

Planning & Zoning:	8/1/2011	Staff Contact:	Jeremy Frazzell, Senior Planner
City Council:	8/23/2011	E-mail:	jeremyf@cityofpflugerville.com
Case No.:	REZ1106-02	Phone:	512-990-6300

SUBJECT: To receive public comment and consider an application to change the zoning of approx. 2.317 acres from General Business 2 (GB2) to Light Industrial (LI) for Lot 17, Block I North Park Section 5, Pflugerville, TX to be known as the Eagle 2000 Rezoning. (REZ1106-02)

BACKGROUND/DISCUSSION

LOCATION:

The property is located at 1409 Royston Lane, near the southwest corner of Grand Ave. Pkwy and Royston Lane.

SUBDIVISION HISTORY:

In 1985, the North Park Section 5 subdivision was platted while within the City of Austin ETJ. The plat established four lots and identified Lot 17, Block I as a drainage easement. In 1997, the City of Austin and Travis County approved a vacation of the drainage easement due to the developer's participation in the City of Austin's Regional Storm Water Management Program.

ZONING HISTORY:

The property was annexed as part of a three year annexation plan in 2007 and zoned Agriculture/Conservation (A). In 2009, the City of Pflugerville proactively rezoned the annexation area and designated the General Business 2 (GB2) district as an appropriate zoning district for property located on both sides of Royston Lane between Grand Ave. Pkwy and Suzi Lane. The lot has remained zoned General Business 2 since 2009 (Ordinance No. 993-09-04-14).

COMPREHENSIVE PLAN DESIGNATION:

The Comprehensive Plan designates the area with mixed use and a neighborhood center. Mixed use areas are intended to provide a built environment that facilitates the ability to live, work and play in one area. Neighborhood centers provide a mix of two or more non-residential uses that are gathering spaces in the core of neighborhoods. Contributing uses include civic, public facilities or commercial retail and offices.

SURROUNDING ZONING AND LAND USE:

Surrounding land uses consist of single-family residential, parkland and drainage, a contractor pipe company with outside storage, neighborhood retail and services, and private indoor athletic facilities. The North Park single-family residential neighborhood was platted and predominantly established prior to the subject property being developed in the late 1990's early 2000's.

Adjacent	Existing Zoning District	Existing Use
North	GB2	Indoor soccer and gymnastics facilities
South	SF-S	Single-family in North Park subdivision
East	GB2	Contractor shop with storage yard
West	SF-S	Drainage easement and North Park public park

ANALYSIS:

1409 Royston Ln is currently vacant. The previous tenant was Custom Stone Supply, a contractor shop with an office, warehouse and storage yard. The main office/warehouse is near the front of the lot (near Royston), while the rear of the lot contains gravel type surfacing and was used for bulk masonry material storage. Outdoor bins remain along the east lot line of the site to hold material. The business discontinued mid 2008 and the property has remained vacant to date. The owner of the property has requested the proposed rezoning from GB2 to LI in order to address concerns regarding limitations and design requirements for future tenants.

In 2009, the City of Pflugerville Planning department analyzed the existing land uses in the area and determined a GB2 zoning district would accommodate for many of the existing land uses, while still affording some protections to the adjacent single-family residents. The major difference between the GB2 and the LI zoning district is the allowance for certain commercial land uses and additional design standards. Both districts allow for a contractor shop, machine shop and a warehouse/distribution land use. The GB2 district requires materials associated with a contractor shop to be stored within a building, while the LI district allows for a contractor shop to have a storage yard and permits open storage as a primary use. A limited comparison of the two zoning districts is listed below:

ZONING DISTRICTS:

Land Use Comparison (Sample)	GB-2	LI
Vehicular Sales, Rental, Repair and Service	P	P
Professional Office	P	P
Gas Station	P	
Car Wash	P	
Gymnastics/ Dance Studio (2)	P	
Machine Shop	P	P
Major Print Shop	P	P
Contractor's Shop and/or Storage Yard		P
Major Equipment and machinery Sales and Rental	P	P
Auto Parts Sales, Inside	P	
Auto Parts Sales, Outside		
Mini-Warehouse/Public Storage	P	P
Office/Warehouse/Distribution Center	P	P
Open Storage (Primary Use)		P
Recycling Center	SUP	P
Trailer/Mobile Home Display and Sales	P	P

The property is subject to Subchapter 6, Non-conforming Uses and Sites of the Unified Development Code (UDC) as the existing structure was built while in the County and not subject to any architectural design requirements. Any new structures added to the property would be required to meet the design standards outlined in the UDC. Both zoning districts have minimum architectural requirements, with the LI district having less masonry requirements than the GB2 district.

For a new structure, the LI district would require articulation and 100% masonry on the front façade facing Royston Ln (collector). The existing building does not meet this requirement. The remaining portion of the building facing a street would be subject to the 25% masonry requirement, which appears to be met along the east end of the building at the entrance.

The existing building does not comply with the current design standards required in the GB2 district. If built new, the building would be required to have 100% masonry on all sides and articulation along Royston Lane. Below is a limited comparison of the development standards for the two land use districts:

DEVELOPMENT STANDARDS COMPARISON:

	GB2	LI
Landscape Area	15%	15%
Minimum Planting Requirements	1 Tree and 4 shrubs per 600 S.F.	1 Tree and 6 shrubs per 800 S.F.
Architectural Design Standards	Applicable	Applicable
Building Materials	100% Masonry on all exterior walls	25% Masonry on all street facing facades, except walls facing a collector or arterial roadway which require 100% masonry
Articulation	Applicable	Applicable

INFRASTRUCTURE IMPACTS:

Transportation: The site has access from Royston Lane, which is a two-lane collector level road with future expansion anticipated.

Traffic Impact: Rezoning the property from GB2 to LI will not increase the traffic impact to Royston Lane.

Water and Sewer: Water and wastewater service will continue to be provided by Windermere Utility Company, Inc.

Parks: North Park is a public park with drainage easement on Suzi Lane that shares a property line with 1409 Royston. A creek with an existing treeline provides a physical and visual separation between the two lots.

NOTIFICATION:

Newspaper Notification was published on July 21, 2011 and notification letters were mailed to property owners within 500 feet of the property. Additional courtesy notification was provided to the North Park HOA and PfCONA.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On August 1, 2011, the Planning and Zoning Commission conducted a public hearing and heard concerns from several residential property owners and support from the Pflugerville Community Development Corporation (PCDC). The Commission unanimously recommended denial of the proposed rezoning to the Light Industrial (LI) district. A super majority vote by City Council is required to approve the proposed rezoning.

STAFF RECOMMENDATION:

The existing GB2 zoning district was the result of Staff analysis in 2009. The basis for the recommendation for GB2 zoning over a LI zoning was two fold:

1. Address the existing land uses while reducing the number of potential non-conformities
2. Apply a compatible zoning district that would provide protections to the surrounding area

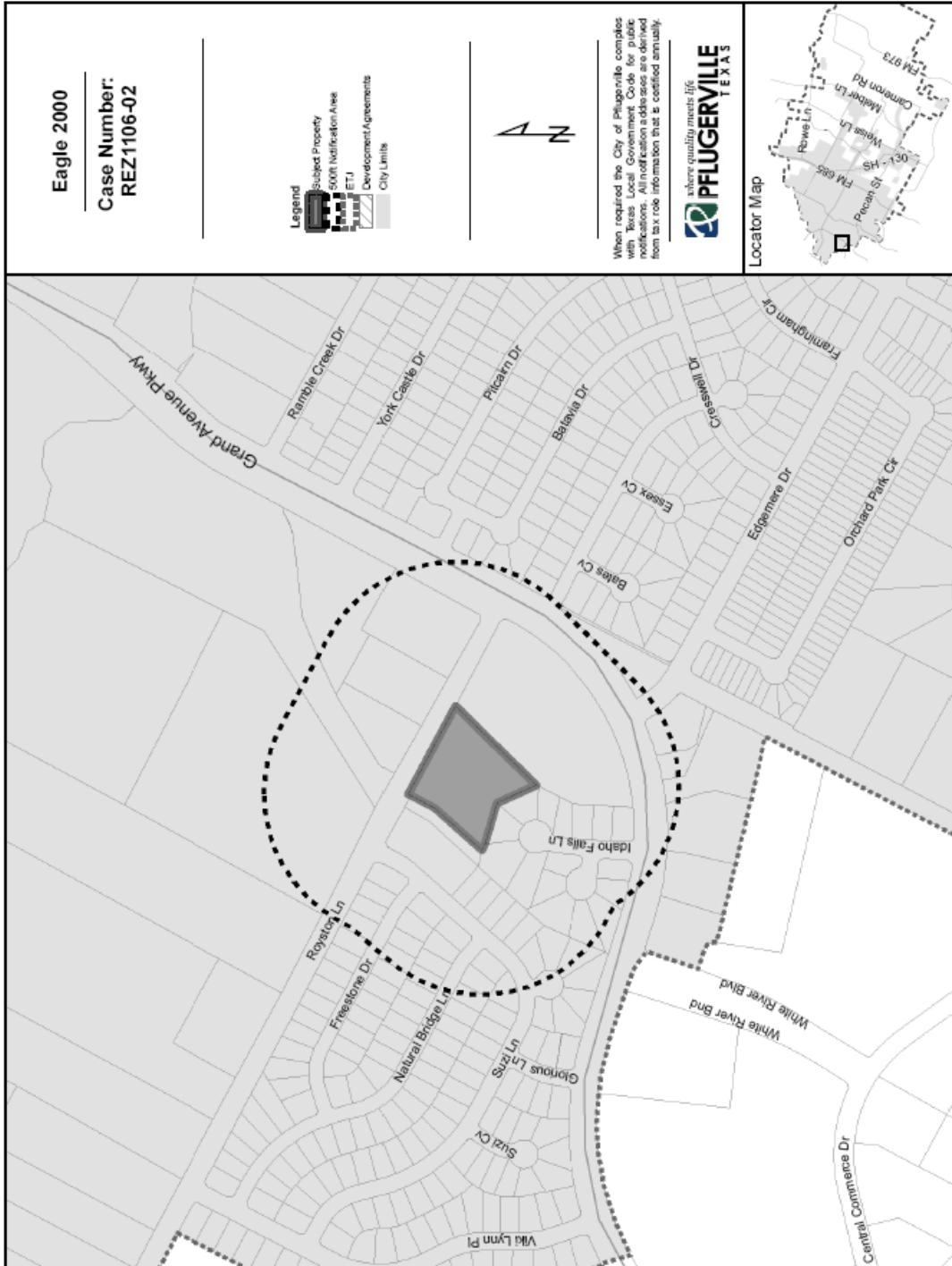
The GB2 and LI zoning districts allow for similar types of businesses including a contractor shop and warehouse/distribution. The previous business did have a contractor storage yard and the neighboring pipe company currently has extensive outside pipe storage. Open Storage is defined in the Unified Development Code as “the storage of any equipment, machinery, commodities, raw or semi finished materials, and building materials not accessory to a residential use, which are visible from any point on the building lot line when viewed from ground level to six (6) feet above ground level.” The characteristic and proximity of potential outdoor storage (ancillary or primary use) adjacent to the single-family land use is the predominant concern associated with the proposed Light Industrial zoning district.

Staff recommends denial of the proposed request to change the zoning from General Business 2 (GB2) to Light Industrial (LI) for Lot 17, Block I North Park Section 5, Pflugerville, TX to be known as the Eagle 2000 Rezoning.

ATTACHMENTS:

- Notification Map
- Subject Site Photos
- Applicant Letter
- Plat

NOTIFICATION MAP:



SITE PHOTOS:



SUBJECT SITE



SUBJECT AND SOUTH OF SITE



SUBJECT AND SOUTH OF SITE



SOUTH OF SITE



NORTH OF SITE



NORTH OF SITE



NORTHEAST OF SITE



EAST OF SITE



EAST OF SITE



WEST OF SITE

APPLICANT LETTER:

EAGLE 2000, LTD.

510 W. 15th Street
Austin, Texas 78701
(512) 617-4648

June 27, 2011

RECEIVED
JUN 27 2011

VIA HAND DELIVERY

Planning Department
City of Pflugerville
100 East Main Street
Pflugerville, Texas 78691

RE: 1409 Royston Lane, Pflugerville, Texas 78664 (the "Property")

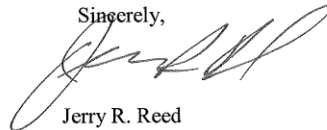
Dear Sir or Madam:

This letter is submitted in conjunction with Eagle 2000, Ltd's ("Owner's") application for rezoning of the above-referenced Property from GB2 to Light Industrial ("LI").

The subject Property was designed and constructed in late 1998 under architectural standards that more closely align with the City of Pflugerville's LI zoning classification and prior to the time that the City of Pflugerville annexed the Property in 2009. In conjunction with the annexation, the Property was given the zoning classification of GB2. Owner believes that notice of the imposition of GB2 zoning was probably sent to the Property and that the tenant of the Property did not forward that information to Owner (thus, the reason for Owner's failure to complain or request a re-zoning earlier). Owner does understand that the previous uses of the Property before the annexation are grandfathered and will be allowed notwithstanding the current GB2 zoning so long as the uses remain exactly as they were at the time of the annexation. However, the uses of the tenants of this Property, including the current tenant, are ever changing but they seem to always stay within the LI architectural standards. Therefore, we believe that this Property is better zoned as LI. The LI zoning will allow Owner the flexibility it needs in these challenging economic times to change with its tenants' needs, which hopefully will result in the non-interrupted occupancy of the Property.

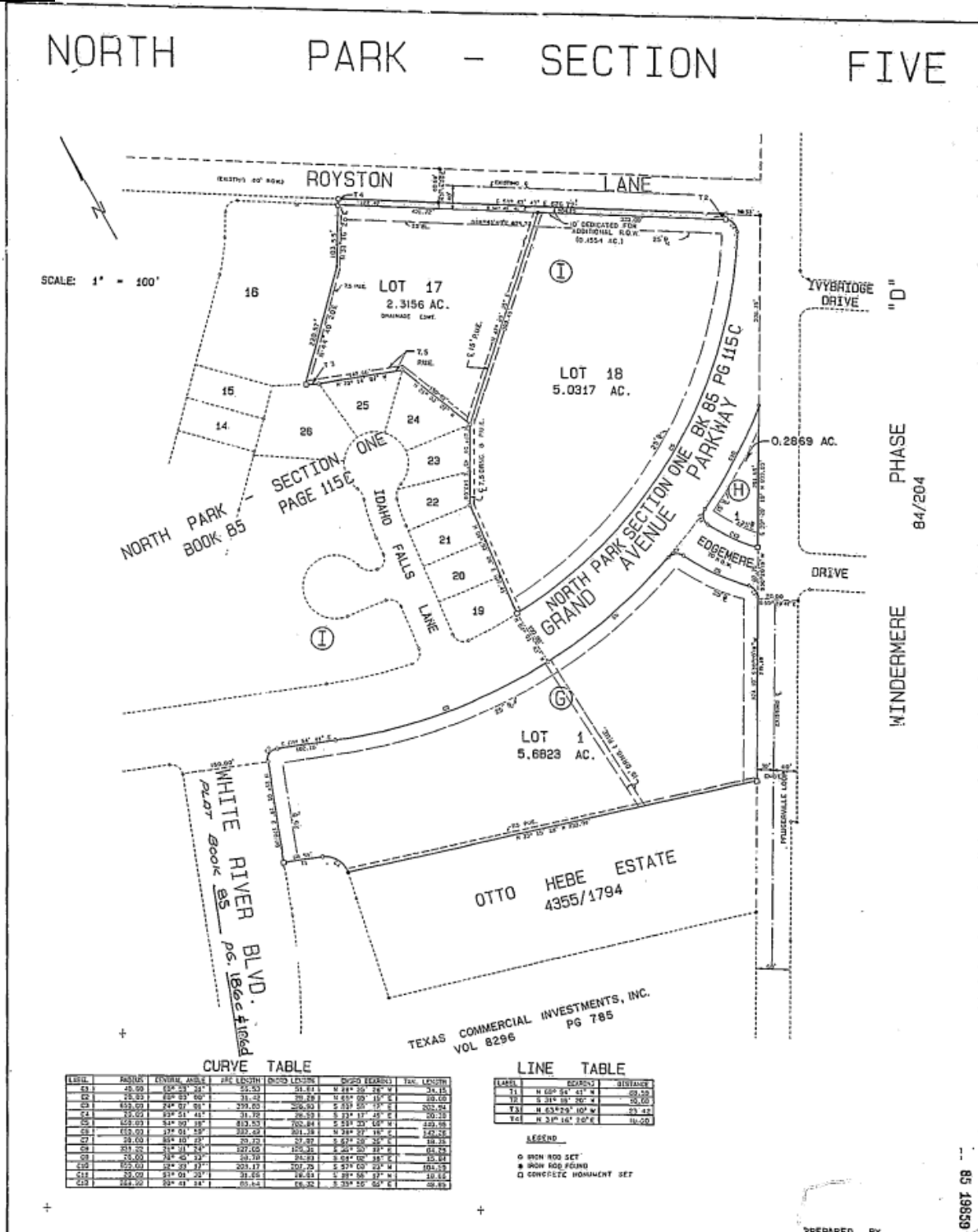
Owner therefore respectfully request that the City of Pflugerville approve Owner's application for rezoning of the Property from GB2 to LI.

Sincerely,



Jerry R. Reed
President

PLAT:



CURVE TABLE

LINE	BEARING	CHORD BEARING	CHORD LENGTH	CHORD DISTANCE	CHORD BEARING	CHORD LENGTH
E1	45.50	68° 23' 24"	27.53	21.41	S 21° 26' 26" W	24.15
E2	25.25	68° 23' 06"	31.24	26.87	N 68° 00' 16" E	29.00
E3	433.00	74° 27' 01"	229.03	206.53	S 73° 25' 19" E	202.74
E4	32.00	83° 21' 44"	31.72	28.53	S 31° 17' 20" E	29.73
E5	622.00	34° 30' 18"	812.53	700.84	S 28° 20' 00" W	222.96
E6	125.00	12° 01' 29"	222.00	201.18	N 28° 21' 18" E	140.76
E7	28.00	84° 00' 23"	29.23	27.87	S 67° 20' 26" E	18.28
E8	201.25	31° 31' 24"	227.00	125.25	S 26° 20' 31" E	68.24
E9	23.00	74° 25' 24"	23.16	21.91	S 64° 02' 19" E	23.84
E10	622.00	10° 39' 37"	203.17	207.75	S 57° 00' 23" W	101.53
E11	22.00	10° 01' 24"	21.65	20.50	S 28° 58' 17" W	10.60
E12	242.00	25° 43' 14"	254.44	216.25	S 73° 56' 00" E	20.89

LINE TABLE

LINE	BEARING	DISTANCE
E1	N 68° 00' 16" E	29.00
E2	S 31° 17' 20" E	29.73
E3	N 63° 23' 10" W	23.42
E4	N 28° 21' 18" E	140.76

LEGEND

- IRON ROD SET
- IRON ROD FOUND
- CONCRETE MONUMENT SET

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