



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	ORD-0712	<b>Version:</b>	3	<b>Name:</b>	Nimbus Rezoning
<b>Type:</b>	Ordinance	<b>Status:</b>	Failed		
<b>File created:</b>	4/20/2023	<b>In control:</b>	Planning and Zoning Commission		
<b>On agenda:</b>		<b>Final action:</b>	6/27/2023		
<b>Title:</b>	Approving an ordinance on second reading with the 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 changing the zoning of Lot 1 and 2 of the Skyview Manor, Consisting of an approximately 2.0-acres tract of land out of the John Van Winkle Survey 14 in Pflugerville, Texas from Agricultural/ Development Reserve (A) District to Single Family- Mixed Use District (SF-MU); to be known as the Nimbus Rezoning (2023-3-REZ); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Staff Report, 2. Ordinance, 3. Zoning Map, 4. Future Land Use Map, 5. Agricultural District Development Regulations, 6. Single Family- Mixed Use Development Regulation, 7. Suburban Residential Description, 8. Western Gilleland District Description, 9. Applicant Letter of Intent, 10. Community Letters, 11. Location Map, 12. Written and Signed Protest				

Date	Ver.	Action By	Action	Result
6/27/2023	3	City Council	Disapproved	Fail
5/23/2023	2	City Council	Action taken to close the Public Hearing	Pass
5/1/2023	1	Planning and Zoning Commission	Recommended for Adoption	Pass

Discuss and consider action to approve an ordinance on first reading with the 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 changing the zoning of Lot 1 and 2 of the Skyview Manor, Consisting of an approximately 2.0-acres tract of land out of the John Van Winkle Survey 14 in Pflugerville, Texas from Agricultural/ Development Reserve (A) District to Single Family- Mixed Use District (SF-MU); to be known as the Nimbus Rezoning (2023-3-REZ); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.

The applicant is requesting to rezone lots 1 and 2 of the Skyview subdivision from Agricultural/ Developmental Reserve (A) to Single Family- Mixed Use (SF-MU). The two lots are located at the entrance to the Skyview subdivision along the east side of W Pflugerville Lp and the south side of Nimbus Dr.

### Proposed District: Single Family- Mixed Use

The district is intended to address small lot, single family detached and single family attached (townhome) housing opportunities at a low to medium density. This district may be used in areas of 20 acres or less with direct access to major thoroughfares. Non-residential uses may be considered if cohesively designed as a mixed-use neighborhood.

### Comprehensive Plan:

The Aspire Pflugerville 2040 Comprehensive Plan identifies the future land use of the subject property as Suburban Residential. Areas within the Suburban Residential future land use should focus on creating a suburban atmosphere. Clustering should be encouraged to preserve open space and environmentally sensitive areas. Development standards should ensure adequate open space and efficient roadway and pedestrian connectivity to schools, neighborhood amenities, and parks. Supporting nonresidential uses should be similar in scale to the residential properties, including appropriate landscaping and buffering, and be located on major thoroughfares. The 2040 Aspire Comprehensive identifies neighborhood districts throughout the city. The subject properties are located in the Western Gilleland District. This district is defined by Gilleland Creek and open spaces along it. This rezoning aides in the redevelopment of the Pecan Street corridor into a denser corridor with more intense land uses, while still being compatible with the surrounding single-family detached neighborhood and offering a transition between uses.

Staff finds the proposed rezoning application meets the Economic and Infrastructure goals of the City's 2021-2025 Strategic Plan, including creating a fiscally-sustainable city with a high quality of life, and preparing robust, resilient infrastructure.

Section 3.7 F.2 of the Unified Development Code (UDC) states that a zoning map amendment requires the approval by a three-fourths vote of all members of the City Council if a written protest is received by the Administrator against such rezoning and is signed by the owners of 20 percent or more of the area of the lots or land within 200 feet of the boundary of the subject area, excluding the land included in such proposed amendment. In computing the percentage of land area, the area of streets and alleys shall be included.

The Administrator received a written and signed protest of the rezoning request by the owners of at least 20 percent or more the area of the lots or land within 200 feet of the boundary of the subject area, excluding the land included in such proposed amendment. The written and signed protest is attached.

### **School District Impact**

The residential land use was communicated to the district representatives during the standing monthly meeting and a notice was mailed to the school district about the proposed rezoning. No concerns about the rezoning or proposed residential land use were stated or received from the district representatives.

### **Staff Recommendation**

Staff finds that the Single Family Mixed-Use (SF-MU) zoning district is compatible with the future land use as adopted by the Aspire Pflugerville 2040 Comprehensive Plan. Staff recommends approval of the rezoning request.

### **Planning and Zoning Commission Action**

On May 1, 2023, the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance with a vote of 4-1.

### **Prior City Council Action**

Public hearing held on May 23, 2023.

**Deadline for City Council Action**

Action required within 60 days of the public hearing on May 23, 2023.

**Projected Future City Council Action**

The second reading of the ordinance is scheduled for July 11, 2023.

**Funding Expected:** Revenue ☐ Expenditure ☐ N/A ☒

**Budgeted Item:** Yes ☐ No ☐ N/A ☒

**Amount:** ☐ N/A

**1295 Form Required?** Yes ☐ No ☒

**Legal Review Required:** ☐ Required ☒ Date Completed: 5/2/2023

**Supporting documents attached:**

Staff Report

Ordinance

Zoning Map

Future Land Use Map

Agriculture District Development Regulations

Single-Family Mixed-Use Zoning District Development Regulations

Suburban Residential Description

Western Gilleland District Description

Applicant Letter of Intent

Community Letters

Location Map

Written and Signed Protest

**Recommended Actions**

1. Motion to approve the ordinance on first reading rezoning the property from Agriculture/ Development Reserve (A) to Single Family- Mixed Use (SF-MU). Since a formal protest was received, a three/fourths vote is required by City Council for the motion to pass.