

**PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 2, 2019 AT 6:00 PM**

MEETING MINUTES

A. CALL TO ORDER

The Round Rock Planning and Zoning Commission met in a regular session on October 2, 2019, 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 6:00 p.m.

B. ROLL CALL

Present were Chairman David Pavliska, Vice Chair Rob Wendt, Commissioner Stacie Bryan, Commissioner Casey Clawson, Commissioner Paul Emerson, Commissioner Jennifer Henderson, Commissioner Michelle Ly, Commissioner Greg Rabaey, and Commissioner Jennifer Sellers.

Planning and Development Services Department staff included Adam Levy, Brad Wiseman, Bradley Dushkin, Caitlyn Reeves, Clyde von Rosenberg, Jeff Dunsworth, Laton Carr, Susan Brennan, and Veronica Chandler. Also present were Ed Polasek from the Transportation Department 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 September 18, 2019, Planning and Zoning Commission meeting.

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

Motion: Motion by Commissioner Bryan, second by Commissioner Clawson to approve Agenda Item D1 as presented.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

E. PLATTING AND ZONING:

E1. Consider public testimony regarding, and a recommendation concerning the request filed by Waterloo Development, Inc., on behalf of the property owner, Austin MKA Investments, Ltd., for the rezoning of 19.35 acres of land from the LI (Light Industrial) zoning district to Planned Unit Development (PUD) to be known as the Chisholm Trail PUD, generally located west of Chisholm Trail Rd. and north of W. Old Settlers Blvd. Case No. ZON1909-001

Mr. von Rosenberg reviewed the application noting that the purpose of the PUD (Planned Unit Development) was to develop approximately 19.35 acres with a maximum of 115 single family detached units on a common lot. He briefly explained the development standards and noted the PUD would have a default zoning district designation of TH (Townhouse).

Mr. von Rosenberg explained that the applicant requested the minimum rear setback, when a housing unit is adjacent to a property boundary, be reduced to 10 feet instead of the 20-foot minimum set back required in the TH district and in all previous single-family common lot PUDs approved to date.

It was noted that the proposed development would not generate enough peak hour trips to require a traffic impact assessment; however, a deceleration lane and/or turn lane analysis will be required during the site development process.

Mr. von Rosenberg also stated that public hearing notices were mailed to abutting property owners, an on-site sign was posted on the property, an ad was posted in the newspaper, and the neighboring HOA to the west was notified about the public hearing.

Lastly, he noted that the General Plan 2020 assigns the industrial land use designation to the property on the Future Land Use Map (FLUM). After listing the uses surrounding the tract, he noted that the

use requested conflicts with the FLUM, the current zoning of the property, and the current zoning of the surrounding areas; this could result in a land use conflict. He stated that allowing residential use to the property may result in negative impacts to the future residents of the community due to its proximity to the light industrial uses.

The owner's representatives, Mr. Ian Dietrich, with David Weekly Homes, John Clark, with LJA Engineering, and Mr. Jim Boles, with Summit Commercial, gave a brief presentation and were available to answer questions.

Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against the agenda item to come forward. The following Round Rock residents spoke during the public hearing. 1) Mr. Melvin Lau, 709 Hidden Glen Cv.; 2) Mr. Todd Schumaker, 705 Hidden Glen Cv.; 3) Mr. Brad Havener, 2800 Plantation Dr.; 4) Mr. Justin Noble, 813 Folsom Cv.; 5) Mr. Wallace Batiste, 704 Hidden Glen Cv.; and 6) Mr. Scott Anderson, 708 Hidden Glen Cv. Seeing no additional speakers Chairman Pavliska closed the public hearing. In summary, speakers expressed concerns about the proposed 3-story maximum building height and 10-foot building set back.

Following a discussion regarding monarch trees, setbacks, proposed building height, and the surrounding buffer wall, a motion was offered to recommend the PUD for City Council approval with the condition that no houses within 300 ft. of the western boundary may exceed two stories in height and a minimum 8-foot height solid fence be installed on the western boundary.

Motion: Motion by Commissioner Clawson, second by Commissioner Rabaey to recommend for City Council approval as amended.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Henderson, Commissioner Ly, and Commissioner Rabaey. **Vote: NAYS:** Commissioner Emerson and Commissioner Sellers. Vote to approve: 7 - 2. The motion carried.

The Commission took a short recess at 7:12 pm and reconvened at 7:20 pm.

E2. Consider approval of the Chisholm Trail Tech Center Sec. 2 Preliminary Plat, generally located at the northeast corner of Chisholm Trail Rd. and Chisholm Parkway. No. PP1909-001

Ms. Reeves reviewed the Preliminary Plat application noting that the request was for the approval of 1 development lot. Staff recommended approval as conditioned. Mr. Tony Prete with Waeltz and Prete, Inc. stated he was available to answer questions.

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

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

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

E3. Consider approval of the Chisholm Trail Tech Center Sec. 2 Final Plat, generally located at the northeast corner of Chisholm Trail Rd. and Chisholm Parkway. Case No. FP1909-001

Ms. Reeves continued to review the Final Plat application for the tract of land discussed in Agenda Item E2 noting that the request was for the approval of 1 development lot. Staff recommended approval as conditioned. Mr. Tony Prete, with Waeltz & Prete, Inc. stated he was available to answer questions.

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

Motion: Motion by Commissioner Emerson, second by Commissioner Sellers to approve as conditioned.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

F. CODE AMENDMENTS:

F1. Consider public testimony regarding, and a recommendation for proposed amendments to the City of Round Rock Code of Ordinances, Part III – Zoning and Development Code: Approval Procedure Section 10-34; and Site Plan Review – Section 10-45

Mr. von Rosenberg explained that the reason for the amendments was due to changes to the Texas Local Government Code and to make improvements and/or corrections to the Zoning and Development Code since it was codified on October 1, 2018.

He noted that Sec. 10-34 requires action on plans or plats within 30 days from filing-unless the applicant provides a written request for a 30-day extension. P&Z will approve extension requests for items under its authority and the Planning Director will act on extension requests for items under his/her authority. Sec. 10-45 adds a development packet to the list of application requirements. Staff recommended approval of the Code amendments.

Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against the agenda item to come forward. Seeing no speakers Chairman Pavliska closed the public hearing.

Following a brief discussion, a motion was offered.

Motion: Motion by Commissioner Bryan, second by Commissioner Clawson to recommend for City Council approval.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

F2. Consider public testimony regarding, and a recommendation for proposed amendments to the City of Round Rock Code of Ordinances, Part III – Zoning and Development Code: Subdivision Improvement Construction Permits - Section 4-95

Mr. von Rosenberg noted that the Texas Local Government Code requires action on plans or plats within 30 days from filing. Sec. 4-95 clarifies that the process described is for a permit, not a plan, and is therefore not subject to the requirement. Staff recommended approval of the Code amendment.

Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against the agenda item to come forward. Seeing no speakers Chairman Pavliska closed the public hearing.

Following a brief discussion, a motion was offered.

Motion: Motion by Commissioner Henderson, second by Commissioner Clawson to recommend for City Council approval.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

F3. Consider public testimony regarding, and a recommendation for proposed amendments to the City of Round Rock Code of Ordinances, Part III – Zoning and Development Code: Building Materials in Residential and Commercial Districts and to revise the lot composition requirements in the SF-3 district - Sections 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-32(C-1), 2-33(C-1a) and 2-34(C-2)

Mr. von Rosenberg explained that in order to comply with State law, the code amendment will remove exterior wall material requirements in residential districts Sections 2-13, 2-14, 2-15, 2-17, 2-18, 2-19, and 2-21.

Section 2-16 was amended to define the percentages of lot types required when the subdivision has a higher connectivity index and includes certain design features. The exterior wall materials requirement was removed and replaced with an incentive to include the requirement by allowing for a revised lot composition requirement.

Sections 2-20 and 2-22 were amended to provide an incentive for including higher quality exterior wall and roofing materials by offering an option to increase the density of the development from 12 units per acre to 14 units per acres.

Section 2-23 was amended to provide an incentive for including higher quality exterior wall and roofing materials, by offering an option to increase the density of the development from 20 units per acre to 24 units per acre and to remove the “tuck under” garage parking requirement, so long as at least 10% of the required parking is in garages and 40% is covered.

Sections 2-32(C-1), 2-33(C-1a) and 2-34(C-2) were amended to remove exterior wall material in order to comply with HB 2439. Staff recommended approval of the Code amendments.

Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against the agenda item to come forward. Seeing no speakers Chairman Pavliska closed the public hearing.

Following a brief discussion, a motion was offered.

Motion: Motion by Commissioner Rabaey, second by Commissioner Henderson to recommend for City Council approval.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

F4. Consider public testimony regarding, and a recommendation for proposed amendments to the City of Round Rock Code of Ordinances, Part III – Zoning and Development Code: Amendment to Electrical Code - Section 8-151

Mr. von Rosenberg explained the requirement for aluminum and copper conductors for electrical construction was no longer enforceable. Staff recommended approval of the Code amendment in order to comply with State law.

Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against the agenda item to come forward. Seeing no speakers Chairman Pavliska closed the public hearing.

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

Motion: Motion by Commissioner Rabaey, second by Commissioner Henderson to recommend for City Council approval.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

F5. Consider public testimony regarding, and a recommendation for proposed amendments to the City of Round Rock Code of Ordinances, Part III – Zoning and Development Code: Supplementary Use Standards – Section 2-91

Lastly, Mr. von Rosenberg noted the purpose of the Code amendment to Section 2-91 is to regulate all single bay car washes, removing “fully automatic” and “an accessory use to fuel sales”. In addition, exterior building finished requirements were removed in order to comply with HB 2439. Staff recommended approval of the Code Amendment.

Chairman Pavliska opened the public hearing and asked anyone wishing to speak for or against the agenda item to come forward. Seeing no speakers Chairman Pavliska closed the public hearing.

Following a brief discussion, a motion was offered.

Motion: Motion by Commissioner Henderson, second by Commissioner Bryan to recommend for City Council approval.

Vote: AYES: Chairman Pavliska, Vice Chair Wendt, Commissioner Bryan, Commissioner Clawson, Commissioner Emerson, Commissioner Henderson, Commissioner Ly, Commissioner Rabaey, and Commissioner Sellers. Vote to approve: 9 - 0. The motion carried unanimously.

G. STAFF REPORT:

G1. Consider an update regarding Council actions related to Planning and Zoning items.

Mr. Wiseman informed the Commission that City Council has not taken action on any Commission related items since the last meeting.

H. ADJOURNMENT

There being no further discussion, the meeting adjourned at 7:54 p.m.

Respectfully Submitted

Original Signed

Veronica Chandler, Planning Tech