

Planning & Zoning:	4/6/2015	Staff Contact:	Erin Sellers, Planner II
City Council:	4/28/2015	E-mail:	erins@pflugervilletx.gov
Case No.:	REZ1503-01	Phone:	512-990-6300

SUBJECT: To receive public comment and consider an application to rezone 1.81 acres from Agriculture/ Conservation (A) to General Business-1 (GB-1) zoning district, and 3.189 acres from Agriculture/ Conservation (A) to General Business-2 (GB-2) zoning district; land situated in the Henry Blessing Survey No. 3, Abstract No. 99 and the Sefrin Eiselin Survey No. 1, Abstract 265, Travis County, TX., generally located along F.M. 685 and south of Pfennig Ln.; to be known as the Cross Development Rezoning. (REZ1503-01)

REQUEST: The applicant, Matt Moore, on behalf of the property owner, Clara Urban, are requesting a rezoning from the interim zoning district of Agriculture/Conservation (A) to General Business-1 (GB1) zoning, on 1.81 acres of the front portion of the property along F.M. 685 and General Business-2 (GB2) on 3.189 acres of the rear portion of the property.

DISTRICTS DEFINED PER UDC:

General Business 1 (GB1):

The General Business 1 (GB1) district is designed to accommodate a full range of retail and office uses with a city-wide and even regional trade area. These types of commercial uses are conducted wholly within an enclosed building. The uses in this district have operating characteristics and traffic service requirements compatible with typical office, retail, shopping, and high density residential environments.

General Business 2 (GB2):

The General Business 2 (GB2) district is intended to provide a convenient location for small scale service and commercial related establishments, such as wholesale products, contractor shops, mini storage, major automotive repair, and similar more intense commercial uses. The uses included in this district should be located on a collector or higher classification thoroughfare.

The land use table and conditions of uses per the Unified Development Code (UDC) are provided for district comparison as a separate attachment.

LOCATION: The property is generally located along F.M. 685 on west side of the road, south of Pfennig Lane, and immediately east of City of Pflugerville Justice Center which share a property boundary. The property is locally addressed as 1308 F.M. 685.

SUMMARY:

- 1979 – A 4,000 square-foot service repair garage was constructed on site
- 1985 – A 1,500 square-foot warehouse was constructed on site.

- 1995 – Subject site was annexed into the City per Ordinance No. 428-95-11-28 while Agriculture/Conservation (A) was assigned as an interim district.

SITE ANALYSIS:

The subject property has approximately 320 linear feet of frontage on F.M. 685 and 674 feet lot depth. There is an average four (4%) grade across the site. Currently, the site has three metal buildings in fair condition and do not meet the current architectural standards for GB1 and GB2 zoning which requires 100% masonry with some accent material allowances. Generally, there are numerous non-conforming site issues that can be addressed over time through gradual improvement or total redevelopment of the site. Some of the nonconforming site conditions include, but not limited to, landscaping, parking, and lighting. The subject site is located within City's certificated area for water and wastewater. No portion of the site is situated within the 100-year floodplain delineated by FEMA FIRM panel #48453C0280J.

EXISTING LAND USES:

The metal buildings on site are currently occupied by an automotive repair shop, an auto body shop, and a used car dealership. The automotive repair shop land use *appears* to be legally non-conforming due to the City annexing the subject site after the establishment of the use. Generally, there are "grandfathering" clauses in state law and local legislation that allow for nonconforming uses to continue to operate under certain parameters. In accordance with Subchapter 8 of the Unified Development Code (UDC), the owner of a non-conforming use may employ the following mechanisms in an attempt to eliminate non-conforming uses:

1. Replacing the nonconforming use with a conforming use;
2. Rezoning the property to a district where the use is permitted by right;
3. Obtaining a specific use permit, provided the use is listed as one that would be allowed in the zoning district subject to conditions set forth in Subchapter 4 of the UDC; or
4. Obtaining a special exception from the Board of Adjustment, pursuant to Subchapter 3 of this Code, if the special exception is allowed by the UDC and would make the use legal non-conforming.

The property owner is opting to rezone the property to a zoning district which permits such automotive land uses. By doing so, expansion or total redevelopment of the site can occur in accordance with the standards set forth in the Unified Development Code (UDC). A denial of the rezoning would not affect legally non-conforming uses.

ZONING:

The area was annexed in 1995 and was given an interim zoning district of Agriculture/Conservation (A). Since annexation into the City, the subject site's zoning designation has remained in its holding district of Agricultural/Conservation (A). Since the subject site is a relatively deep tract of land nestled between two other large lots that have at least two street frontages, the applicant is seeking a split zoning of GB1 along F.M. 685 and GB2 to the rear of the lot. While the retail lot to the south is also a relatively deep lot, similar to the subject site, it has more visibility from F.M. 685 and Justice Center Drive, and subsequently more conducive to general retail. A GB2 zoning, on the rear portion of the subject site, would allow most GB1 permitted land uses and provide for opportunities for more service and employment related uses, including but not limited to, automotive body repair shop, call center, contractor's shop, data center, public storage, and office/showroom. An exhibit illustrating the split zoning is provided on sheet 7 of this report.

The subject site is surrounded by General Business – 1 (GB1) zoning and Corridor Suburban Level 3 (CL3) to the west for which the City’s Justice Center is located. Therefore, the proposed zoning districts are generally compatible with the adjacent zoning and existing land uses. The adjacent zoning and existing land uses are provided in the table immediately below.

Adjacent	Base Zoning District	Existing Land Use
North	General Business - 1 (GB1)	Auction Sales/Outdoor Storage
South	General Business - 1 (GB1)	Retail Strip Center
East	General Business - 1 (GB1)	F.M. 685 / Unimproved Pad Sites
West	Corridor Suburban Level 3 (CL3)	Justice Center

TRANSPORTATION:

The subject property has frontage on F.M. 685. A Transportation Impact Analysis (TIA) may be required at the time of platting or site development if redevelopment is expected to generate 2,000 or greater vehicle trips on the peak day, according to the latest edition of the Institute of Transportation Engineer’s Trip Generation.

COMPREHENSIVE PLAN:

The Comprehensive Plan, Preferred Land Use Vision Plan (Future Land Use Map) provides for a series of “Centers”, including Neighborhood, Community, Civic, and Regional Center generally located along major thoroughfares in order to supplement the broad brush strokes of the future land use categories. Per the Comprehensive Plan, Preferred Land Use Vision Plan (Future Land Use Map), the subject site is generally located within an area for a mix of uses within an overarching “Regional Center”. “Regional centers are larger scale retail and office developments that have a market catchment area for retail of six to ten miles. The scale of the center ranges from 400,000 to 800,000 square feet of non-residential space. The retail district serves the larger market formats of general merchandise, apparel, and accessories, furniture and other sales.” Thus, the proposed rezoning to General Business-1 (GB1) and General Business-2 (GB2) is supportive of the Comprehensive Land Use Plan.

Consistency with Land Use Policy and Action statements in the Comprehensive Plan:

Policy 2.3: Establish regional centers that can attract and support the concentration and scale of major commercial and employment uses as well as complimentary residential uses.

- Action 2.3.1: Allow for increased development potential in existing regional centers and permit new centers to accommodate development opportunities and diversity nonresidential uses.
- Action 2.3.2: Provide commercial and employment zoning at major transportation intersections that are accessible from across the entire city as identified on the Preferred Land Use Vision.

Policy 3.1: Ensure adequate opportunity for office, retail, and industrial development to meet projected future demand.

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- Action 3.1.1: Evaluate existing zoning to ensure sufficient land supply for office, retail, and industrial use to meet projected 2030 population projections and regional market demands.

STAFF RECOMMENDATION:

The General Business-1 and General Business-2 zoning districts are generally compatible with the adjacent land uses and zoning districts and is in accordance with the “Regional Center” concept with the Comprehensive Plan; therefore staff recommends approval of the proposed rezoning.

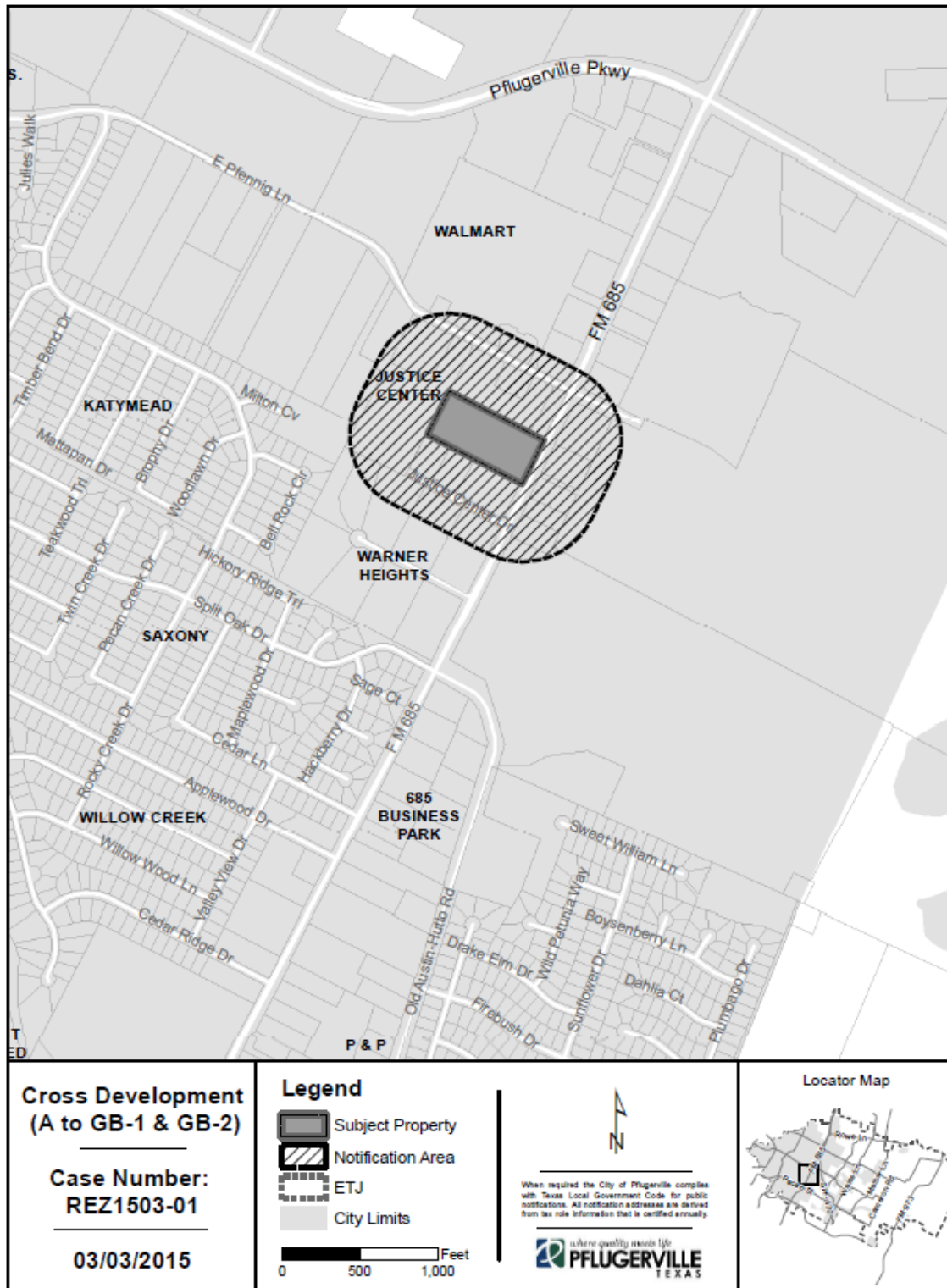
NOTIFICATION:

Newspaper Notification was published on March 25, 2015, notification letters were mailed to property owners within 500 feet of the property, and a sign was posted as required. No inquiries with stated opposition were received regarding the proposed request at time of this report.

ATTACHMENTS:

- Ordinance – {Refer to separate attachment}
- Notification Map
- Aerial Map
- Zoning Map
- Future Land Use Map
- Topography – 2' Contours Map
- Site Photos

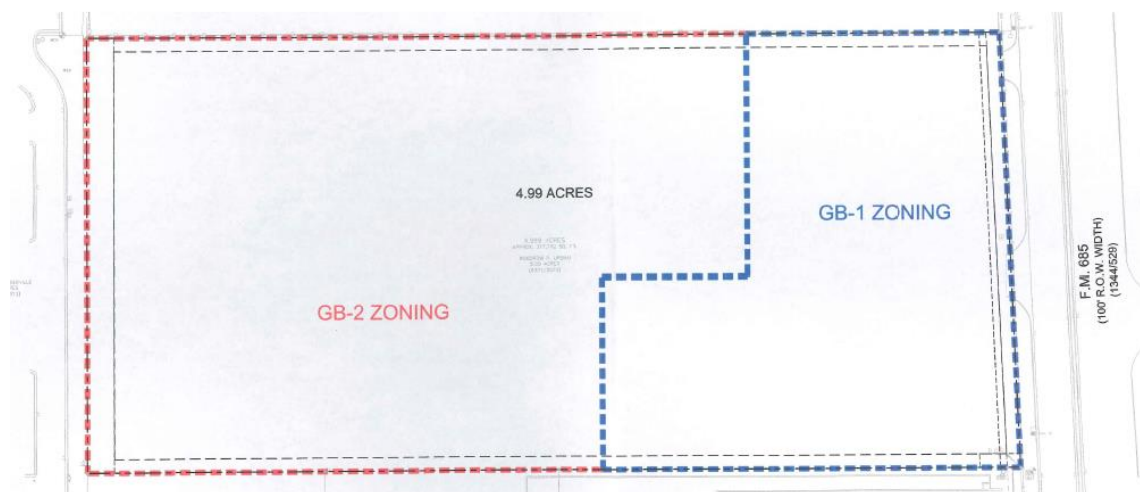
NOTIFICATION MAP



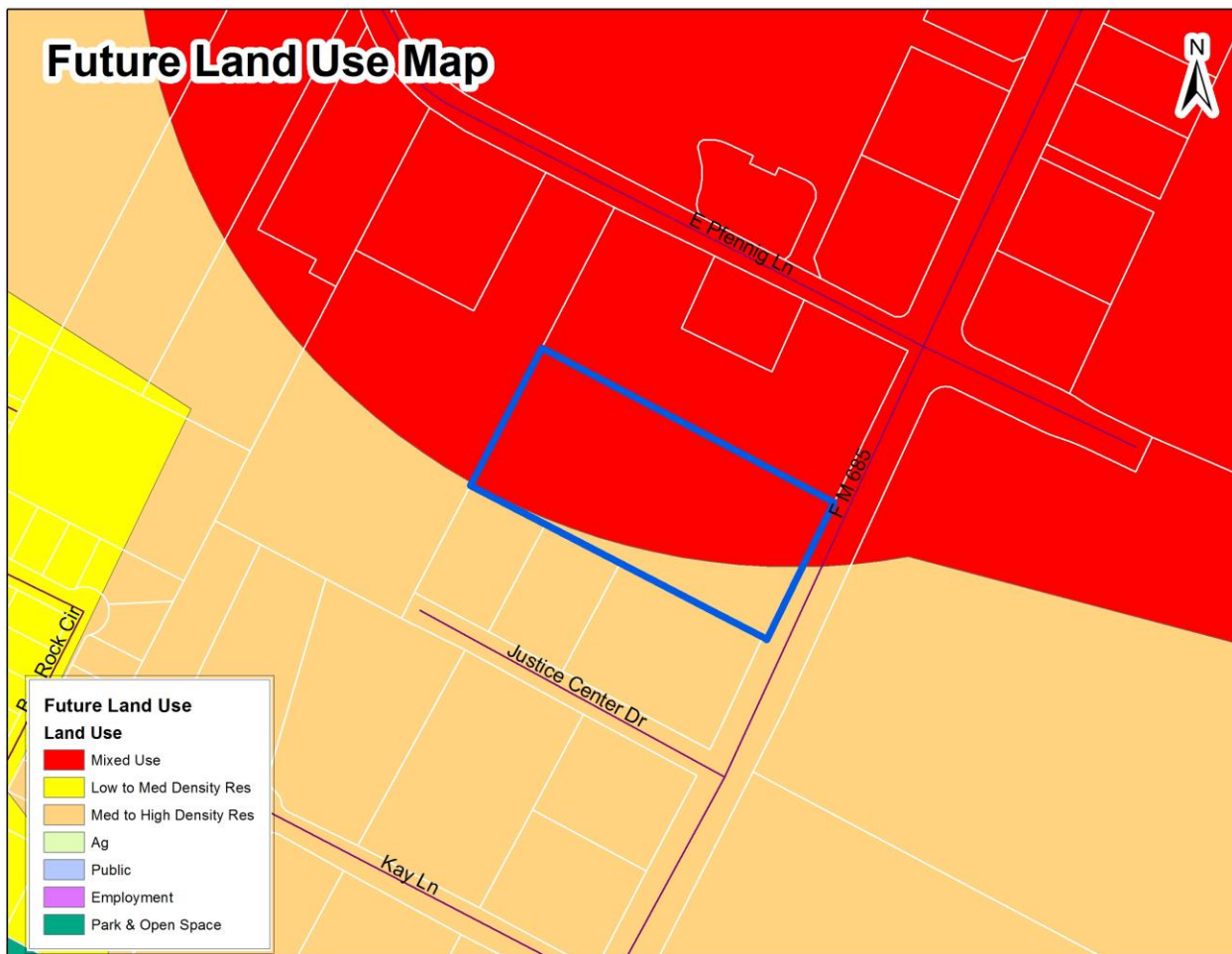
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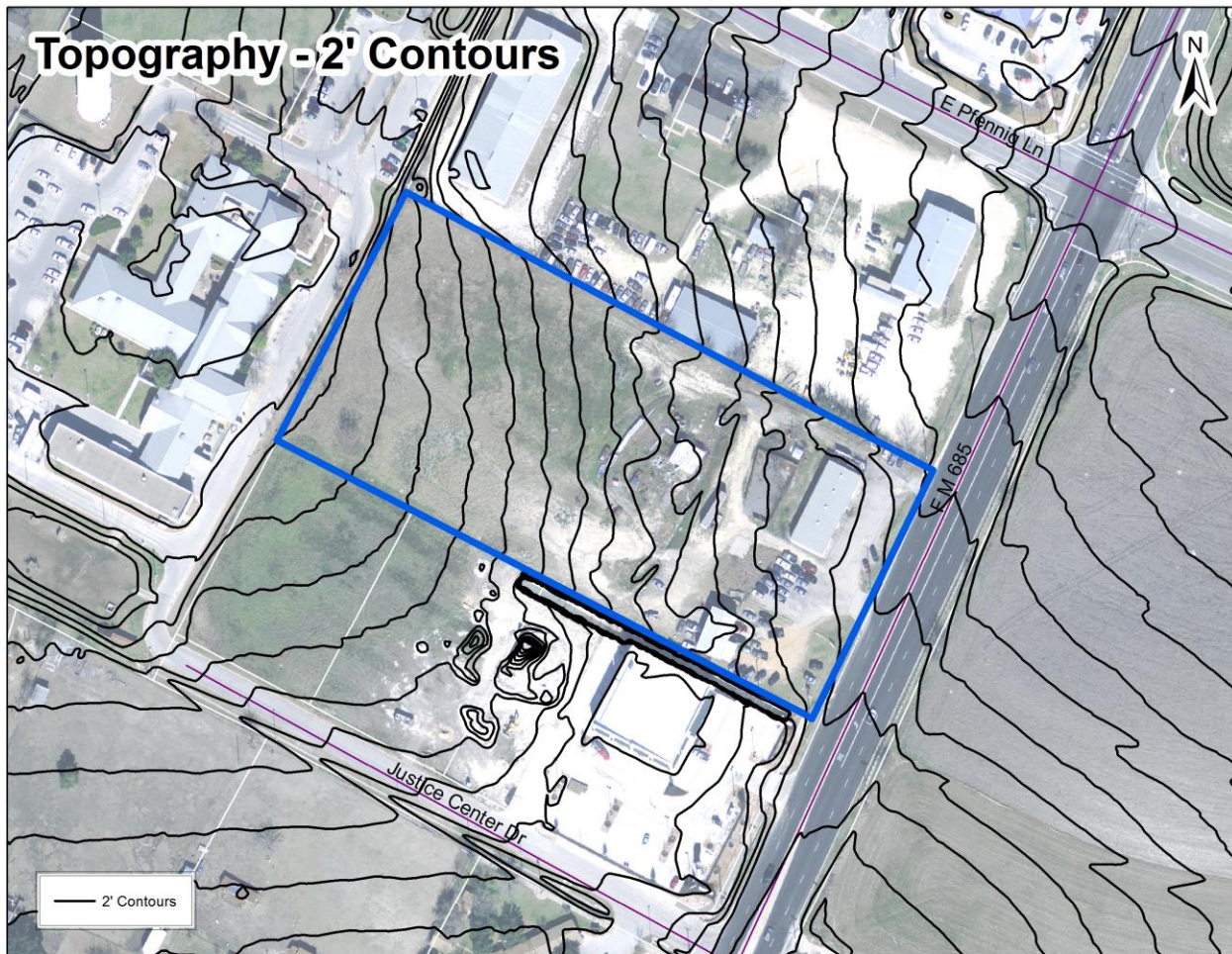
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SITE PHOTOS:

Subject Property, Facing East on F.M. 685



North of Subject Property, Facing East on F.M. 685 at the intersection of Pfennig Lane



North of Subject Property, Facing South on Pfennig Lane



West of Subject Property, Facing west at the Justice Center



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Facing West, Southwest of Subject Property

