

Planning & Zoning:	1/3/2011	Staff Contact:	Trey Fletcher, AICP
City Council:	1/25/2011	E-mail:	treyf@cityofpflugerville.com
City Council:	2/8/2011	Phone:	512-990-6300

SUBJECT: Hold a public hearing and consider an application to change the zoning from Agriculture/Conservation (A) to General Business 1 (GB1) for a 5-acre tract out of the J. Davis Survey No 13, Abstract No. 231, within Pflugerville, TX to be known as the Blackhawk Commercial Rezoning. The property is generally located at 2711 Kelly La., east of Falcon Pointe Blvd. (REZ1011-03).

APPLICANT REQUEST

The Applicant is Paul Linehan with Land Strategies Inc, on behalf of the property owner of the Blackhawk golf course. As noted in attached letter from the applicant, he is requesting a zoning change on the 5-acre tract of land currently used as a storage facility for golf carts and maintenance associated with the golf course from Agriculture/Conservation (A) to General Business 1 (GB1). For ease of access to the maintenance facility, the property owner intends to relocate a maintenance facility on the golf course grounds north of Kelly Lane. The property owner intends to repurpose the 5-acre tract for other commercial uses including business service type uses as well as potentially a daycare facility and/or fitness center.

BACKGROUND

The subject site is an unplatted 5-acre tract of land located across from the Blackhawk Golf Course. The existing land use is accessory to the golf course in which the large metal building serves as a base of maintenance operations and golf cart storage. The metal building is approximately 15,000 square feet and was constructed in 1986. The Blackhawk Golf Club was established in the late 1990. The existing use of the subject site was also established about that time.

After annexation, the Blackhawk golf course property on the north side of Kelly Lane was rezoned from Agriculture/Conservation (A) to Single-Family Residential (RS1) in May 1998. In June 2007, the Blackhawk golf course was rezoned back to Agriculture/Conservation (A) to preserve it as open space. While the zoning for the golf course property on the north side of the roadway has gone through a couple of rezonings in the past few of years, the 5-acre tract on the south side of the roadway has retained an Agriculture/Conservation (A) zoning designation since it was first annexed into the City in 1996.

LAND USE/ ZONING

Surrounding land uses include the Blackhawk golf course to north of the subject site, and the Falcon Pointe amenity center to the west. Both land uses function as recreational uses, provide private open space and serve the surrounding neighborhoods. Generally, the remaining adjacent properties are single-family uses. Little commercial zoning exists in the Kelly Lane corridor except at the intersection with Toll 130. East of Falcon Pointe, there are residential and non-residential uses along the south side

and the Avalon Subdivision along the north side. Most notable is ongoing construction of a church between Hidden Lake Blvd and Weiss Lane.

Surrounding Land Uses

Cardinal Direction	Land Use	Description
North	Commercial/ Open Space	Blackhawk Golf Course
South	Single-Family Residential	Falcon Pointe Residential
East	Single-Family Residential	Falcon Pointe Residential
West	Open Space	Falcon Pointe Amenity Center

According to the UDC, the General Business-1 (GB1) zoning district is intended predominately for heavy retail, and light intensity wholesale and commercial uses of service but excluding any type of warehousing or the open storage of building, construction or other materials. The Retail (R) zoning district on the other hand, which may be more compatible with the surrounding land uses, is intended to provide locations for various types of general retail trade, business and service uses to serve one or more neighborhoods and should be generally located at the intersection of major thoroughfares. Open storage is prohibited in both GB1 and R zoning districts.

The Neighborhood Service (NS) zoning district may also be considered as an alternative to the requested GB1 zoning district. The NS district also seeks to provide day-to-day needs of the nearby neighborhoods but is not limited to major intersections, such that it can be located along a thoroughfare, midblock or within a neighborhood. Although the subject site is not located at a major intersection which by definition is compatible with Retail zoning, it is located midblock on a minor arterial roadway. The range of permitted uses within Retail is generally compatible with the surrounding land uses.

A full list of permitted uses in the commercial zoning districts is attached for reference.

Land uses permitted in GB1, but not permitted in Retail (R), include, but not limited to the following uses:

- College/University, Trade or Private Boarding School
- Mortuary/funeral home
- Bus Depot
- Transit Terminal
- Bar/Tavern
- Body Art Studio (with conditions or SUP)
- Business Services (Businesses that supply goods and services for other businesses)
- Commercial Amusements, Outdoor
- Golf driving range (Different than Golf Course which is permitted in either district)
- Health/Fitness Center
- Hotel (with conditions)
- Motel (with conditions)
- Nursery Indoor/Outdoor Sales
- Pawn Shop
- Print Shop, Major and Minor

- Retail Sales – Single Tenant over 50,000 SF
- Regional Theater
- Auction Sales (with conditions)

COMPREHENSIVE PLAN CONFORMANCE

The Pflugerville 2030 Comprehensive Plan serves as a policy document for the development of Pflugerville and its ETJ. In conjunction with the analysis herein, staff assessed the request against the plan. The 5-acre tract is identified as low to medium density residential on the preferred land use vision plan together with the surrounding residential areas, but the property is already being used for commercial purposes. This rezoning request affords the community the opportunity to apply longer range goals, objectives and policies with the recently adopted plan; however, residential uses are not the most appropriate use for this site and the staff recommendation meets the criteria for consideration of a Plan exception. This is indicated by conformance with policies of this plan, including but not limited to Goal 2, Action 2.1.1: which recommends providing “new and infill development to accommodate basic retail services within walking distance of residential areas.”

STAFF RECOMMENDATION:

Staff recommends denial of the requested GB1 zoning, but recommends Retail zoning designation on the subject site as an alternative.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

With a vote of 5-0, the Planning and Zoning Commission recommended approval of a Retail zoning designation on the subject site at the January 3, 2011 Planning and Zoning Commission meeting.

NOTIFICATION:

Newspaper Notification Published on December 23, 2010.

ATTACHMENTS:

- Zoning Map (Page 4)
- Comprehensive Plan Map (Page 5)
- Table of Permitted Uses (Pages 6-9)
- Letter from Land Strategies (Pages 10-11)
- Pictures of subject site (Page 12-18)

Zoning Map identifying adjacent zoning districts

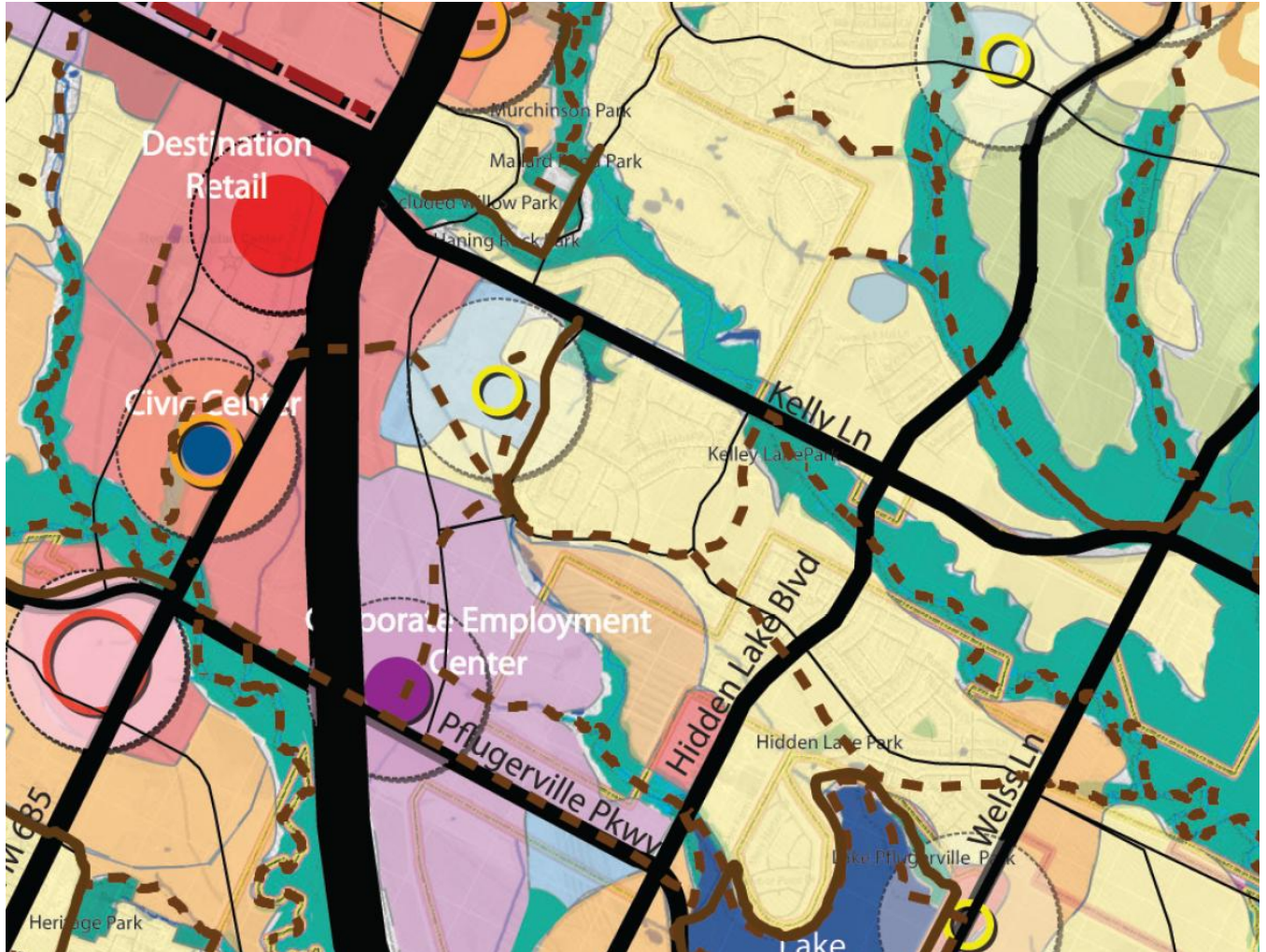


Table of Permitted Uses

Residential Uses	O1	O2	NS	R	GB1	GB2
Single Family Detached Suburban						
Single Family Detached Urban						
Duplex						
Single Family Attached (3 or more)				P	P	
Multi-Family Suburban				1		
Multi-Family Urban					1	
Nursing Home (Convalescent Home)			P	P	P	
Assisted Living			P			
Manufactured Home Dwelling						
Live Work Unit				P	P	
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						
Educational, Institutional, Public and Special Uses	O1	O2	NS	R	GB1	GB2
Cemetery/Mausoleum				P	P	P
Church	P	P	P	P	P	P
Civic/Convention Center			P	P	P	P
Clinic			P	P	P	P
Club, not bar/tavern				P	P	P
College, University, Trade or Private Boarding School		P			P	P
Accessory Drive-in / thru Farm. Ranch, Stable, Garden, or Orchard				2	2	P
Gas Station				6	6	6
Government Facilities	20	20	20	20	20	20
Hospital		P		P	P	P
Mortuary/Funeral Home					P	P
Municipal Uses Operated by the City of Pflugerville	20	20	20	20	20	20
Museum/Art Gallery	P	P		P	P	P
Overhead/Rollup Doors		P			17	P
Park or Playground	P	P	P	P	P	P
School, Public, Private, or Parochial	P	P	P	P	P	P
Public Swimming Pool	13	13	13	13	13	13

P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						
Transportation, Utility, and Communication Uses	O1	O2	NS	R	GB1	GB2
Bus Depot					P	P
Free-standing monopole cell towers	14	14	14	14	14	14
Transit Terminal					P	
Utilities	P	P	P	P	P	P
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						
Office and Professional Uses	O1	O2	NS	R	GB1	GB2
Administrative, Medical, or Professional Office	P	P	P	P	P	P
Governmental Office	P	P	P	P	P	P
Research and Development Center		P				P
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						
Commercial, Retail, and Service Uses	O1	O2	NS	R	GB1	GB2
Bar/Tavern					P	P
Bicycle Shop			3	3	3	
Body Art Studio					12	12
Business Services					P	P
Campground or Recreational Vehicle Park						
Catering Establishment				P	P	
Commercial Amusements, Indoor				4	P	P
Commercial Amusements, Outdoor					16	
Contractor's Shop						P
Day Care Facility		P	P	P	P	
Day Care Facility, Incidental			P			
Dry Cleaning, Major						P
Dry Cleaning, Minor	19	19	19	19	P	P
Equipment and Machinery Sales and Rental, Major						
Equipment and Machinery Sales and Rental, Minor				5	5	5
Financial Institution	P	P	P	P	P	P

Golf Course and/or Country Club	P	P		P	P	P
Golf Driving Range					P	
Gymnastics/Dance Studio				P	P	P
Health/Fitness Center					P	
Hotel		10			10	10
Household Appliance Service and Repair				P	P	P
Laundromat				P	P	P
Massage Therapy, Licensed	P			P	P	P
Mortuary/Funeral Parlor					P	P
Motel					11	11
Nursery Indoor/Outdoor Sales					21	21
Pawn Shop					P	
Personal Services Shop			P	P	P	
Pet Store / Kennel / Vet Clinic				9	9	P
Print Shop, Major					P	P
Print Shop, Minor					P	P
Residence Hotel						P
Restaurant	18	18	18	P	P	P
Retail Sales - Single Tenant over 50,000 SF					P	P
Retail Sales and Service	P	P	P	P	P	P
Sexually Oriented Business						
Small Engine Repair Shop						P
Stable, Commercial						
Theater, Neighborhood				P	P	
Theater, Regional					P	
Trailer Rental						P
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						
Automobile and Related Uses	O1	O2	NS	R	GB1	GB2
Auto Parts Sales, Inside				P	P	P
Auto Parts Sales, Outside						
Automobile Parking Lot/Garage	P	P	P	P	P	P
Car Wash				15	15	P
Truck Sales, Heavy Trucks						
Truck Terminal						
Truck/Bus Repair						
Vehicular Sales, Rental, Repair and Service					P	P
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						

Wholesale, Manufacturing and Industrial Uses	O1	O2	NS	R	GB1	GB2
Auction sales					7	8
Light Industrial Uses						
Heavy Industrial Uses						
Machine Shop						P
Mini-Warehouse/Public Storage						P
Office/Showroom						P
Office/Warehouse/Distribution Center						P
Open Storage						
Portable Building Sales						P
Recycling Center						S
Recycling Plant						
Storage or Wholesale Warehouse						P
Trailer/Mobile Home Display and Sales						P
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3 Conditions.						

LAND STRATEGIES INC.

PAUL LINEHAN & ASSOCIATES

November 18, 2010

Attn: Erin Sellers
City of Pflugerville
Planning Department
100 East Main Street, Suite 400
Pflugerville, Texas 78660

RECEIVED
NOV 19 2010

Re: Blackhawk Commercial - Rezoning Request
LSI #1506.01

Dear Erin:

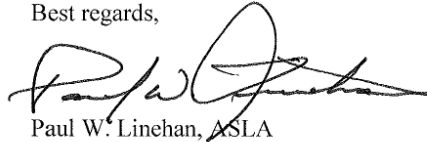
I respectfully submit the attached Rezoning request for the Blackhawk Commercial property, consisting of ±5.00 acres of land located at 2711 Kelly Lane, in the full-purpose jurisdiction of the City of Pflugerville, Travis County, Texas. The subject property is currently zoned Agricultural (A), and we propose to change this zoning to General Business 1 (GB1). As we discussed previously, I believe the following points justify the proposed zoning classification:

- The GB1 zoning classification will allow enough land use flexibility specific to commercial (non-residential) uses for the subject tract, while addressing concerns from City of Pflugerville staff regarding “undesirable” land uses associated with less stringent zoning categories, such as GB2. Additionally, I feel that GB1 zoning is better suited for the subject tract, as GB1 zoning allows greater flexibility in land use. Examples of possible future land uses in the GB1 zoning district for the subject tract include:
 - Business Services
 - Daycare Facility
 - Health/Fitness Center
- We have downsized our initial proposal to rezone the property to GB2, in order to address your concerns regarding the possibility of a heavy industrial component, as well as storage facilities on the property. GB1 zoning will provide a mix of land uses that will fit well with the surrounding residential development.
- The site is currently developed with a maintenance facility associated with the Blackhawk Golf Course. [Note that with the proposed Kelly Lane roadway improvements, the existing maintenance facility will have to be relocated to allow for proper access to and from the facility.] The maintenance facility was put in place prior to the single-family residential subdivision being platted and homes being constructed. Additionally, there is no single-family residential use abutting the subject tract except where the maintenance facility is currently located; the remainder of the subject tract consists of detention area and tennis courts. Any future use of the subject tract will have an existing buffer from the adjacent single-family residential subdivision, with the amenity area and detention pond.

Based on our previous discussions with City of Pflugerville staff, we believe that proposing GB1 zoning for the Blackhawk Commercial property is best for the tract and the surrounding area. Note that we will begin discussions with City staff regarding the proposed Kelly Lane roadway improvement plans, as a driveway and median cut location will need to be formalized for access to the property. I have included a preliminary exhibit reflecting a median cut location on Kelly Lane for your review. This exhibit simply demonstrates that there is enough separation between median breaks to allow for adequate access to and from the subject tract from the east and to allow traffic to exit westbound from the tract, which is important for the proposed zoning change.

Please feel free to contact me should you have any questions or require additional information.

Best regards,



Paul W. Linehan, ASLA
President

PWL:enw

Attachments

cc: J. Michael Ussery - OnCourse Strategies

Pictures of Subject Site

Facing West



Facing South on Kelly Lane (Subject Site)



Facing Southeast (Falcon Pointe Residential)



Facing East along Kelly Lane



Facing North (Blackhawk Golf Club)



