

**Planning & Zoning:** 11/5/2018  
**City Council:** 11/27/2018  
**Case No.:** REZ1809-01

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**SUBJECT:** To receive public comment and consider an application to rezone Lot 1 and 2, 2.0-acres out of the 685 Business Centre Subdivision; land situated in the Henry Blessing Survey No. 3, Abstract No. 99 and the Sefrin Eiselin Survey No. 1, Abstract 265, Travis County, TX., located generally west of F.M. 685 and directly north of Justice Center Drive; to be known as Justice Center Rezoning. (REZ1809-01)

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**LOCATION:**

The subject property is located north of Justice Center Drive and generally west of F.M. 685.

**SITE ANALYSIS:**

The proposed site includes two (2) platted tracts, Lot 1 and 2, totaling 2.00 acres. The tracts are vacant and unimproved at this time. Directly west of the subject site is the Pflugerville Police Department and to the east is the Growler Bar along with other commercial entities. To the north of the site is a drainage area adjacent to auto-related businesses. To the south of the subject site, Justice Center Drive, a private street, separates the site from existing single family dwellings. The site will gain access from the south along Justice Center Drive as well as from the east internally through a joint access agreement with the commercially-developed site. No portion of the site is situated within the 100-year floodplain delineated by FEMA FIRM panel #48453C0280J.

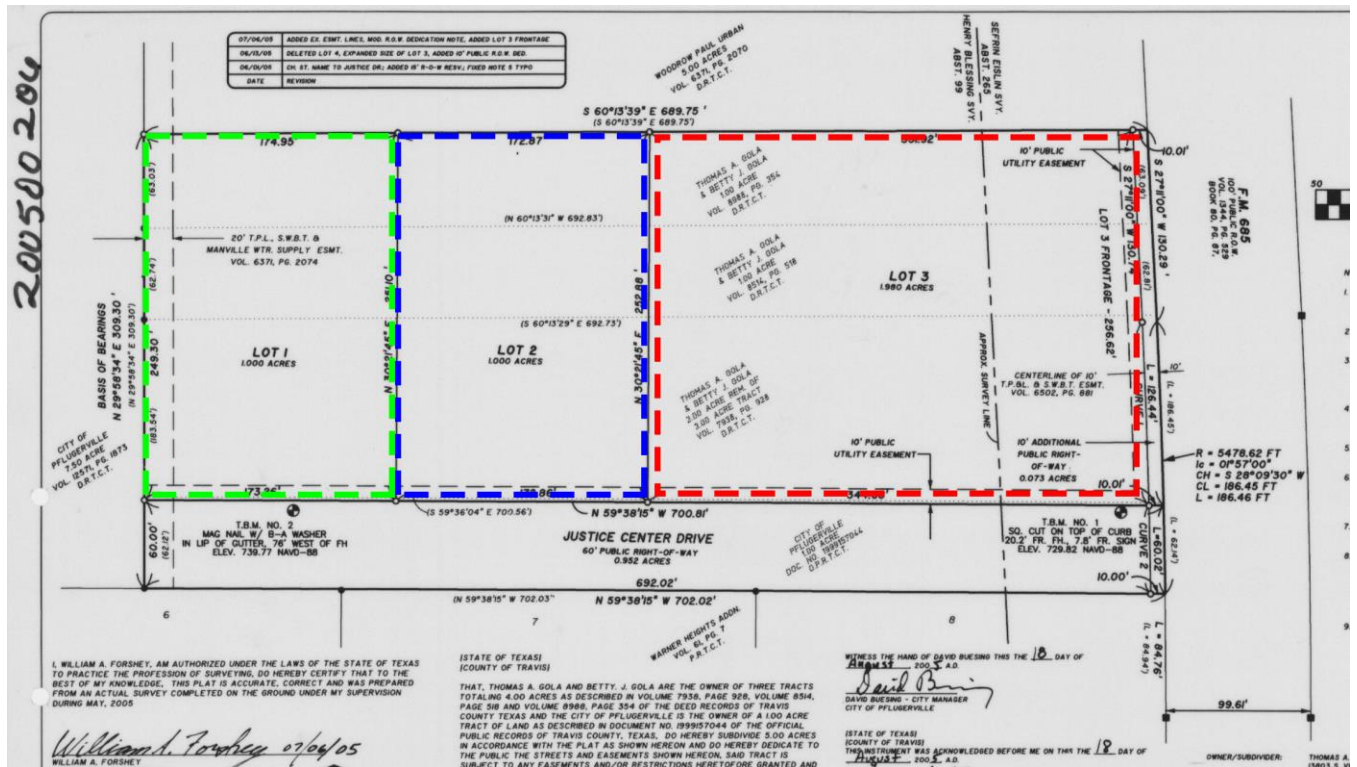


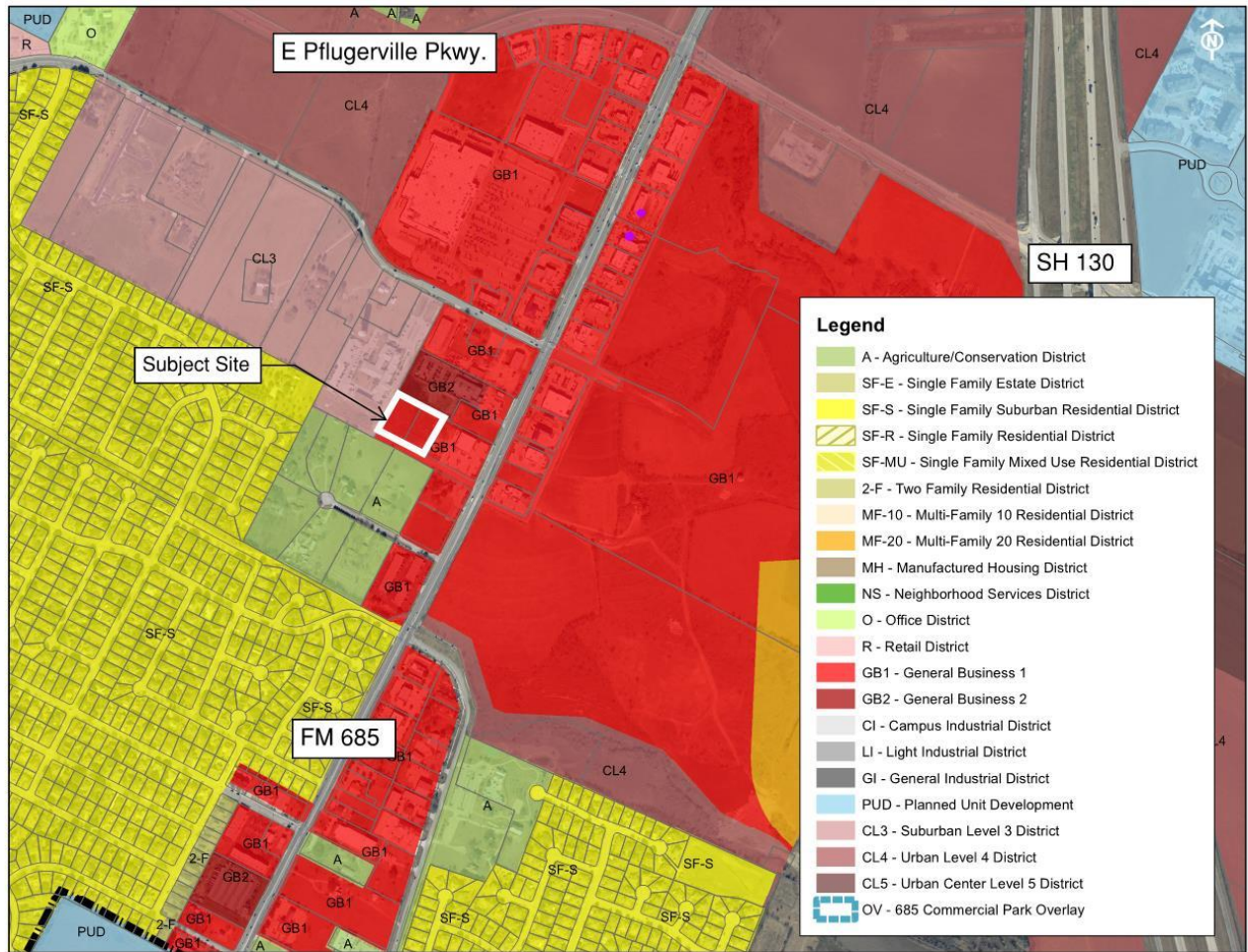
**PROPOSED REQUEST:**

The applicant on behalf of the property owner is requesting to rezone the 2.0-acre site from General Business 1 (GB1) to the General Business 2 (GB2) zoning district. By doing so, the applicant believes the subject site's increased development opportunities will better cater to the trend of development along F.M. 685.

**ZONING and LAND USE HISTORY**

- 1995 – The subject property was annexed into the City in 1995 and it was zoned to the Agriculture/Open-Space (AO) district (Ordinance No. 428-95-11-28).
- 1999 – The subject property and a 5.0-acre tract to the south were rezoned from Agriculture/Open-Space (AO) district to General Business 1 (GB) district (Ordinance No. 570-99-11-23).
- 2005 – The land was platted as part of the 685 Business Centre Subdivision. This plat included three lots: Lot 1, a 1.0-acre tract (green); Lot 2, a 1.0-acre tract (blue); and Lot 3, a 1.980 tract (red).
- 2005 – An Administrative Code update divided General Business (GB) District into the General Business 1 (GB1) and General Business 2 (GB2) districts. All General Business (GB) property became General Business 1 (GB1) zoned property.
- 2012 – The Rishel-Justice Center (ST2012-21) site permit was issued, which included the retail/restaurant structure on Lot 3, which now is occupied by The Growler Bar and other retail tenants.
- 2014 – The Rishel-Justice Center Building 2 (ST2014-10) site development permit was issued. The site plan included a retail strip center on Lot 1 and 2. A 180-day extension was granted in March of 2016. The extension has expired; therefore, the approved site plan and permit are no longer valid.
- 2016 – The property directly to the north was zoned from Agriculture/Conservation (A) to General Business 1 (GB1) on the portion facing FM 658 and General Business 2 (GB2) to the rear (west) (Ordinance No. 1218-15-05-12).
- Present – The subject property, Lot 1 and 2 of the 685 Business Centre Subdivision, have remained vacant and unimproved.





Adjacent Properties	Base Zoning District	Existing Land Use
North	General Business 2 (GB2)	Drainage Pond & Automotive Body Repair Shop (Collision Repair)
South	Agriculture/Conservation (A)	Single Family Dwellings & Commercial/Industrial Uses
East	General Business 1 (GB1)	Retail/Restaurant Strip
West	Corridor Suburban (Level 3: CL3)	Governmental Facility: Police Department

### **General Business 1 (GB1) Zoning District**

According to the Unified Development Code, the General Business 1 (GB1) District “... is designed to accommodate a full range of retail and office uses with a city-wide and even regional trade area. These types of commercial uses are conducted wholly within an enclosed building. The uses in this district have operating characteristics and traffic service requirements compatible with typical office, retail, shopping, and high density residential environments.”

**GB1 Permitted non-residential uses within the district include:**  
(Underlined text = Land Uses which aren't permitted in GB2)

Athletic Facilities; Auction Sales; Automotive Parts Sales (Inside); Automotive Repair and Services; Automobile Parking Lot/Garage; Automobile Rental and Sales; Bar/Tavern; Brewery/Distillery/Winery (Micro); Brewpub/Wine bar; Business Services; Catering Establishment; Cemetery/Mausoleum; Civic Center; Clinic; Commercial Recreation and Entertainment (Indoor); Commissary; Convention Center; Day Care Facility; Dry Cleaning (Minor); Equipment and Machinery Sales and Retail (Minor); Event Center; Financial Institution; Golf Course and/or Country Club; Golf Driving Range; Government Facilities; Health/Fitness Center; Hospital; Household Appliance Service and Repair; Laundromat; Liquor Store (Off-Premise Consumption); Lounge; Massage Therapy (Licensed); Mortuary/Funeral Home; Museum/Art Gallery; Office: Administrative, Medical, or Professional; Park or Playground; Pawn Shops; Personal Services; Place of Worship; Print Shop (Minor); Reception Hall; Restaurant; Retail Sales and Service; School (Public or Private); Theatre; Trade School; and Transit Facility (Park and Ride).

**GB1 Permitted residential uses within the district include:** Assisted Living; Live/Work Unit; and Nursing Home/Skilled Nursing.

**GB1 Conditional uses include:** Condominium; Multi-Family; Animal Establishments (Commercial); Bail Bond; Car Wash; Commercial Recreation and Entertainment (Outdoor); Drive-in/Thru; Financial Services Institution (Alternative); Gas Stations; Hotel/Hotel Residence; Mobile Food Park; Nursery Indoor/Outdoor Sales; Utilities; and Wireless Telecommunication Facilities.

### **General Business 2 (GB2) Zoning District**

The General Business 2 (GB2) district is intended to provide a convenient location for small scale service and commercial related establishments, such as wholesale products, contractor shops, mini storage, major automotive repair, and similar more intense commercial uses. The uses included in this district should be located on a collector or higher classification thoroughfare.

**GB2 Permitted non-residential uses within the district include:**  
(Underlined text = Land Uses which aren't permitted in GB-1)

Athletic Facilities; Auction Sales; Automotive Parts Sales (Inside); Automotive Body Repair Shop (Collision Repair); Automotive Repair and Services; Automobile Parking Lot/Garage; Automobile Rental and Sales; Bar/Tavern; Brewery/Distillery/Winery (Micro); Brewpub/Wine bar; Business Services; Call Center; Car Wash; Catering Establishment; Cemetery/Mausoleum; Civic Center; Clinic; College, University, or Private Boarding School; Commercial Recreation and Entertainment (Indoor); Commissary; Contractor's Shop; Dry

Cleaning (Major); Dry Cleaning (Minor); Equipment and Machinery Sales and Retail (Minor); Financial Institution; Golf Course and/or Country Club; Golf Driving Range; Government Facilities; Health/Fitness Center; Hospital; Household Appliance Service and Repair; Laundromat; Liquor Store (Off-Premise Consumption); Lounge; Machine Shop; Massage Therapy (Licensed); Mini-warehouse/public storage; Mortuary/Funeral Home; Museum/Art Gallery; Office: Administrative, Medical, or Professional; Office/Showroom; Park or Playground; Pawn Shops; Place of Worship; Print Shop (Minor); Reception Hall; Restaurant; Retail Sales and Service; School (Public or Private); Small Engine Repair Shop; Trade School; and Transit Facility (Park and Ride).

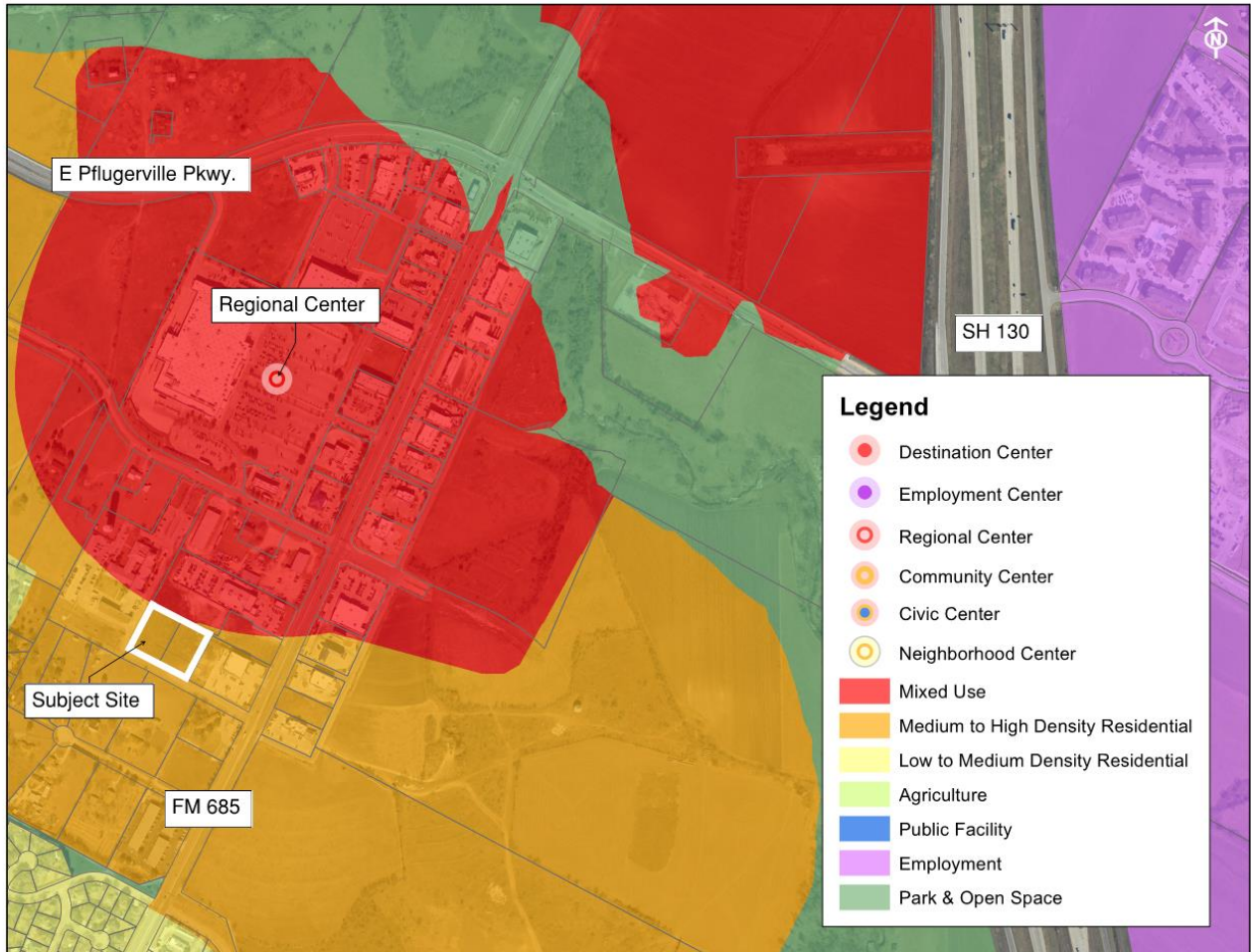
**GB2 Permitted residential uses within the district include:** NA

**GB2 Conditional uses include:** Animal Establishments (Commercial); Bail Bond; Commercial Recreation and Entertainment (Outdoor); Data Center; Drive-in/Thru; Financial Services Institution (Alternative); Gas Stations; Hotel/Hotel Residence; Mobile Food Park; Nursery Indoor/Outdoor Sales; Truck/Trailer Rental; Utilities; and Wireless Telecommunication Facilities.

**COMPREHENSIVE PLAN:**

The Comprehensive Plan, Preferred Land Use Vision Plan (Future Land Use Map) provides for a series of “Centers”, including Neighborhood, Community, Civic, and Regional Center generally located along major thoroughfares and key intersections in order to supplement the broad brush strokes of the future land use categories. A node or center can provide the following: linkages to retail, services, and other development; connectivity to other nodes or centers throughout the city; and access to neighborhood-level interactions. According to the Comprehensive Plan, the City of Pflugerville is to program and strengthen both proposed and existing centers in order to provide a focus for development to create engaging centers which create meaningful places and serve the adjacent communities and greater City of Pflugerville.

The Comprehensive Plan, Preferred Land Use Vision Plan (Future Land Use Map) designates the subject site for Mixed Use and Low to Medium-Density residential with a regional center to the north of the subject site at the Stone Hill Shopping Center. The Comprehensive Plan describes regional centers as larger scale retail and office developments which have a market catchment area for retail of six to ten miles. The developments usually contain two or more anchor retail stores and a number of smaller outlets.



According to the Land Use & Development Character Goals of the Comprehensive Plan, the amount of commercial and industrial land uses will accommodate opportunities for employment, services, and growing the municipal tax base. This rezoning would cause the land uses permitted within the subject property to shift from industrial to commercial; therefore, the zoning change does abide by this Character Goal.

**GOAL #1: The amount of commercial and industrial land uses will accommodate opportunities for employment, services, and growing the municipal tax base.**

Land Use & Development Character Goal No. 2 outlines the importance of development (infill and new development) to focus around a hierarchy of centers to create a larger sense of community, provide employment opportunities and shopping districts while reducing infrastructure costs. This goal describes why all infill and new development shall complement and support the character of an area. Due to the large amount of commercial-oriented land uses located along FM 685, the subject property shall contribute to the retail, commercial, and office uses feeding the regional center to the north.

**GOAL #2: Development (infill and new development) will be focused around a hierarchy of centers that will create a stronger sense of community, provide employment opportunities and shopping districts while reducing infrastructure costs.**

**STAFF RECOMMENDATION:**

The subject site's proposed General Business 2 (GB2) rezoning provides opportunities for more intense commercial uses, while allowing many of the already permitted General Business 1 (GB1) commercial land uses. The subject property, Lot 1 and 2, have remained vacant and improved since the land was platted in 2005. A site plan was issued in 2014 for the subject site which included retail strip center on the site. Although, no interested parties utilized the pre-designed site plan within the allowable range of the site development permit.

Many factors may have attributed to the lack of development of the subject site. First, the site lacks visibility from passing traffic along F.M. 685. The subject site will gain access from the south along Justice Center Drive as well as from the east internally through a joint access agreement with the commercially-developed site. No median cut will be permitted where Justice Center Drive and F.M. 685 meet due to the spacing requirements of TxDOT. Justice Center Drive is a private drive which dead ends to the west, serving the existing traffic of the Police Department to the west and the commercial/retail land uses to the east. With that being said, the subject side is hidden and could benefit from a wider range of land uses permitted. By allowing the rezoning, the increase of land uses grants the site the ability to better become a destination site which can overcome many of the negative factors impacting the site today. Also, the rear of the site directly north was rezoned from General Business 1 (GB1) to General Business 2 (GB2) in 2016. We have received feedback from several neighboring business owners and residents to the south. Many of the business owners were in support of the rezoning, while one resident brought up concerns regarding noise and chemicals. Today, the subject site is allowed many land uses with the General Business 1 (GB1) zoning classification which could create both noise and the use of chemicals. During the site development process, the site would still adhere to city code in regards to setbacks, landscaping, etc., as well as the Code of Ordinances when referring to noise and other public nuisances.

The Applicant's proposed rezoning provides the City of Pflugerville with greater economic development opportunities to attract more businesses, increase the workforce, link to the Regional Center to the north, and align with the overall trend of development and services bordering F.M. 685. The proposed request to rezone the subject property from General Business 1 (GB1) to General Business 2 (GB2) is found compatible with the adjacent land uses, complements the existing commercial development along F.M. 685, and provides the subject site lacking visibility and accessibility with greater development opportunities; therefore, staff recommends approval of the proposed rezoning.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission conducted a public hearing on November 5, 2018, and recommended approval of the General Business 2 (GB2) zoning district with a vote of 6-0.

**NOTIFICATION:**

Newspaper Notification was published and notification letters were mailed to property owners within 500 feet of the property, and a sign was posted on the property, all in accordance with the minimum notification requirements.

**ATTACHMENTS:**

- Notification Map
- Aerial
- Zoning Map
- Final Plat
- Site Pictures



NOTIFICATION MAP



**Justice Center Dr  
 (GB1 to GB2)**

**Case Number:  
 REZ1809-01**

**9/10/2018**

**Legend**

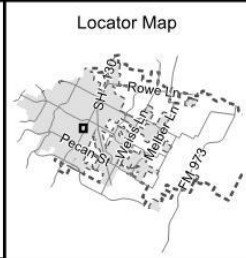
- Rezoning
- Notification Area
- City Limits

0 150 300 Feet

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When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.

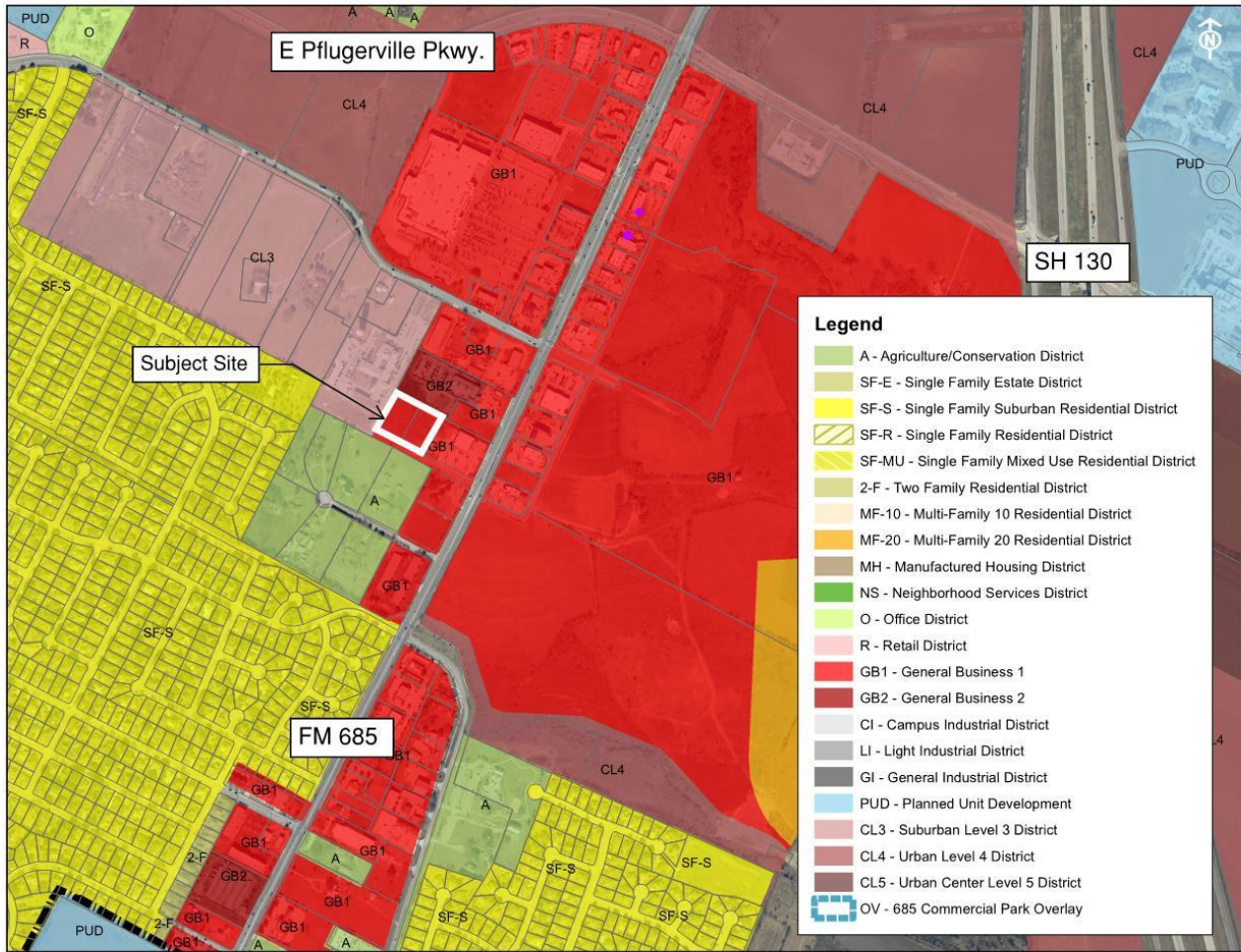
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**PFLUGERVILLE**  
 TEXAS



AERIAL

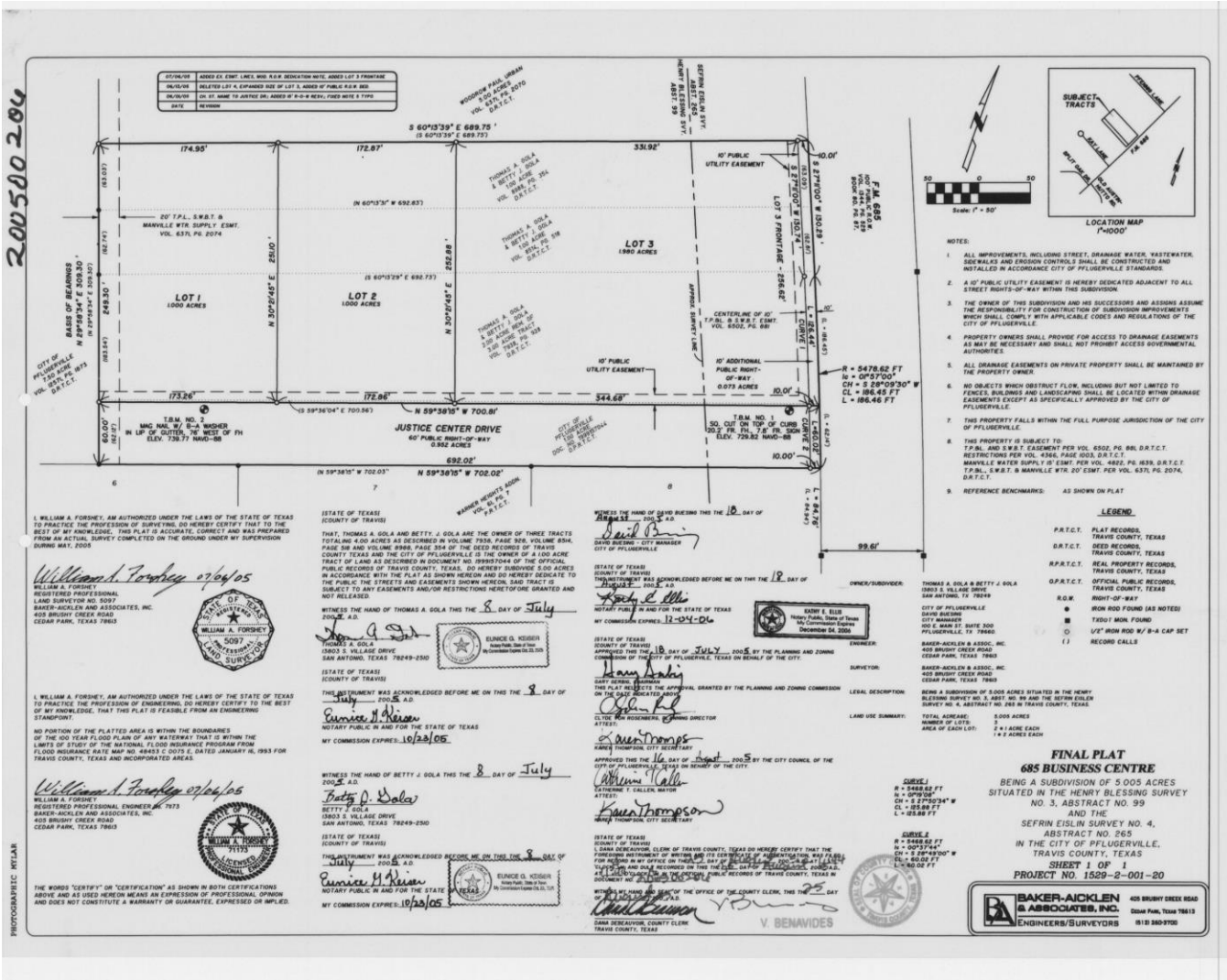


ZONING MAP





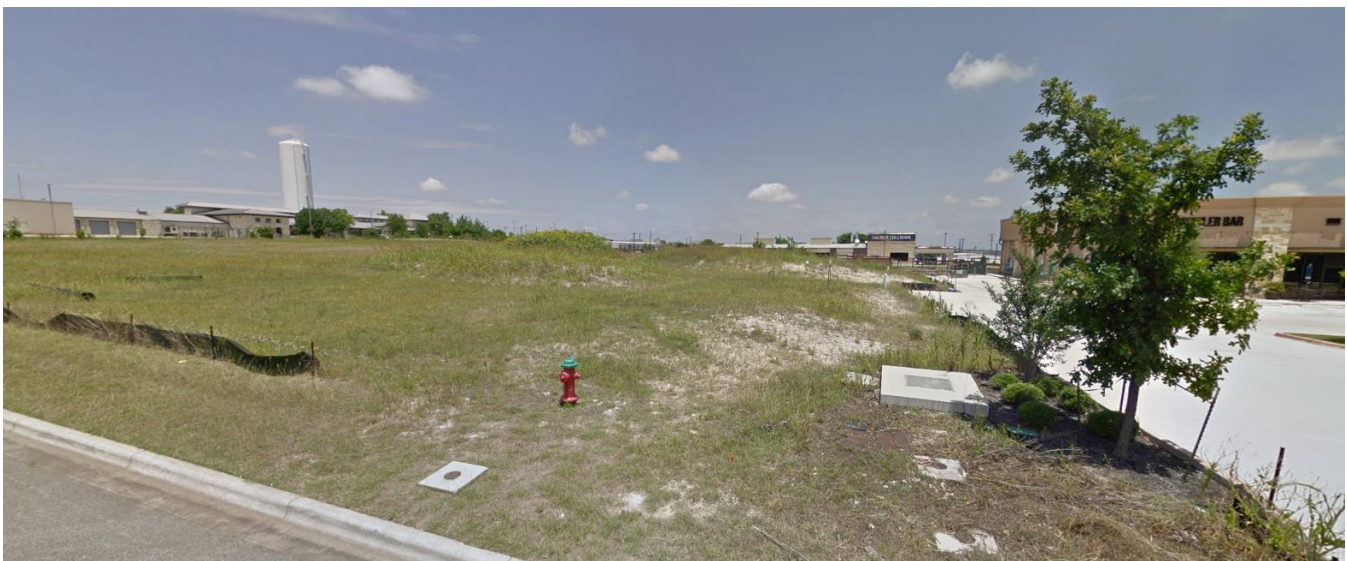
FINAL PLAT



SITE PICTURES



Facing West on F.M. 685 (Property lacking visibility off of F.M. 685, other retail/commercial in front)



Facing North on Justice Center Drive



Facing East at the Pflugerville Police Department