



**LEANDER CITY COUNCIL  
And  
PLANNING & ZONING COMMISSION  
JOINT WORKSESSION  
CITY OF LEANDER, TEXAS**

Pat Bryson Municipal Hall ~ 201 North Brushy Street ~ Leander, Texas

Thursday ~ February 19, 2015 at 5:30 p.m.

<p><b>Mayor – Christopher Fielder</b>  <b>Place 1 – Andrea Navarrette (Mayor Pro Tem)</b>  <b>Place 2 – Kirsten Lynch</b>  <b>Place 3 – Vacant</b></p>	<p><b>Place 4 – Ron Abruzzese</b>  <b>Place 5 – Jason Dishongh</b>  <b>Place 6 – David Siebold</b>  <b>City Manager – Kent Cagle</b></p>
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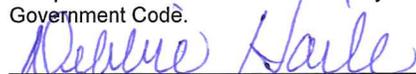
<p><b>Place 1 – Michelle Stephenson (Vice Chair)</b>  <b>Place 2 – Joel Wixson</b>  <b>Place 3 – Jason Anderson</b>  <b>Place 4 – Sid Sokol</b></p>	<p><b>Place 5 – Richard Allen</b>  <b>Place 6 – Betty Saenz</b>  <b>Place 7 – Jeff Seiler (Chairman)</b></p>
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***This meeting is open to the Public but does not allow for public participation***

1. Open Work Session
2. Roll Call
3. Discussion on Garage Setbacks and Tree Ordinance
4. Comprehensive Plan Update
5. Adjournment

**CERTIFICATION**

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 512/ 528-2743 for information.** Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512/ 528-2800. I certify that the above agenda for this Joint Work Session of City Council and the Charter Review Commission of the City of Leander, Texas, was posted on the bulletin board at City Hall, in Leander, Texas, on the 12th day of February, 2015 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.

  
 Debbie Haile, TRMC, City Secretary



**Executive Summary**

**February 19, 2015**

**Agenda Subject:** Update regarding City Council retreat discussion of builder and developer feedback on the proposed ordinance revisions related to garage placement and tree preservation.

**Background:** At the November 13, 2014 meeting, P&Z heard from several representatives of the homebuilding and development community regarding the proposed amendments to the Composite Zoning and Subdivision Ordinances related to tree preservation and garage placement. The Commission recommended to Council to postpone action on the amendments in order for staff to have time to meet with the homebuilder and developer representatives. Council postponed action on the garage placement revisions, but adopted the remaining amendments and directed staff to meet with the homebuilders and developers to receive input on the garage placement standards and input on possible modifications to the adopted tree preservation standards.

Staff met with representatives of the homebuilder and developer community on December 10, 2014. During that meeting several suggested modifications to the ordinances were put forward and those suggestions are summarized in the attachments.

Staff presented the results of the homebuilder and developer meeting to P&Z on January 8, 2015. P&Z was generally in support of the recommendations from the homebuilders and developers. The Commission recommended allowing additional flexibility for 3 car garages and increasing the minimum size of replacement trees from 2 caliper inches to 3 or 4 caliper inches for residential subdivisions that are required to mitigate for tree removal.

Staff also recommended modifications to the non-disturbance zones for large lot subdivisions to provide additional fire separation between vegetation and houses.

Council discussed the feedback from the builders and developers as well as P&Z's recommendations at their retreat on January 24, 2015. Council's feedback to staff was to prepare ordinance amendments for garage placement that incorporated most of the recommendations with some exceptions primarily related to three car garages and only allowing the 8 foot protrusion in cases where topography requires stairs in the garage. Council's feedback regarding the tree ordinance was not to modify the tree ordinance except to provide the larger non-disturbance zone for the SFR zoning district.

**Origination:** Direction from P&Z and Council.

**Financial Consideration:** None



## **Meeting Summary for City of Leander and Homebuilders and Developers Meeting to Review Tree Preservation and Garage Placement Ordinances**

**Meeting Date: December 10, 2014**

### **Meeting Participants:**

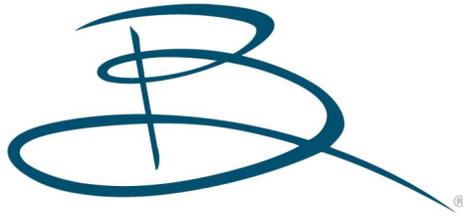
Blake Magee - Blake Magee Co.	Ryan Jerke - Ashton Woods
Matthew Scrivener - Meritage Homes	Chris Townsend - Buffington
John Stanley - Meritage Homes	Russell Smity - Buffington
Donovan Davis - Danze & Davis Architects	Heath Melton - Taylor Morrison / Travisso
Steve Herring - DR Horton	Janet Gallagher - City of Leander
Bob Wunsch - Waterstone Development	Bill Gardner - City of Leander
Jim Plasek - The Lookout Group	Tom Yantis - City of Leander
Brandon Cooper - Toll Brothers	Robin Griffin - City of Leander
Stephen Ashlock - Pulte Homes	Martin Siwek - City of Leander
Jamie Espenza - Ashton Woods	Kent Cagle - City of Leander

### **Suggested Revisions to Garage Setback Ordinance**

- In calculating the percentage that the garage comprises of the front street facing facade, use the width of the door opening to make the calculation. (For example: On a 50' lot with a 40' wide house with a standard 2 car garage door opening of 16' the garage would equal 40% of the front facade.)
- Create a defined list of enhanced garage architectural features that will count toward allowing the garage to extend in front of the primary facade of the house. The homebuilders will provide suggestions to the City for this list.
- Increase the distance that a garage with enhanced architectural features may extend in front of the primary facade of the house from 5' to 8' to allow more architectural flexibility and to address issues related to the need to include stairs from the garage into the house.
- Add a provision to the ordinance to allow an administrative exception to be granted in cases of extreme topography or other site conditions.
- Consider increasing the percentage of the front facade for 3 car garages with enhanced architectural features to be able to extend in front of the primary facade from 40% to 50%. (For example: On a 60' lot with a 50' wide house with a standard 3 car garage door opening of 24' the garage would equal 48% of the front facade and would be able to extend in front of the primary facade).
- Consider "vesting" all projects with approved preliminary plats.

### **Suggested Revisions to Tree Preservation Standards**

- Modify the standard for single-family and two-family projects to require a survey for all trees greater than 18 caliper inches and allow up to 50% of surveyed trees between 18 and 26 caliper inches within rights-of-way to be removed without mitigation.
- Modify the mitigation requirement for Heritage Tree removal to only require replacement trees at a 3:1 ratio or a fee of \$300 per caliper inch, but not both.



**BUFFINGTON HOMES™**

# Comments and Supporting Materials Regarding Proposed City of Leander Zoning Amendments

Submitted 12/16/14



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Vice President of Purchasing

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- **Summary**
- **Possible Enhanced Architectural Features**
- **Grandfathering**
- **Masonry Inconsistencies**

## Summary

In light of the significant changes proposed to the Composite Zoning Ordinance, we are compelled to offer these comments for your consideration.

The City has a Code already written and put into place over nine years ago, that apparently no one has cared enough about to enforce, so it is unclear to us, as builders, how the garage setback issue is now such a concern that it must now be made even more burdensome. Seems to us, if a Code such as this can go unenforced and unnoticed for nine years that maybe it was not such a big concern in the first place.

Whatever the outcome, a diverse and appealing streetscape should be the goal of any additional changes, and the amendment as written will only serve to make the homes look more alike. For example, in a community with 50' lots, every home would fall within the 40-50% criteria and would all take the same shape, with most garages sitting 5' back from the house structure. Each would likely have the driveway butted against the entry porch with some living area to the other side of that, repeated all the way down both sides of the street.



The proposed amendment's focus upon the width of the garage as the criteria for projection/set back is encouraging smaller garages, in turn making them less functional for the homeowner. If a homeowner cannot park their car in the garage, those cars will be parked in the driveway and street, which will be the unintended effect of these changes. Those same limits prohibit a third car garage on lots less than about 62' wide. A third car garage is an option that is generally well received by municipalities, developers and the like, in that they are associated with nicer homes having better overall aesthetics and upgraded features throughout the home. Shouldn't the intent here be to have nicer looking homes and better looking communities?

## **Possible Enhanced Architectural Features**

Should the council be determined to act on some sort of garage width/set back requirements, we would urge you to adopt reasonable proposals that consider the front elevation of a project in its entirety by encouraging the use of upgraded materials and architectural features on the entire front elevation, without a singular focus upon the garage size or location.

As requested at the 12/10/14 round table meeting, we have listed some possible enhanced architectural features for your review with pictures for most of them:

- Garage door hardware
- Garage door windows
- Wooden garage doors
- Cedar headers
- Use of corbels and brackets
- Cast stone masonry trim at garage door
- Awning roof over garage door
- Porte cochere with garage door recessed from wall
- Portico look with recessed door and columns
- Double garage doors

We build the plans in the following pictures in communities priced to the mid \$400's and this is the product we intend to build in our Hawkes Landing and Crystal Springs projects. Many of our most popular plans are either prohibited now under the current rules or would be under the new rules.



Garage door hardware and windows

This plan is allowed under current rules but prohibited under the proposed. 2038D



Corbels, garage door hardware and windows

This plan is allowed under current rules but prohibited under the proposed with storage option or 3<sup>rd</sup> car garage. 1800C



Portico structure, corbels, brackets, garage door hardware and windows

This plan is prohibited under the current and proposed rules. 2708C



Cedar headers, garage door hardware and windows  
This plan is prohibited under the current and proposed rules. 2019E



Porte Cochere Look with Recessed Garage Door, Garage Door Hardware and Windows  
This plan is prohibited under the current and proposed rules.



Wooden Garage Door



Caststone elements, recessed garage door, corbels, garage door hardware and windows  
This plan is allowed under current rules but prohibited under the proposed with storage option or 3<sup>rd</sup> car garage.  
1800E

## **Grandfathered Implementation**

We strongly believe that the proposed amendment is so restrictive and burdensome on our current operations and business, that the only fair way to implement changes of this magnitude is by grandfathering any project with an approved preliminary plat. Should the amendment be approved with little or no grace period, builders such as us will be left scrambling to put whatever product they have in their portfolio into their community. Below are some pictures of some of the plans we would be forced to offer for sale should we be forced to go that route.



## **Masonry Inconsistencies in the Code**

In addition to our concerns with regard to proposed garage requirements, we believe that masonry requirements are not currently being enforced as they are written in the Code.

From Article VII Architectural Components, Section 2: Type B

### **(b) Exterior Wall Standards:**

(1) At least fifty percent (50%) of the exterior surface area (all stories) and at least eightyfive percent (85%) of the exterior surface area of first story walls of primary buildings / structures, shall consist of un-painted clay brick, ledge stone, fieldstone, cast stone, marble, granite, tile, painted or tinted stucco, glass façade, glass block (or alternative glazing e.g. Kalwall) and factory tinted (not painted) split faced concrete masonry unit (non-residential buildings and structures only) or similar material approved by the Director of Planning. The remaining exterior wall surface shall be comprised of those materials listed or cementitious-fiber planking (not panels). Solid wood planking, decorative cementitious-fiber panels and other materials approved by the Director of Planning may be used for accent features

We have two main concerns with the requirements and enforcement. The first sentence clearly states 50% of the exterior surface area (all stories) shall be masonry. "All stories", as opposed to "each story", implies a cumulative total for the entire home. That is reinforced by the separate requirement of 85% on the first story. If the intent was for 50% on each of the stories independently, then the Code contradicts itself in the span of one sentence. We believe that for Type B, the Code allows for a cumulative total of 50% masonry, and that nothing in the Code requires masonry on the second floor if the 85% and 50% totals are met.

Secondly, it was stated by staff (Ms. Griffin?) at the 12/10/14 round table meeting, that the 85% masonry requirement was used in the Code with the intent of requiring 2' masonry returns on the rear of the home. With many decades of industry experience among us in our company, none of us have ever seen that partial requirement for masonry on the rear of the home. We have to ask, was that really the intent when it was written, or was the intent to require masonry on the front and sides with siding allowed on the rear? What really is the point of having 2' masonry returns on the rear of the home, when it is not an option that builders offer in any other part of this market? For volume builders who do not draw custom plans for each community, the 85% requirement effectively means putting masonry all the way across the rear of the home. While staff is most likely pleased with that outcome, from the outside looking in, that does not appear to be what the intent of the Code was when these architectural classification types were created.

Admittedly, we were not there for the drafting of the current Code, but probably neither were most the staff and council. While we believe the intent for Type B was to require three sides (not four) masonry on the first floor, and to not require masonry on the sides of the second floor, we will never know. What we do know, is that this would be consistent with industry standards in these types of communities.

**From:** Deborah Slocum [<mailto:dslocum@leandertx.gov>]  
**Sent:** Thursday, November 13, 2014 10:57 AM  
**To:** Claire Pollard  
**Subject:** RE: Hawkes Landing Permits

Claire,

I have not received any notice to release any plans for Hawkes. I believe the release may be next week sometime but I am currently waiting on a definite answer.

I sent a letter when I reviewed some masters of which plans would be permitted and which ones would not. I can send that letter again if you need it. I did notice that a new master plan was submitted on the 7th also which I have not reviewed yet.

The zoning for Hawkes is SFU which means no garages extending beyond the dwelling and all requirements for the 85% stone, stucco, brick masonry 1st level and 50% stone, stucco, brick masonry 2nd level will apply. If you feel that some of the plans do not meet the masonry requirements I would urge you to send in a letter stating that Buffington is aware of the requirements and will meet the requirements with the home being built. DR Horton and Gehan include such a letter for every application submitted now due to their plans not all meeting the requirements. I have not gone through all of the applications submitted due to not being able to release them yet but I have gone through a few and so far they have been acceptable.

If you have any other questions please feel free to ask.

Thank you,

Deborah Slocum

City of Leander

Plan Review

512-528-2885



**Executive Summary**

**February 19, 2015**

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<b>Agenda Subject:</b>	Discussion regarding the Comprehensive Plan Update
<b>Background:</b>	Staff will discuss upcoming steps in the comprehensive plan update process.
<b>Origination:</b>	Staff
<b>Financial Consideration:</b>	None.
<b>Recommendation:</b>	None
<b>Attachments:</b>	None
<b>Prepared By:</b>	Tom Yantis, AICP Assistant City Manager

02/06/2015