

- 3B** [2016-5082](#) Approving a Preliminary Plan for the Village on Legacy Subdivision; a 17.659 acre tract of land out of the E. Bebee Survey No. 5, Abstract 53 in Pflugerville, TX. (PP1602-01)

Approved on the Consent Agenda.

4 Public Hearing

The Commission welcomes comment on the following items. Each person providing public comment will be limited to five (5) minutes and will be asked to state his or her name and address for the public record.

- 4A** [ORD-0321](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY REZONING APPROXIMATELY AN 8.62 ACRE PORTION OF A 52.32 ACRE TRACT OF LAND OUT OF THE J.C. CUNNINGHAM SURVEY, ABSTRACT NO. 163 IN TRAVIS COUNTY, TEXAS, FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) DISTRICT; TO BE KNOWN AS THE BALLANTYNE RETAIL REZONING (REZ1606-02); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Chairman Kluge opened item 4A for public hearing and consideration. He read the item that is under consideration. Chuck Foster, Planner I, presented the information and answered questions from the Commissioners. There were no requests to speak for this item.

Commissioner Karen Arnold made a motion to close the public hearing. Vice Chairman Daniel Flores seconded the motion. All in favor. The public hearing was closed.

There were no further discussion.

Vice Chairman Flores made a motion to approve item ORD-0321 as read. Commissioner Guerrero seconded the motion. All in favor. Motion carried.

4B [ORD-0319](#)

Conduct a public hearing and consider an application to amend the Falcon Pointe ALUR-2 South (PUD), to allow for a convenience store with gas pumps land use with limitations and medical facility, hospital, medical office and/or traditional office uses without square footage limitations; a 148.55-acre tract of land out of the John Davis Survey No. 13, Abstract No. 231, in Pflugerville, Travis County, Texas. (REZ1606-03)

Chairman Kluge opened item 4B for public hearing and consideration. He read the item that is under consideration. Erin Sellers, Planner II, presented the information and answered questions from the Commissioners. There were residents that requested to speak for this item.

Resident Tommy Thompson, who owns a business on Colorado Sands, expressed his displeasure to the Commission about putting a gas station on the corner lot that is next to the daycare that he owns. Mr. Thompson owns the Primrose School/Daycare that is next to the lot that is being considered in this public hearing. He expressed to the Commission that he did not think it would be a good idea because of the safety aspect and also the amount of traffic that the business would attract. He stated that in order to reach the business, customers would have to use the driveway that leads to his school and cross through his parking lot in order to access the business. He felt that it would not be safe for the many families and children that cross the parking lot in the mornings and evenings at the school.

Resident Martin O'Connor, who lives on Turning Stream Lane, expressed his concern for the safety of the families who attend the daycare/school. He stated that it would be too dangerous for the children if the proposed gas station was allowed to be placed on the corner lot sharing the same entry point as the daycare. He stated that the pictures that staff showed to the Commissioners do not do justice when trying to see where the houses are located versus where the gas station would be located. He asked that the Commissioners please take a better look and evaluate the situation for themselves.

Commissioner Tammie Williamson made a motion to close the public hearing. Commissioner Ronda Gindin seconded the motion. All in favor. The public hearing was closed.

The commissioners asked questions of staff and the applicant's agent. The applicant's agent answered the questions, but ultimately decided to ask for postponement of this item to the September 19, 2016 P&Z meeting. He expressed his thanks to the commissioners for asking questions and for taking the time to consider the proposal.

Chairman Kevin Kluge made a motion to postpone consideration of item ORD-0319 to the September 29, 2016 meeting. Vice Chairman Flores seconded the motion. All in favor. Motion carried.

4C [ORD-0320](#)

To receive public comment and consider an application to amend "The Commons at Heatherwilde and Pecan Planned Unit Development" by rezoning and adding a total of 1.0 acres into the PUD, and amending the existing development standards, to become applicable to approximately 38.465 acres located approximately southwest of the Old Austin-Pflugerville Road and Pecan St. intersection, and approximately 7.279 acres platted as Lot 5, Block A Wells Point Commercial Filing I, located between Old Austin-Pflugerville Road and Heatherwilde Blvd; to continue to be known as The Commons at Heatherwilde and Pecan Planned Unit Development. (REZ1606-01)

Chairman Kluge opened item 4C for public hearing and consideration. He read the item that is under consideration. Jeremy Frazzell, Senior Planner, presented the information and answered questions from the Commissioners. Three (3) residents from the Spring Hill Village Neighborhood, a neighborhood located in the City of Austin ETJ, requested to speak in opposition of the item.

Frances Petter, resident, spoke in opposition of the item. She stated that her concern is the traffic that would be forced to come down Hebbes Street because the street is only wide enough for 1 car. She stated that once school starts back in session, the traffic would only get worse due to the width of the street.

Lee Garner, resident, spoke in opposition of the item. He stated he is concerned with the width of the street and the increased traffic that would come from this development. He stated that the drainage along the road hasn't been kept up very well. He relayed to the Commissioners that a long time ago, the road used to be a dirt road and not any bigger than it is right now. He states he is very concerned about the increase in traffic.

Janie Zbranek, resident, spoke in opposition of the development. She spoke her concerns about the width of the street and increased traffic if the development is approved. She requests that traffic not be sent down Hebbes Street.

Commissioner Karen Arnold made a motion to close the public hearing. Commissioner Tammie Williamson seconded the motion. All in favor. The public hearing was closed.

During the discussion, staff answered questions from the Commissioners.

Chairman Kluge made a motion to approve ORD-0320 as read and included a request for the developer and staff to consider lessening the impact onto Hebbes as much as possible. Vice Chairman Daniel Flores seconded the motion. All in favor. Motion carried.

Future Agenda Items

The next Planning and Zoning Commission meeting will be Monday, September 19th at 7:00 pm.

Consideration of Item 4B (ORD-0319) will be included in the agenda for the September 19th Planning and Zoning Commission meeting.

6 Adjourn

Chairman Kluge made a motion to adjourn the meeting at 9:37pm. Vice Chairman Flores seconded the motion. All in favor. Meeting adjourned.

Kevin Kluge, Chairman
Planning and Zoning Commission

Respectfully, submitted on this 19th day of September, 2016.