harmonious with character and scale of surrounding area:
The proposed site plan, circulation plan, and schematic architectural, signage, and landscaping designs shall be harmonious with the character of the surrounding area.

5) Impacts minimized:

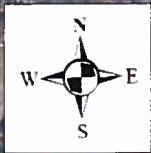
The likely impact on public infrastructure such as roads, parking facilities, water and wastewater systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to adequately service the proposed use shall be minimized without negatively impacting uses in the area and in the city.

6) Effect on natural environment:

The potential creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts shall be minimized.

RECOMMENDATION:

This exception request meets the factors required by Section 46-200 of the code, as there are no single-family homes on the abutting property and there is little likelihood that the property will be developed due to floodplain. Staff recommends approval.



W Bowman Rd

N IH 35

N Mays St

**Subject Tract
approx 2.55 ac.**

W Palm Valley Blvd