



City of Pflugerville

Minutes - Final Planning and Zoning Commission

Monday, September 17, 2012

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1 Call to Order

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

Staff present was: Trey Fletcher, Assistant City Manager; Lindsay Key, Planner I; Hazel Sherrod, Planning Administrative Tech.; Jeremy Frazzell, Senior Planner; and Erin Sellers, Planner II.

Present 6 - Commissioner Sam Storms, Commissioner Kirk Lowe, Chairman Thomas Anker, Vice Chairman Rodney Blackburn, Commissioner Drew Botkin and Commissioner Joseph Marse O'Bell

Absent 1 - Commissioner Lisa Ely

2 Citizens Communication

There were none.

3 Public Hearing

- A ORD-0116** To receive public comment and consider an application to rezone 3.10 acres out of the E. Bebee Survey, Abstract No. 5, located generally at the northwest corner of East Black Locust Drive and West Pfennig Lane, from the Single-Family Suburban (SF-S) to Single-Family Urban (SF-U) district; to be known as Kuempel 3.1 Acre Rezoning. (REZ1208-01)

Jeremy Frazzell presented this item.

The property is located at the northwest corner of Black Locust Dr., and West Pfennig Lane and is approximately 3.1 acres. The current zoning on this site is Single Family Suburban (SF-S) and so is the Meadow Ridge subdivision to the north east side and Arbor Creek subdivision to the south. To the west are two five-acre tracts of land zoned as Neighborhood Services (NS), further west is land zoned Agriculture/Conservation (A) and followed by SF-S. Along the north side of Black Locust Dr., are properties zoned Retail (R), followed by Agriculture/Conservation (A) and Light Industrial (LI) as you head to the north.

Mr. Frazzell gave the history of the property. In 1995 the property was annexed into the City Limits of Pflugerville. In 2001 the property was zoned as General Business and then Single Family Residential (RS-1) district. In 2005 there was a rezoning application proposed, known as Claude's Corner rezoning to rezone this tract into a mix of zoning districts, with direction to pursue an ALUR,

which was never completed.

The applicant proposes to rezone to the Kuempel 3.1 acre tract of land from SF-S to a Single Family Urban district which allows residential and some non-residential units with conditions. The applicant is proposing town homes which will allow for up to six units, extending no more than 200 feet and requires a space between structures for a total of 18 units single family attached.

Staff recommends approval for the proposed zoning request at this location.

Commissioner Blackburn noted that there is one entrance to this site and the location, off of Brewer Blackbird and Pfennig Lane for this proposed site. The traffic at the corner of Pfennig Lane and Black Locust is rather heavy in the morning, when people are going to work, and after school making it difficult to turn onto Pfennig Lane. Also Pfennig is used to set up for the parade for Deutschen Fest yearly and what he notices there is one entrance/exit to this site. Commissioner Blackburn asked if there is a possibility for another entrance/exit on Black Locust also. Commissioner Blackburn noted that as far as the townhome concept, he is for it, but the traffic is still a concern.

Chairman Anker asked if the building design criteria address the height.

Mr. Frazzell answered yes it does, 2.5 stories and 35 feet in height.

Commissioner Storms asked about the rest of the property toward the back will be open space or parkland. What will be located there?

Mr. Frazzell answered that there are open space requirements associated with this district and drainage will also be addressed for this site. There are also specific amenities called out in Subchapter 9, per 1000 sq. ft. of open space.

Mr. Storms asked what is in the open space in between the buildings. Mr. Frazzell answered that these spaces would more than likely be green space owned and maintained by the owner or association.

Jim Huffcut with Pape Dawson Engineers, and the applicant spoke. Mr. Huffcut mentioned he was the design engineer for Meadow Ridge and Arbor Creek, plus the extension of Pfennig Lane and Black Locust which the geometry of the road created this space. There is a lot to do from the engineering component as to what the buildings will look like once they are developed to meet all development requirements.

Chairman Anker asked what the building set backline is.

Mr. Huffcut answered that it is 10 feet maximum by code from the right of way, but he set the building back more about because of the curve.

Commissioner Blackburn asked how possible it would be to add another entrance.

Mr. Huffcut said they could put another entrance but they will have to look at that because there are constraints in the Site Development Code as to how close you can have a driveway to an intersection or cross, it may or may not fit

to line up with the street coming out of Meadow Ridge subdivision unto Black Locust. Mr. Huffcut mentioned that he wants to make sure he exceeds the fire code separation requirements.

Mike Marsh, residing at 2524 Dunes Drive, spoke. Mr. Marsh said that the concept of this project is a friendly idea and believes that Pflugerville needs a product like this. The townhome concept is from 1200 to 1800 sq. ft. These units will probably not be inexpensive, they will be high end townhomes for folks who want to downsize from their large homes. All the homes will be for sale and not for rent. Mr. Marsh was on the City Council when the Single Family Urban (SF-U) standards were developed. Mr. Marsh estimated the cost will be at least \$200,000 per home. The open area in the back of the property, shown on the plan, would most likely be some sort of amenity area.

Chairman Anker noted that he is concerned with how close the buildings are to the street.

Mr. Marsh answered that the code calls for 10 feet maximum from the right of way.

Commissioner Botkin asked Mr. Marsh if believes the area supports that type of market, because the price tag seems kind of steep. Commissioner Botkin asked if there is an exit strategy, what happens once the first six units are built and they are difficult to sell, does the other 12 get built or will the rest of the property be sold and a developer come in and build the rest of the units and rent them out.

Mr. Marsh answered that this is not a competitive product; this is not for those who are interested in a single family residential unit. Mr. Marsh also answered that the one thing that will make this product happen is that they have to build the entire infrastructure at one time, and run all the utilities at one time.

Peter Hayes, residing at 900 Clarence Bohls, spoke. Mr. Hayes asked about an exit strategy, if the properties do not sell as townhomes, can the units become rental property.

Mr. Fletcher answered that unless it is deed restricted against rentals, if it is initially a sale product it can be rented or sold again just like a single family home. Mr. Hayes asked if an apartment complex builder can come in and later build apartment if the townhome concept does not work out for the applicant. Mr. Fletcher answered the zoning only allows a form that single family attached or detached. Mr. Hayes believes that this product is out of character for the neighborhood located nearby. Mr. Hayes agrees with that the 10 feet setback is not enough and the line of site is horrible because kids going to and from school causes a safety issue.

Chairman Anker added that the product shown tonight is not necessarily the final product and or layout because there are site line requirements in the code that must be met.

Mr. Hayes noted that he is still concerned about the foot traffic of the kids to and from school on the street nearby.

Chairman Anker made a motion to close the public hearing. Mr. Blackburn

seconded that motion. Public hearing closed.

Commissioner Blackburn made a motion to approve the zoning change to also include two exits and entrances. Commissioner Botkin seconded that motion. Motion carried unanimously.

4 Consent Agenda

Chairman Anker stepped down from the dais due to a conflict of interest on Items 4B, and 4C on the Consent Agenda and Vice-Chairman Blackburn took over.

A 2012-1361 Approve the Planning and Zoning Commission minutes for the August 6, 2012 meeting.

Approved on the Consent Agenda

B 2012-1383 Approving a Final Plat for Highland Park Phase D, Section 3; a 12.54-acre tract of land out of the Thomas G. Stuart Survey No. 6, Abstract No. 689, in Pflugerville, Texas (Case No. FP1202-04).

Approved on the Consent Agenda

C 2012-1384 Approving a Final Plat for Highland Park Phase B, Section 4; a 4.09-acre tract of land out of the Thomas G. Stuart Survey No. 6, Abstract No. 689, in Pflugerville, Texas (Case No. FP1202-03).

Approved on the Consent Agenda

D 2012-1413 Consider approval of a waiver request for the exterior building material requirements for the Renewable Resource Consultants Office located in the Pflugerville Renewable Energy Business Park.

This item was moved to the regular agenda for further discussion.

Lindsay Key presented this item. The project is located at the corner of Helios way and Sun Light Near Way. The current zoning on the property is Urban Level 5 (CL5); the use proposed is Office/Warehouse. The design requirements for CL5 District only allows for 15% of all exterior walls on the first two stories of the building materials to be accent materials. The applicant is proposing 43% of accent materials on the northeast and southeast elevations for the current design of the building. The applicant is proposing approximately 70% of accent materials on the west and east elevations of the building. The percentages of accent materials proposed far exceed the allowable limit.

Vice Chairman Blackburn asked Mr. Crowley, the architect of this project, which elevation was facing SH130

Jamie Crowley with Hamilton & Associate, the architect, spoke. The proposed project will be located at the front entrance to the Renewable Resources Office park. Pflugerville Community Development Corporation (PCDC) will occupy a portion of this building, the first building in this office park. Mr. Crowley explained the type of products they will use on the building and the reasons those products are used.

Commissioner Botkin asked if this product is being built to LEED standards.

Mr. Crowley answered that it is cost prohibitive if you exceed a LEED certification level. The building can be LEED certified, but not LEED silver because of the design decisions. LEED is third party certification and it cannot be guaranteed (USGBC is the third party), cannot be written into an ordinance and the client did not want to do it because it is an added expense to the project.

Commissioner Botkin asked Mr. Fletcher if it is the intent of PCDC or City Staff to look into possibly changing the requirements because he has a feeling that if the first project comes in for a waiver we will see more projects coming forth and to what extent do we change our codes.

Mr. Fletcher answered it is the subject on the next item on the agenda pertaining to our codes.

Chairman Anker is concerned that this proposed building will set the architectural standards for this particular park.

Mr. Crowley explained that what PCDC is showing as an image is more in keeping with what is being proposed as to what the ordinance provides for.

Vice Chairman Blackburn made a motion to accept the waiver request as read. Commissioner Lowe seconds that motion. All in favor. Motion carried.

- E 2012-1386** Approving the Falcon Pointe Preliminary Plan #6; a 174.09-acre tract of land out of the J. Davis Survey No. 13, Abstract No. 231 in Pflugerville, Texas (Case No. PP1109-01).

Chairman Anker stepped down from the dais due to a conflict of interest on Items 4B, and 4C on the Consent Agenda and Vice Chairman Blackburn took over.

Vice Chairman Blackburn made a motion to approve the Consent Agenda as read. Commissioner Lowe seconded that motion. All in favor. Motion carried with a unanimous vote. Commissioner Storms, Vice Chairman Blackburn, Commissioner Lowe, Commissioner Botkin, and Commissioner O'Bell all vote Aye.

5 Discuss and Consider

- A 2012-1414** Discuss and consider a Unified Development Code Diagnostic Report prepared by Code Studio.

Lee Einsweiler with Code Studio presented a final draft of the Unified Development Code Diagnostic Report. Mr. Einsweiler discussed the conflicts and the gaps in the existing codes.

6 Council Action Update

- A 2012-1412** City Council Action Update

The memo is included in the agenda packet. Nothing further to add.

7 Future Agenda Items

Rezoning cases in October.

8 Adjourn

Commissioner Blackburn made a motion to adjourn the meeting at 8:59 pm.
Chairman Anker seconded that motion. Meeting adjourned.

Thomas Anker, Chairman
Planning and Zoning Commission

Respectfully, submitted this ____ day of _____, 2012.