



# **City of Pflugerville**

## **Minutes – Final**

### **Planning and Zoning Commission**

---

Monday, December 5, 2016

7:00 PM

100 E. Main St., Suite 500

---

#### **Regular Meeting**

#### **1 Call to Order**

**Staff present was: Emily Barron, Planning Director; Jeremy Frazzell, Assistant Planning Director; Erin Sellers, Senior Planner; Chuck Foster, Planner I; and Dana Lively, Administrative Technician.**

**Chairman Kluge called the meeting to order at 7:00 p.m.**

**Present** 6 - Chairman Kevin Kluge, Commissioner Geoff Guerrero, Commissioner Karen Arnold, Commissioner Tammie Williamson, Commissioner Ronda Gindin and Commissioner Oscar R. Mitchell

**Absent** 1 - Vice Chairman Daniel Flores

#### **2 Citizens Communication**

**There was none.**

#### **3 Consent Agenda**

- 3A 2016-5415** Approve the Planning & Zoning Commission minutes for the November 7, 2016 regular meeting

**Approved on the Consent Agenda**

**Commissioner Arnold made a motion to approve items 3A and 3F as read on the Consent Agenda. Commissioner Guerrero seconded the motion. All in favor. Motion carried.**

- 3B 2016-5372** Approving a Preliminary Plan for Timmerman Subdivision, a 72.90-acre tract of land out of the Taylor S. Barnes Survey No. 46, Abstract No. 67 and William Caldwell Survey No. 66, Abstract No. 162 in Pflugerville, Texas. (PP1605-03)

**Commissioner Gindin made a motion to pull the item from the consent agenda to be discussed on the regular agenda.**

**This item was discussed on the regular agenda.**

**Commissioner Gindin asked where the playground equipment will be listed in**

---

---

this area. Staff answered the question and replied that the Parks and Recreation Commission approved a Park In-Lieu fee for this subdivision.

Commissioner Guerrero asked if the line of trees that are located on the wastewater line of the property has been addressed. Staff answered the developer will be working on the construction plans where the issue will be addressed when the plans are developed.

Commissioner Gindin asked what the code number is that addresses how close our parks must be in relation to our communities. Staff answered that parks are generally desired within 1/4 mile and for this development, Travis County Metro Park is within that proximity.

Commissioner Guerrero made a motion to approve items 3B and 3C. Commissioner Mitchell seconded the motion. All in favor. Motion carried.

### **3C 2016-5411**

Approving a Final Plat for Lot 3, Block A Timmerman Subdivision, a 12.279-acre tract of land out of the Taylor S. Barnes Survey No. 46, Abstract No. 67 in Pflugerville, Texas. (FP1607-05)

Item 3C was pulled from the consent agenda since it was related to item 3B and moved to the regular agenda to be discussed.

There were no questions from the commission.

Commissioner Guerrero made a motion to approve items 3B and 3C. Commissioner Mitchell seconded the motion. All in favor. Motion carried.

### **3D 2016-5373**

Approving a Preliminary Plan for Carmel West Phase I, Sections 1 & 2; a 147.153-acre tract of land out of the Juan Zambrano Section No. 38, Abstract No. 845 in Travis County, Texas. (PP1604-01)

Item 3D was pulled from the consent agenda and moved to the regular agenda to be discussed

Commissioner Gindin asked how far the nearest playground is located in relation to this development. Staff answered that the playground is in close proximity to the 1849 park which is in the process of being developed at this time. Ms. Barron, Planning Director, stated the Carmel development area is under a development agreement where it identified a variety of park areas and until the development plans are submitted, we do not know what exactly will be included as their amenities.

Commissioner Mitchell asked if there are any buffer requirements for the area between the houses and the school. Staff replied no.

Commissioner Gindin asked if the sidewalks to the school will be easily identified. Staff replied that the developer will be constructing the sidewalks along with the crosswalks. Ms. Barron, Planning Director, stated that there is concerns with the topography that prevent us from putting in an opening for residents to access the school thru the subdivision midblock.

Commissioner Arnold made a motion to approve item 3D. Commissioner

---

---

Williamson seconded the motion. The motion was approved with the votes from Chairman Kluge as Aye, Commissioner Guerrero voted Aye, Commissioner Arnold voted Aye, Commissioner Williamson voted Aye, Commissioner Mitchell voted Aye. Commissioner Gindin voted Nay. Motion carried with a vote of 5 Ayes and 1 Nay.

**3E 2016-5332**

Approving a Preliminary Plan for Vine Creek, a 147.153-acre tract of land out of the Juan Zambrano Section No. 38, Abstract No. 845 in Travis County, Texas. (PP1512-02)

Item 3E was pulled from the consent agenda and moved to the regular agenda to be discussed.

Commissioner Gindin asked if there will be playscape amenities in this community. Staff replied yes. Commissioner Gindin asked if the public park will be located in adjacent to a road. Staff replied yes as it is required and a parking lot will be provided to the public.

Commissioner Kluge asked what improvements were mentioned in the TIA. Staff replied that one requirement will be a left turn lane on Cele road and it will be constructed with Phase 1 of the development.

Commissioner Williamson asked for the classification of Cele Road. Staff replied that the road is a 60 foot arterial road at this present time. Commissioner Gindin wanted to know who will be responsible for the upkeep of the road. Staff relayed that the portion of the road that is in the ETJ will be the responsibility of Travis County and the portion in the City limits will be our responsibility to maintain. But the majority of the road improvements will be up to Travis County.

Commissioner Gindin made a motion to approve item 3E. Commissioner Mitchell seconded the motion. All in favor. Motion carried.

**3F 2016-5368**

Approving a Final Plat for Avalon Phase 16B; a 2.28-acre tract of land out of the Edward Flint Survey No. 11, Abstract No. 277, in Travis County, Texas. (FP1609-07)

Approved on the Consent Agenda

Commissioner Arnold made a motion to approve items 3A and 3F as read on the Consent Agenda. Commissioner Guerrero seconded the motion. All in favor. Motion carried.

**3G 2016-5386**

Approving Sorento Preliminary Plan Revision #2; a 360.75-acre tract of land out of the John C. Bray Survey No. 10, Abstract No. 73; in Travis County Texas. (PP1605-01)

Item 3G was pulled from the consent agenda and moved to the regular agenda to be discussed.

Commissioner Gindin asked if the development will have any playscape equipment in it. Staff replied that public parkland equipment was not contemplated thru the development agreement with the developer. The developer chose to reconfigure the parkland areas which would improve the

---

---

connectivity to throughout the parkland areas. Specific amenities within that parkland will be determined later.

Chairman Kluge asked if Weiss Lane is under engineering review. Staff replied yes and should start construction in early 2017.

Commissioner Guerrero asked if the roadway to the south that was eliminated, will it eventually be needed for the multifamily development. Staff replied that the roadway extension was removed since a school site will no longer be located there as originally planned.

Commissioner Mitchell made a motion to approve item 3G. Commissioner Williamson seconded the motion. All in favor. Motion carried.

## **4 Public Hearing**

### **4A ORD-0333**

Conduct a public hearing and consider a Specific Use Permit application for a proposed Office/Warehouse land use on a portion of a 60.16 acre tract of land situated in the Thomas G. Stuart Survey, Section No. 6, Abstract 689 in Pflugerville, Travis County, TX, generally located north of New Meister Ln., west of N. Heatherwilde Blvd., east of Meister Ln., and south of SH 45 in Pflugerville, TX, to be known as the Living Spaces Specific Use Permit. (SUP1611-01)

Erin Sellers, Senior Planner, presented this item.

Ms. Sellers gave a history on this site.

Pape-Dawson, on behalf of their client, Living Spaces, has requested a specific use permit (SUP), process previously known as a special district, in the Corridor Urban Level 4 (CL4) zoning district to allow for an office/warehouse land use on a portion of a 60 acre tract of land generally located along New Meister Lane, west of North Heatherwilde Boulevard.

The proposed development, Living Spaces, is a large-scale, retail furniture store with an office/warehouse land use component. Due to the proposed scale of office/warehouse with approximately 500,000 sq. ft. in building area, which is significantly larger than the proposed 150,000 sq. ft. of retail space, the proposed use was classified as two primary land uses. While retail is permitted by right within the Corridor Urban Level 4 (CL4) zoning district, an office/warehouse use is permitted only by specific use permit.

The proposed specific use permit is generally in accordance with the General Employment Center of the Preferred Land Use Vision Plan, the goals of the Comprehensive Plan, and is compatible with adjacent and nearby zoning districts, therefore staff recommends approval of the specific use permit application with the following conditions of approval:

1. Site use and development shall be in accordance with the Unified Development Code, Ordinance No. 1203-15-02-24, as amended.
  2. The site configuration of Lot 1 shall substantially conform to "Exhibit C" (Sheet L1.01). Other site improvements shall be required through the site development process to comply with the Unified Development Code.
  3. The screening of the truck courts along SH 45 and New Meister Lane will include 8' masonry walls at locations identified on "Exhibit C" (Sheets L1.01)
-

---

and Sheets L1.02)

4. 25' Streetscape yards along SH 45 and New Meister Lane will include tree plantings at a rate of 1 large tree (Type A) and 2 smaller trees (Type B or C) every 40 linear feet along the street frontage.

5. Additional interior landscaping shall be provided consistent with "Exhibit C" (Sheet L1.01) and in accordance with Subchapter 11 Landscaping and Screening of the Unified Development Code.

6. The office/warehouse portion of the building shall be constructed in conjunction with the retail furniture store component.

Commissioner Gindin asked if the exits to this new development were going to align with the entrances to the neighborhoods on the south. Ms. Sellers replied that she was unsure of the locations of the exits because those type of details are submitted thru the site development process, but generally the layout has to be the same.

Chairman Kluge asked if there was no access road on the north side and staff replied yes there is no access road at this point.

Commissioner Williamson stated that with she is concerned with the robust landscaping that we are requiring on the south side where the detention pond is located. She stated that we may have a problem with sight distance. Staff replied that we will ensure that there is no problem and that we will use the engineering manual to help guide us.

Commissioner Gindin asked if there will be any connection thru the north side of the property as far as a right of way to where you will not have to get onto the toll road. The plans show the entrances but no connection to the frontage road. Staff replied that these types of details will be done thru the site development process. Entrances will need to be reviewed thru Texas Department of Transportation (TXDOT). Emily Barron, Planning Director, stated that currently the local entities are in discussions and are actively working on how to make the connection on both sides of the toll road.

Chairman Kluge asked if the southwest entrance location was available to trucks. Staff replied yes if the other entrance was not provided. The driveways will not be shown until after TxDOT approves the locations.

There were 3 citizens that asked to speak regarding the items.

Mr. Rene Crowder, who lives in the Royal Pointe Subdivision, spoke in regards to the noise from the trucks coming in and out from the location. He stated he appreciates the wall being in place, but is concerned that there will be problems with the trucks coming in all hours of the day and night. He asked if there were any consideration as to limiting the times the trucks can come in and out. He was concerned with speeders on New Meister with the trucks coming and going.

Mr. Ron York-Hammons stated he is concerned with accidents that occur when cars are trying to get onto New Meister. He says there is a line of sight problem with cars trying to pull out onto the road. He also is concerned with the property values decreasing with this development. He would like to know if the property values will change if the development is allowed to occur.

Mr. Larry Holman spoke in concern with the traffic thru the intersections.

Shelly Mitchell with Pape-Dawson, representing the client, stated that a TIA has been started and a few of the improvements have been identified. As part of the mitigation with the development, a few traffic lights will be necessary within

---

---

this development. She also addressed the issue with the truck hours. The representative from Living Spaces, stated the trucks typically come in around 7:00AM and usually operate till 9:00-10:00PM. There will be no 24 hour truck operations going on. Chairman Kluge asked if the TIA only deals with road that are present now or will it be done with projections. Shelly replied that the initial look is without the access road being put in.

Commissioner Arnold made a motion to close the public hearing.  
Commissioner Guerrero seconded the motion. All in favor. Motion carried.

Commissioner Williamson stated she was uncomfortable with the traffic that is present now, but wants to know what improvements will be added. She stated that since the Commission will not know what improvements will be done until the TIA is complete, she is uncomfortable with approving the permit.

Commissioner Guerrero asked what the status was of the light at New Meister and Heatherwilde as related to the construction. Trey Fletcher, Assistant City Manager, said that the conduit is installed but the light will not be installed until after the warrant study is done. He has stated that all thru the process, Living Spaces has been very cooperative and is working to make the best of the traffic flow.

Commissioner Gindin stated she had a concern about the traffic on Schultz Lane. Mr. Fletcher stated that the TIA may touch on it, but traffic signals need to be look at to see if they are needed. No capital improvement plans have been submitted to widen Schultz Lane.

Chairman Kluge moved to approve the special use permit application or Living Spaces (ORD-0333). Ms. Barron verified if the motion to approve this application will also include the 6 conditions that was presented by staff. Chairman Kluge responded yes. Commissioner Williamson stated that she would like to see a condition added that would only allow truck traffic from 7:00AM to 9:00PM. Commissioner Gindin stated that imposing that added restriction would only cause undue restriction on the applicant.

Commissioners and staff discussed different views of how the trucks could enter and leave the facility. Commissioner Gindin stated she feels that Living Spaces is going above and beyond in working with the City. Commissioner Williamson stated she feels strongly with adding the amendment but with making the hours of truck operations from 7:00AM to 10:00PM.

Chairman Kluge accepted the amendment to be added to the specific use permit.

Commissioner Guerrero interjected that a site plan to west of this location also has truck traffic and does not have this same amendment added to their project. He stated that he felt placing this amendment on the permit will leave an unfair burden on the applicant. Commissioner Gindin asked if the site to the west has the truck operation hour restriction on them. Staff replied that the companies fall within the basic zoning requirements with no hours of operation restrictions.

Commissioner Williamson stated that she would like to withdraw her amendment.

Chairman Kluge made a motion to approve the specific use permit for Living Spaces with the 6 conditions recommended by staff. Commissioner Arnold seconded the motion. All in favor. Motion carried.

---

---

## 5 Presentation

- 5A 2016-5405** Discussion and update regarding the City's Capital Improvement Program.

Item was pulled from Agenda.

- 5B 2016-5413** Presentation of an End of Year review of the implementation of the Unified Development Code (UDC) requirements adopted in 2015.

Staff presented a "report card" regarding provisions of the UDC that were adopted in 2015 and how the new requirements were implemented, analysis of the outcome and identification of areas that could be improved.

## 6 Discuss and Consider

- 6B RES-5409** (Previously Item 2016-5406) Discuss and consider recommending approval of the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2015.

The CDBG program provides annual grants on a formula basis to entitled communities to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The City of Pflugerville became an entitlement community in 2013 and developed the first 5-year Consolidated Plan and Annual Action Plan in 2014. The Consolidated Plan serves as the application to the United States Department of Housing and Urban Development (HUD) for CDBG funding. The Consolidated Plan is designed to aid local jurisdictions in assessing their housing and community development needs and priorities. The priorities established by the Consolidated Plan are carried out through actions and activities each year as established in the Annual Action Plan.

At the end of each program year entitlement communities are required to submit a Consolidated Annual Performance and Evaluation Report (CAPER) to Federal Department of Housing and Urban Development (HUD). This report is a summary of the activities completed during the program year. This CAPER is a reflection on the 2015 Program Year which began on October 1, 2015 and ended on September 30, 2016. During this program year the City completed four projects: Youth Recreation Scholarship Program, which aided 43 children within the community to attend the Parks Summer Camp and dance classes and the second project included an upgrade and infrastructure and facilities sidewalk improvements on Edgemere Drive, Foothill Farms and at the Recreation Center in support of our Senior Center.

The projects completed utilized \$101,649.49 granted to the City for Program Year (PY) 2015. Due to issues with acquisition of property as well as a proposed project not being approved by HUD all projects anticipated in the Action Plan to be complete during this program year could not be accomplished. Remaining funding from PY2015 will be incorporated into the funds for PY 2016 and alternate projects will be proposed.

---

---

Commissioner Mitchell made a motion to approve the CDBG Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2015. Commissioner Gindin seconded the motion. All in favor. Motion carried.

## **7 Future Agenda Items**

The next Planning and Zoning Commission meeting will be Monday, January 9, 2017 at 7:00 pm. We will be hosting elections for Chairman and Vice-Chairman at that time.

## **8 Adjourn**

Commissioner Gindin made a motion to adjourn the meeting. Commissioner Mitchell seconded that motion. All in favor. Meeting adjourned.

---

Chairman  
Planning and Zoning Commission

Respectfully submitted on this 9th day of January, 2017.

---