

**ZONING BOARD OF ADJUSTMENT
WEDNESDAY, OCTOBER 24, 2018 AT 5:30 PM
MEETING MINUTES**

A. CALL TO ORDER

The Round Rock Zoning Board of Adjustment met in regular session on October 24, 2018, in the Round Rock City Council Chambers located at 221 East Main Street. With a quorum present, Chairman Robert Eskridge called the meeting to order at 5:30 p.m.

B. ROLL CALL

Present were Chairman Robert Eskridge, Vice-Chair Patrick Gove, Boardmember Lora Kaasch, Boardmember Donna Kohn, and Boardmember Rudy Porter.

Planning and Development Services Department staff included Clyde von Rosenberg, Susan Brennan, and Veronica Chandler.

C. APPROVAL OF MINUTES:

C1. Consider approval of the minutes for the March 13, 2018, Zoning Board of Adjustment meeting.

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

Motion: Motion by Commissioner Kaasch, second by Vice-Chair Gove to approve Agenda Item C1 as presented.

Vote: AYE: Chairperson Eskridge, Vice-Chair Gove, Boardmember Kaasch, Boardmember Kohn, and Boardmember Porter. **NAY:** None. The vote was 5-0.

D. SPECIAL EXCEPTIONS:

D1. Consider public testimony and an action regarding an application for a special exception in accordance with Part III – Zoning and Development Code, Section 2-35 of the City of Round Rock Code of Ordinances, to allow a day care facility of 10,000 square feet or larger. The proposed facility is for 11,000 square feet, located at the northeast corner of N. Red. Bud Ln. and N. CR 122. Case No. ZBA1809-001

Mr. von Rosenberg briefly reviewed the application stating that the request was to allow an 11,000 square feet daycare facility. He gave a brief overview of the site noting that the tract is zoned C-2 (Local Commercial) and that it does not border residential areas, therefore, a buffer will not be required. He explained that the C-2 zoning district allows for a day care use; however, the size is limited to less than 10,000 square feet.

Mr. von Rosenberg stated that a Traffic Impact Study (TIA) is under review by City Staff and driveway locations will be determined during the approval of a site plan. Finally, he noted that the application meets the criteria for a special exception, as the location and the proposed use does not pose any apparent conflicts with, or danger to, the neighboring residential uses. Staff recommended approval of the special exception.

The owner's representative, Mr. Alvin Peters, with AP Architects, LLC, was available to answer questions.

Chairman Eskridge opened the public hearing and asked anyone wishing to speak for or against this item to come forward. Mr. David Kelley, 2560 Santa Barbara Loop, Round Rock, TX, expressed concerns about traffic. Seeing no speakers, Chairman Eskridge closed the public hearing.

Following a discussion regarding the TIA, a motion was offered.

Motion: Motion by Vice-Chair Gove, second by Boardmember Kaasch to allow an 11,000 square feet day care facility.

Vote: AYE: Chairperson Eskridge, Vice-Chair Gove, Boardmember Kaasch, Boardmember Kohn, and Boardmember Porter. **NAY:** None. The vote was 5-0.

D2. Consider public testimony and an action regarding an application for a special exception in accordance with Part III – Zoning and Development Code, Section 2-77 of the City of Round Rock Code of Ordinances to allow a restaurant with an outdoor cooking area, generally located at the northwest corner of S. Mays St. and W. Bagdad Ave. Case No. ZBA1810-001

Mr. von Rosenberg briefly gave background information about the site noting that the purpose of the application was to allow an outdoor cooking area for a restaurant. He explained that the tract is zoned MU-2 (Mixed-use Downtown Medium Density), which allows for a restaurant, and noted that the site is not adjacent to residential areas.

He stated that the application meets the criteria for a special exception, as the location and anticipated use of the outdoor cooking area does not pose any apparent conflict with the surrounding uses. Staff recommended approval of the special exception.

The property owners, Mr. Domingo Hernandez and Mr. Michael Lerma, were available to answer questions. Mr. Lerma stated that the smoker would be in operation from 4 a.m. to 1 p.m.

Chairman Eskridge opened the public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing no speakers, Chairperson Eskridge closed the public hearing.

Following a discussion regarding hours of operation, a motion was offered.

Motion: Motion by Vice-Chair Gove, second by Boardmember Porter to approve the special exception request with the restriction that the hours of operation be from 4:00 a.m. to 1:00 p.m. and that the area be smoke free by 2:00 pm.

Vote: AYE: Chairperson Eskridge, Vice-Chair Gove, Boardmember Kaasch, Boardmember Kohn, and Boardmember Porter. **NAY:** None. The vote was 5-0.

E. ADJOURNMENT

There being no further discussion, the meeting adjourned at 5:54 p.m.

Respectfully Submitted,

Original Signed

Veronica Chandler, Planning Tech