



## **AGENDA**

**PLANNING & ZONING COMMISSION MEETING  
CITY OF LEANDER, TEXAS  
Pat Bryson Municipal Hall ~ 201 North Brushy Street  
Leander, Texas**

**Thursday ~ June 23, 2016 at 7:00 pm**

**Place 1 Chris Schwendenmann  
Place 2 Morgan Cotten  
Place 3 Jason Anderson  
Place 4 Sid Sokol - Chair**

**Place 5 Richard Allen – Vice Chair  
Place 6 Angela Means  
Place 7 Marshall Hines**

1. Call to Order
2. Roll Call
3. Approval of Minutes:  
Regular Planning & Zoning Meeting: June 9, 2016
4. Director's report to P & Z Commissioners on actions taken by the City Council at the June 16, 2016 meeting.
5. Review meeting protocol
6. Citizen Communications - Three (3) minutes of time is allowed, per speaker

**Public Hearing**

7. Zoning Case 15-TOD-Z-030 & Subdivision Case 15-TOD-CP-009: Hold a public hearing and consider action on the rezoning and approval of the Tylerville Commercial Concept Plan and PUD zoning of a tract of land generally located to the southwest of the intersection of San Gabriel Pkwy & US 183; 11.221 acres more or less; WCAD Parcel R395875. Currently, the property is zoned PUD (Planned Unit Development) and the applicant is proposing an amendment to the PUD to include the base zoning districts of GC-3-A (General Commercial), GC-2-A (General Commercial), and LC-2-A (Local Commercial); Leander, Williamson County, Texas. Applicant/Agent: Kristiana Alfsen on behalf of Waterstone Tylerville, LP.

- a) Staff Presentation
- b) Applicant Presentation
- c) Open Public Hearing
- d) Close Public Hearing
- e) Discussion
- f) Consider Action

8. Ordinance Case 16-OR-001: Hold a public hearing and consider action on amending sections of the Composite Zoning Ordinance, to add definitions, update the use components, to modify setbacks for commercial fueling, to update requirements for screening, to update the parking requirements table, to modify residential setbacks, to clarify requirements for drainage and detention facilities, to modify outdoor lighting requirements, to update the architectural standards, to update the site development standards. Applicant: City of Leander

- a) Staff Presentation
- b) Open Public Hearing
- c) Close Public Hearing
- d) Discussion
- e) Consider Action

9. Ordinance Case 16-OR-002: Hold a public hearing and consider action on amending sections of the Subdivision Ordinance, to add definitions, to modify provisions for the protection of riparian corridors, to modify requirements associated with construction plans; to update tree preservation plan requirements, to modify private street standards, and to clarify the park land dedication requirements. Applicant: City of Leander

- a) Staff Presentation
- b) Open Public Hearing
- c) Close Public Hearing
- d) Discussion
- e) Consider Action

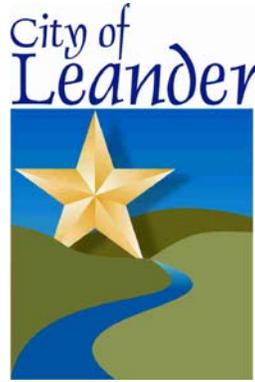
Meeting Adjourned at

**CERTIFICATION**

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the P & Z Commission 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 telecommunication devices for the deaf may call (512) 528-2800. I certify that the above agenda for this meeting of the P & Z Commission of the City of Leander, Texas, was posted on the bulletin board at City Hall in Leander, Texas on the 17th day of June, 2016 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.

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Tom Yantis – Assistant City Manager



## Minutes

**PLANNING & ZONING COMMISSION MEETING  
CITY OF LEANDER, TEXAS  
Pat Bryson Municipal Hall ~ 201 North Brushy Street  
Leander, Texas**

**Thursday ~ June 9, 2016 at 7:00 pm**

**Place 1 Chris Schwendenmann  
Place 2 Morgan Cotten  
Place 3 Jason Anderson  
Place 4 Sid Sokol - Chair**

**Place 5 Richard Allen – Vice Chair  
Place 6 Angela Means  
Place 7 Marshall Hines**

1. Call to Order  
**Meeting called to order at 7:00 pm**
2. Roll Call  
**All Commissioners were present except Commissioner Anderson.**
3. Approval of Minutes:  
Regular Planning & Zoning Meeting: May 26, 2016  
**Motion made by Commissioner Cotten to approve the minutes, seconded by Commissioner Means. Motion passed unanimously.**
4. Director's report to P & Z Commissioners on actions taken by the City Council at the June 2, 2016 meeting. **Robin Griffin, Senior Planner, reported on actions taken by the City Council at June 2, 2016 meeting. Robin Griffin introduced Jacob Brackmann the new Planning Assistant. Mr. Brackmann introduced himself to the P&Z Commission.**
5. Review meeting protocol  
**Chairman Sokol referred to the printed meeting protocol.**
6. Citizen Communications - Three (3) minutes of time is allowed, per speaker  
**No citizen wished to speak.**

## Consent Agenda

7. Subdivision Case 15-SFP-017: Consider action on the Integrated Metal & Products Lot 1A, Block A, Short Form Final Plat, being a replat for 2.960 acres more or less; WCAD Parcel R457663; generally located 1,138 ft east from the southeast corner of the intersection of N. Bagdad Rd and Old 2243 W.; Leander, Williamson County, Texas. Applicant/Agent: Jason Horowitz on behalf of DADSBAGGS EAST LP.
8. Subdivision Case 16-FP-006: Consider action on the Carneros Ranch, Section 7 Final Plat for 17.851 acres more or less; WCAD Parcels R430194; generally located to the northwest of the intersection of Marsala Circle and Bagdad Road; Leander, Williamson County, Texas. Applicant/Agent: Jim Cook (CSF) on behalf of Emmet J. Hawkes & Sally Hawkes.

**Commissioner Hines moved to approve the consent agenda with staff recommendations. Commissioner Allen seconded the motion. Motion passed unanimously.**

## Public Hearing

9. Zoning Case 16-Z-013: Hold a public hearing and consider action on the rezoning of 65.25 acres more or less out of the Walter Campbell Survey; generally located to the southwest of the intersection of Crystal Falls Pkwy and 183A Toll; WCAD ID R031201, R080605, R432787, R031200, R328187, and R432786. Currently, the property is zoned GC-2-A (General Commercial), LC-2-A (Local Commercial), LO-2-A (Local Office), and SFT-2-A (Single-Family Townhome). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district; Leander, Williamson County, Texas. Applicant: City of Leander on behalf of Premas Global Leander, LLC.

a) Staff & Applicant Presentation

**Paige Saenz, City Attorney, spoke on the history of the project.  
Robin Griffin, Senior Planner, explained the proposed zoning district.**

b) Open Public Hearing

**Chair Sokol opened the public hearing  
No one wished to speak.**

c) Close Public Hearing

**Chair Sokol closed the public hearing.**

d) Discussion

**Discussion took place between P & Z Commissioners.  
Robert Kleeman, Global Village representative, and Paige Saenz, City Attorney answered P & Z Commissioners' questions.**

e) Consider Action

**Commissioner Hines moved to deny the zoning request of PUD (Planned Unit Development) with a base zoning district of GC-2-A (General Commercial), MF-2-A (Multi-Family), or any other more restrictive district. Commissioner Cotton seconded the motion. Motion passed 4 to 2 with Commissioner Schwendenmann and Commissioner Allen opposing.**

**Commissioner Schwendenmann made an alternate motion to approve the zoning request with the current landscape ordinance requirements and the Multi-Family use component. The motion failed due to the lack of a second.**

10. Zoning Case 16-Z-006: Hold a public hearing and consider action on the rezoning of 50.615 acres more or less out of the C. Ybarbo Survey, No. 420 and the C.C. Chafin Survey No. 78, generally located to the west of the intersection of Crystal Falls Pkwy and Lakeline Blvd, more specifically to the west of the Fairways at Crystal Falls, Section 5 Subdivision; TCAD ID 796313. Currently, the property is zoned SFS-2-B (Single-Family Suburban). The applicant is proposing to zone the property to PUD (Planned Unit Development) with a base zoning district of MF-2-A (Multi-Family), Leander, Travis County, Texas. Applicant: Mike Siefert on behalf of Lookout Partners, LP.

a) Staff Presentation

**Martin Siwek, Planner, discussed the purpose for the zoning request.**

b) Applicant Presentation

**Mike Siefert, explained the zoning request.**

c) Open Public Hearing

**Chair Sokol opened the public hearing.**

**Todd Madden – Spoke for  
Brian McCurtis – Spoke against  
Mike Meadows – Spoke against  
Michael Dube – Spoke against  
Suzy Pessia - Spoke against  
Bob Kanade -Spoke against  
Jim Wiggers – Spoke against  
Steve Wiesenthal - poke against  
Dave Abrons - Spoke against  
Andy Pitts - Spoke against  
Irene Cosley – Spoke against  
Christine Turner – Spoke against  
Philip Turner – Spoke against  
Kenneth Ahrens – Spoke against  
Phil Wright – Spoke against  
Karen Hutton – Spoke against  
Kurt Strauss – Spoke for  
Kathryn Parker – Spoke for**

d) Close Public Hearing

**Chair Sokol closed the public hearing.**

e) Discussion

**Discussion took place.**

f) Consider Action

**Commissioner Hines moved to deny the zoning request of PUD (Planned Unit Development) with base zoning district of MF-2-A (Multi-Family). The Commission requested that the applicant works with staff to address the following issues:**

- 1. Prohibit lighting from the interior of the project**
- 2. Increase the minimum building size to 1,800 square feet**

3. Propose an alternative to the masonry wall along Crystal Falls Pkwy such as berms, landscaping, and wrought iron.

Commissioner Hines seconded the motion. Motion passed unanimously.

Meeting Adjourned at **9:50 pm**

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Chairman Sokol

ATTEST:

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Ellen Pizalate, Secretary



## EXECUTIVE SUMMARY

JUNE 23, 2016

- Agenda Subject:** Zoning Case 15-TOD-Z-030 & Subdivision Case 15-TOD-CP-009: Hold a public hearing and consider action on the rezoning and approval of the Tylerville Commercial Concept Plan and PUD zoning of a tract of land generally located to the southwest of the intersection of San Gabriel Pkwy & US 183; 11.221 acres more or less; WCAD Parcel R395875. Currently, the property is zoned PUD (Planned Unit Development) and the applicant is proposing an amendment to the PUD to include the base zoning districts of GC-3-A (General Commercial), GC-2-A (General Commercial), and LC-2-A (Local Commercial); Leander, Williamson County, Texas.
- Background:** This request is the first step in the rezoning and subdivision process.
- Origination:** Applicant/Agent: Kristiana Alfsen on behalf of Waterstone Tylerville, LP.
- Financial Consideration:** None
- Recommendation:** See Planning Analysis.
- Motion:** APPROVAL: The Planning & Zoning Commission recommends approval of rezoning the subject property to \_\_\_\_\_.  
(zoning district)
- DENIAL: The Planning & Zoning Commission recommends denial of the applicant's request to rezone the subject property.
- Attachments:**
1. Planning Analysis
  2. Current Zoning Map
  3. Future Land Use Map
  4. Notification Map
  5. Proposed Zoning Map
  6. Aerial Map
  7. PUD Notes and Conceptual Site Layout & Land Use Plan
  8. Letter of Intent
- Prepared By:** Robin M. Griffin, AICP  
Senior Planner

06/15/2016



# PLANNING ANALYSIS

ZONING CASE 15-TOD-Z-030  
 CONCEPT PLAN 15-TOD-CP-006

## TYLERVILLE COMMERCIAL PUD & CONCEPT PLAN

**GENERAL INFORMATION**

**Owner:** Waterstone Tylerville, LP.

**Current Zoning:** PUD (Planned Unit Development)

**Proposed Zoning:** PUD (Planned Unit Development) with the base zoning districts of:  
     GC-3-A (General Commercial)  
     GC-2-A (General Commercial)  
     LC-2-A (Local Commercial)

**Size and Location:** The property is generally located to the southwest of the intersection of San Gabriel Pkwy & US 183 and includes approximately 11.221 acres.

**Staff Contact:** Robin M. Griffin, AICP  
     Senior Planner

**ABUTTING ZONING AND LAND USE:**

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	PUD/TOD PUD/TOD	Undeveloped Property Proposed Enclave at Maya Vista Subdivision
EAST	PUD/TOD	Undeveloped Property
SOUTH	PUD/TOD	Proposed Oak Creek Subdivision Undeveloped Property
WEST	PUD/TOD	Proposed Oak Creek Subdivision

## COMPOSITE ZONING ORDINANCE & SMARTCODE INTENT STATEMENTS

### **PUD/TOD – PLANNED UNIT DEVELOPMENT/TRANSIT ORIENTED DEVELOPMENT:**

The purpose and intent of the Planned Unit Development (PUD) district is to design unified standards for development in order to facilitate flexible, customized zoning and subdivision standards which encourage imaginative and innovative designs for the development of property within the City. The intent of this zoning request is to provide for the design of a development which permits a mixed-residential community. The intent of this zoning district is to cohesively regulate the development to assure compatibility with adjacent single-family residences, neighborhoods, and commercial properties within the region.

### **CONVENTIONAL ZONE:**

The Conventional Development Sector allows conventional single-use and mixed-use development with some basic design standards to provide a transition to adjacent neighborhoods and pedestrian-oriented communities, and for the possibility of future retrofit of the area to a more pedestrian-oriented pattern.

### **USE COMPONENTS**

#### **GC – GENERAL COMMERCIAL:**

*Features:* Any use in LC plus bar, nightclub, entertainment venues, hospital, hotel, liquor store, office/warehouse, vehicle and equipment sales, leasing and repair, furniture sales, pet shop, wholesale activities less than 3,500 sq. ft.

*Intent:* Development of small to large scale commercial, retail, and commercial service uses located in high traffic areas. Access to this component should be provided by an arterial street. The heaviest concentration of this component should be located at intersections of arterial streets.

#### **LC – LOCAL COMMERCIAL:**

*Features:* Any use in LO plus retail sales and services, restaurants, banks, nursery or greenhouse, grocery sales, pharmacies, fitness centers, dance and music academies, artist studio, colleges and universities, bed and breakfast. Hours of operation: 5:00 a.m. to 10:00 p.m. Sun.-Thurs., 5:00 a.m. to 11:00 p.m. Fri. and Sat.

*Intent:* Development of small scale, limited impact commercial, retail, personal services and office uses located in close proximity to their primary customers, which cater to the everyday needs of the nearby residents, and which may be located near residential neighborhoods. Access should be provided by a collector or higher classification street.

### **SITE COMPONENTS**

#### **TYPE 2:**

*Features:* Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

*Intent:*

- (1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

- (2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.
- (3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.
- (4) This component is generally not intended to be utilized with HC and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

**TYPE 3:**

*Features:* Accessory buildings up to 30% of primary building; accessory dwellings; drive-thru service; limited outdoor display and storage; outdoor fueling and washing of vehicles; overhead service doors, no indoor parking required.

*Intent:*

- (1) A Type 3 site component is intended to be utilized with LO and LC use components where adjacent to less restricted districts to provide for a land use transition.
- (2) This component is intended to be utilized with residential components where accessory dwellings or additional accessory structures are appropriate and are not provided for in the Type 1 or 2 site components.
- (3) This component is intended to be combined with LO, LC, GC, HC and HI components where it is appropriate to utilize the outdoor site area for outdoor fuel sales, limited outdoor display and storage or accessory buildings.

**ARCHITECTURAL COMPONENT**

**TYPE A:**

*Features:* 85% masonry; 5 or more architectural features.

*Intent:*

- (1) The Type A architectural component is intended to be utilized for high quality developments or to provide variety as an additional option for portions of a residential development and may be utilized in or adjacent to single-family uses.
- (2) This component is intended to be utilized for single-family development that backs up to, or sides to, a major thoroughfare.
- (3) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions by applying this component to a less restrictive use or site component adjacent to a more restrictive use or site component. This standard may be utilized to help ensure compatibility for non-residential uses, multi-family, two-family, townhouse or small lot residential development with adjacent property that is more restricted.
- (4) This component is intended to be utilized for buildings requiring heights greater than those provided in other architectural components.
- (5) This component may be utilized for any high profile development, for any property in a prominent location or at an important gateway to the community.
- (6) This component is not intended to become an involuntary standard for the majority of a single-family subdivision, especially with SFR, SFE, SFS, SFU and SFC components.

## COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Provide a balanced mix of complementary uses that support a strong and diverse tax base.
- Mixed Use Corridors are areas along arterials between Centers that have available land and should be developed to preserve the integrity of the corridor and maintain mobility. These corridors include land within approximately 500 feet of the outer edge of the right-of-way (typically one block deep).
- Commercial Corridors allow for additional commercial development along corridors already devoted to primarily commercial and office uses. The typical uses associated with this corridor include a variety of medium-intensity uses including general businesses and services, offices, restaurants, retail, professional and medical services, light industrial, flex space, storage and even some limited residential uses.

## ANALYSIS:

The applicant is requesting an amendment to the TOD/PUD (Transit Oriented Development/Planned Unit Development) district in to order to develop a commercial project. This request for a PUD and a Conceptual Site Layout and Land Use Plan that can also be considered as the Concept Plan as permitted by the Composite Zoning Ordinance. This submittal includes the PUD zoning request and Concept Plan for review by the Planning & Zoning Commission.

The surrounding properties are also located within the TOD. The properties to the west and south are part of the proposed Oak Creek Subdivision. A portion of the property to the north is part of the proposed Enclave at Maya Vista Subdivision. The remaining properties are currently undeveloped.

The proposed base zonings for this PUD are GC-3-A (General Commercial), GC-2-A (General Commercial), and LC-2-A (Local Commercial). The proposed GC-3-A is located at the corner of US 183 and San Gabriel Parkway. The zoning is proposed to transition with regards to intensity as the project moves to the west. The GC-2-A district is proposed in the center and the LC-2-A district is proposed to be located at the intersection of W Broade Street and San Gabriel Parkway.

The GC use component permits the development of small to large scale commercial, retail, and commercial service uses located in high traffic areas. Access to this component should be provided by an arterial street. The heaviest concentration of this component should be located at intersections of arterial streets.

The LC use component allows for the development of small scale, limited impact retail that offers personal services and office uses located in close proximity to their primary customers, Access should be provided by a collector or higher classification street.

The requested Type 3 site component would permit outdoor fuel sales, limited outdoor storage and/or display, overhead doors, drive-through service lanes and carwashes. This use component

is intended to be combined with the GC use component where it is appropriate to utilize the outdoor site area for outdoor fuel sales, limited outdoor display and storage or accessory buildings.

The requested Type 2 site component would prohibit outdoor fuel sales, outdoor storage and/or display, overhead doors, drive-through service lanes and carwashes. This site component is intended to be combined with the GC use component where it is adjacent to a residential district in order to reduce potential negative impacts to the more restrictive district.

The Type A Architectural Component is proposed for both the residential and non-residential associated with this site. This component requires that 85% of the walls are comprised of masonry. In addition, a minimum of five architectural features are required.

This application includes the following higher standards and waivers.

HIGHER STANDARDS	WAIVERS
<b>COMPOSITE ZONING ORDINANCE</b>	
Type A Architectural Component	-
-	Remove requirement for continuous building frontage
-	Reduction in screening requirement for gas pumps
-	Modify riparian corridor setbacks

The Conventional Development (CD) Sector Standards will apply to this project. US 183 and San Gabriel Parkway are designated as B-Streets. These standards are listed below.

**STANDARDS SPECIFIC TO B-STREETS IN COMMERCIAL ZONING DISTRICTS**

- a. Surface parking consisting of no more than one drive aisle with head-in parking spaces on each side of the drive aisle are permitted between the building and the right-of-way. A landscape screen or wall no taller than 4 feet in height shall be constructed and maintained to screen the view of the parking from the adjacent ROW.
- b. All drive aisles shall be designed and easements conveyed to connect to existing or future drive aisles on adjacent properties.
- c. Sidewalks and street trees in compliance with the Composite Zoning Ordinance shall be required between the parking lot and the right-of-way.
- d. Sidewalks at least 12 feet wide shall be provided between the building facade and the parking lot, with trees in grates or planter boxes every 30 feet.
- e. A continuous building frontage is required. The frontage may only be broken by a street, pedestrian passage, courtyard or similar feature approved by the Planning Director. For phased building construction within a block, a screen wall or landscape hedge shall be constructed at the building frontage line prior to building construction.
- f. The provision of pedestrian amenities such as benches, outdoor dining areas, awnings over sidewalks and other similar features is encouraged. The Planning Director may provide a reduction of the minimum parking or landscaping requirement of up to 15% for the provision of pedestrian amenities.

Standards Specific to Lots & Buildings on B-Streets in Commercial Zoning Districts

- a. Buildings fronting on A- and B-Streets shall meet the Type A Architectural Component of the Composite Zoning Ordinance.
- b. Buildings fronting on A- and B-Streets shall provide a primary entrance facing the street accessing the required sidewalk.

**STAFF RECOMMENDATION:**

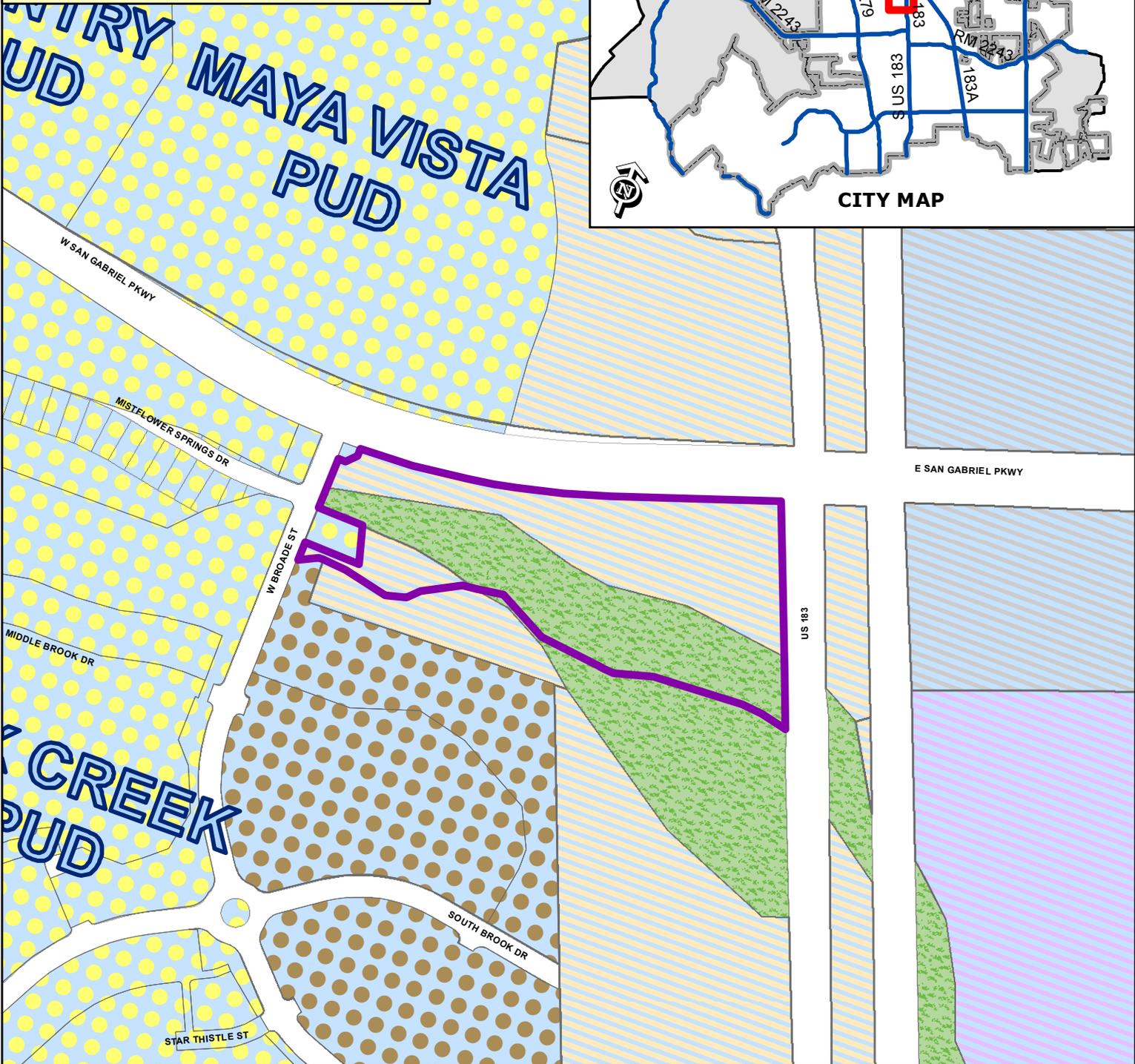
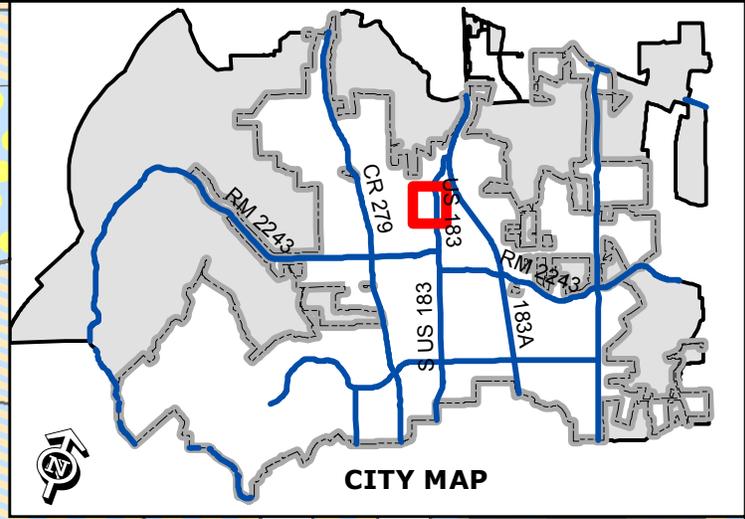
Staff recommends approval of the requested PUD and Concept Plan with the following conditions:

1. Update the PUD to meet the intent of the ordinance with regard to continuous building frontage along US 183. An example could include relocating the pumps to allow for another building between US 183 and the pumps.
2. Add a requirement that the continuous building frontage will not be required for Parcel 2 as long as the buildings are oriented towards the creek corridor instead of San Gabriel Pkwy. The creek shall be treated as the street with regard to the masonry requirements. The creek shall include an active edge with a trail system, pedestrian amenities, outdoor seating, landscaping, etc.
3. Add a note to Exhibit E stating that the site plan is conceptual and has not been reviewed by City Staff. A formal review will be conducted at the site development stage of the process.
4. Update Exhibit F to demonstrate the averaging the riparian corridor setbacks. Currently, the exhibit only shows the removal.
5. Provide a trail along the creek.

The intent of the B-Street standards is to provide for a pedestrian friendly, walkable area. A continuous building frontage is required along this street type. In this situation, orienting the buildings to face the creek and a trail would promote a pedestrian friendly atmosphere.

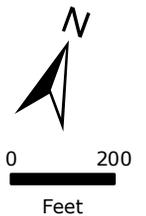
This request with staff recommendations meets the intent statements of the Composite Zoning Ordinance and the goals of the Comprehensive Plan.

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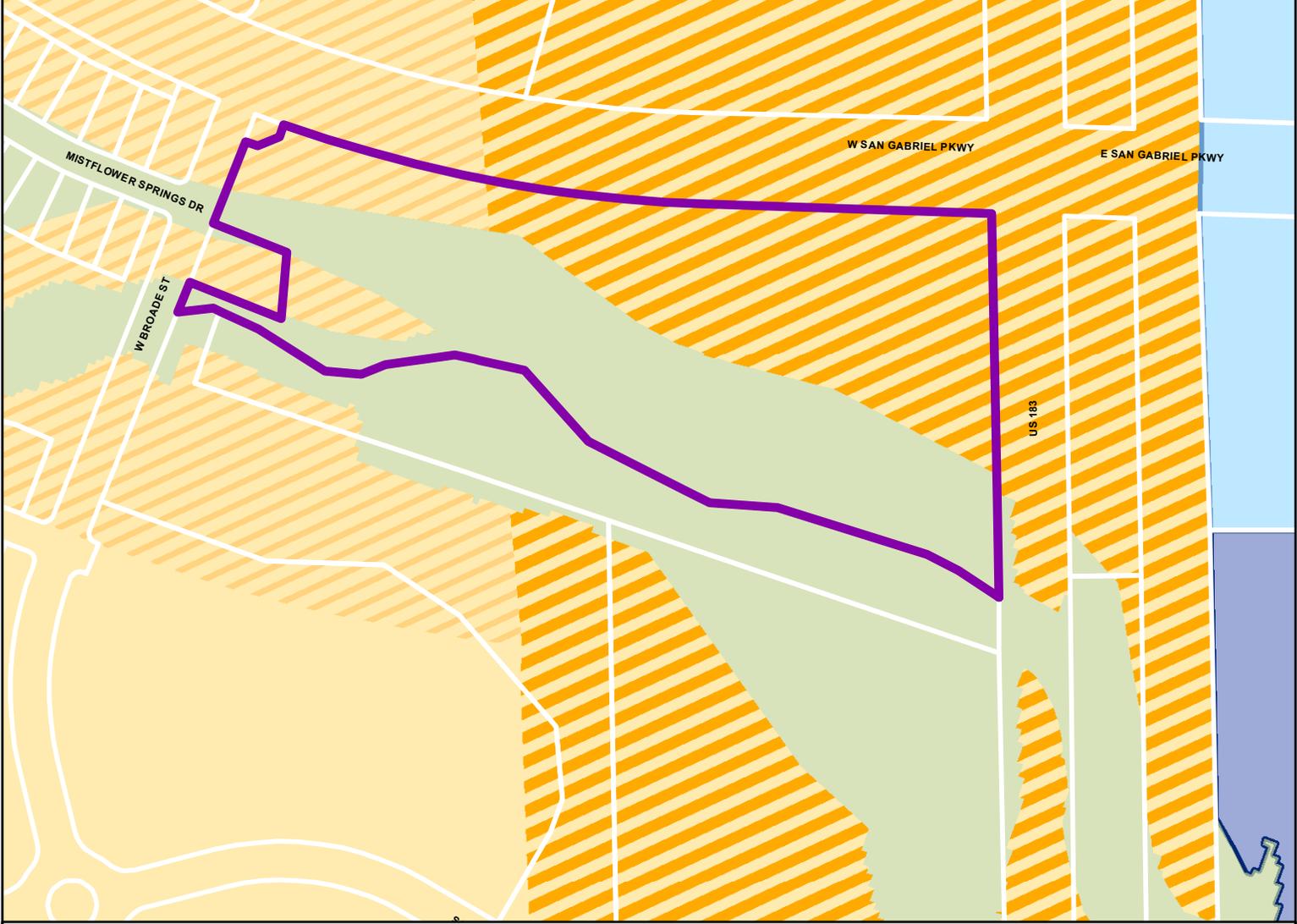
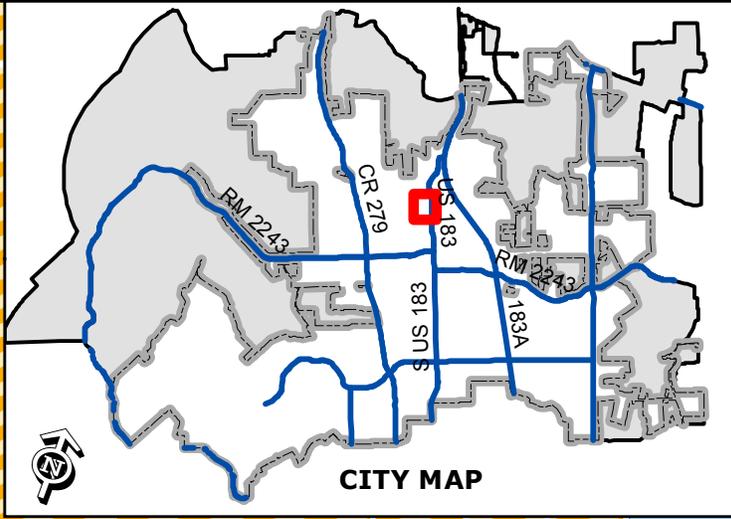


**ZONING CASE 15-TOD-Z-030 Attachment #2** Current Zoning Map - Tylerville PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family



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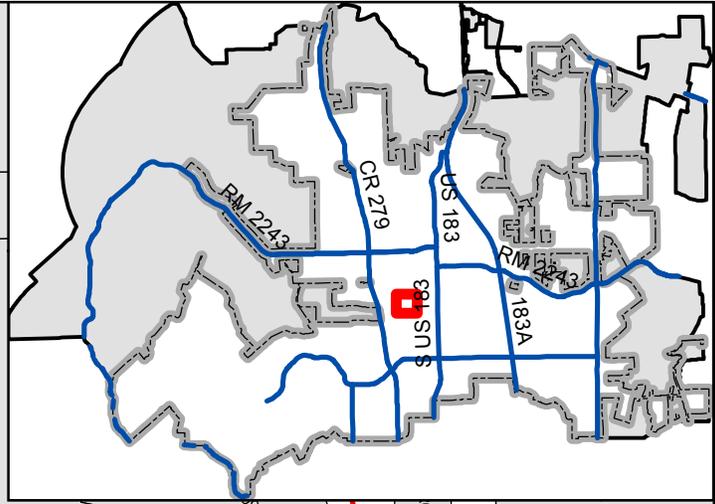
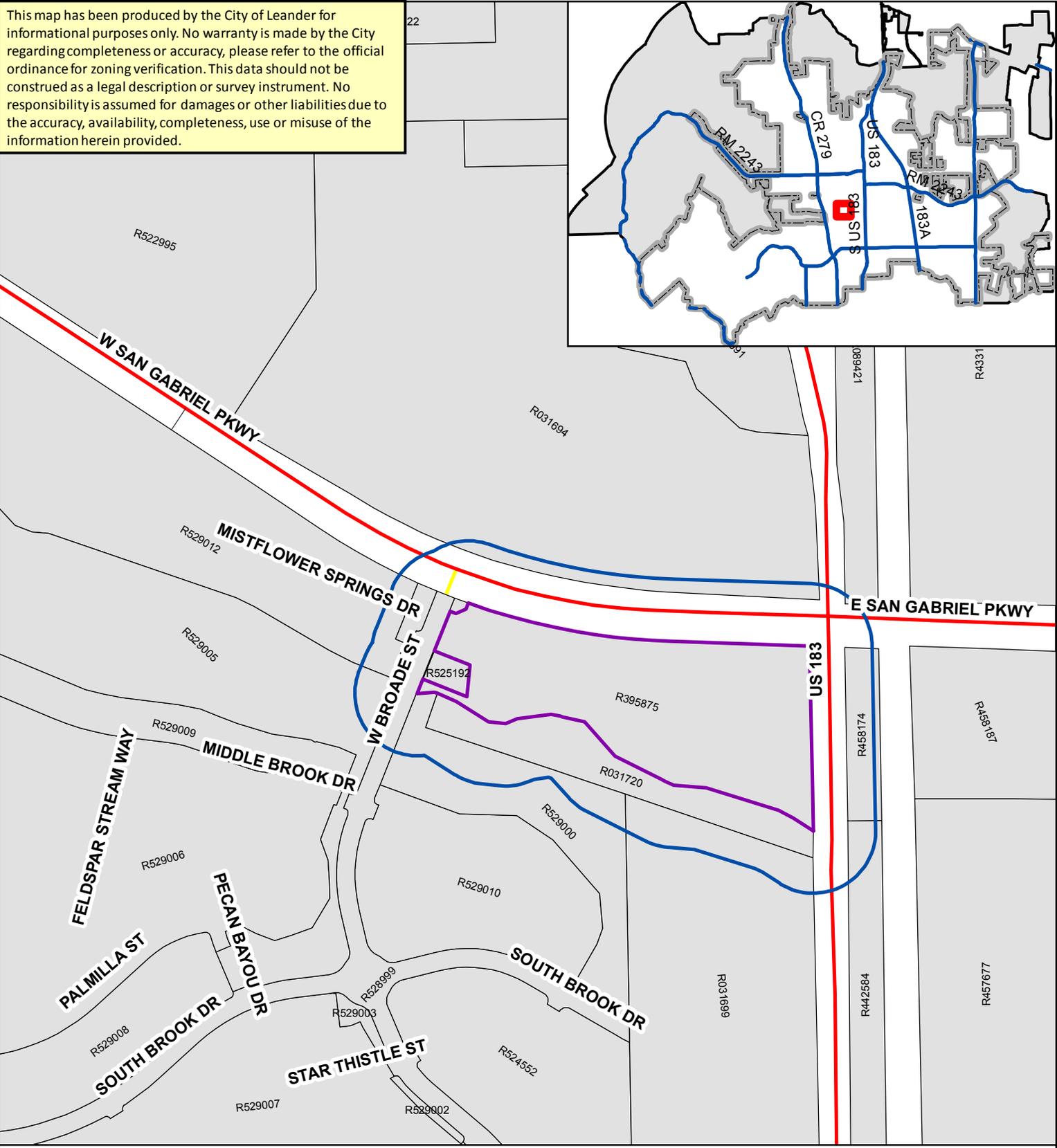
**ZONING CASE 15-TOD-Z-030 Attachment #3** Future Land Use Map - Tylerville PUD

 Subject Property	 Commercial Corridor	 Transit Supportive Mixed Use
 City Limits	 Neighborhood Center	 Station Area Mixed Use
 Open Space	 Community Center	 Old Town Mixed Use
 Mixed Use Corridor	 Activity Center	 Employment Mixed Use
		 Industrial District
		 Neighborhood Residential


0 200  
Feet

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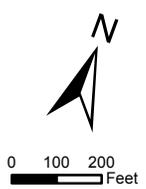


# ZONING CASE 15-TOD-Z-030

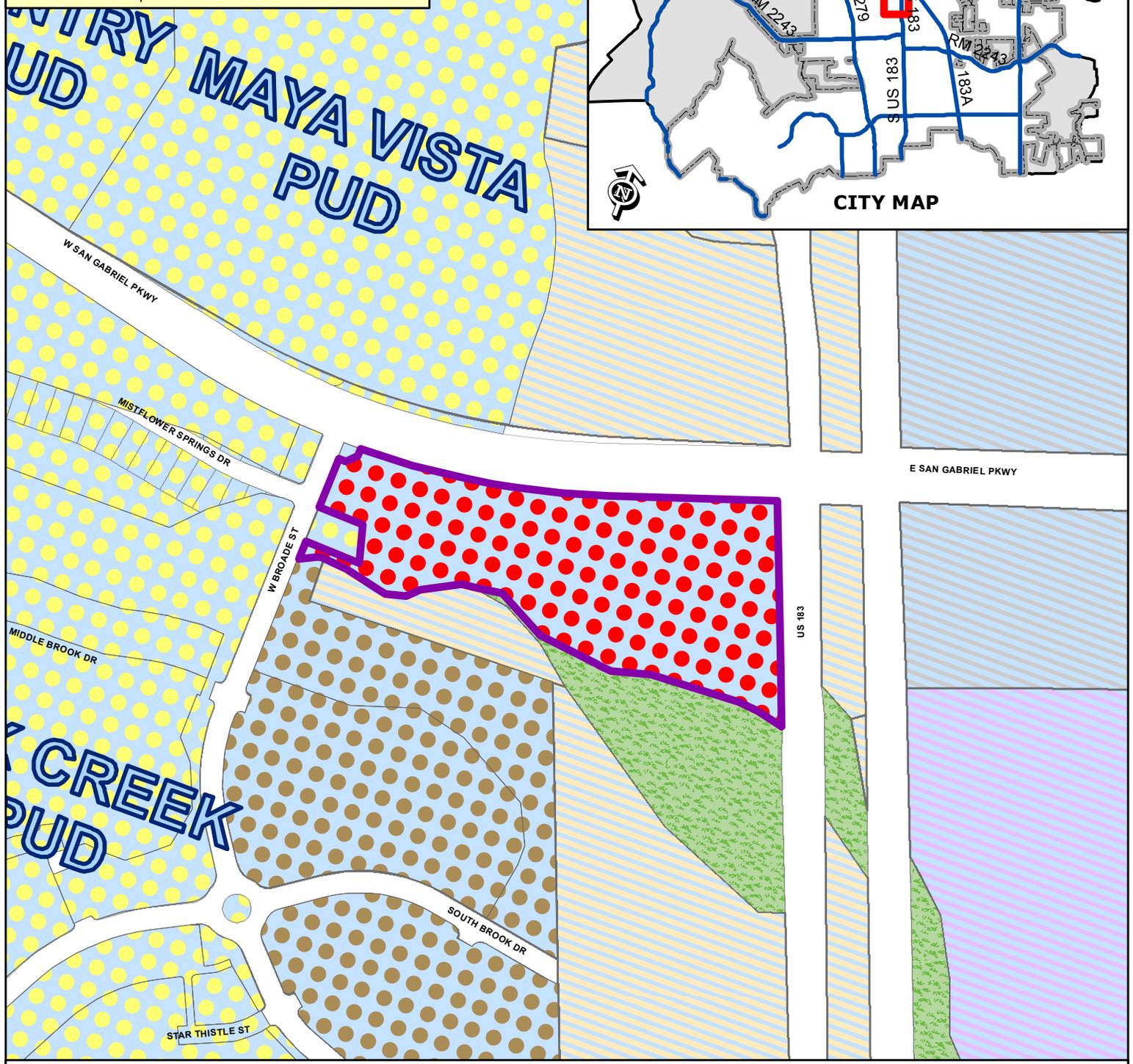
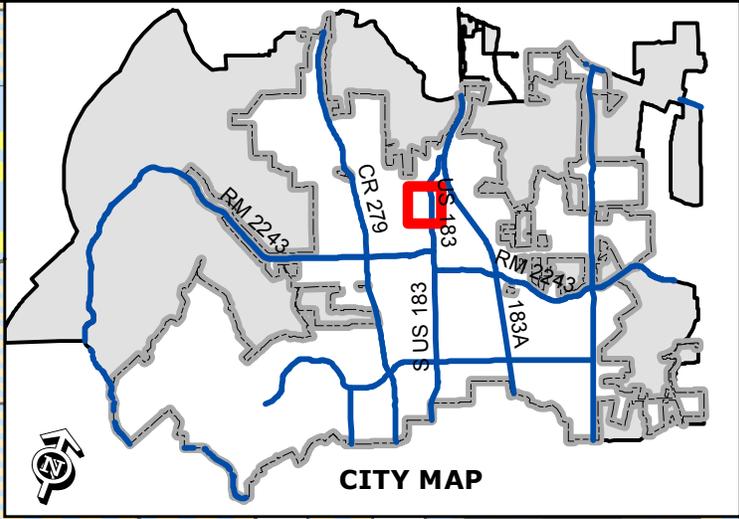
## Attachment #4

Notification Map  
 Tylerville Commercial PUD Amendment

-  Public Notification Boundary
-  Subject Property
-  City Limits
-  WCAD Parcels

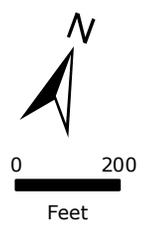


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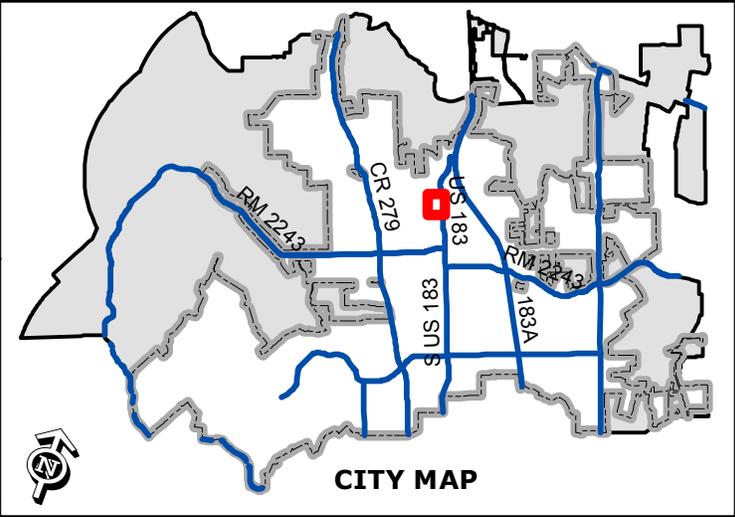


**ZONING CASE 15-TOD-Z-030 Attachment #5** Proposed Zoning Map - Tylerville PUD

Subject Property	SFR	SFL	LO	PUD - Commercial
City Limits	SFE	SFT	LC	PUD - Mixed Use
	SFS	SFU/MH	GC	PUD - Multi-Family
	SFU	TF	HC	PUD - Townhomes
	SFC	MF	HI	PUD - Single-Family



This map has been produced by the City of Leander for informational purposes only. No warranty is made by the City regarding completeness or accuracy, please refer to the official ordinance for zoning verification. This data should not be construed as a legal description or survey instrument. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided.



### ZONING CASE 15-TOD-Z-030 Attachment #6

Aerial Exhibit - Approximate Boundaries  
Tylerville Commercial PUD



-  Subject Property
-  City Limits

## Exhibit A

### Tylerville Commercial Planned Unit Development

#### A. Purpose and Intent

The Tylerville Commercial PUD is composed of approximately 10.6 acres, as described in Exhibit B (Field Notes). The development of this property is planned as a high quality, non-residential development with a variety of office and retail offerings.

Tylerville Commercial has been designed to create a walkable, pedestrian friendly development providing retail services and employment to the surrounding area. The contents of this PUD further explain and illustrate the overall appearance and function desired for this development. A Conceptual Site Layout and Land Use Plan has been attached to this PUD, Exhibit C, to illustrate the design intent for the property. The Conceptual Site Layout and Land Use Plan is intended to serve as a guide to illustrate the general development vision and design concepts and is not intended to serve as a final document. The Conceptual Site Layout and Land Use Plan depicts a mix of non-residential offerings and open space areas which are contemplated within the development.

#### B. Applicability and Base Zoning

All aspects regarding the development of this PUD shall comply the City of Leander Composite Zoning Ordinance, except as established in this exhibit, titled Exhibit A.

For the purpose of establishing development standards for the PUD, base zoning districts have been selected from the Leander Composite Zoning Ordinance for the various non-residential products proposed within the PUD.

- Base District General Commercial (GC-3-A)
- Base District General Commercial (GC-2-A)
- Base District Local Commercial (LC-2-A)

Each plat or site plan submitted to the City will identify the use at the time of City Submittal. All development within the PUD will comply with the modified development standards of this PUD. In the case that this PUD does not address a specific City requirement, the Leander Composite Zoning Ordinance shall apply. In the event of a conflict between this PUD and the base zoning district found in the Leander Composite Zoning Ordinance, this PUD shall control.

#### C. Conceptual Site Layout and Land Use Plan

Exhibit C attached is a conceptual development plan intended to visually convey the design intent for the Tylerville Commercial development. The design of the development is not final, and is subject to refinement during the platting and site planning stages. This PUD zoning document does not constitute plat or site plan approval of the attached plan.

The Tylerville Commercial project is comprised of a mix of various office and retail products. The product placement within the development is planned to provide the following development pattern:

- Parcel 3, GC-3-A General Commercial

At the corner of US 183 and San Gabriel Parkway is a 2.1 acre tract. This tract will be the location of a convenience store with gas pumps, providing services to the surrounding areas (See Exhibit E: Concept Site Plan). As defined in Section F of this PUD, Parcel 3 shall be exempt from Section 2.4.e of the Development Standards for the Conventional Development Sector (CD). While the convenience store building will meet the Ordinance intent along San Gabriel Parkway, the gas pumps will be located along US 183 as described below.

Gas pumps will be set to the side of the primary building elevation viewed from US 183. The gas pump facility shall be located no closer to US 183 than the front elevation of the convenience store building. A tire air station will also be located set back from the convenience store's San Gabriel Parkway elevation.

The architectural standards of the convenience store shall be consistent with those established within the Leander Composite Zoning Ordinance GC-3-A. All other constructed structures shall complement the convenience store architectural style.

Article VI, Section 1, Landscaping and Screening of the Composite Zoning Ordinance establishes minimum landscape and screening requirements.

The landscape area for Parcel 3 will be increased from the commercial uses minimum of 15% (as established in Article VI, Section 1.b.(9)iii) to a minimum of 20%. Additionally, the gas pump facility will be screened from the view of at least 60% of adjacent properties outside this PUD in addition to being screened from any public ROW. See Exhibit D: Parcel 3 Landscape Screening, for prototypical screening to be provided along US 183 and San Gabriel Parkway.

- Parcel 2, GC-2-A General Commercial

West of Parcel 3 will be a 4.8 acre tract. Located within this tract will be a mix of retail and office buildings, associated parking and detention/water quality facilities. As Illustrated on Exhibit C, Conceptual Site Layout and Land Use Plan, Parcel 2 is located along the creek corridor. This PUD seeks to place buildings and potential outdoor spaces in a manner to enjoy the creek corridor. Therefore, as defined in Section F of this PUD, Parcel 2 shall not be exempt from Section 2.4.e of the Development Standards for the Conventional Development Sector (CD).

- Parcel 1, LC-2-A Local Commercial

The western tract is 3.7 acres. A mix of retail and office buildings and associated parking shall be located within this parcel. Due to the Parcel's proximity to residential communities north and west of the parcel, the parcel will be zoned LC-2-A as a transition intensity. As Illustrated on Exhibit C, Conceptual Site Layout and

Land Use Plan, Parcel 1 is located along the creek corridor. This PUD seeks to place buildings and potential outdoor spaces in a manner to enjoy the creek corridor. Therefore, as defined in Section F of this PUD, Parcel 1 shall not be exempt from Section 2.4.e of the Development Standards for the Conventional Development Sector (CD).

**D. Parkland/Open Space/Trails**

Exhibit C, Conceptual Site Layout and Land Use Plan illustrates the property's relationship to the creek corridor. The creek is not located within the boundary of this PUD.

An internal, private pedestrian network is anticipated linking buildings with each other and associated parking lots. During site planning of said pedestrian networks, connections will be provided to the offsite regional North Brushy Creek Trail.

**E. Riparian Corridors**

As noted within this PUD, a creek runs along the southern boundary of the PUD. As such, Section 49, Riparian Corridors of the Subdivision Ordinance requires the establishment of a riparian corridor along the creek and associated tributaries. Exhibit F, Floodplain Exhibit, illustrates the modified riparian corridor within the boundary of this PUD. The area highlighted in blue on Exhibit F has been removed from the riparian corridor and associated development regulations.

**F. Architectural Criteria**

All office and commercial product within this PUD shall comply with the Development Standards for the Conventional Development Sector (CD) with the following exceptions.

1. Parcel 3 shall be exempt from Section 2.4.e.:  
*“A continuous building frontage is required. The frontage may only be broken by a street, pedestrian passage, courtyard or similar feature approved by the Planning Director. For phase building construction within a block, a screen wall or landscape hedge shall be constructed at the building frontage line prior to building construction.”*

**Exhibit B**

**Field Notes**

**CRICHTON AND ASSOCIATES**  
**LAND SURVEYORS**  
6448 HIGHWAY 290 EAST  
SUITE B-105 AUSTIN, TEXAS 78727  
PH. (512) 244-3395

**FIELD NOTES**

**FIELD NOTES FOR 3.0603 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLerville LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAID 3.0603 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS:**

Commencing at ½" iron rod found in the South R.O.W. line of San Gabriel Parkway, being a northerly corner of said 11.221 acre tract, for the POINT OF COMMENCING; THENCE with a curve to the right whose elements are R= 2150.00 feet, L= 304.05 feet whose chord bears S75°49'07"W a distance of 303.80 feet to a point, for the Northeast corner of this tract and the POINT OF BEGINNING;

THENCE through the interior of said 11.221 acre tract the following twenty-one (21) courses and distances:

- 1) S26°48'57"E a distance of 41.33 feet;
- 2) S26°22'45"E a distance of 42.76 feet;
- 3) S27°16'38"E a distance of 17.78 feet;
- 4) S23°14'28"E a distance of 13.73 feet;
- 5) S23°34'10"E a distance of 11.94 feet;
- 6) S23°11'49"E a distance of 13.95 feet;
- 7) S23°05'05"E a distance of 10.04 feet;
- 8) S30°52'12"E a distance of 10.41 feet;
- 9) S27°15'29"E a distance of 15.16 feet;
- 10) S28°28'41"E a distance of 18.67 feet;
- 11) S33°20'56"E a distance of 4.94 feet;
- 12) S22°19'19"E a distance of 6.80 feet;
- 13) S23°45'48"E a distance of 29.96 feet;
- 14) S22°55'37"E a distance of 15.50 feet;
- 15) S21°32'45"E a distance of 8.15 feet;
- 16) S16°48'55"E a distance of 12.23 feet;

Ex B 1 of 11

- 17) S07°44'54"E a distance of 4.55 feet;
- 18) S11°15'18"E a distance of 11.05 feet;
- 19) S13°51'58"E a distance of 5.29 feet;
- 20) S21°08'17"E a distance of 4.03 feet;
- 21) S19°24'44"E a distance of 4.54 feet to a point in the approximate centerline of Brushy Creek, being the North line of a 3.1500 acre tract conveyed to Thompson Jeanne Arnold et al by deed recorded in Document No. 2000053933, Official Public Records, Williamson County, Texas, and the South line of said 11.221 acre tract, for the Southeast corner of this tract;

**THENCE** with the approximate centerline of said Brushy Creek and the common line of said 11.221 acre tract and said 3.1500 acre tract the following seven (7) courses and distances:

- 1) N61°12'03"W a distance of 14.23 feet;
- 2) S83°28'22"W a distance of 109.99 feet;
- 3) S62°50'32"W a distance of 108.08 feet;
- 4) S48°09'34"W a distance of 40.13 feet;
- 5) S76°19'29"W a distance of 55.40 feet;
- 6) N76°56'31"W a distance of 121.71 feet;
- 7) N85°07'58"W, passing the common line of said 3.1500 acre tract and Lot 1, Block "O", Oak Creek Phase 1, Section 2, a subdivision recorded in Document No. 2015086156, Official Public Records, Williamson County, Texas, , continuing with the common line of said 11.221 acre tract and said Lot 1, Block "O", in all a distance of 68.92 feet to a point;

**THENCE** S63°50'48"W continuing with the centerline of said Brushy Creek and the common line of said 11.221 acre tract and said Lot 1, Block "O" a distance of 55.12 feet to a point in the East R.O.W. line of West Broade Street, being the most southerly West common corner of said Lot 1, Block "O", and said 11.221 acre tract, for the Southwest corner of this tract;

**THENCE** N01°44'18"E with the East R.O.W. line of said West Broade Street and the West line of said 11.221 acre tract a distance of 48.73 feet to a point, being the Southwest corner of Lot 1, Block "Q", Oak Creek Phase 1, Section 1, a subdivision recorded in Document No. 2015085673, Official Public Records, Williamson County, Texas, for a westerly corner of this tract;

**THENCE** with the common line of said 11.221 acre tract and said Lot 1, Block "Q" the following three (3) courses and distances:

- 1) S88°15'45"E a distance of 152.13 feet;
- 2) N14°42'21"W a distance of 102.19 feet;
- 3) N88°15'45"W a distance of 123.20 feet to a point in the East R.O.W. line of said West Broade Street, being the most northerly West common corner of said Lot 1, Block "Q" and said 11.221 acre tract, for a westerly corner of this tract;

Ex B 2 of 11

**THENCE N01°44'18"E** with the East R.O.W. line of said West Broade Street and the West line of said 11.221 acre tract a distance of **136.75** feet to a point in the South line of Lot 1, Block "S", of said Oak Creek, Phase 1, Section 1, for the most westerly Northwest corner of this tract;

**THENCE** with the common line of said Lot 1, Block "S" and said 11.221 acre tract the following three (3) courses and distances:

- 1) **S88°15'42"E** a distance of **20.00** feet;
- 2) **N46°01'53"E** a distance of **35.85** feet;
- 3) **N00°25'05"W** a distance of **20.05** feet to a point in the South R.O.W. line of said San Gabriel Parkway, being the Northeast corner of said Lot 1, Block "S", for the most northerly Northwest corner of this tract;

**THENCE** with a curve to the left whose elements are  $R=2,150.00$  feet,  $L=362.54$  feet whose chord bears **N84°42'02"E** a distance of **362.11** feet to the **POINT OF BEGINNING** and containing 3.0603 acres of land, more or less.

I hereby certify that the foregoing field notes were prepared partially from a survey on the ground under my supervision and partially from public record, and are true and correct to the best of my knowledge and belief.

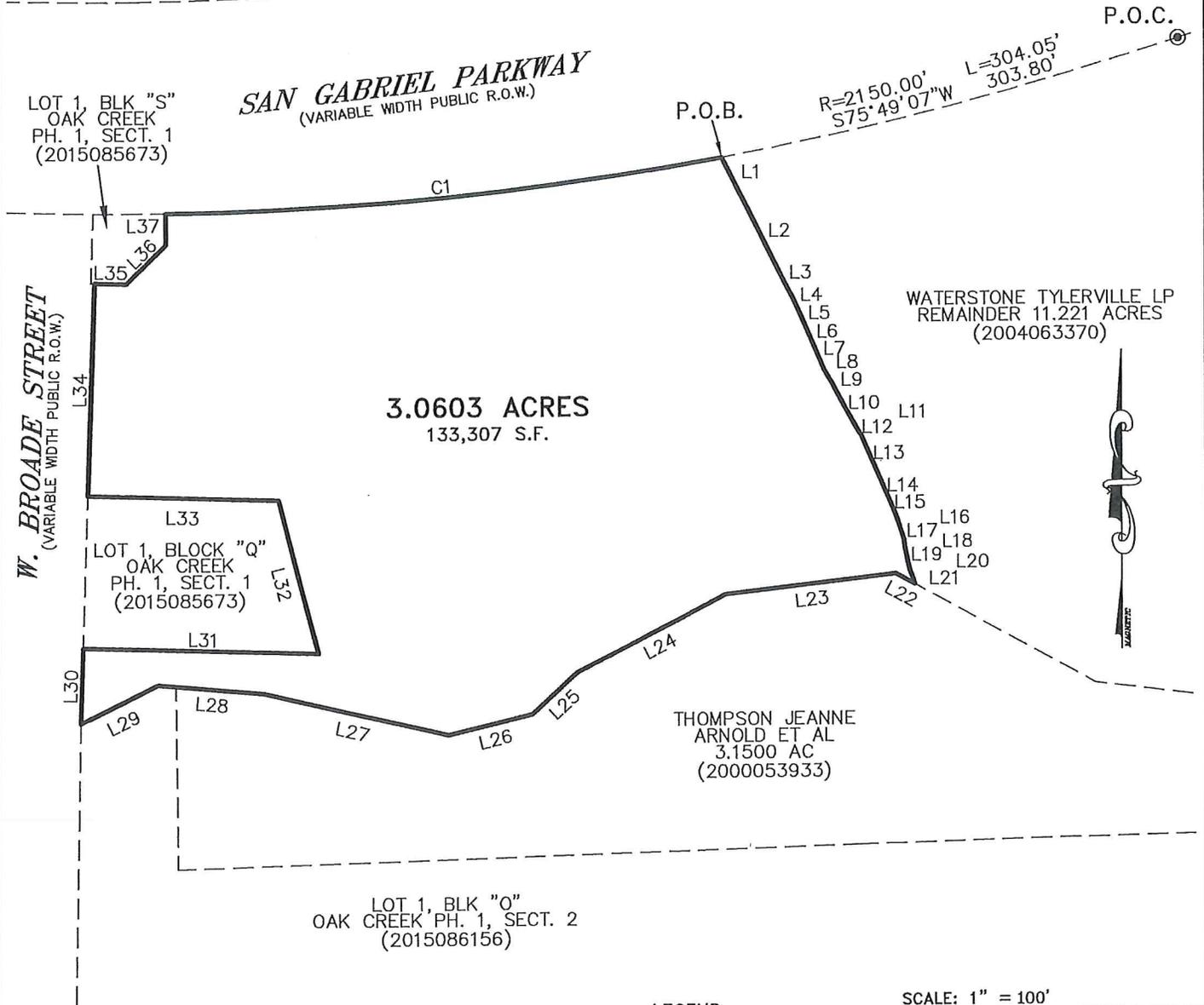
Witness my hand and seal October 16<sup>th</sup>, 2015



Herman Crichton, R.P.L.S. 4046  
15\_206



SKETCH TO ACCOMPANY FIELD NOTES FOR 3.0603 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLerville LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS



**CRICHTON**  
AND ASSOCIATES INC.  
LAND SURVEYORS

TBLS Firm # 101727-00  
6448 East Highway 290  
Suite B105  
Austin, Texas 78723  
(512) 244-3395  
Orders@CrichtonandAssociates.com

Ex B 4 of 11

- LEGEND**
- ⊙ 1/2" IRON PIN FOUND
  - 1/2" IRON PIN SET
  - △ NAIL FOUND

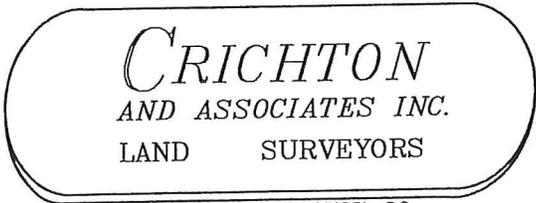
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JOB NUMBER: 15\_206



SKETCH TO ACCOMPANY FIELD NOTES FOR 3.0603 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLERVILLE LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS

LINE TABLE		
LINE	LENGTH	BEARING
L1	41.33	S26°48'57"E
L2	42.76	S26°22'45"E
L3	17.78	S27°16'38"E
L4	13.73	S23°14'28"E
L5	11.94	S23°34'10"E
L6	13.95	S23°11'49"E
L7	10.04	S23°05'05"E
L8	10.41	S30°52'12"E
L9	15.16	S27°15'29"E
L10	18.67	S28°28'41"E
L11	4.94	S33°20'56"E
L12	6.80	S22°19'19"E
L13	29.96	S23°45'48"E
L14	15.50	S22°55'37"E
L15	8.15	S21°32'45"E
L16	12.23	S16°48'55"E
L17	4.55	S07°44'54"E
L18	11.05	S11°15'18"E
L19	5.29	S13°51'58"E
L20	4.03	S21°08'17"E
L21	4.54	S19°24'44"E
L22	14.23	N61°12'03"W
L23	109.99	S83°28'22"W
L24	108.08	S62°50'32"W
L25	40.13	S48°09'34"W
L26	55.40	S76°19'29"W
L27	121.71	N76°56'31"W
L28	68.92	N85°07'58"W
L29	55.12	S63°50'48"W
L30	48.73	N01°44'18"E
L31	152.13	S88°15'45"E
L32	102.19	N14°42'21"W
L33	123.20	N88°15'45"W
L34	136.75	N01°44'18"E
L35	20.00	S88°15'42"E
L36	35.85	N46°01'53"E
L37	20.05	N00°25'05"W

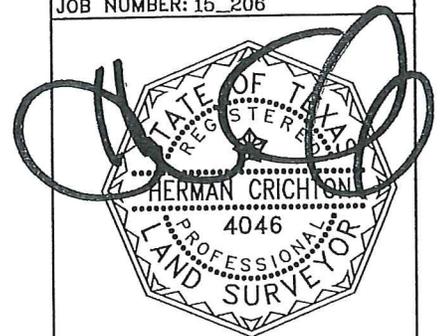
CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
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TBLS Firm # 101727-00  
6448 East Highway 290  
Suite B105  
Austin, Texas 78723  
(512) 244-3395  
Orders@CrichtonandAssociates.com

Ex 5 of 11

SCALE: 1" = N/A  
JOB NUMBER: 15\_206



DATE: October 16, 2015

**CRICHTON AND ASSOCIATES**  
**LAND SURVEYORS**  
6448 HIGHWAY 290 EAST  
SUITE B-105 AUSTIN, TEXAS 78727  
PH. (512) 244-3395

**FIELD NOTES**

**FIELD NOTES FOR 5.7832 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLERVILLE LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAID 5.7832 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS:**

**BEGINNING** at a ½" iron rod found in the South R.O.W. line of San Gabriel Parkway, being a northerly corner of said 11.221 acre tract, for a northerly corner of this tract and the **POINT OF BEGINNING:**

**THENCE** N72°04'32"E with the South R.O.W. line of said San Gabriel Parkway and the North line of said 11.221 acre tract a distance of 192.05 feet to point for the Northeast corner of this tract;

**THENCE** through the interior of said 11.221 acre tract the following two (2) courses and distances:

- 1) S20°54'37"E a distance of 364.16 feet;
- 2) N69°12'16"E a distance of 252.45 feet to a point in the West R.O.W. line of U.S. Highway 183, same being the East line of said 11.221 acre tract, for an easterly corner of this tract;

**THENCE** S20°55'02"E with the West R.O.W. line of said U.S. Highway 183 and the East line of this tract a distance of 250.00 feet to a point in the approximate centerline of Brushy Creek, being the East common corner of said 11.221 acre tract and a 3.1500 acre tract conveyed to Thompson Jeanne Arnold et al by deed recorded in Document No. 2000053933, Official Public Records, Williamson County, Texas, for the Southeast corner of this tract;

**THENCE** with the centerline of said Brushy Creek and the common line of said 11.221 acre tract and said 3.1500 acre tract the following six (6) courses and distances:

- 1) N77°02'12"W a distance of 98.29 feet;
- 2) N83°00'19"W a distance of 54.18 feet;
- 3) S86°46'20"W a distance of 237.79 feet;
- 4) S73°39'28"W a distance of 103.76 feet;
- 5) N83°05'56"W a distance of 207.01 feet;
- 6) N61°12'03"W a distance of 133.40 feet to a point for the Southwest corner of this tract;

**THENCE** through the interior of said 11.221 acre tract the following twenty-one (21) courses and distances:

- 1) N19°24'44"W a distance of 4.54 feet;
- 2) N21°08'17"W a distance of 4.03 feet;

Ex B 6 of 11

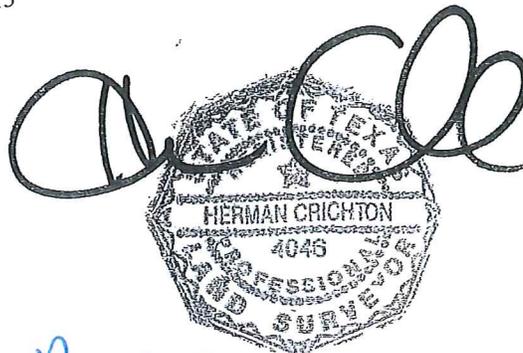
- 3) N13°51'58"W a distance of 5.29 feet;
- 4) N11°15'18"W a distance of 11.05 feet;
- 5) N07°44'54"W a distance of 4.55 feet;
- 6) N16°48'55"W a distance of 12.23 feet;
- 7) N21°32'45"W a distance of 8.15 feet;
- 8) N22°55'37"W a distance of 15.50 feet;
- 9) N23°45'48"W a distance of 29.96 feet;
- 10) N22°19'19"W a distance of 6.80 feet;
- 11) N33°20'56"W a distance of 4.94 feet;
- 12) N28°28'41"W a distance of 18.67 feet;
- 13) N27°15'29"W a distance of 15.16 feet;
- 14) N30°52'12"W a distance of 10.41 feet;
- 15) N23°05'05"W a distance of 10.04 feet;
- 16) N23°11'49"W a distance of 13.95 feet;
- 17) N23°34'10"W a distance of 11.94 feet;
- 18) N23°14'28"W a distance of 13.73 feet;
- 19) N27°16'38"W a distance of 17.78 feet;
- 20) N26°22'45"W a distance of 42.76 feet;
- 21) N26°48'57"W a distance of 41.33 feet to a point in the South R.O.W. line of said San Gabriel Parkway, for the Northwest corner of this tract;

**THENCE** with a curve to the left whose elements are R=2,150.00 feet, L=304.05 feet whose chord bears N75°49'07"E a distance of 303.80 feet to the **POINT OF BEGINNING** and containing 5.7832 acres of land, more or less.

I hereby certify that the foregoing field notes were prepared partially from a survey on the ground under my supervision and partially from public record, and are true and correct to the best of my knowledge and belief.

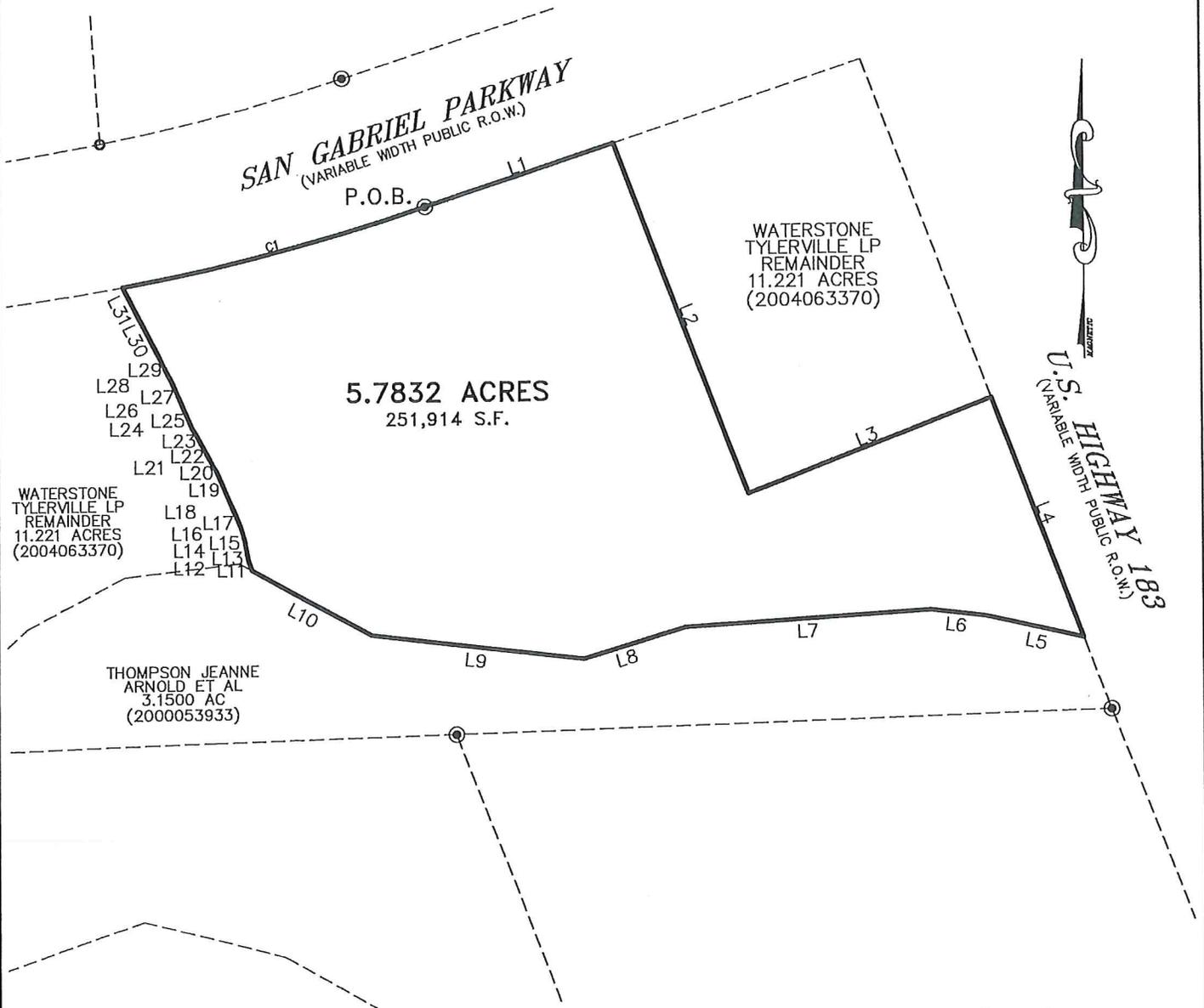
Witness my hand and seal October 16<sup>th</sup>, 2015

Herman Crichton, R.P.L.S. 4046  
15\_206



Ex B 7 of 11

SKETCH TO ACCOMPANY FIELD NOTES FOR 5.7832 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLERVILLE LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS



5.7832 ACRES  
251,914 S.F.

WATERSTONE TYLERVILLE LP REMAINDER  
11.221 ACRES  
(2004063370)

THOMPSON JEANNE ARNOLD ET AL  
3.1500 AC  
(2000053933)

LEGEND

- ⊙ 1/2" IRON PIN FOUND
- 1/2" IRON PIN SET
- △ NAIL FOUND

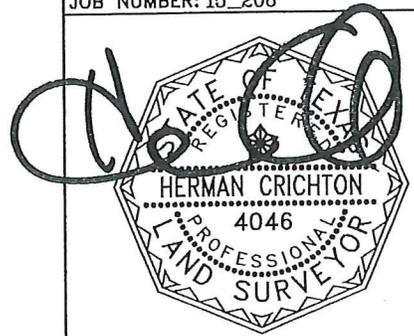
SCALE: 1" = 100'

JOB NUMBER: 15\_208

**CRICHTON**  
AND ASSOCIATES INC.  
LAND SURVEYORS

TBLS Firm # 101727-00  
6448 East Highway 290  
Suite B105  
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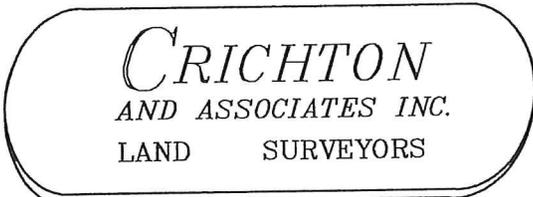
Ex B 8 of 11



SKETCH TO ACCOMPANY FIELD NOTES FOR 5.7832 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLERVILLE LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS

LINE TABLE		
LINE	LENGTH	BEARING
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L2	364.16	S20°54'37"E
L3	252.45	N69°12'16"E
L4	250.00	S20°55'02"E
L5	98.29	N77°02'12"W
L6	54.18	N83°00'19"W
L7	237.79	S86°46'20"W
L8	103.76	S73°39'28"W
L9	207.01	N83°05'56"W
L10	133.40	N61°12'03"W
L11	4.54	N19°24'44"W
L12	4.03	N21°08'17"W
L13	5.29	N13°51'58"W
L14	11.05	N11°15'18"W
L15	4.55	N07°44'54"W
L16	12.23	N16°48'55"W
L17	8.15	N21°32'45"W
L18	15.50	N22°55'37"W
L19	29.96	N23°45'48"W
L20	6.80	N22°19'19"W
L21	4.94	N33°20'56"W
L22	18.67	N28°28'41"W
L23	15.16	N27°15'29"W
L24	10.41	N30°52'12"W
L25	10.04	N23°05'05"W
L26	13.95	N23°11'49"W
L27	11.94	N23°34'10"W
L28	13.73	N23°14'28"W
L29	17.78	N27°16'38"W
L30	42.76	N26°22'45"W
L31	41.33	N26°48'57"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	304.05	2150.00	N75°49'07"E	303.80

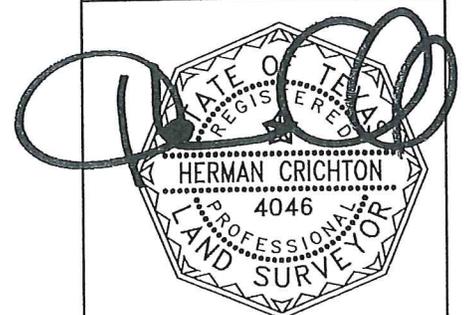


TBLS Firm # 101727-00  
6448 East Highway 290  
Suite B105  
Austin, Texas 78723  
(512) 244-3395  
Orders@CrichtonandAssociates.com

LB 9 of 11

SCALE: 1" = N/A

JOB NUMBER: 15\_206



DATE: October 16, 2015

**CRICHTON AND ASSOCIATES**  
**LAND SURVEYORS**  
6448 HIGHWAY 290 EAST  
SUITE B-105 AUSTIN, TEXAS 78727  
PH. (512) 244-3395

**FIELD NOTES**

**FIELD NOTES FOR 2.0736 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLERVILLE LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SAID 2.0736 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUND DESCRIPTION AS FOLLOWS:**

COMMENCING at a ½" iron rod found in the South R.O.W. line of San Gabriel Parkway, being a northerly corner of said 11.221 acre tract, for the POINT OF COMMENCING; THENCE N72°04'32"E with the South R.O.W. line of said San Gabriel Parkway and the North line of said 11.221 acre tract a distance of 192.05 feet to a point, for the Northwest corner of this tract and the POINT OF BEGINNING;

THENCE N72°04'32"E continuing along said line a distance of 252.75 feet to a point in the intersection of the South R.O.W. line of said San Gabriel Parkway and the West R.O.W. line of U.S. Highway 183, for the Northeast corner of said 11.221 acre tract the Northeast corner of this tract;

THENCE S20°55'02"E with the West R.O.W. line of said U.S. Highway 183 and the East line of said 11.221 acre tract a distance of 351.50 feet to a point, for the Southeast corner of this tract;

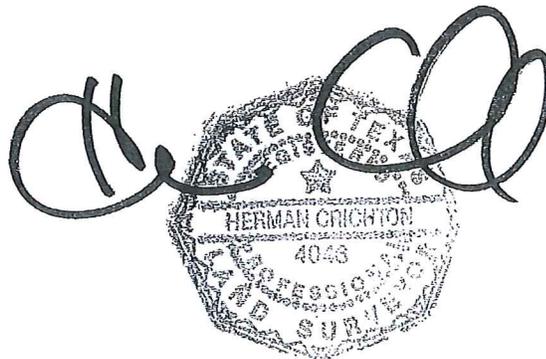
THENCE through the interior of said 11.221 acre tract the following two (2) courses and distances:

- 1) S69°12'16"W a distance of 252.45 feet for the Southwest corner of this tract;
- 2) N20°54'37"W a distance of 364.16 feet to the POINT OF BEGINNING and containing 2.0736 acres of land, more or less.

I hereby certify that the foregoing field notes were prepared partially from a survey on the ground under my supervision and partially from public record, and are true and correct to the best of my knowledge and belief.

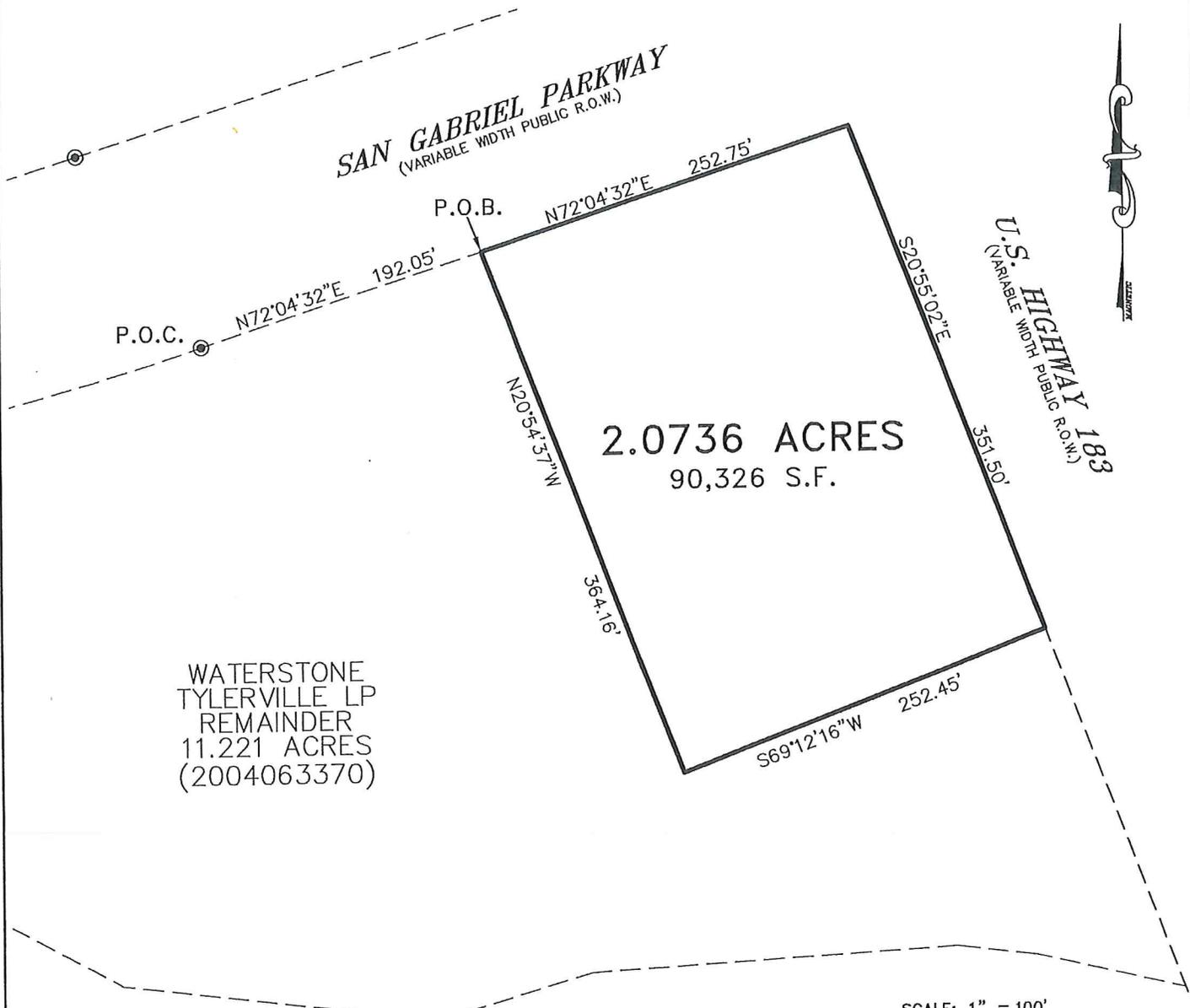
Witness my hand and seal October 16<sup>th</sup>, 2015

Herman Crichton, R.P.L.S. 4046  
15\_206



Ex B 10 of 11

SKETCH TO ACCOMPANY FIELD NOTES FOR 5.7832 ACRES OUT OF THE CHARLES COCHRAN SURVEY, ABSTRACT NO. 134 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF AN 11.221 ACRE TRACT CONVEYED TO WATERSTONE TYLERVILLE LP BY DEED RECORDED IN DOCUMENT NO. 2004063370, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS



**LEGEND**

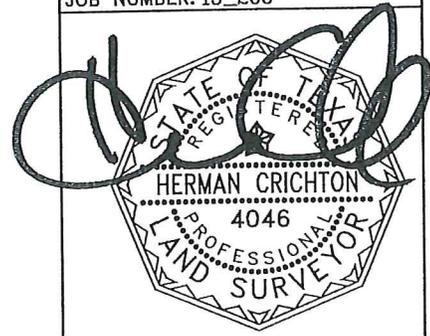
- ⊙ 1/2" IRON PIN FOUND
- ⊙ 1/2" IRON PIN SET
- △ NAIL FOUND

SCALE: 1" = 100'  
JOB NUMBER: 15\_206

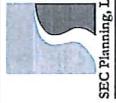
**CRICHTON**  
AND ASSOCIATES INC.  
LAND SURVEYORS

TBLS Firm # 101727-00  
6448 East Highway 290  
Suite B105  
Austin, Texas 78723  
(512) 244-3395  
Orders@CrichtonandAssociates.com

Ex B 11 of 11



DATE: October 16, 2015



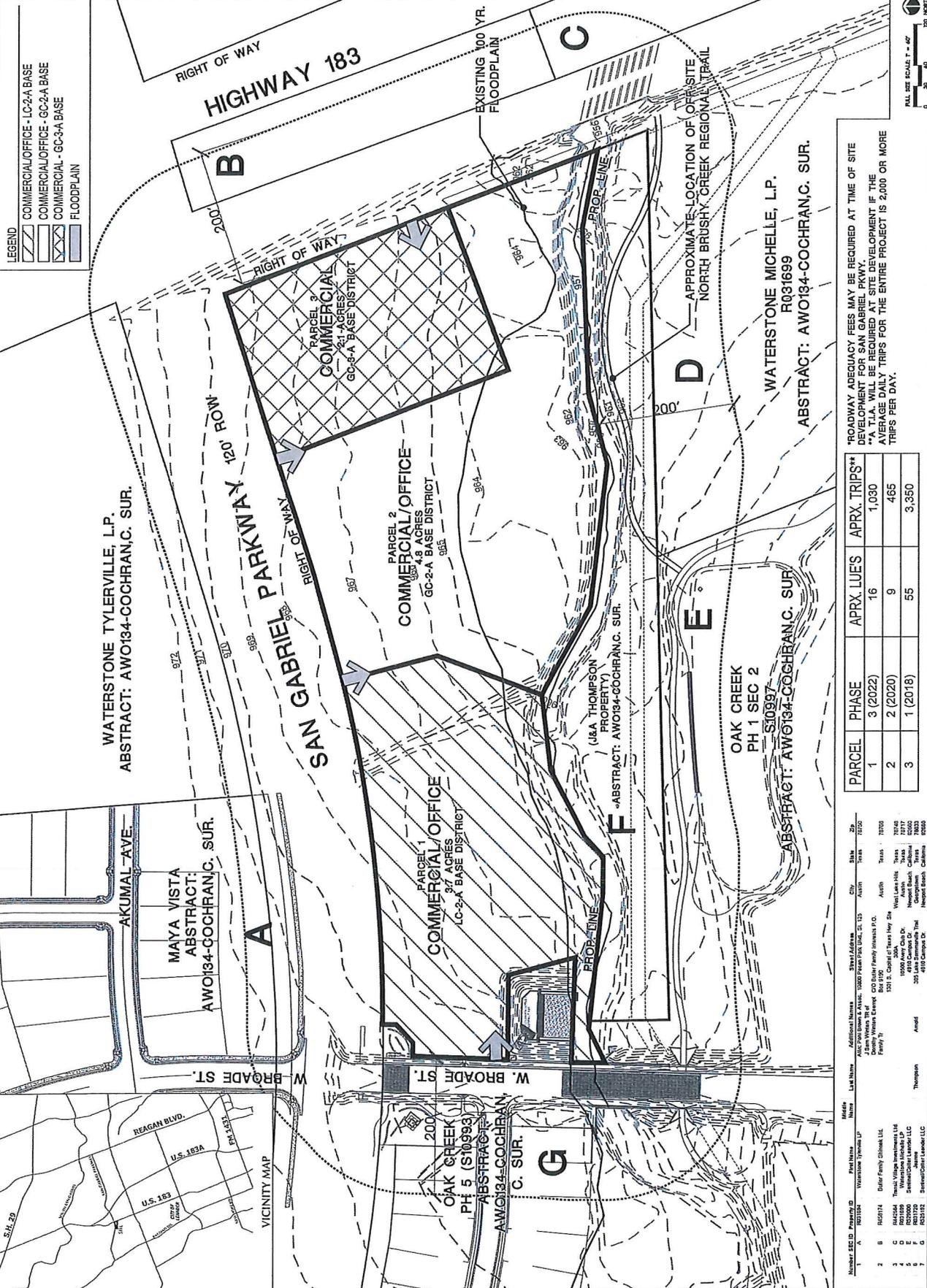
**SEC Planning, LLC**  
 15000 North Loop West, Suite 1000  
 Houston, Texas 77040  
 Phone: 281.441.1111  
 Fax: 281.441.1112  
 www.secplanning.com

**OWNER:**  
**POHL PARTNERS**  
 18000 Katy Freeway, Suite 200  
 Houston, Texas 77058  
 Phone: 281.441.1111  
 Fax: 281.441.1112

**EXHIBIT C**  
**CONCEPTUAL SITE LAYOUT**  
**AND LAND USE PLAN**  
**TYLERVILLE COMMERCIAL**  
 LEANDER, TEXAS

**DATE:** 05/15/2018  
**PROJECT:** Tylerville Commercial  
**SCALE:** 1" = 100'  
**DATE:** 05/15/2018  
**PROJECT:** Tylerville Commercial  
**SCALE:** 1" = 100'

**Drawn By:** J. POHL  
**Reviewed By:** J. POHL  
**Project No.:** 150010-POHL



**LEGEND**

[Symbol]	COMMERCIAL/OFFICE - LC-2-A BASE
[Symbol]	COMMERCIAL/OFFICE - GC-2-A BASE
[Symbol]	COMMERCIAL - GC-3-A BASE
[Symbol]	FLOODPLAIN

\*ROADWAY ADEQUACY FEES MAY BE REQUIRED AT TIME OF SITE DEVELOPMENT FOR SAN GABRIEL PKWY.  
 \*\*A T.I.A. WILL BE REQUIRED AT SITE DEVELOPMENT IF THE AVERAGE DAILY TRIPS FOR THE ENTIRE PROJECT IS 2,000 OR MORE TRIPS PER DAY.

PARCEL	PHASE	APPR. LUES'S	APPR. TRIPS**
1	3 (2022)	16	1,030
2	2 (2020)	9	465
3	1 (2018)	55	3,350

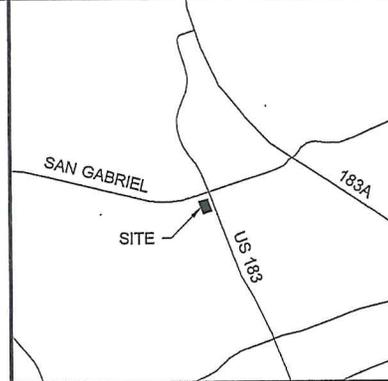
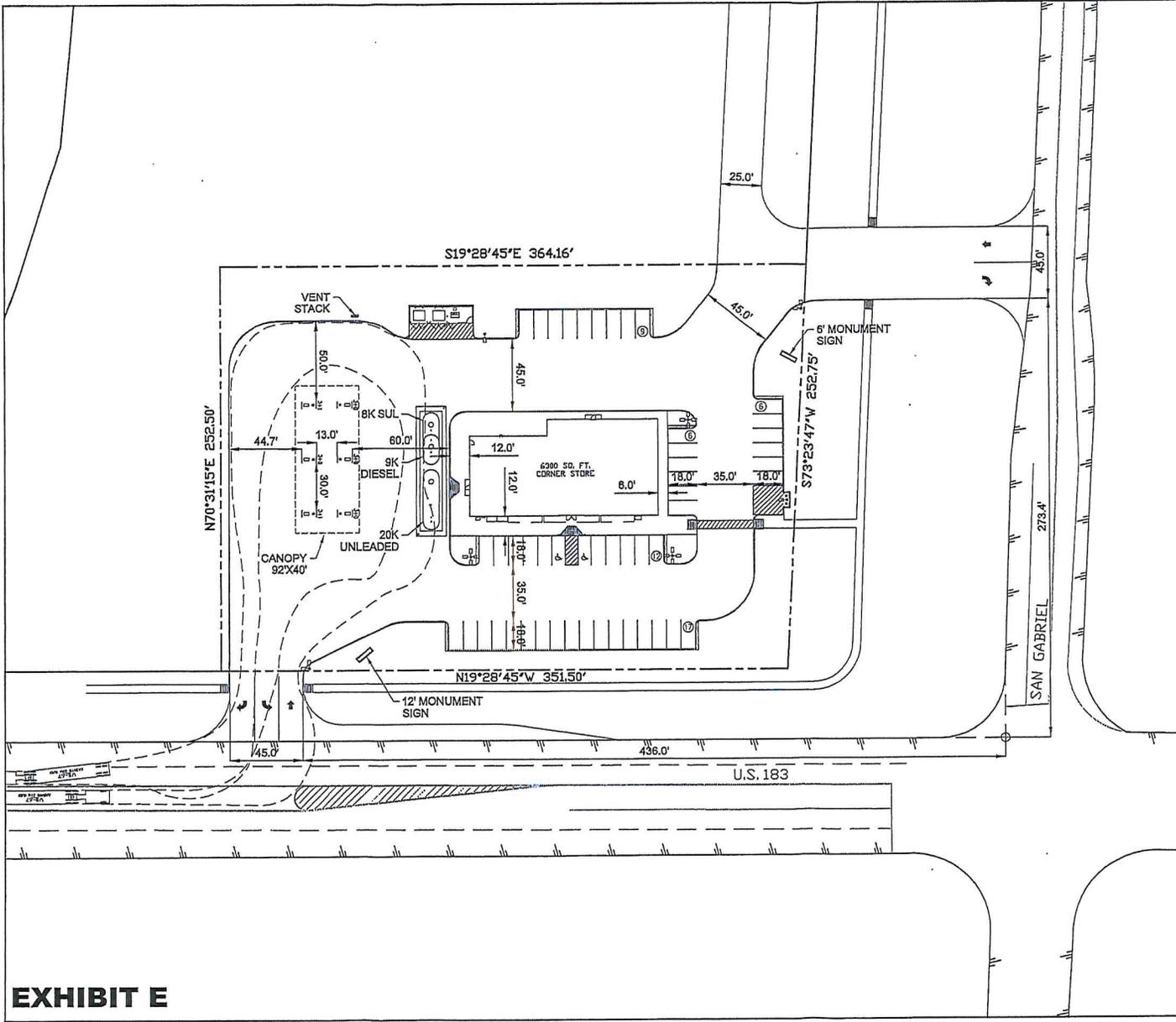
Number/SEC ID	Priority ID	Property ID	Parcel Name	Lot Name	City	State	Zip
1	A	1001304	WATERSTONE MICHELLE, L.P.	1001304	Leander	Texas	77922
2	B	1001304	WATERSTONE MICHELLE, L.P.	1001304	Leander	Texas	77922
3	C	1001304	WATERSTONE MICHELLE, L.P.	1001304	Leander	Texas	77922
4	D	1001304	WATERSTONE MICHELLE, L.P.	1001304	Leander	Texas	77922
5	E	1001304	WATERSTONE MICHELLE, L.P.	1001304	Leander	Texas	77922
6	F	1001304	WATERSTONE MICHELLE, L.P.	1001304	Leander	Texas	77922





**Exhibit D**

**Parcel 3 Landscape Screening**



2 VICINITY MAP  
SCALE: N.T.S.

CODE VERIFICATION AND SURVEY NEEDED

SITE PLAN WAS CONSTRUCTED FROM PRELIMINARY INFORMATION PROVIDED BY CST BRANDS, INC. IT DOES NOT NECESSARILY REPRESENT THE FULL EXTENT OF PROPERTY, DEVELOPER, AND CODE REQUIREMENTS.

ID PRICE SIGN

1  2  3

EBS

Y  N

REVIEWED BY:

FOR CST BRANDS

APPROVED

APPROVED WITH COMMENT

REVISE & RESUBMIT

PRELIMINARY PROJECT DATA

SITE AREA	90,372 S.F. (2.07 ACRES)
BUILDING AREA	6,300 S.F.
PARKING PROVIDED	48 SPACES
H.C. PARKING PROVIDED	2 SPACES
TOTAL PARKING	50 SPACES
IMPERVIOUS COVER	69,491 S.F. (76.9%)
PERVIOUS	20,881 S.F. (23.1%)
ZONING	COMMERCIAL

1 CONCEPT SITE PLAN  
SCALE: 1" = 80'-0"

**CORNER STORE**

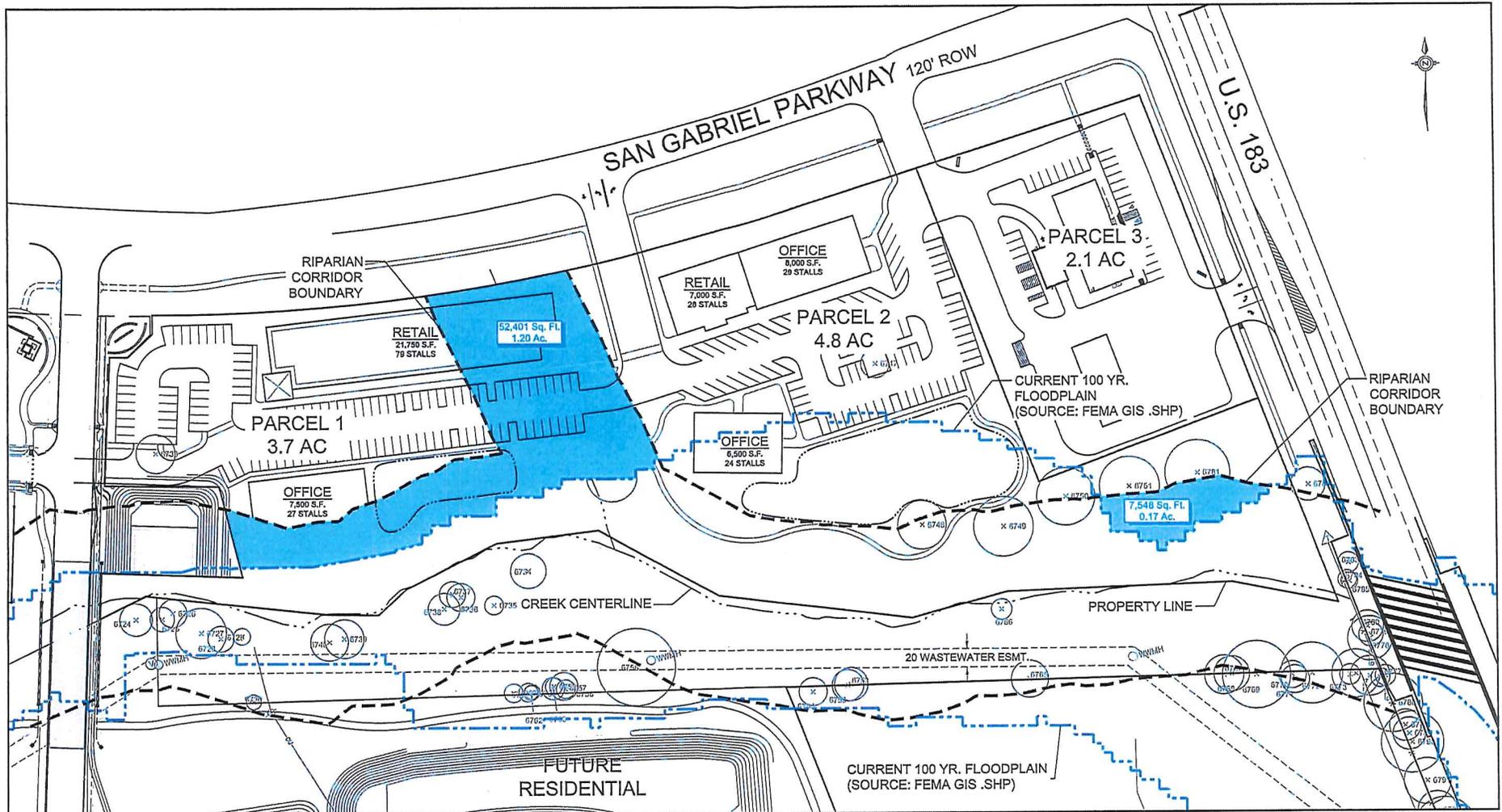
CST BRANDS, INC.  
ONE VALERO WAY  
SAN ANTONIO, TX, 78249  
(210) 692-5000

PROJECT: CST CORNER STORE #1872  
U.S. 183 & SAN GABRIEL, LEANDER, TX  
CONCEPT SITE PLAN  
SHEET TITLE

REV.	DATE
6	04/07/2016

SHEET NO.  
**SP1-1**

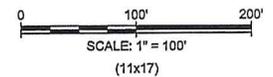
**EXHIBIT E**



**LAND DEV**  
 CONSULTING, LLC  
 OFFICE: 512.872.6696  
 FIRM NO. 16384

TYLERVILLE SOUTH  
**FLOODPLAIN EXHIBIT**  
 LEANDER, TEXAS

MAY 09, 2016  
**EXHIBIT F**





SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

CLIENT-CENTERED THINKING™

October 14, 2015

City of Leander Planning Department  
104 North Brushy Street  
P.O. Box 319  
Leander, TX 78646-0319

Re: Description of Property and Letter of Intent

The Tylerville Commercial tract is a 10.6 acre tract of land located within the City of Leander at the southwest intersection of US 183 and San Gabriel Parkway. It is the Applicant's intent and request to rezone the entire 10.6 acres with a mix of commercial and office. Please see the included Requested Zoning Exhibit for an illustrative depiction of the requested zoning districts.

Tylerville Commercial is conveniently located at the intersection of two major north/south and east/west roads in the northwest portion of the City. Along with strong access from these roadways, the property is in close proximity to future residential neighborhoods, some of which are now under development. The requested rezoning request will provide employment, retail and service opportunities within walkable distance of these neighborhoods.

Current site conditions are also favorable for the vision of a higher intensity development. The property consists of flat pasture lands with limited tree coverage. The southern boundary of the tract is a creek and associated floodplain. This corridor will remain open, providing the opportunity for future pedestrian trail connections.

Thank you for your consideration of this zoning change request. The Applicant believes this location has the potential to help meet service and employment goals for Leander.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Verdicio", is written over the word "Sincerely,".

Peter Verdicio, RLA, LEED AP, ASLA  
Principal



## EXECUTIVE SUMMARY

JUNE 23, 2016

**Agenda Subject:** Ordinance Case 16-OR-001: Hold a public hearing and consider action on amending sections of the Composite Zoning Ordinance, to add definitions, update the use components, to modify setbacks for commercial fueling, to update requirements for screening, to update the parking requirements table, to modify residential setbacks, to clarify requirements for drainage and detention facilities, to modify outdoor lighting requirements, to update the architectural standards, to update the site development standards.

**Background:** Staff presented a proposal to the Planning & Zoning Commission on November 12, 2015 that included several amendments to clarify the Composite Zoning Ordinances. Based on the results of that meeting, staff is proposing the following amendments to the Composite Zoning Ordinance.

1. Update the definitions section
2. Clarify the number of children permitted in an in home daycare
3. Add temporary parking to the list of permitted uses
4. Add Gaming Room Facility to the HC use component
5. Update the PUD section to include examples of higher standards
6. Increase the setback between commercial fueling and residential uses
7. Modify the screening requirements
8. Update the disturbance zone
9. Change “Tree Protection” to “Tree Preservation” to be consistent throughout the ordinance
10. Update the parking requirements
11. Revise the setback requirements
12. Revise the drainage and detention facility requirements
13. Update the outdoor lighting requirements
14. Modify the fencing requirements
15. Clarify the masonry requirements
16. Update the brush removal requirements

**Origination:** Applicant: City of Leander

**Financial Consideration:** None

**Recommendation:** See Planning Analysis.

**Motion:** APPROVAL: The Planning & Zoning Commission recommends approval of the ordinance amendment.

DENIAL: The Planning & Zoning Commission recommends denial of the ordinance amendment.

**Attachments:** 1. Proposed Amendments

**Prepared By:** Robin M. Griffin, AICP  
Senior Planner

06/15/2016

# COMPOSITE ZONING ORDINANCE AMENDMENTS

## ARTICLE I – GENERAL

### SECTION 6: DEFINITIONS

**Dark Sky** means the use of lighting in a way that directs the light source away from the sky in order for the night sky to remain relatively free of interference from artificial light. This type of lighting is in compliance with the International Dark Sky Association standards.

**Gaming Room Facility** means a place to deal, operate, carry on, conduct, maintain, or expose for play any game, sports book, parimutuel, or any other form of wagering.

**Gaming Device** means a clock, tape machine, slot machine, or other machine or device for the reception of money or other thing of value on chance or skill or upon action of which money or other thing of value is staked, hazarded, bet, won, or lost; or any mechanism, furniture, fixture, equipment or other device designed primarily for use in a gambling place. It does not include: (1) A coin-in-slot-operated mechanical device played for amusement that rewards the player with the right to replay such mechanical device; or (2) Vending machines by which full and adequate return is made for the money invested and in which there is no element of chance or hazard.

**Lot Width** means the average horizontal distance between side property or lot lines. Lot width can also be identified as the measurement of the lot at the building setback line. The minimum lot width for lots fronting a cul-de-sac may be reduced to a minimum of thirty (30') feet at the front property line provided that the minimum required lot width is provided at the front setback line.

**Soil** means the upper layer of the earth in which plants grow and contains humus, minerals, available nutrients, and beneficial micro-organisms, resulting in a favorable condition for vegetative growth.

## ARTICLE III – USE COMPONENTS

### SECTION 1: SFR – SINGLE-FAMILY RURAL

#### (b) Conforming Uses

- (1) Single-family dwelling of not less than sixteen hundred (1,600) square feet of living area; accessory dwelling with a minimum living area of four hundred (400) square feet; and a maximum living area of nine hundred (900) square feet or 40% of the gross living area of the primary dwelling, whichever is greater. However, for lots greater than three acres in size, there is no limit to the maximum size of the accessory dwelling.
- (2) Community services including community center, civic organizations, fraternal organizations, and cemetery / mausoleum not including a crematory or embalming facilities
- (3) Golf courses (public and private) and all associated improvements and activities, but not including miniature golf courses, golf practice ranges (unless associated with a golf course), or similar forms of commercial amusement

- (4) Day care (in home) for 56 or fewer children
- (5) Emergency services including fire, police and EMS stations
- (6) Family Home and Group Home-Class 1
- (7) Home occupations (see Article IV, Section 8 for Use Standards)
- (8) Parks, playgrounds and associated equipment and facilities, recreational amenity center
- (9) Place of worship
- (10) Public buildings, including libraries, museums and administrative offices
- (11) Real estate sales offices during the development and sale of a residential subdivision and subject to the restrictions contained in this ordinance
- (12) Schools, public or private, including all levels up to and including secondary (high) school and equivalent curriculum including support facilities are permitted
- (13) Temporary buildings incidental to construction work on the premises if such buildings are removed upon the completion or abandonment of construction work (see Article IV, Sec. 7)
- (14) Utilities (minor) including ground mounted service equipment and minor structures and facilities such as poles, minor electrical switching facilities, lift stations, water pump stations and gas regulating facilities
- (15) Water supply reservoirs and pumping plants when screened from public view
- (16) Wireless communications facilities (WCFs) attached to street poles or facades attached to non-residential buildings or stealth WCFs are permitted subject to the provisions of this ordinance. Freestanding WCFs, including lattice towers and mono-poles, are prohibited.
- (17) (For lots or tracts three or more acres in size) ranches, dairy farms, stables, riding academies and roping arenas; including the feeding, raising and breeding of agricultural livestock and exotic hoof stock; however, with exception of commercial feed lots which are not permitted, and the exception that not more than one large animal (e.g. a horse, cow, bull or similar animal) or five small animals (e.g. goats, sheep or similar animal) may be permitted for each acre of grazeable land. Grazeable land shall be land that is fenced and maintained with suitable forage for grazing of the particular species. Barns and stables shall not be located within 25 feet of any property line. (See Chap. 2, City Code for animal control regulations)
- (18) Agricultural, small wind energy systems, solar energy systems and rainwater harvesting systems including or similar to:
  - (i) As accessory uses, solar energy systems designed to supply energy for use on the premises, and rainwater harvesting systems meeting the standards of Article IV, Sec. 5 of Article 14.200. In addition, if approved with a special use permit, small wind energy systems may be approved as an accessory use if meeting the standards of Article IV, Sec. 5 of Article 14.200.
  - (ii) Hunting and/or hunting leases (for lots or tracts three or more acres in size).
  - (iii) Farming or truck gardens, limited to the propagation and cultivation of plants.
- (19) Temporary parking associated with model homes and/or sales trailers prior to the completion of model homes. Article IX of this ordinance will apply to temporary parking lots.
- (20) Other similar uses as determined by the Director of Planning [see Article II, Sec. 2, (f)].

## SECTION 14: HC – HEAVY COMMERCIAL

### (b) Conforming Uses

- (1) Any use permitted in the "GC" component
- (2) Bingo
- (3) Car Title Loans Shop/Business
- (4) Commercial laundry
- (5) Contractor and building material storage
- (6) Gaming Room Facility
- ~~(6)~~~~(7)~~ Hooka Lounge
- ~~(7)~~~~(8)~~ Manufacture, assembly or processing of materials not classified as hazardous by the Fire Chief
- ~~(8)~~~~(9)~~ Mini-warehouse or self-service storage facilities [required to be set back at least four hundred (400) feet from a tollway, highway or major arterial roadway if built to Type B, C or D architectural standards or such facilities include exterior warehouse doors], warehouse and distribution, commercial storage
- ~~(9)~~~~(10)~~ Pawn Shop
- ~~(10)~~~~(11)~~ Payday Lending Business
- ~~(11)~~~~(12)~~ Research, Testing, and Development Laboratory
- ~~(12)~~~~(13)~~ Research, Testing, and Development Laboratory (Intense)
- ~~(13)~~~~(14)~~ Retail sales, second hand resale, and services
- ~~(14)~~~~(15)~~ RV, trailer, commercial motor vehicle and boat outdoor storage [required to be set back at least four hundred (400) feet from a tollway, highway or major arterial roadway] (Note: refer to Article VI, Section 9 for rules on special vehicle storage)
- ~~(15)~~~~(16)~~ Tattoo and/or Body Piercing Parlor
- ~~(16)~~~~(17)~~ Utilities, including ground mounted service equipment and structures as a primary use and facilities such as poles, electrical switching facilities, lift stations, water pump stations, gas regulating facilities, electrical substations, generating plants, wastewater and water treatment plants, etc. (see screening requirements in Article VI, Sec. 1)
- ~~(17)~~~~(18)~~ Vehicle and major equipment sales, rental or leasing, repair, body shop [Small engine repair shops and motorcycle repair shops shall not be permitted within one-hundred fifty (150') feet of a residential district unless such repairs are conducted totally within a fully enclosed building.]
- ~~(18)~~~~(19)~~ Warehouse and distribution
- ~~(19)~~~~(20)~~ Wood yard
- ~~(20)~~~~(21)~~ Wholesale activities
- ~~(21)~~~~(22)~~ Wrecker Impoundment, Towing [required to be set back at least four hundred (400) feet from a tollway, highway or major arterial roadway]
- ~~(22)~~~~(23)~~ Stand alone crematory or embalming establishment as long as the crematory stack is no closer than 200' from a restaurant or associated parking or from a residential district (unless such district is utilized for non-residential uses).
- ~~(23)~~~~(24)~~ Other similar uses as determined by the Director of Planning based on the criteria of Article II, Sec. 2, (f)

## SECTION 16: PUD – PLANNED UNIT DEVELOPMENT

### (d) Rules Applicable

(8) The PUD shall result in overall higher standards than what would be provided by the base zoning district. As examples: (1) if residential lot sizes are decreased or development densities are increased, the PUD will be expected to significantly exceed other standards such as parkland and facilities dedication, landscaping, architectural controls, thoroughfare or other transportation improvements, creation of unique characteristics of the neighborhood, retention of significant trees and/or provision of public facilities, etc., or (2) if masonry standards or building/development setbacks are proposed to be decreased, other standards would be expected to be increased such as landscaping, screening, retention of significant trees, architectural controls, land uses and/or unique site layout standards, etc. Other examples may include:

(i) Designating the Type A Architectural Component

(ii) Adding additional architectural features

(iii) Provide a master architectural and signage plan that includes a cohesive materials palette

(iv) Enhanced landscaping and/or trees

(v) Increased landscape area

(vi) Masonry perimeter walls for subdivisions

(vii) Provide brick or stone instead of decorative concrete panels for screening walls

(viii) Plant street trees

(ix) Provide more parkland dedication

(x) Increase recreation improvements

(xi) Trails system in greenbelt areas

(xii) Provide a Master Sign Plan including: proposed locations, provide cohesive materials palette, design specifications for signage, type of illumination

(xiii) Limit fencing to wrought iron or decorative tubular metal fencing along greenbelt lots.

(xiv) Provide unique characteristics of a neighborhood with a unique site layout

(xv) Include a mixture of uses

(xvi) Provide public spaces

(xvii) Incorporate public art

## ARTICLE V – SITE COMPONENTS

### SECTION 3: TYPE 3

#### (b) Site Uses and Features (Some Site Uses Listed Also Require Appropriate Use Component)

(2) Commercial and Industrial Development:

(v) Outdoor commercial fueling and washing of vehicles meeting the following requirements is permitted:

a. Washing of vehicles (including vacuum facilities) is not located within one hundred fifty (150') feet of a residential district unless such district is utilized for non-residential purposes. The location is measured from the closest portion of the structure associated with the washing of vehicles to the residential district; and

b. Commercial fueling is not located within ~~one-two~~ hundred (~~1200~~) feet of a residential district unless such district is utilized for non-residential purpose. The location is measured from the closest portion of the structure associated with the outdoor commercial fueling to the residential district; and

## ARTICLE VI – SITE STANDARDS

### SECTION 1: LANDSCAPING, TREE PRESERVATION AND PROTECTION, AND SCREENING REQUIREMENTS

#### (b) Screening Requirements.

- (1) In addition to the landscaping requirements of this section, all development other than single-family or two-family shall comply with the following screening requirements:
  - (i) The following shall be screened from the view of at least sixty percent (60%) of adjacent single-family or two-family residences and any street or public right-of-way: off-street parking areas, loading spaces and docks, trash and storage containers, outside storage areas, satellite dishes larger than eighteen (18) inches in diameter, antennas, mechanical equipment, and metal siding.
  - (ii) Above ground utility facilities up to six (6) feet above grade for multi-family and non-residential development are required to be screened from view except for poles, fire hydrants and existing lines.
  - (iii) Detention Facilities including detention ponds and/or water quality ponds shall be screened from view.
  - (iv) Screening by vegetation that could be removed from adjacent undeveloped or partially developed properties when such property is developed is not considered as screening from view.
  - (v) Outside storage areas shall be screened by the use of a privacy fence or wall at least the height of the items to be screened and in conformance with the requirements of this ordinance. If the outdoor storage area is adjacent to an arterial or collector roadway, then the wall is required to be constructed of one or more of the following materials: brick, stone, cast stone, stucco (limited to thirty-five (35%) of the exterior surface area of walls), factory tinted (not painted) split face concrete masonry unit, or other similar material approved by the Director of Planning. In addition to the materials listed above, textured pre-cast concrete (e.g. Woodcrete) is also permitted with the wall is adjacent to collectors.
  - (vi) A minimum five-foot (5') landscaped area located on the exterior of the fence shall be provided and landscaped in accordance with paragraph (2) (i) above unless the fence is on a rear boundary line or adjoining a permanent structure on the site.
  - (vii) Fuel pumps are required to be screened from view of any street or public right-of-way to at least the height of the fuel pump.
  - (viii) Lift stations are required to be screened from view of adjacent single-family or two-family residences, or any street or public right-of-way by the use of a wall. The wall is required to be constructed of one or more of the following materials: brick, stone, cast stone, stucco (limited to thirty-five (35%) of the exterior surface area of walls), factory tinted (not painted) split face concrete masonry unit, textured pre-cast concrete (e.g. Woodcrete) or other similar material approved by the Director of Planning.
- (2) Approved screening techniques include privacy fences, evergreen vegetative screens, landscape berms, existing vegetation or any combination thereof unless otherwise noted in this section.
- (3) Privacy Fences (See section 14 and 16 of this Article)
- (4) Evergreen Vegetative Screens. Evergreen plant materials shall be shrubs, at least thirty (30) inches in height and at a minimum spacing of 48 inches at the time of installation, in combination with shade trees not more than fifty feet apart.

- (5) Landscape Berms, in combination with trees, shall fulfill the screening requirements of this section if the berms are at least three (3) feet in height and have maximum side slopes of four (4) feet of horizontal run for every one (1) foot in vertical rise.
- (6) Existing on-site vegetation, demonstrating significant visual screening capabilities and as approved by the Director of Planning, shall fulfill the requirements of this section.

\*\*\*

- (8) A non-disturbance zone shall be maintained on single-family and two-family lots during the subdivision construction and building permit phases of development. A disturbance area no more than five (5') feet from the foundation necessary for construction and grade transitions shall be permitted. This disturbance area shall be no more than ten (10') feet from the foundation for properties zoned with the SFR (Single-Family Rural) use component. The trees located on the remainder of the lot shall not be removed unless a unique situation is approved by the Planning Director.

**(c) Tree Preservation and Protection.**

**(4) Significant Tree Preservation Requirements**

~~(iii)~~(iv) Significant Trees greater than eight (8) inches in caliper shall be preserved to the greatest extent reasonably possible. Significant Trees removed during construction shall be supplanted with Replacement Trees if required by the tree mitigation requirements of this section. No Significant Tree shall be removed until a tree protection-preservation plan has been approved by the Director of Planning in accordance with this Chapter. Significant Trees may be removed only in accordance with the approved tree protection-preservation plan, and trees must be protected during construction activities on the property in accordance with the approved tree protection-preservation plan. This provision only applies to projects before the certificate of occupancy has been issued for single-family and two-family developments. For single-family and two-family projects, this provision only applies prior to the initial certificate of occupancy for each lot.

**(9) Tree Protection Plan Requirements**

(i) An applicant for a single-family or two-family preliminary plat or final plat, or a site development permit shall provide a tree survey prepared within five years preceding the application date. This tree survey shall include the street and lot layout, or site plan superimposed at a scale of 1"=100' (or as appropriate) identifying significant trees located on the property that meet the requirements indicated in this section. Applicants for a single-family or two-family preliminary or final plat are only required to submit a tree survey for the portion of the property that the applicant is proposing to disturb with the subdivision construction. The applicant shall provide a tree preservation plan that identifies the surveyed trees and the mitigation of the protected trees that are proposed for removal. The applicant shall be required to demonstrate that lot lines, street layouts and site improvements have been designed and located and that lot width, depth and size flexibility as permitted by the applicable zoning district has been utilized to the maximum extent necessary to retain the maximum number of significant trees reasonably practicable. Applicants for a single-family or two-family preliminary or final plat may plant replacement trees within lots owned by

the Homeowners Association including but not limited to landscape lots, park lots, or amenity center lots.

- (ii) The Director of Planning shall determine if adequate performance is achieved based on the standards of this section. Approval of the tree protection preservation plan by the Director of Planning is required prior to preparation and submission of a subdivision or site development permit application. The applicant may appeal any decision of the Director to the Commission. A decision of the Commission may be appealed to the City Council. Any preserved or replacement trees may be counted toward the landscape requirements of this section. See the Construction Plan requirements for details.

**SECTION 3: OFF-STREET PARKING REQUIREMENTS**

- (a) The following off-street parking requirements are considered minimum requirements and may not adequately reflect the specific needs of a proposed business. A commercial building permit applicant shall analyze the parking needs of the specific users being proposed and provide the amount of parking required for such uses. When any building or structure is erected, or an existing building is enlarged by fifty (50) percent or more in floor area, off-street parking shall be provided in accordance with the following requirements (Note: Any building enlargement is required to add at least the amount of additional parking required by the enlargement):

<u>USE CATEGORY</u>	<u>SPECIFIC USE</u>	<u>SPACE REQUIREMENT</u>
<u>RESIDENTIAL USES</u>		
<u>Household Living</u>	Single Family	See Use District
	Multi-Family	1 ½ for one bedroom plus ½ for each additional bedroom.
	<u>Senior Multi-Family</u>	<u>1 per dwelling plus additional 5% of total spaces for visitor use.</u>
<u>Group Living</u>	Fraternity House, Sorority House, Dormitory, Rooming House, Boarding House	1 per each two beds
	<u>Nursing Home/Hospice/ Assisted Living</u>	<u>1 per bedroom</u>
	<u>All other Group Homes</u>	<u>1 per bedroom</u>
	<u>Family Home and Group Home-Class 1</u>	<u>not less than four (4) off street parking spaces, or one parking space per bedroom, whichever is greater.</u>
	<u>Group Home-Class 2 &amp; Group Home-Class 3</u>	<u>not less than six (6) off street parking spaces, or one parking space per bedroom, whichever is greater.</u>
<u>CIVIC USES</u>		

<u>Educational &amp; Daycare Facilities</u>	<u>Elementary Schools</u>	<u>greater of 1:4 seats in auditorium or 2: classroom</u>
	<u>Secondary Schools, colleges</u>	<u>greater of 1:4 seats in auditorium or 10: classroom</u>
	<u>Day Care Center</u>	<u>1:400 sq. ft.</u>
<u>Medical &amp; Institutional Facilities</u>	<u>Hospital, Sanitarium; Convalescent Home</u>	<u>1:4 beds</u>
	<u>All other institutions</u>	<u>1:250 sq. ft.</u>
<u>Parks &amp; Open Areas</u>	<u>Golf Courses</u>	<u>3: hole</u>
	<u>Neighborhood Amenity Center</u>	<u>1:300 sq. ft. (including pools in square footage calculation)</u>
<u>Places of Worship</u>	<u>Religious Assembly</u>	<u>1:200 square feet of sanctuary, classrooms, flexible seating areas</u>
<u>COMMERCIAL USES</u>		
<u>Automotive Sales &amp; Services</u>	<u>Motor Vehicle Salesrooms &amp; Used Car Lots</u>	<u>greater of 1:800 sq. ft. of sales floor or lot area</u>
	<u>Vehicle Repair Garage</u>	<u>1:400 sq. ft.</u>
<u>Overnight Accommodations</u>	<u>Hotel, Motel</u>	<u>1 per room plus 1:200 sq. ft. of Comm. Floor Area</u>
	<u>Bed &amp; Breakfast/Inn</u>	<u>1 per guest room plus 2 additional spaces</u>
<u>Food &amp; Beverage Establishments</u>	Restaurant as a single use or comprising more than 20% of a mixed retail center	1:100 sq. ft.
<u>Entertainment &amp; Recreation</u>	<u>Dance / Assembly / Exhibition Hall, Restaurant, Night Club, Lodge or Country Club</u>	<u>1:100 sq. ft.</u>
	<u>Bowling Alleys</u>	<u>5: lane alley</u>
	<u>Community Center, Library, Museum, Art Gallery</u>	<u>1:300 sq. ft.</u>
	<u>Theater, Auditorium (except school), Sports Arena, Stadium, Gymnasium, Funeral Home</u>	<u>1:4 seats</u>

<u>Commercial Office, Retail Sales, &amp; Services</u>	Medical / Dental Clinic/ Office, Personal Service, Mixed Use Retail Center less than 20,000 sq. ft.	1:200 sq. ft.
	Mixed Use Retail greater than 20,000 sq. ft.	1:225 sq. ft.
	Studio, Bank, Retail	1:250 sq. ft.
	Business / Professional Office	1:275 sq. ft.
	<u>Furniture, Appliance or Hardware Store; Wholesale Sales Establishment, Machinery / Equipment Sales &amp; Service; Clothing / Shoe Repair; Service Shop</u>	<u>1:300 sq. ft.</u>
<u>INDUSTRIAL USES</u>		
<u>Industrial, Manufacturing, Warehousing, Storage</u>	Manufacturing, Industrial, Research, Testing, Warehouse, Storage Buildings and Yards, Lumber Yard, Printing Shop, Plumbing Shop	1:600 plus spaces for business vehicles
	<u>Mini-Warehouse Self Storage</u>	<u>parking required only for office</u>
	<del>Church, Theater, Auditorium (except school), Sports Arena, Stadium, Gymnasium, Funeral Home</del>	<del>1:4 seats</del>
	<del>Hotel, Motel</del>	<del>1 per room plus 1:200 sq. ft. of Comm. Floor Area</del>
	<del>Furniture, Appliance or Hardware Store; Wholesale Sales Establishment, Machinery / Equipment Sales &amp; Service; Clothing / Shoe Repair; Service Shop; Community Center;</del>	<del>1:300 sq. ft.</del>

	<del>Library, Museum, Art Gallery</del>	
	<del>Hospital, Sanitarium, Convalescent Home</del>	<del>1:4 beds</del>
	<del>Dance / Assembly / Exhibition Hall, Restaurant, Night Club, Lodge or Country Club</del>	<del>1:100 sq. ft.</del>
	<del>Motor Vehicle Salesrooms &amp; Used Car Lots</del>	<del>greater of 1:800 sq. ft. of sales floor or lot area</del>
	<del>Vehicle Repair Garage</del>	<del>1:400 sq. ft.</del>
	<del>Mini Warehouse Self Storage</del>	<del>parking required only for office</del>
	<del>Golf Courses</del>	<del>3:hole</del>
	<del>Bowling Alleys</del>	<del>5:alley</del>
	<del>Elementary Schools</del>	<del>greater of 1:4 seats in auditorium or 2:classroom</del>
	<del>Secondary Schools, colleges</del>	<del>greater of 1:4 seats in auditorium or 10:classroom</del>
	<del>Family Home and Group Home Class 1</del>	<del>not less than four (4) off-street parking spaces, or one parking space per bedroom, whichever is greater.</del>
	<del>Group Home Class 2 &amp; Group Home Class 3</del>	<del>not less than six (6) off-street parking spaces, or one parking space per bedroom, whichever is greater</del>

In a development with mixed-use buildings designed and built in a walkable and pedestrian friendly configuration, the Planning Director may consider the following shared parking factors in reviewing a proposal for a reduction in the minimum parking requirements (the shared parking factor is applied to the sum of the individual uses minimum parking requirements):

<b>Shared Parking Factor</b>				
	<b>Residential</b>	<b>Lodging</b>	<b>Office</b>	<b>Retail</b>
<u>Residential</u>	<u>100%</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Lodging</u>	<u>90%</u>	<u>100%</u>	<u>=</u>	<u>=</u>
<u>Office</u>	<u>70%</u>	<u>60%</u>	<u>100%</u>	<u>=</u>
<u>Retail</u>	<u>80%</u>	<u>75%</u>	<u>80%</u>	<u>100%</u>

For uses not listed, the Planning Director may request additional parking demand analysis from the applicant to justify a reduction in the minimum parking requirements.

Where shared parking is provided, a shared parking and cross access agreement between the cooperating property owners shall be approved by the Planning Director and recorded prior to issuance of a building permit. This agreement must be recorded in the real property records of the county in which the property sits and the agreement may not be modified or revoked without the approval of the Planning Director. If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the Planning Director or provide the full amount of required parking for each individual use.

**SECTION 6: SETBACKS**

**(a) Building / Structure and Site Improvements:**

<b>BUILDING / STRUCTURE</b>						
	<b>Use Component</b>	<b>Architectural Component</b>	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>
<b>Standard Setback</b>	SFR		25'	7'	15'	15'
	SFE, SFS, SFU, SFU/MH, TF		20'	5'	15'	15'
	SFC, SFL		<del>20</del> 15'*	5' or 0' & 10'	15'	<del>15</del> 0'
	SFT		<del>10</del> 5'*	0 or 10'	15'	<del>15</del> 0'
	MF	Type A	20'	10'	20'	20'
		Type B	25'	10'	25'	20'
	LO, LC, GC, HC, HI	Type A, B Type C	15' 20'	10' 10'	15' 20'	10' 10'
GC, HC, HI	Type D	25'	15'	25'	15'	
<b>Special Setback Where Adjacent to SFR, SFE, SFS, SFU, SFC, SFL, SFU/MH, TF**</b>	MF, LO, LC, GC, HC, HI	Type A Type B	(NA) (NA)	20' 25'	(N/A) (N/A)	20' 25'
	LO, LC, GC, HC, HI	Type C	(NA)	30'	(N/A)	30'
	GC, HC, HI	Type D	(NA)	50'	(N/A)	50'
<b>Garage Setback</b>	SFR, SFE, SFS, SFU, SFU/MH, SFC, SFL, SFT, TF		See Article VIII, Section 5 (i)			

<b>PARKING, AISLE, LOADING, CANOPIES, OUTDOOR DISPLAY</b>						
	<b>Use Component</b>	<b>Site Component</b>	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>
<b>Standard Setback</b>	MF	All	20'	5'***	20'	5'***
	LO, LC, GC, HC, HI	Type 1, 2	15'	5'***	15'	5'***
		Type 3	20'	5'***	20'	5'***
		Type 4, 5	25'	5'***	25'	5'***
<b>Special Setback Where Adjacent to SF or TF**</b>	MF, LO, LC, GC, HC, HI	Type 1-3 Type 4, 5	(N/A) (N/A)	15' 20'	(N/A) (N/A)	15' 20'

<b>OUTDOOR STORAGE</b>						
	<b>Use Component</b>	<b>Site Component</b>	<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>
<b>Standard Setback</b>	LO, LC, GC, HC, HI	Type 3-4	***	5'***	***	0'
		Type 5	25'	0'***	25'	0'
<b>Special Setback Where Adjacent to SF or TF**</b>	LO, LC, GC, HC, HI	Type 3-5	(N/A)	25'	(N/A)	25'

\* In no case shall the garage be closer to the ROW than 18'

\*\* Unless such district is utilized for a non-residential use

\*\*\* No closer than the street facing wall of the primary structure that utilizes such storage.

\*\*\*Setback does not apply for parking, drive aisles, storage etc. that are intended to cross lot line.

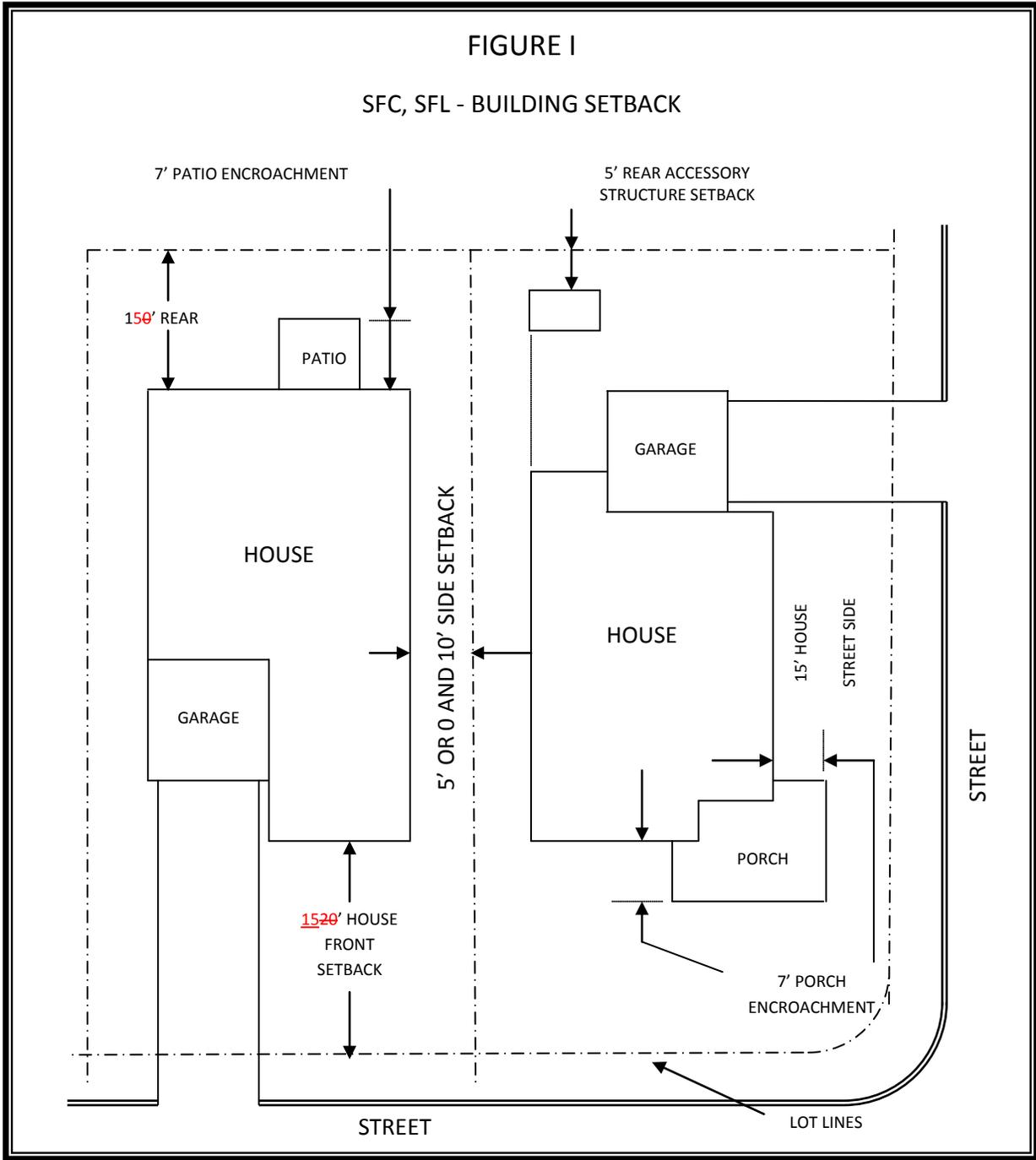
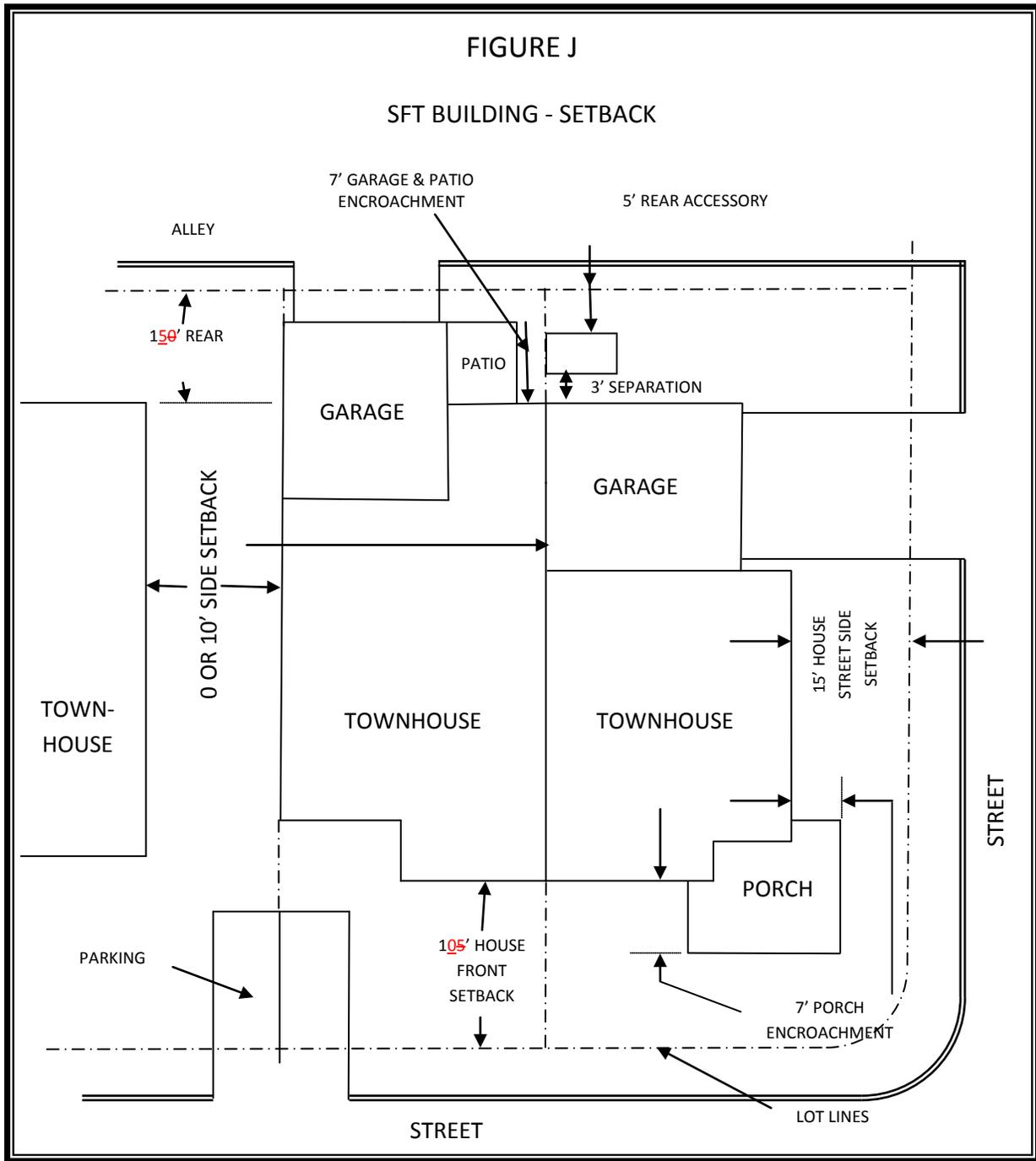


FIGURE J

SFT BUILDING - SETBACK



## SECTION 7: DRAINAGE AND DETENTION FACILITIES

### (a) Purpose.

The purpose of this section is to provide for the design of drainage and detention facilities that contribute to visual aesthetics of projects and limit the amounts of visible concrete that do not meet the requirements listed below. For the purposes of this section, visible shall be defined as noticeable by a person of average height walking on a street, sidewalk, or trail, or able to be seen by a neighboring property that is two stories in height.

### (b) Non-Residential and Multi-Family Drainage and Detention Facilities:

- (1) Non-residential and multi-family drainage facilities include all detention ponds, water quality ponds, pond outlet structures, berms, improved channels or other improvements associated with the drainage improvements. Roadside swales, storm sewer outfalls unless visible from a ROW, inlets, and areas of concrete that are no more than one hundred (100) square feet in size are not included.
- (2) Non-residential and multi-family drainage facilities are not allowed within ten feet (10') of street ROW except those which are necessary to convey drainage in the shortest possible route to or from street ROW.
- (3) Non-residential and multi-family drainage facilities located within the front setback shall not exceed 25% of the area of the front setback.
- (4) Any fencing around non-residential and multi-family detention ponds shall be constructed of wrought iron or decorative tubular metal or other similar product.
- (5) Structural stabilization including vertical walls and riprap for non-residential and multi-family drainage facilities shall be limited to not more than thirty (30%) percent of the perimeter of the pond excluding outlet structures. The remainder of the perimeter shall be earthen embankment no steeper than 3:1 slope. All exposed concrete that is visible is required to be clad in stone provide decorative textured concrete and tinting in earthen colors, or masonry veneer including but not limited to ledgerstone, fieldstone, ~~or~~ cast stone, or other decorative materials as approved by the Director of Planning. All other exposed concrete is required to be clad in stone as listed above or textured and tinted in earthen colors. In the event that the drainage facility is below grade, structural stabilization is permitted for the full perimeter and screening requirements listed in Article VI, Section 1 (d) of this Ordinance shall apply.

### (c) Residential Drainage and Detention Facilities:

- (1) Residential drainage facilities include all detention ponds, water quality ponds, pond outlet structures, berms, improved channels or other improvements associated with the drainage improvements. Roadside swales, storm sewer outfalls unless visible from a ROW, inlets, and areas of concrete that are no more than one hundred (100) square feet in size are not included.
- (2) Residential drainage facilities shall utilize earthen berms and be designed with a curvilinear shape. Any structural stabilization with slopes steeper than 3:1 shall be limited to the use of native stone (except for outlet structures which can be concrete) and shall be limited to not more than thirty (30%) percent of the perimeter of the pond. Such ponds shall be seamlessly integrated with the landscaping. All exposed concrete that is visible is required to be clad in stone provide decorative textured concrete and tinting in earthen colors, or masonry veneer including but not limited to ledgerstone, fieldstone, ~~or~~ cast stone, or other decorative materials as approved by the Director of Planning. All other exposed concrete is required to be clad in stone as listed above or textured and tinted in earthen colors. In the event that the drainage facility is below grade, concrete is permitted instead of native stone and screening requirements Article VI, Sec. 1 (d) of this Ordinance shall apply.
- (3) Any fencing around residential detention ponds shall be constructed of wrought iron or decorative tubular metal or other similar product.

## **SECTION 8: SINGLE-FAMILY AND TWO-FAMILY LOTS ABUTTING OR ADJACENT TO TOLLWAY, HIGHWAY, ~~OR~~ ARTERIAL, OR COLLECTOR ROADWAY**

For single-family and two-family lots contained within a subdivision receiving approval for a preliminary plat and final plat or a short form plat after the effective date of this ordinance and abutting or adjacent to a tollway, highway, arterial, or collector roadways as identified on the Leander Transportation Plan or based on roadway design, direct driveway access to any single-family or two-family lot from such roadway shall be prohibited. The following are also applicable:

- (b) For lots adjacent to tollway, highway, arterial, or collector roadways and backing up to such roadway (having frontage on another roadway of a lesser classification), the following shall be provided (see Figure Q – following pages):
  - (2) A six-foot privacy fence is required to be constructed at the common lot line between the landscape lot and the single-family or two-family lots. The fence is required to be constructed of one or more of the following materials: brick, stone, cast stone, ~~stucco~~, factory tinted (not painted) split-faced concrete masonry unit, or other similar material approved by the Director of Planning. In addition to the materials listed above, textured pre-cast concrete (e.g. WoodCrete) is also permitted when the privacy fence is adjacent to collectors. All columns are required to have concrete footings. The landscape lot is required to be maintained by a private association.
- (c) For lots adjacent to tollway, highway, arterial, or collector roadways and having a side of the lot adjacent to such roadway (having frontage on another roadway of a lesser classification), the following shall be provided (see Figure Q – next page):
  - (2) A six-foot privacy fence is required to be constructed at the common lot line between the landscape lot and the single-family or two-family lots from the rear lot line to a point even with the rear wall of the house at a minimum, but no further than to a point even with the front wall of the house. Any fence closer to the front lot line than the front wall of the house shall not exceed three feet in height; however, such fence is not required. Such fence is required to be constructed of one or more of the following materials: brick, stone, cast stone, ~~stucco~~, factory tinted (not painted) split-faced concrete masonry unit, or other similar material approved by the Director of Planning. In addition to the materials listed above, textured pre-cast concrete (e.g. WoodCrete) is also permitted when the privacy fence is adjacent to collectors. All columns are required to have concrete footings. The landscape lot is required to be maintained by a private association.

## **SECTION 12: OUTDOOR LIGHTING**

- (a) The purpose of this section is to provide design standards for site and building lighting that are Dark Sky compliant and compatible with adjacent uses.
- (b) Non-residential outdoor lighting will be in accordance with other provisions of this ordinance and City building codes. A detailed Lighting Plan and photometric plan shall be included with the Building Permit application and shall meet the following requirements:-
  - (1) Outdoor Lighting
    - a. Fixture
      - i. All permanent exterior lighting shall be non-flashing and shielded such that the light source (cone of direct light) is not visible from the public ROW or adjacent residential uses at the property line (see Figure R – following page).

i-ii. Wall pack lighting or other lighting that directs the light in a horizontal direction without an adequate shield is not permitted (since it directs the light glare directly outward) if there are streets or residential uses in the direction of the light.

**b. Illumination Levels**

ii-i. All site lighting shall be designed and installed so that the level of illumination as measured in foot candles at a height of three (3') feet at the property line does not exceed two (2') foot candles.

~~(a)~~ (c) Residential outdoor lighting on residential property will be installed in accordance with applicable City Code Standards. It will be located so as not to create a nuisance for adjoining property owners.

~~(b)~~ (d) ~~All permanent exterior lighting shall be non-flashing and shielded such that the light source (cone of direct light) is not visible from the public ROW or adjacent residential uses at the property line (see Figure R following page). Wall pack lighting or other lighting that directs the light in a horizontal direction without an adequate shield is not permitted (since it directs the light glare directly outward) if there are streets or residential uses in the direction of the light.~~

**SECTION 14: ADDITIONAL MULTI-FAMILY AND NON-RESIDENTIAL STANDARDS**

**(d) Masonry Privacy Wall**

- (1) A six-foot masonry privacy wall is required to be constructed by any non-residential use that abuts property utilized for a single-family or two-family residence on land zoned single-family or two-family, or land planned or platted for such with an approved concept plan, preliminary plat or final plat, unless an existing structure is proposed to be expanded by less than 50%, or 1,000 sq. ft., whichever is less.
  - (i) Such wall shall be constructed at the common property line between the uses, or if such location is not feasible because of floodplain, trees or other natural feature, at a location that will effectively screen the non-residential use from view from the single-family or two-family residence.
  - (ii) Such wall is required to be constructed of one or more of the following materials: textured pre-cast concrete that is constructed to appear as brick, stone, or cast stone as approved by the Director of Planning, brick, stone, cast stone, ~~stucco,~~ factory tinted or painted split-faced concrete masonry unit, granite, tile or other similar material approved by the Director of Planning.
  - (iii) An eight-foot wall may be utilized for security purposes.
  - (iv) Gates shall be provided in the wall as appropriate to connect to public sidewalks or other pedestrian connections unless such wall is also used as described above for security.
- (2) The masonry privacy wall is not required for non-residential uses that are permitted by right in any Single-Family Districts.

**SECTION 16: FENCES**

(d) Fences less than or equal to eight (8) feet in height shall be allowed for impeding access to hazardous or secured facilities including, but not limited to, electrical substations and chemical or equipment storage yards; or where ~~because of severe slope conditions, such fencing height can be demonstrated to be necessary for privacy or visual buffering, or where~~ the fence forms a perimeter around a subdivision. For high security applications, barbed wire or razor wire (or equivalent) may be installed above the eight (8) foot height limit but not to exceed a total of ten feet in height.

## ARTICLE VII – ARCHITECTURAL COMPONENTS

### SECTION 1: TYPE A

#### (b) Exterior Wall Standards:

- (1) At least eighty-five percent (85%) of the exterior surface area of all walls, including all stories of primary buildings / structures, shall consist of un-painted clay brick, ledge stone, fieldstone, cast stone, marble, granite, tile, painted or tinted stucco (limited to thirty-five (35%) of the exterior surface area of walls), non-reflective 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 cementious-fiber planking (not panels unless they are used with board and batten application). Solid wood planking and decorative cementious-fiber panels may be used for accent features.

### SECTION 2: TYPE B

#### (b) Exterior Wall Standards:

- (1) At least eighty-five (85%) percent of the exterior surface area of first story walls and fifty percent (50%) percent of the exterior surface area of each additional story walls of the exterior surface area (all stories) and at least eighty-five 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 (limited to thirty-five (35%) of the exterior surface area of walls), 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 cementious-fiber planking (not panels unless they are used with a board and batten application). Solid wood planking, decorative cementious-fiber panels and other materials approved by the Director of Planning may be used for accent features.

### SECTION 3: TYPE C

#### (b) Exterior Wall Standards:

- (1) At least sixty (60%) percent of the exterior surface area of street facing walls (See Figures U, V, and W – following pages) of primary buildings and thirty five percent (35%) percent of the exterior surface area of all other walls (all stories), including at least sixty percent (60%) of the exterior surface area of street facing walls (all stories) (see Figures U, V and W – following pages) 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, for non-residential buildings and structures, factory tinted (not painted) split faced concrete masonry unit, pre-cast concrete tilt wall with a decorative or textured finish (needs approval by the Director of Planning to determine if finish is acceptable) or similar material approved by the Director of Planning. The remaining exterior wall surface shall be comprised of those materials listed or cementious-fiber planking (not panels unless they are used with a board and batten application) or, ~~for non-residential applications only,~~ exterior insulating finishing system (E.I.F.S.). Solid wood planking, decorative cementious-fiber panels and other materials approved by the Director of Planning may be used for accent features. For non-residential buildings, smooth faced concrete masonry unit and metal panels or similar materials approved by

the Director of Planning may be utilized as an accent feature and shall comprise not more than ten percent (10%) of any wall surface area.

#### SECTION 4: TYPE D

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

- (1) ~~For all buildings / structures that are more than four hundred (400') feet from a street, the masonry requirements do not apply. For all buildings / structures that are within four hundred (400') feet of a street at least sixty (60%) percent of the exterior surface area of street facing walls (See Figures U, V, and W – following pages) of primary buildings and thirty five (35%) percent of the exterior surface area of all other walls Unless there are no street facing walls, at least thirty five percent (35%) of the exterior surface area of walls (all stories), including at least sixty percent (60%) of the exterior surface area of street facing walls (all stories) (see Figures S, T and U – previous pages)~~ of primary buildings / structures shall consist of un-painted brick, ledge stone, fieldstone, cast stone, marble, granite, tile, painted or tinted stucco, exterior insulating finishing system (E.I.F.S.), glass façade, glass block (or alternative glazing e.g. Kalwall), factory tinted (not painted) split faced concrete masonry unit, pre-cast concrete tilt wall with a decorative or textured finish or similar material approved by the Director of Planning. The remaining exterior wall surfaces shall be comprised of those materials listed or cementious-fiber planking or panels, or painted metal siding except that metal siding is not permitted on any street facing wall. Solid wood planking, decorative cementious-fiber panels and other materials approved by the Director of Planning may be used for accent features. Smooth faced concrete masonry unit and metal panels or similar materials approved by the Director of Planning may be utilized as an accent feature only and shall not comprise more than fifteen percent (15%) of any wall surface area.

## ARTICLE VIII - ARCHITECTURAL STANDARDS

### SECTION 1: WALL AREA CALCULATIONS

- (a) In calculating percentage of exterior wall area, the area of windows and window frames, doors and door frames, eaves, soffits, dormers, columns, recessed entryways, foundation and similar areas are excluded from the calculations and may utilize any of the materials listed in the applicable component exterior wall standards, when, in the opinion of the Building Official, construction with the required masonry materials is not reasonably feasible.
- (b) A street facing wall is the exterior wall of a building, including any off-sets, projections or recesses, facing a street or within forty-five (45) degrees of such orientation and within four hundred (400) feet of the street. A wall is considered facing a street even if there is another public ROW between the wall and the street. A wall is not considered facing a street if another building or other permanent screening material on site is between the wall and the street and blocks the view of the wall from the street by at least seventy-five percent (75%) from all view angles. Five year projected maturity of any on-site evergreen planted materials may be considered in the screening assessment.
- (c) A masonry calculation table is required at the building permit stage to demonstrate compliance with the ordinance requirements.

## ARTICLE IX – SITE DEVELOPMENT

### SECTION 1: GENERAL PROVISIONS

#### (b) Applicability; Site Development Permit Required

Any person who develops, or causes to be developed, property located within the corporate limits of the City shall comply with this Chapter. Within the city corporate limits the use of property shall not be changed, no development shall take place and no building permit shall be issued until a site development permit has been issued in accordance with the code of ordinances of the City. Property for which a site development permit has been issued shall be developed in compliance with the approved site plan. The following are exceptions to the applicability of this Chapter:

- (1) Construction, alteration or addition to a single-family or two family residential structure, or an accessory building to any such structure.
- (2) Alteration or finish-out of an existing building when the alteration or finish-out does not increase the square footage of the building or change the building footprint as long as one of the following applies:
  - (i) The use does not change, or if the use changes, the new use does not require more parking than is currently existing and no additional parking spaces, aisles or driveways are proposed;
  - (ii) The alteration, finish-out or change of use is in compliance with all applicable codes and regulations of the city; and
  - (iii) The proposal does not increase the degree of any existing non-conforming use or non-conforming structure.
- (3) Construction of a fence, but no exception is granted by this subsection for construction of a retaining wall or for a fence that may obstruct or change the flow of water.
- (4) ~~Brush clearing in compliance with the landscape and tree regulations of the city as long as only rubber-tired equipment is introduced to the site (no equipment with tracks).~~

**(e) Minor Site Development Permit**

- (1) Projects that include minor site activity similar to those listed in Section 1(b) and including brush clearing, Article IX of this ordinance may be eligible for a minor site development permit. To be eligible, such projects may increase the impervious cover by no more than 1,000 square feet. In addition, a minor site development permit application shall be submitted for review in conformance with all information and materials required by the most recent minor site development permit application/checklist.
- (2) A professional recovery fee as set forth in Appendix A shall be required at the time of site development permit exemption application submittal.

**ARTICLE X – ADMINISTRATION**

**SECTION 10: ENFORCEMENT**

**(a) Penalty**

- (1) Penalty. Any person who shall violate any of the provisions of this ordinance, or shall fail to comply therewith, or with any of the requirements thereof, within the City limits shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum of two thousand dollars (\$2000.00). Each day the violation exists shall constitute a separate offense. Such penalty shall be in addition to all the other remedies provided herein
- (2) Administrative Penalty. Any person who removes a Significant Tree greater than 8 inches in caliper prior to approval of a tree ~~protection-preservation~~ plan, or who removes a Significant Tree greater than 8 inches in caliper that is not authorized to be removed under an approved tree ~~protection-preservation~~ plan shall be charged and shall pay a fee of \$300 per inch for each Significant Tree greater than 8 inches in caliper removed in violation of this ordinance. The City will rely on remaining evidence on site to determine if a violation of this ordinance has occurred. For enforcement purposes the City will consider that any stump remaining on the property which is eight inches or more in diameter measured at ground level or higher was a stump of a Significant Tree greater than 8 inches in caliper. Furthermore, any cut wood discovered on site will be considered evidence of a Significant Tree greater than 8 inches in caliper if the diameter of the cut wood is measured at eight inches or greater at any point on any piece of cut wood. A site development or building permit application for property from which one or more Significant Trees have been removed in violation of this ordinance may not be approved until an administrative



## EXECUTIVE SUMMARY

JUNE 23, 2016

- Agenda Subject:** Ordinance Case 16-OR-002: Hold a public hearing and consider action on amending sections of the Subdivision Ordinance, to add definitions, to modify provisions for the protection of riparian corridors, to modify requirements associated with construction plans; to update tree preservation plan requirements, to modify private street standards, and to clarify the park land dedication requirements.
- Background:** Staff presented a proposal to the Planning & Zoning Commission on November 12, 2015 that included several amendments to clarify the Subdivision Ordinances. Based on the results of that meeting, staff is proposing the following amendments to the Subdivision Ordinance.
1. Update the riparian corridor definitions
  2. Change “Tree Protection” to “Tree Preservation” to be consistent throughout the ordinance
  3. Add provisions for construction plan permits
  4. Add provisions for private, gated streets
  5. Modify riparian corridor requirements
  6. Clarify parkland dedication requirements in the ETJ
- Origination:** Applicant: City of Leander
- Financial Consideration:** None
- Recommendation:** See Planning Analysis.
- Motion:** APPROVAL: The Planning & Zoning Commission recommends approval of the ordinance amendments.
- DENIAL: The Planning & Zoning Commission recommends denial of the ordinance amendments.
- Attachments:** 1. Proposed Amendments
- Prepared By:** Robin M. Griffin, AICP  
Senior Planner

06/15/2016

# SUBDIVISION ORDINANCE AMENDMENTS

## ARTICLE I – GENERAL

### SECTION 1. DEFINITIONS

**Riparian Corridor** means any defined stream channel including the area up to the ordinary high water (or bankfull-flow line), as well as all riparian (streamside) vegetation in contiguous adjacent uplands. Riparian Corridors also includes the Secondary and Connector Trail Corridors identified in the City of Leander Parks, Recreation & Open Space Master Plan and the Transportation Plan.

**Riparian Corridor Setback** means a line or lines designating the minimum distance the closest wall Improvements and/or Structures of a structure areis required to be from a Riparian Corridor. Building projections (e.g. eaves, awnings, window boxes, and porch overhangs) may extend up to two feet into the Riparian Corridor Setback.

## ARTICLE II – PROCEDURE

### SECTION 22. PRELIMINARY PLAT

(c) Content

(2) Existing Conditions

(iii) Tree Protection-Preservation Plan

- a) A tree protection-preservation plan consisting of a tree survey prepared within five years preceding the application date with the street and lot layout superimposed at a scale of 1"=100' (or as appropriate) shall be prepared demonstrating that lot lines and street layouts have been designed and located and that lot width, depth and size flexibility (as permitted by the applicable zoning district if inside the City) has been utilized to the maximum extent necessary to retain the maximum number of significant trees reasonably practicable.
- b) The applicant shall provide a tree preservation plan that identifies the surveyed trees and the mitigation of the protected trees that are proposed for removal. The tree protection-preservation plan is required to be approved by the Director of Planning prior-at the time of submission of a preliminary plat application. Up to fifty (50%) percent of the caliper inches of Significant Trees between eight (8) and twenty-six (26) caliper inches may be removed without mitigation for single-family and two-family subdivisions. Up to fifty (50%) percent of the caliper inches of Significant Trees between eight (8) and eighteen (18) caliper inches may be removed without mitigation for subdivisions other than single-family and two family.

f) Replacement Trees

1. Replacement trees shall be a minimum of two (2) caliper inches and identified on the City of Leander preferred plant list or included in the Grow Green Guide for Native and Adaptive Landscape Plants published by the City of Austin Watershed Protection and Texas A&M AgriLife Extension, as amended from time to time. The tree protection

preservation plan is required to be approved by the Director of Planning prior to submission of a preliminary plat application.

(4) Support Documents.

- (i) A drainage study, consisting of a Drainage Area Map with contours, location and capacities of existing and proposed drainage features, and calculations in accordance with this Ordinance and good engineering practices, shall be provided to ensure the property will be developed in accordance with City drainage policies.
- (ii) Utility demand data, consistent with the proposed uses indicated on the Preliminary Plat, to determine the adequacy and the consistency of proposed utility improvements.
- (iii) A letter of certification, when applicable, that the plat has been submitted to the County Health District for review (applicable to all projects proposing septic systems and/or containing any portion of the regulatory one hundred (100) year floodplain outside of the City limits).
- (iv) Copy of approved concept plan.
- (v) Copy of deed showing current ownership.
- (vi) Park proposal in compliance with approved Concept Plan.
- (vii) Copy of the approved tree protection-preservation plan.

(d) **Procedure.** A Preliminary Plat for any proposed subdivision of land, shall be submitted to the City for Commission action after a tree protection-preservation plan is approved by the Director of Planning.

### SECTION 23. CONSTRUCTION PLANS

(e) **Approval.** Within thirty (30) days of the date on which all required information has been accepted for review, the City Engineer shall either approve or disapprove the Construction Plans.

- (1) If the Construction Plans are disapproved, the City Engineer shall notify the applicant, in writing, of disapproval and indicate the requirements for bringing the Construction Plans into compliance.
- (2) If Construction Plans are approved, then the City Engineer shall sign the cover sheet of the Construction Plans and a pre-construction meeting shall be scheduled. A construction plan permit shall be signed and issued during the pre-construction meeting. A signed copy of the plans shall be returned, returning one (1) signed copy to the applicant and a copy shall be retained~~ed~~ing the other signed copy for City records.
- (3) The developer should be aware that specific approvals from other agencies may be required.
- (4) All improvements shown in the approved Construction Plans shall be constructed pursuant to and in compliance with the approved plans, except as otherwise specifically approved.

(g) **Approval Expiration.** The construction plan permit approval of the Construction Plans shall expire two years after the date that the permit is issued e-City Engineer approves the

~~Construction Plans~~—unless an unexpired Final Plat is on file with the City or the Final Plat has been approved and that approval has not expired.

## ARTICLE III – DESIGN STANDARDS

### (b) Policy.

(2) Additional street and trail design standards shall be as follows:

- (vi) Private, gated streets may only be approved for local streets and may not be approved where the gated, private street would prohibit the connection of the street network between neighborhoods or otherwise impair the ability to complete the City's overall transportation network.

### SECTION 49. RIPARIAN CORRIDORS

The intent of these provisions is to control development within Riparian Corridors for the purpose of preserving and protecting the natural wildlife. Riparian Corridors provide important functions that contribute to the overall quality of the community including enhancing water quality, reducing erosion, and providing important habitat to wildlife.

(a) Riparian Corridor Setbacks shall be based on the following drainage criteria for all developments. These setback requirements do not include trails and related improvements. No structure shall be erected or installed within the Riparian Corridor Setback. The following Riparian Corridor Setbacks are established:

- 1) Creeks ~~or swales~~ draining more than five (5) acres but less than forty (40) acres shall have a minimum Riparian Corridor Setback of twenty-five (25') feet from the centerline of the creek or swale.
- 2) Creeks ~~or swales~~ draining more than forty (40) acres but less than one hundred twenty-eight (128) acres shall have a minimum Riparian Corridor Setback of seventy-five (75') feet from the centerline of the creek or swale.
- 3) Creeks ~~or swales~~ draining more than one hundred twenty-eight (128) acres ~~but less than six hundred forty (640) acres~~ shall have a minimum Riparian Corridor Setback of one hundred (100') feet from the centerline of the creek or swale.
- 4) A minimum one hundred (100') foot Riparian Corridor Setback is required off of the centerline of creeks identified on the City of Leander Parks, Recreation & Open Space Master Plan.

(b) It is recognized that there are some necessary impacts to the Riparian Corridors. The following disturbances shall be allowed in the Riparian Corridor Setbacks

- 1) Roadway Crossing
  - i. Arterial and Collector Streets identified in the Transportation Plan may cross the Riparian Corridor.
  - ii. All other Collector Streets not shown on Transportation Plan may cross a Riparian Corridor as long as the crossing is one thousand (1,000') feet from a Collector or Arterial Street crossing on the same Riparian Corridor.
  - iii. A Local Street may cross a Riparian Corridor if necessary to provide access to property that cannot otherwise be safely accessed.
- 2) Stormwater Detention Structures
  - i. Stormwater detention is allowed within the Riparian Corridor Setback when the detention embankment/structure occupies a narrow footprint similar to utility and roadway crossing and no excavation takes place within the Riparian Corridor Setbacks.

- 3) Underground Utilities
- (c) The Riparian Corridor classification does not apply to a previously modified drainage feature serving a public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition.

## SECTION 50. TREE PRESERVATION

No Significant Tree shall be removed until a tree ~~protection-preservation~~ plan has been approved by the Director of Planning in accordance with this Chapter. Significant Trees may be removed only in accordance with the approved tree ~~protection-preservation~~ plan, and trees must be protected during construction activities on the property in accordance with the approved tree ~~protection-preservation~~ plan.

## ARTICLE IV – IMPROVEMENTS

### SECTION 61. PARK LAND DEDICATION AND PARK IMPROVEMENTS

**Park Land Dedication and Park Improvements Required:** A developer of any subdivision subject to this ordinance or a site development permit subject to the Composite Zoning Ordinance which includes residential lots, building sites, or multi-family residential site development residential-subdivision within the City limits or the City's extra-territorial jurisdiction ~~or multi-family residential site development within the City limits~~, that adds any residential units to any subdivision or multi-family residential site development, shall prepare a park plan to provide for sufficient and suitable park land and park improvements for the purpose of public recreation in accordance with the following provisions:

## ARTICLE V – ADMINISTRATION

### SECTION 77. ENFORCEMENT

(b) Administrative Penalty. Any person who removes a Significant Tree greater than 8 inches in caliper prior to approval of a tree ~~protection-preservation~~ plan, or who removes a Significant Tree greater than 8 inches in caliper that is not authorized to be removed under an approved tree ~~protection-preservation~~ plan shall be charged and shall pay a fee of \$150 per inch for each Significant Tree greater than 8 inches in caliper removed in violation of this ordinance. The City will rely on remaining evidence on site to determine if a violation of this ordinance has occurred. For enforcement purposes the City will consider that any stump remaining on the property which is eight inches or more in diameter measured at ground level or higher was a stump of a Significant Tree greater than 8 inches in caliper. Furthermore, any cut wood discovered on site will be considered evidence of a Significant Tree greater than 8 inches in caliper if the diameter of the cut wood is measured at eight inches or greater at any point on any piece of cut wood. A plat or construction plan application for property from which one or more Significant Trees have been removed in violation of this ordinance may not be approved until an administrative penalty owed under this subsection has been paid.