



City of Pflugerville

Minutes - Final Planning and Zoning Commission

Monday, November 2, 2015

7:00 PM

100 E. Main St., Suite 500

Regular Meeting

1 Call to Order

Staff Present was: Emily Barron, Planning Director; Jeremy Frazzell, Senior Planner, Erin Sellers, Planner II and Dana Lively, Administrative Technician.

Chairman Blackburn called the meeting to order at 7:25 p.m.

Present 4 - Chairman Rodney Blackburn, Vice Chairman Kevin Kluge, Commissioner Geoff Guerrero, and Commissioner Rachel Nunley.

Absent 2 - Commissioner Joseph O'Bell, Commissioner Drew Botkin, and Commissioner Daniel Flores.

2 Citizens Communication

There were none.

3 Consent Agenda

- 3A [2015-4384](#) Approve the Planning and Zoning Commission Minutes for the October 5, 2015 regular meeting.

Approved on the Consent Agenda

- 3B [2015-4309](#) Approving a Final Plat for the Park at Blackhawk VII, Section 2; a 17.092-acre tract of land out of the V. W. Swearngen Survey No. 32 in Travis County, TX. (FP1504-01)

Approved on the Consent Agenda.

- 3C [2015-4354](#) Approving a Final Plat for Avalon Phase 6 C consisting of 41 lots on 10.34 acres generally located north on the northwest corner of Kelly Ln., and Jakes Hill Rd., south of Glastonbury Trl., in the City's ETJ. (FP1506-04)

Pulled from Consent Agenda and added to Regular Agenda.

- 3D** [2015-4356](#) Approving a Final Plat for PflSD District Stadium & TES, consisting of three lots on 60.18 acres, located West Pecan St., and Swenson Farms Blvd. (FP1506-03)

Approved on the Consent Agenda.
- 3E** [2015-4377](#) Approving a Final Plat for Cash Construction consisting of 2 lots on 3.218 acres located on the southeast corner of North Heatherwilde Blvd and Kingston Lacy Blvd. (FP1508-02)

Approved on the Consent Agenda.
- 3F** [2015-4382](#) Approving a Preliminary Plan for Falcon Pointe POD 7, to include an entrance road, Falcon Village Lane; a 57.6-acre tract of land out of the John Davis Survey No. 13, Abstract No. 231, situated in Pflugerville, Travis County, Texas. (PP1504-02)

Approved on the Consent Agenda.
- 3G** [2015-4365](#) Approving the Highland Park PH C Revised Preliminary Plan; 191 lots on a 37.06 acre generally located on North Heatherwilde Blvd., and north on Craters of the Moon Blvd. (PP1506-02)

Approved on the Consent Agenda.
- 3H** [2015-4387](#) Approving a Final Plat for Cross Pflugerville; a 4.999-acre tract of land out of the Henry Blessing Survey No. 3, Abstract No. 99 and the Seffrin Eislin Survey No. 1, Abstract 265, situated in Pflugerville, Travis County, Texas. (FP1506-06)

Approved on the Consent Agenda.

Ms. Lively read the Consent Agenda as written. Item 3C (2015-4354) was pulled from the Consent Agenda and moved to the Regular Agenda to discuss and consider.

Chairman Blackburn made a motion to approve Items 2015-4384, 2015-4309, 2015-4354, 2015-4377, 2015-4382, 2015-4365, and 2015-4387 on the Consent Agenda as read. Vice Chairman Kevin Kluge seconded the motion. All in favor. Motion carried.

[2015-4354](#)

Approving a Final Plat for Avalon Phase 6 C consisting of 41 lots on 10.34 acres generally located north on the northwest corner of Kelly Ln., and Jakes Hill Rd., south of Glastonbury Trl., in the City's ETJ. (FP1506-04)

See motion for Item 2015-4354 (3C). Item 2015-4354 (3C) was discussed on the Regular Agenda.

Jeremy Frazzel, Senior Planner, presented this item. The proposed plat is located generally north on the northwest corner of Kelly Lane and Jakes' Hill Road. It is located in the City's ETJ.

Vice Chairman Kluge asked if this was the final plat for this section in Avalon. Mr. Frazzell stated yes for Phase 6C.

Vice Chairman Kluge asked how many phases or sections are there in Avalon. Mr. Frazzell stated that there are approximately 20 phases total with 4 being unplatted. Most of the unplatted area is in the northeastern corner and is in the City's ETJ. The Development Agreement entered into with this section helps to guide the development in the area. It was asked if a Traffic Impact Analysis was done. Mr. Frazzell stated the Traffic Impact Analysis was conducted a while back. This time, there have been no significant changes.

Vice Chairman Kluge asked if the developer had to pay any impact fees associated with this plat. Mr. Frazzell stated that they did have to pay traffic impact fees that were associated with some improvements that will be made in the area. The money was paid to the city for the improvements when needed. It was asked if these projects were of a large or small scale. He stated some of the upcoming plans include the sidewalks and adding a turn signal in the near future. Vice Chairman Kluge asked if the money was being held in escrow. Mr. Frazzell stated yes the money will be held in escrow until the time comes to start the projects.

Chairman Blackburn asked if there were any CIP projects that included making Kelly Lane a 4 lane road up to Weiss Lane? Mr. Frazzell replied that there are no CIP projects involving Kelly Lane at this time. Within this plat, there is a right of way dedication that will be made along Kelly Lane, but there will be no construction plans at this time. Eventually Kelly Lane will become a 4 lane road. Vice Chairman Kluge asked if there was a time table on the improvement. Mr. Frazzell stated that this was something that needed to be brought up in the CIP discussions. Ms. Barron replied that there will be a CIP update at the next P & Z meeting as well to get some feedback from you for when you make your CIP recommendations for the upcoming year.

Vice Chairman Kluge made the motion to accept Item 2015-4354 (3C) as read. Chairman Blackburn seconded the motion. All in favor. Motion carried.

4 Public Hearing

4A [ORD-0271](#)

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)

Jeremy Frazzell, Senior Planner, presented this item.

Mr. Frazzell gave some background information on the sites. 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 lane is adjacent and east of the 19.81-acre tract. The proposal is to rezone the two tracts from Agriculture/Conservation (A) to Retail (R) district. If the request is approved, the property owner intends to develop the tracts into a cohesive senior living facility providing multiple medical services and living environments.

Vice Chairman Kluge asked if the Reserve at West Creek subdivision was in the city limits? Mr. Frazzell stated that it is not in the city limits along with Avalon subdivision and the Villages of Hidden Lakes subdivision. Each of the subdivisions have a Development Agreement associated with them.

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 Lane tracts and the Villages of Hidden Lake subdivision to the south. The southern piece of the property is located within the FEMA flood plain. 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 surround neighborhoods.

The area is receiving a large amount of non-residential growth pressure at this time.

Recent amendments to the UDC 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; therefore, the staff recommends approval.

This request will go to City Council for public hearing on November 10, 2015.

Commissioner Nunley asked if there were any environmental studies done since the land was zoned originally for Agriculture/Conservation (A) use. Mr. Frazzell replied that we have not received anything at this time. Commissioner Nunley asked if the environmental study will ever be required. Mr. Frazzell stated it is only required if parkland is being dedicated to the city.

Vice Chairman Kluge asked when a TIA (Traffic Impact Analysis) be needed. Mr. Frazzell stated that it will be required depending on the trips made by residents. If the traffic count is up to 2,000 trips, then yes a TIA will be

required. Otherwise, if it fall below the 2,000 trip threshold, then the developer will provide us a letter from a traffic engineer stating that they do not meet the threshold. Vice Chairman Kluge asked if the developer will contribute to the road way improvements if they fall below the 2,000 trip threshold. Mr. Frazzell replied no, that the right of way dedications will come with the subdivision plans.

Vice Chairman Kluge noted that it was stated that the intended use of the tract of land was for a senior living facility. Is that the property owner's intentions for sure? Mr. Frazzell stated that he is fairly certain that if the rezoning is approved, they will proceed with the senior living facility but they do still have the option to change their minds.

Commissioner Guerrero stated that the map shows that the area is low to medium density. He asked when the latest revision of the map was approved. Mr. Frazzell replied that the last revision was done in 2010. The pressure to change the zoning to Retail (R) has been made within the past couple of years. Commissioner Guerrero asked if the area was considered to be a neighborhood center given the proximity to the other neighborhoods. Mr. Frazzell replied that the higher densities are needed at major intersections, so therefore this falls within the concepts. The intersection does meet the criteria for a neighborhood center because they are in close proximity to major arterial streets.

Vice Chairman Kluge asked how many of the major arterial streets are owned by the City. Mr. Frazzell stated that Kelly Lane out to Weiss is the only street owned by the City. The other streets are owned by the County.

Chairman Blackburn made a motion to close the public hearing. Commissioner Guerrero seconded the motion. All in favor. Motion carried.

Commissioner Guerrero believes this rezoning is what we are looking for in establishing the area. Chairman Blackburn stated that he liked the idea of it being a senior condominiums since the senior population in Pflugerville has grown. He believes it would be a good fit for the area. Vice Chairman Kluge stated he is concerned about the traffic impact that this rezoning will have for the area. It's not the use that he is concerned about, it's the precedence that we are setting with the rezoning of the land to a retail use and how fast the City will move to make street improvements.

Vice Chairman Kluge asked, in reference to the 2,000 trip threshold for the TIA, does it matter whether or not the trips go onto a 2 lane country road or a 4 lane road. Ms. Barron stated that the 2,000 trips is a standard threshold for development. Most cities use that as the guideline whether it goes onto a major arterial or a collector roadway. Mr. Frazzell stated that it all depends on what the property owner plans to do with the land that will trigger the amount of trips for the TIA. When the property owner comes up with the preliminary plan, then they will need to let us know what they will be doing with the land.

Commissioner Guerrero made a motion to accept Item #ORD-0271 (4A) as presented. Chairman Blackburn seconded the motion. All in favor. Motion carried.

4B [ORD-0272](#)

To receive public comment and consider an application to rezone approximately 87.991 acres from Agriculture/Conservation (A) to Single Family Residential (SF-R); and 2.49 acres from Agriculture/Conservation (A) to Neighborhood Services (NS) district; both out of the James P. Kempe Survey No. 12, located generally southeast of the Weiss Ln and Cele Rd intersection, all to be known as the Verona Subdivision Rezoning. (REZ1510-01)

Jeremy Frazzell, Senior Planner, presented this item.

Mr. Frazzell gave some background information on the site. The Verona subdivision consists of 148.30 acres of former agricultural land, located along the south side of Cele Rd, east of the Reserve at West Creek subdivision. The proposed rezoning is a city initiated rezoning request associated with the development agreement for the Verona subdivision. The request is to rezone the single family portion of the development (87.991 acres) from the Agriculture/Consevation (A) to the Single Family Residential (SF-R) district and a non-residential lot (2.49 acres) within the develoment to the Neighborhood Services (NS) district.

The Comprehensive Plan identifies the majority of the area encompassing the Verona development with parks and open space, and low to medium density residential. A neighborhood center is identified within close proximity of the proposed non-residential tract, identifying non-residential uses in the area providing service to one or more neighborhoods is appropriate.

The purpose of the Single Family Residential (SF-R) zoning district is to allow an opportunity for neighborhoods to be developed with varying lot sizes without having to pursue a Planned Unit Development (PUD) or development agreement. The Neighborhood Services (NS) zoning district allows for light commercial uses that can provide services to the immediate neighborhood. The proposed rezoning is intended to apply appropriate zoning to an existing development, to alleviate potential non-conformities and ensure the planned land uses are consisten with what was approved with the conceptual plan and development agreement.

The parks and open space area will remain zoned Agriculture/Conservation (A). The acreage encompassing the single family lots will be rezoned to the Single Family Residential (SF-R) district which accommodates the lot sizes that were planned within the development agreement. The Neighborhood Services zoning district will allow for a limited amount of non-residential development, while maintaining sensitivity to the adjacent single family uses. The proposed request is generally consistent with the future expectations identified in the preferred vision plan, existing agreements; therefore, staff recommends approval.

Vice Chairman Kluge asked to confirm the service area boundaries according the the Land Use map. Commissioner Nunley asked to confirm that there won't be problems for getting utilities in the area. Mr. Frazzell stated that the prior development agreements with the subdivisions outlined how the utilities would be provided. The utilities construction projects are underway at this time.

Vice Chairman Kluge asked to clarify that 2 neighborhoods are within 2 miles of Cele Middle School. Mr. Frazzell replied yes. Vice Chairman asked if there will be further opportunities for students to walk to school. Mr. Frazzell that hike and bike trails will be constructed in Phase 1. The trails are under construction at this time.

Chairman Blackburn asked how far the entrance to the Verona subdivision is from the curve in Cele Rd and will there be a problem with site distance when trying to proceed out of the subdivison. Mr. Frazzell replied that the County required that the site easement to be established in the preliminary plan and no further improvements were needed to the road. The site distance easement will be solidified in the final plat. Any changes to the road must be done and approved by the County as the City does not own the road.

Chairman Blackburn asked if there was anyone who would like to speak regarding the rezoning. Joy Arnhamn requested to speak. Joy stated that she is representing the property at 6908 Cele Rd. She asked the applicant if the entrance to the commercial development will be thru driveway that has already gone in or will there be a separate entrance. The applicant stated the traffic will use the driveway already established. Ms. Arnhamn stated that her concern is the traffic going into the corner of Cele Rd because it is a dangerous area. Chairman Blackburn requested to pull up the preliminary plan for the area. Mr. Frazzell stated that when the applicant comes forward with the plan, they will need to state what they plan to use the land for. All criteria including driveways, etc will have to be met before proceeding.

Ms. Arnham asked why development was already started on a piece of land that has not been rezoned yet. Mr. Frazzell stated the development agreement established what the concept plan was and what the subdivision will look like. The concept plan in the agreement show the breakdown of all the area (lots, park land, etc) and it solidified what the developer is entitled to do. Additionally, residential is permitted within the "A" zoning district.

Vice Chairman Kluge wanted to know if the rezoning was denied, can the developer still proceed with what was stated in the agreement. Mr. Frazzell stated the number of lots will not change. If P&Z commissioners denies the rezoning and the City Council denies it also, then the land will stay as Agriculture/Conservation. The proposed zoning districts add conformity to the area.

Chairman Blackburn made a motion to close the public hearing. Commissioner Guerrero seconded the motion. All in favor. Motion carried.

Vice Chairman Kluge stated the traffic will greatly increase in the area. Chairman Blackburn said whether or not the ordinance is approved, the traffic will still be there. Commissioner Guerrero replied that we denied the rezoning and the property owner sells the property to another developer who wants to add more homes, the density will increase. Chairman Blackburn believes the best thing to do is to rezone the tract. Commissioner Nunley is concerned that if we do not rezone the land, then the City won't have a mechanism with which to negotiate and to make sure that any future development wont be able to be properly regulated.

Ms. Barron stated that the rezoning is to provide a clarification for the lots and

the standards that are in place.

Ms. Barron gave the commissioners their options for this motion.

Vice Chairman Kluge made a motion to table Item #ORD-0272 (4B) until the next P & Z meeting. Chairman Blackburn seconded the motion. All in favor. Motion carried.

5 Presentation

There was none.

6 Future Agenda Items

The next P & Z Meeting is Monday, December 7, 2015 at 7:00 PM. The Chairman and Commissioners are invited to gather together at 6:30 p.m. for some holiday treats before the meeting. 3 new Commissioners will be in attendance since they will be appointed by City Council on November 17, 2015.

Dan Franz will be with us to give an update on the city CIP projects.

We will be discussing the Parkland issues at the next P & Z meeting.

7 Adjourn

Chairman Blackburn made a motion to adjourn the meeting. Commissioner Guerrero seconded the motion. All in favor. Motion carried.

Rodney Blackburn, Chairman
Planning and Zoning Commission

Respectfully submitted on this 7th day of December, 2015.