



City of Pflugerville

Minutes - Final Planning and Zoning Commission

Monday, May 6, 2013

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1 Call to Order

Staff present was: Emily Barron, Planning Director; Jeremy Frazzell, Senior Planner; Trey Fletcher, Assistant City Manager; Erin Sellers, Planner II; Dan Franz, City Engineer; Tom Word, Assistant City Manager and Hazel Sherrod, Planning Administrative Tech.

Vice-Chairman Blackburn called the meeting to order at 7:03 p.m.

Present 5 - Vice Chairman Rodney Blackburn, Commissioner Drew Botkin, Commissioner Kevin Kluge, Commissioner Daniel Flores and Commissioner Lisa Ely

Absent 2 - Chairman Thomas Anker and Commissioner Joseph Marse O'Bell

2 Citizens Communication

Steve Wurtz of 202 S 1st St., requested to speak. Mr. Wurtz asked about the ability to contest the ability of a church to maintain its tax exempt status.

Trey Fletcher, Assistant City Manager, answered that Mr. Wurtz's question is not a purview of the Planning and Zoning Commission and that staff can provide him information.

3 Consent Agenda

A [2013-1829](#) Approving the Colorado Sand ROW Dedication final plat, a 5.920-acre tract of land out of the John Davis Survey No. 13, Abstract No. 231 in Travis County, Texas. (FP1303-04)

Approved on the Consent Agenda

B [2013-1837](#) Approve the Planning and Zoning Commission Worksession minutes for the April 1, 2013 meeting.

Approved on the Consent Agenda

C [2013-1838](#) Approve the Planning and Zoning Commission minutes for the April 1, 2013 regular meeting.

Approved on the Consent Agenda

D [2013-1881](#) Approving a one time, 180-day extension for the Highland Park

Portchester Castle Path Construction Permit (CON-13-001).

Approved on the Consent Agenda

- E [2013-1884](#) Approving a Preliminary Plat for Pfairway Park, a 14.5-acre tract of land out of the John Davis Survey No. 13, Abstract No. 231, in Pflugerville, Texas. (PP1302-03)

Approve on Consent Agenda.

Commissioner Botkin made a motion to approve the Consent Agenda as read. Commissioner Flores seconded that motion. All in favor. Motion carried.

4 Public Hearing

- A [2013-1914](#) Conduct a public hearing on the boundaries of the Central Business District (CBD) as defined in Chapter 155 Subchapter B Section 155.1103.

Emily Barron, Planning Director, presented this item. The purpose of the public hearing was to get input from the public regarding the boundaries of the Central Business District (CBD) to find out if the boundaries are appropriate as it exists today or if there are changes needed. Staff is requesting feedback from the community so that input may be incorporated into a discussion that will be held by a committee that is made up of staff, the three members of the commission, as well as Old Town Members, business leaders and residents. The committee will meet after input is received and return before the commission for another public hearing with a recommendation. There will be no action taken at tonight's public hearing.

Staff proposed six boundary options to the Commissioners and the audience.

David Robertson, representing the church oat 100 E. Wilbarger, spoke. Mr. Robert would like the church to be excluded from the CBD. Mr. Robertson stated that the church is neither a business nor is it central.

Fritz Kocher, residing on Oakdale Ln., spoke. Mr. Kocher asked if there will be any taxation difference with the changes being proposed for the CBD.

Mr. Fletcher answered that there is not any difference with the change of the CBD boundaries.

Commissioner Kluge made a motion to close public hearing. Commissioner Botkin seconded that motion. All in favor. Motion carried.

No consideration was required, none made.

- B [ORD-0151](#) TO RECEIVE PUBLIC COMMENT AND CONSIDER AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCE TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMEDING SUBCHAPTER 4 ESTABLISHMENT OF DISTRICT AND BOUNDARIES, SECTIONC(2) AND C(3) BY ADDING ALTERNATIVE FINANCIAL SERVICES, PAWN SHOPS AND BAIL

BOND USES AND CONDITIONS; AND SUBCHAPTER 20 DEFINITIONS SECTIONS B AND C ADDING ALTERNATIVE FINANCIAL SERVICES, PAWN SHOPS, BAIL BONDS AND RELATED DEFINITIONS (CA1304-01).

Emily Barron presented this item.

Commissioner Ely made a motion to close the public hearing. Commissioner Kluge seconded that motion. All in favor. Public hearing closed.

Commissioner Flores made a motion to approve this item. Commissioner Kluge seconded that motion. All in favor. Motion carried.

C [ORD-0153](#)

Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas amending Ordinance No. 1015-09-09-08 of the City of Pflugerville, Texas, as amended, by approving a special district for A RESEARCH AND DEVELOPMENT CENTER ON A 21.83 ACRE PORTION OF IOT 3 OF THE RENEWABLE ENERGY PARK, TO BE FURTHER SUBDIVIDED AS IOT 3D, GENERALLY LOCATED IN PFLUGERVILLE, TX, TO BE KNOWN AS THE PROJECT ORION SPECIAL DISTRICT (SD1304-01), PROVIDING FOR SITE LAYOUT AND CONDITIONS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE: AND PROVIDING FOR AN EFFECTIVE DATE.

Erin Sellers presented this item.

Staff recommends approval of the Special District application with conditions:

- 1) Land use limited to a research and development center to include ballistics testing laboratory;
- 2) Ballistics testing laboratory (or sport shooting range as defined by State law) restricted to use in conjunction with the research and development center and shall not be open to or serve the general public.
- 3) Architectural design generally in conformance with the proposed site layout identified in Exhibit B. The architectural elements above ground shall meet the minimum building material requirements where practicable.
- 4) Landscaping will be provided in accordance with the industrial standards for Special Districts and the landscape calculations will be based on limits of construction versus lot size.
- 5) The site shall be designed and constructed to prevent lead contamination in accordance with all federal, state, and local regulations.
- 6) Hours of operation limited to Monday through Friday.

Commissioner Botkin asked about the lease term of this facility. Is the property being bought or is it being leased.

Mary Poche, the Business Recruiting and Marketing Specialist with PCDC, spoke. Ms. Poche mentioned that there are two separate agreements associated with this project. The performance agreement is related mostly to corporate headquarters and the sublease agreement is separate. Ms. Poche answered that the property lease on this project is for 20 years.

No one requested to speak for the public hearing.

Commissioner Kluge made a motion to close the public hearing. Commissioner Botkin seconded that motion. All in favor. Public hearing closed.

Commissioner Flores made a motion to approve this item with the conditions as recommended by staff. The conditions are:

- 1) Land use limited to a research and development center to include ballistics testing laboratory;
- 2) Ballistics testing laboratory (or sport shooting range as defined by State law) restricted to use in conjunction with the research and development center and shall not be open to or serve the general public.
- 3) Architectural design generally in conformance with the proposed site layout identified in Exhibit B. The architectural elements above ground shall meet the minimum building material requirements where practicable.
- 4) Landscaping will be provided in accordance with the industrial standards for Special Districts and the landscape calculations will be based on limits of construction versus lot size.
- 5) The site shall be designed and constructed to prevent lead contamination in accordance with all federal, state, and local regulations.
- 6) Hours of operation limited to Monday through Friday.

Commissioner Kluge seconded that motion. All in favor. Motion carried unanimously.

5 Discuss and Consider

- A [2013-1908](#) To discuss and consider a recommendation to the City Council on the 5-year Capital Improvement Plan for FY 2014 - 2018

Dan Franz, City Engineer, presented the current Capital Improvement Projects (CIP) as well as potential projects in the 5-year CIP.

Current projects funded for construction are:

Pfluger Farm Lane, located south of Town Center Dr., and north of East Pflugerville Pkwy, 3 lane roadway of 1450 linear feet. Phase 1 of this project has gone to bid and is on the City Council Agenda for May 14th for acceptance and execution of the construction agreement. Within 10 years, the remainder of the project will be constructed to intersect with W. Pflugerville Pkwy.

Colorado Sand Drive: part of the TIRZ project plan, which will connect part of FM 685. This project consists of four lane divided roadway. This project has also gone to bid and is also on the City Council agenda for May 14th for execution of the construction agreement.

Both Colorado Sand Dr. and Pfluger Farm Lane are anticipated to be completed by the end of 2013.

Kelly Lane Phase 1A: This will be a four lane divided roadway, widening of Kelly Lane from Murchison Ridge to Falcon Pointe west. This project is about 95% complete with design and is anticipated to go to bid October or November 2013, with immediate construction time to begin December 2013 and or January 2014. With the widening of Kelly Lane there will be a traffic light installed at Kelly Lane and Colorado Sand intersection, Falcon Pointe Blvd and an updated light at Kennemer Dr.

The projects for the 5-Year CIP are:

Heatherwilde Blvd., Phase 1 & 2: Funding for design and the right-of-way acquisition was allocated and the design is 90% completed. This project is not currently funded for construction.

Kelly Lane Phase 1B: The four lane divided roadway will continue from Falcon Pointe Blvd to Moorlynch Ave. This project is under design and it is not funded for construction at this time.

East Pflugerville Pkwy, East Pecan St., and Weiss Ln., will be for lane divided roadways with a raised median. There is a cost participation agreement with Travis County for Weiss Ln., their portion is for funding and design for reconstruction of a two lane roadway. The City of Pflugerville will be responsible for the additional funding of Weiss Ln.

Heatherwilde Subdivision Section 1: street reconstruction between West Black Locust and Cactus Blossom.

Tom Word, Assistant City Manager, spoke on the proposed for 2014 – 2018 Utility CIP for water, and wastewater master plan. The City of Pflugerville has four different water providers authorized to provide water within our Extra Territorial Jurisdiction (ETJ). The area that the City services, reflects only about 25% of our ultimate build-out as a city. We are very much depending upon other providers or negotiating changes to those provider agreements to better control our destiny.

Vice-Chairman Blackburn called for a 15 min recess at 8:55 p.m.

Vice-Chairman Blackburn called the meeting to order at 9:10 p.m.

Mr. Word continued with his presentation.

Vice-Chairman Blackburn made a motion to recommend to the City Council the 5-year CIP for 2014-2018. Commissioner Ely seconded that motion. Commissioner Kluge asked if the approval is for what is in the staff report.

Vice-Chairman Blackburn answered yes, what is in the staff report: the streets CIP and utility CIP.

All in favor. Motion carried.

B [RES-0141](#) Approving a resolution adopting an annual annexation plan.

Ms. Barron presented this item. The proposal is to have properties within the three-year (2014-2017) annexation plan. Over the next year that does not preclude us from pursuing voluntary annexation or the non-annexation development agreements.

Vice-Chairman Blackburn made a motion to recommend to City Council the three-year annexation plan. Commissioner Flores seconded that motion. All in favor. Motion carried.

6 Future Agenda Items

P & Z joint meeting with City Council on May 14th, 2013.

June 3rd there will be a worksession meeting at 6:00 p.m. to discuss the zoning districts.

7 Adjourn

Commissioner Ely made a motion to adjourn the meeting at 9:30 p.m.
Commissioner Flores seconded that motion. All in favor. Meeting adjourned.

Signature: _____
Thomas Anker, Chairman

Respectfully, submitted this 3rd day of June, 2013.