

Planning & Zoning:	11/2/2015	Staff Contact:	Jeremy Frazzell, Senior Planner
City Council:	11/10/2015	E-mail:	jeremyf@pflugervilletx.gov
Case No.:	REZ1509-03	Phone:	512-990-6300

SUBJECT: To receive public comment and consider an application to rezone two separate tracts consisting of approximately 31.439 acres out of the Edward Flint Survey No. 11, Abstract No. 11 and 277, located generally southwest of the Weiss Ln and Kelly Ln intersection, from Agriculture/Conservation (A) to Retail (R) district; to be known as the Kelly Lane Senior Living Rezoning. (REZ1509-03)

LOCATION: The property is located along the south side of Kelly Ln, generally southwest of the Kelly Ln and Weiss Ln intersection.

PROPOSAL: Rezone two tracts from Agriculture/Conservation (A) to Retail (R) district. If approved, the property owner intends to develop the tracts into a cohesive senior living facility providing multiple medical services and living environments.

SITE ANALYSIS:

The site consists of two separate but adjacent tracts of agricultural land, consisting of approximately 31.439 acres. The 19.81-acre tract is adjacent and to the east of the Seventh Day Adventist church, while the 11.629-acre tract of unimproved land is adjacent and east of the 19.81-acre tract. An existing, wooded drainage swale containing the 100 year floodplain is located along the southern portion of the tracts and extends in a general west to east direction. Overhead utility lines are located along the north property line, along the south side of Kelly Ln.

ZONING and LAND USE:

The 19.81-acre tract was annexed into the City of Pflugerville in 2004 (ORD No. 744-04-03-23), while the 11.-acre tract was annexed in 1999. Both tracts were zoned to the current Agriculture/Conservation (A) zoning district at time of annexation. To the north is the Avalon single-family neighborhood, which is located in the ETJ and governed under a development agreement. South of the subject property is an approximate 12-acre, city owned parkland lot.

TRAFFIC IMPACT:

As the unplatted tracts in this area are developed, additional traffic can be expected along Kelly Ln. Kelly Ln is anticipated to be a four lane, divided roadway in the future, however no improvements are planned at this time. As development is pursued, a Traffic Impact Analysis (TIA) will be required. The TIA will identify any necessary improvements to the site for the proposed land use and will also include the development's pro-rata share associated with any said improvements.

DRAINAGE:

Drainage will be analyzed as development is proposed. The tract currently contains the floodplain along the southern portion of the two tracts.

COMPREHENSIVE PLAN:

The Comprehensive Land Use Plan currently identifies the area as Low to Medium density residential, with parks and open space providing a buffer between Kelly Ln tracts and the Villages of Hidden Lake subdivision to the south. While not currently depicted, a neighborhood center can be expected at the intersection of Kelly Ln and Weiss Ln to provide immediate services to the surrounding neighborhoods.

STAFF RECOMMENDATION:

Properties located along the south side of Kelly Ln generally between Vilamoura St and Weiss Ln are generally large in acreage and lot depth, but many also have significant amount of floodplain, including the subject tracts. Located along an arterial roadway and within close proximity of the Avalon, Villages of Hidden Lake, Reserve at West Creek, Verona, and Sorrento single-family developments, properties within this area are beginning to receive development pressure for non-residential development. As an example, the Holy Word church property which is located just west of the subject tract at 4109 Kelly Ln, was approved for the Retail zoning district earlier this year.

Recent amendments to the Unified Development Code allow the proposed Retail zoning district to retain the low to medium density residential uses through a condominium or townhome development, while also offering opportunities for non-residential development that serves the immediate neighborhoods. The proposed request is generally in conformance with the comprehensive plan and Staff recommends approval of the proposed request.

PLANNING AND ZONING COMMISSION ACTION:

On September November 2, 2015 the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance with a vote of 4-0.

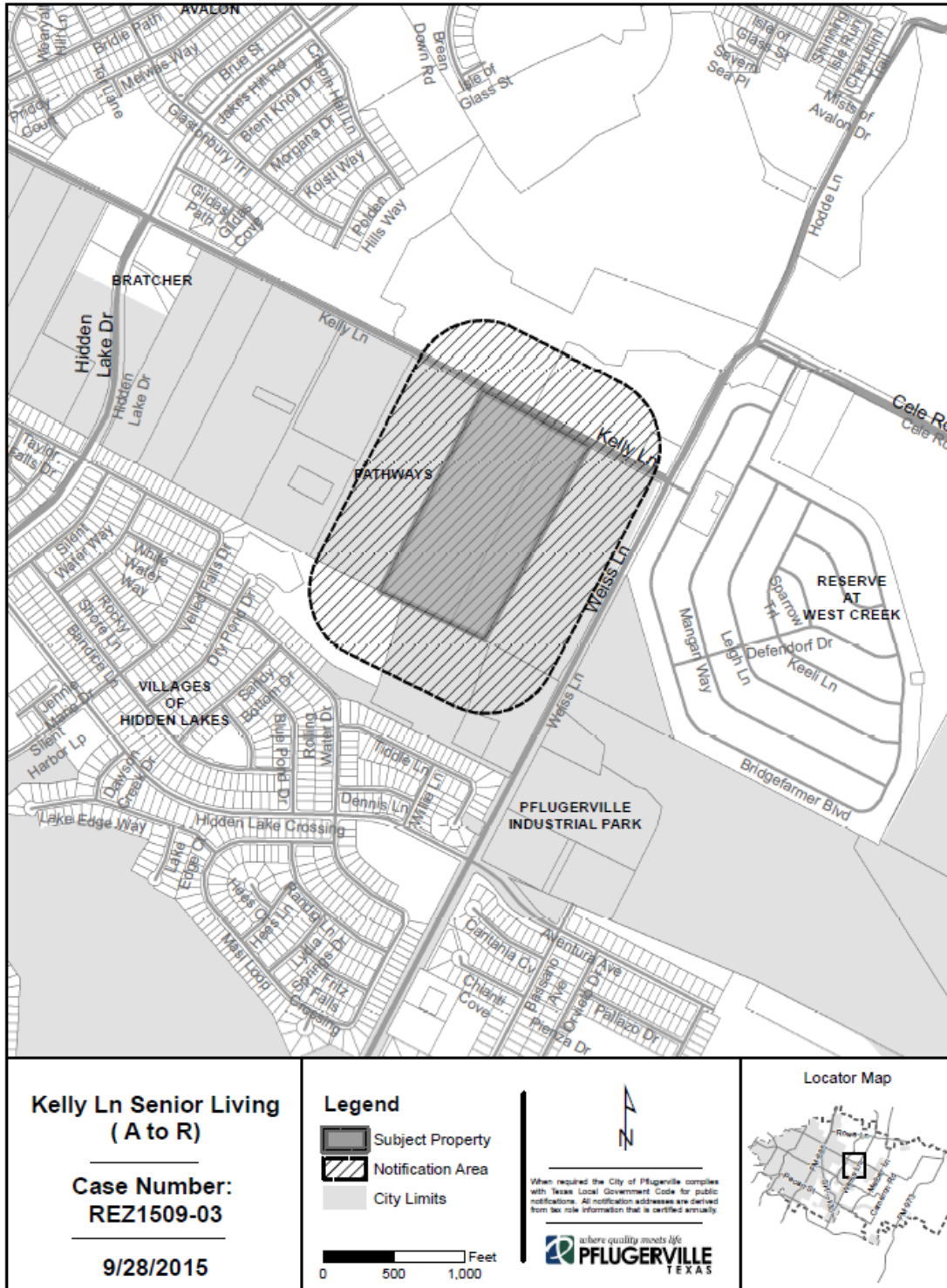
NOTIFICATION:

Newspaper Notification was published, notification letters were mailed to property owners within 500 feet, and signs were posted on the property. No inquiries were received regarding the proposed request at the time of this report.

ATTACHMENTS:

- Notification Map
- Zoning Map
- Site Aerial
- Applicant Request
- Survey

NOTIFICATION MAP



ZONING MAP



SITE AERIAL:



APPLICANT REQUEST:

Kimley»»Horn

September 24, 2015

City of Pflugerville
Planning & Zoning Commission
100 E. Main St., Suite 500
Pflugerville, Texas 78660

Pflugerville City Council
P.O. Box 589
100 E. Main Street, Suite 300
Pflugerville, TX 78691

■
10814 Jollyville Road
Avalon IV, Suite 300
Austin, Texas
78759

*Re: Summary Letter – Kelly Lane Rezoning
Zoning Application
Southwest corner of Kelly Lane and Weiss Lane
Pflugerville, Texas 78660*

To Whom It May Concern:

Please accept this Summary Letter for the above referenced project. This application and report is being submitted as a rezoning request for two adjacent land tracts in Pflugerville, Texas. These tracts are identified as TCAD parcels 722964 (19.81-Ac) and 723146 (11.629-Ac). These parcels border Kelly Lane near the southwest intersection of Weiss Lane.

This application proposes to revise the existing zoning from "A" (Agriculture / Conservation) to "R" Retail. The parcels are currently undeveloped and used for agricultural purposes. The intended land use will be a Senior Living Facility.

This submittal package includes the completed application, \$2,515 Fee and survey of the subject properties with full legal descriptions. If you have any questions or comments regarding this request, please contact me at 512-350-5703.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Robert J. Smith, P.E.

19.81 ACRES

All that certain tract or parcel of land situated in Travis County, Texas, out of the Edward Flint Survey No. 11, Abstract No. 277, and being a portion of that tract described as 40.00 acres, more or less, in that Document to KM Avalon, Ltd., a Texas limited partnership, dated July 1, 2005 and recorded in document No. 2005118426, Official Public Records of Travis County, Texas, and further described by metes and bounds as follows:

BEGINNING: at a ½" iron rod with a pink plastic cap stamped TLS INC set in the south line of Kelly Lane and the north line of that tract described as 168.159 acres in that document to W.A. Rinderknecht Jr., dated June 16, 1982 and recorded in Volume 7780, Page 661, Deed Records of Travis County, Texas, marking the northeast corner of said KM Avalon tract and this tract;

THENCE: S 27°24'35" W 1567.72 feet across said Rinderknecht tract with the east line of said KM Avalon tract and this tract to a ½" iron rod with a pink plastic cap stamped TLS INC set in the north line of that tract called 9.19 acres in that document to Karolyn Graff, et vir, dated October 21, 1997 and recorded in Volume 13049, page 1351, of the Real Property Records of Travis County, Texas, marking the southeast corner of said KM Avalon tract and this tract;

THENCE: N 64°27'19" W 366.08 feet with the north line of said Graf tract and the south line of said KM Avalon tract and this tract to a ½" iron rod found for the northwest corner of said Graf tract and the northeast corner of The Villages Of Hidden Lake, Phase 1, a subdivision recorded in document No. 200300119, Plat Records of Travis County, Texas, marking an angle point in the south line of said KM Avalon tract and this tract;

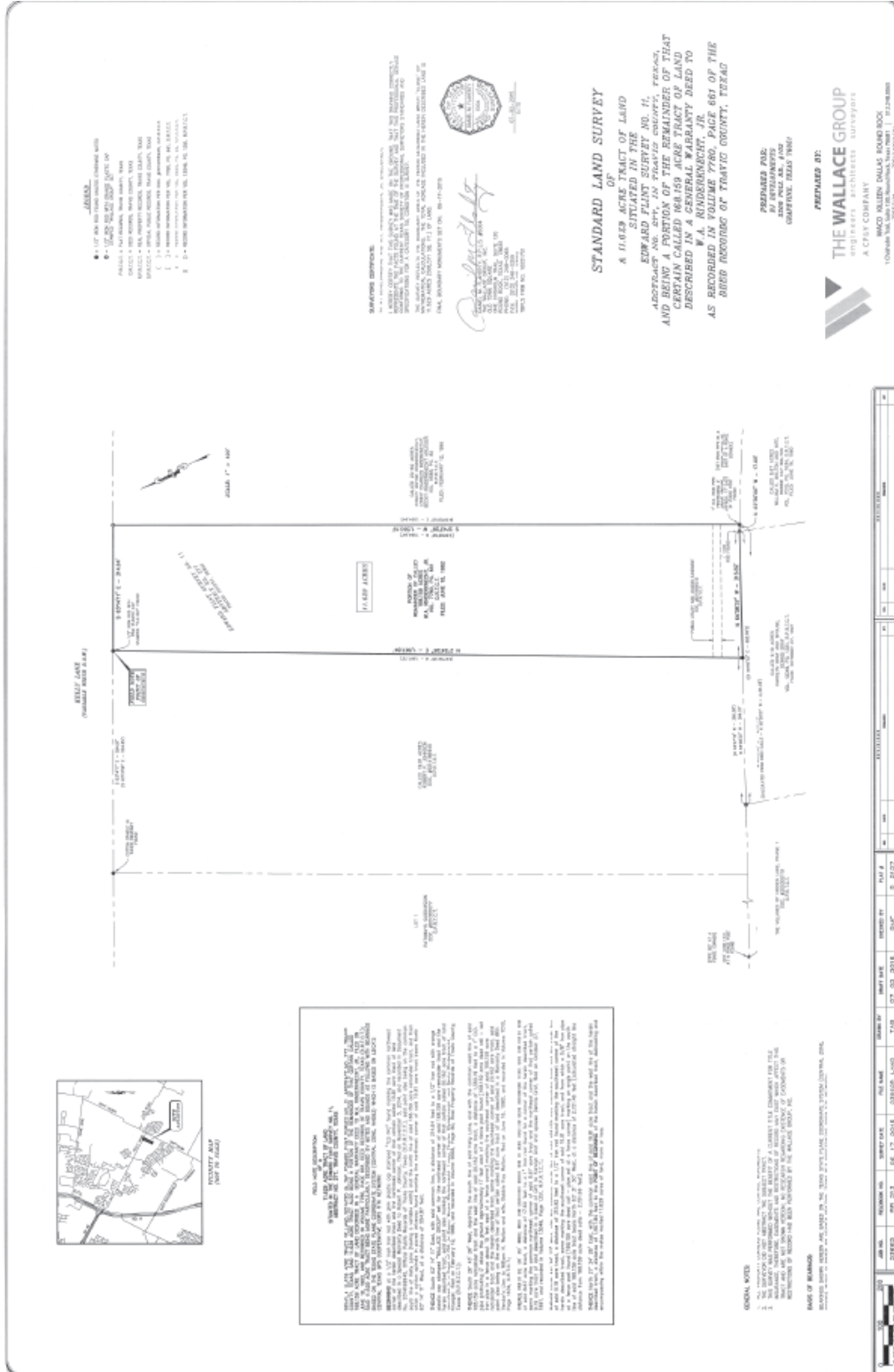
THENCE: N 64°31'51" W 176.03 feet with the north line of said The Villages Of Hidden Lake subdivision and the south line of said KM Avalon tract and this tract to a ½" iron pin with an orange plastic cap stamped PATE found for the southeast corner of Pathways Subdivision Final Plat recorded in document No. 201000077 of said plat records marking an angle point in the south line of said KM Avalon tract and the southwest corner of this tract;

THENCE: N 26°56'17" E 1579.43 feet, leaving the south line of said KM Avalon tract with the east line of said Pathways Subdivision tract for the west line of this tract to a cotton spindle set in a paved driveway in the south line of Kelly Lane and the north line of said KM Avalon tract for the northeast corner of said Pathways Subdivision marking the northwest corner of this tract, from which a 1" iron pipe found for the northwest corner of said KM Avalon tract and the northwest corner of said Pathways Subdivision bears N 63°13'56" W 554.84 feet;

THENCE: S 63°13'56" E 554.85 feet with the south line of Kelly Lane and with the north line of said KM Avalon tract and this tract to the point of beginning and containing 19.81 acres, more or less.

Bearings cited hereon based on the Texas State Plane Coordinate System, North American Datum of 1983(93), Texas Central Zone.

SURVEY: 11.629 Acre Tract



**FIELD NOTE DESCRIPTION
OF A
11.629 ACRE TRACT OF LAND
SITUATED IN THE EDWARD FLINT SURVEY NO. 11,
ABSTRACT NO. 277, TRAVIS COUNTY, TEXAS**

BEING A 11.629 ACRE TRACT OF LAND SITUATED IN THE EDWARD FLINT SURVEY NO. 11, ABSTRACT NO. 277, TRAVIS COUNTY, TEXAS; SAID 11.629 ACRE TRACT ALSO BEING A PORTION OF THE REMAINDER OF THAT CERTAIN CALLED 168.159 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO W.A. RINDERKNECHT, JR., FILED ON JUNE 18, 1982, AND RECORDED IN VOLUME 7780, PAGE 661, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.); SAID 11.629 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83) WHICH IS BASED ON LEICA'S CENTRAL TEXAS GPS COOPERATIVE CORS RTK NETWORK:

BEGINNING at a 1/2" inch iron rod with pink plastic cap stamped "TLS INC" found marking the common northwest corner of the herein described tract and the northeast corner of that certain called 19.81 acre tract of land described in a Special Warranty Deed to Robert P. Johnson, filed on November 5, 2014, and recorded in Document No. 2014166945, Official Public Records of Travis County, Texas (O.P.R.T.C.T.), said point also being on the common south line of Kelly Lane (having a variable width) and the north line of said 168.159 acre remainder tract, and from which a cotton spindle in paved driveway found marking the northwest corner of said 19.81 acre tract bears North 63° 14' 11" West, at a distance of 554.87 feet;

THENCE South 63° 14' 11" East, with said common line, a distance of 314.64 feet to a 1/2" iron rod with orange plastic cap stamped "WALLACE GROUP" set for the northeast corner of said 168.159 acre remainder tract and the herein described tract, said point also marking the northwest corner of that certain called 20.162 acre tract of land described in a Deed of Gift to Ronny Wayne Rinderknecht, Lonny Charles Rinderknecht, and Becky Rinderknecht Krueger, filed on February 12, 1986, and recorded in Volume 9568, Page 80, Real Property Records of Travis County, Texas (R.P.R.T.C.T.);

THENCE South 26° 43' 26" West, departing the south line of said Kelly Lane, and with the common east line of said 168.159 acre remainder tract and the west line of said 20.162 acre tract, a distance of 1,560.19 feet to a 1" O.D. pipe protruding 2' above the ground approximately 17 feet east of a fence post found [168.159 acre deed call – set iron pipe in a fence about 15 feet east of a fence corner] marking the southeast corner of said 168.159 acre remainder tract and the herein described tract, same marking the southwest corner of said 20.162 acre tract, said point also being on the north line of that certain called 8.67 acre tract of land described in a Warranty Deed With Vendor's Lien to William H. Walton and wife, Bobbie Kay Walton, filed on June 16, 1980, and recorded in Volume 7010, Page 1634, D.R.T.C.T.;

THENCE North 62° 36' 00" West, with the common south line of said 168.159 acre remainder tract and the north line of said 8.67 acre tract, a distance of 17.60 feet to a 1" iron rod found for a corner of the herein described tract, same marking the common northwest corner of said 8.67 acre tract and the northeast corner of that certain called 9.19 acre tract of land described in a Deed of Gift to Karolyn Graf and spouse Dennis Graf, filed on October 27, 1997, and recorded in Volume 13049, Page 1351, R.P.R.T.C.T.;

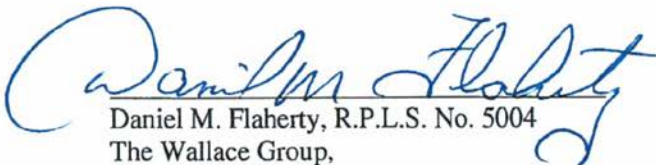
Description of a 11.629 acre tract (continued)

THENCE North 64° 38' 37" West, with the common south line of said 168.159 acre remainder tract and the north line of said 9.19 acre tract, a distance of 315.82 feet to a 1/2" iron rod found marking the southwest corner of the herein described tract, same marking the southeast corner of said 19.81 acre tract, and from which a 5/8" iron pipe at a fence post found [168.159 acre deed call – pipe set at a fence corner] marking an angle point on the south line of said 168.159 acre tract bears North 63° 31' 30" West, at a distance of 2,151.46 feet [calculated straight line distance from 168.159 acre deed calls - 2,151.66 feet];

THENCE North 27° 24' 26" East, with the common east line of said 19.81 acre tract and the west line of the herein described tract, a distance of 1,567.84 feet to the **POINT OF BEGINNING** of the herein described tract, delineating and encompassing within the metes recited 11.629 acres of land, more or less.

[] = Record Information per Volume 7780, Page 661, D.R.T.C.T.

That I, Daniel M. Flaherty, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision



Daniel M. Flaherty, R.P.L.S. No. 5004
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A CP&Y, Inc. Company
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Round Rock, Texas 78681
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TBPLS Firm No. 1005701
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07-02-2015
Date