



# City of Pflugerville

## Legislation Details (With Text)

**File #:** ORD-0367    **Version:** 2    **Name:** Kuempel Commercial Rezoning  
**Type:** Ordinance    **Status:** Approved  
**File created:** 8/14/2017    **In control:** Planning and Zoning Commission  
**On agenda:** 10/24/2017    **Final action:**  
**Title:** 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 REZONING THREE SEPARATE (3) PARCELS WITHIN A PROPOSED 7.31-ACRE SUBDIVISION GENERALLY LOCATED SOUTHWEST OF THE NORTH HEATHERWILDE BOULEVARD AND KINGSTON LACY BOULEVARD INTERSECTION WITH PARCEL ONE (1), CONSISTING OF 5.46 ACRES, BEING REZONED FROM GENERAL BUSINESS 1 (GB1) TO GENERAL BUSINESS 2 (GB2) DISTRICT, PARCEL TWO (2), CONSISTING OF 1.0 ACRE, BEING REZONED FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 2 (GB2) DISTRICT, AND PARCEL THREE (3), CONSISTING OF 0.45 ACRES, BEING REZONED FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) DISTRICT, AND ALL COLLECTIVELY TO BE KNOWN AS THE KUEMPEL COMMERCIAL REZONING (REZ1708-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report\_Kuempel Commercial Rezoning, 2. Letter of Request\_Kuempel Commercial Rezoning, 3. Location Map\_Kuempel Commercial Rezoning, 4. Ordinance\_Kuempel Commercial Rezoning

Date	Ver.	Action By	Action	Result
10/24/2017	2	City Council	Approved on Second Reading	
10/10/2017	2	City Council	Action taken to close the Public Hearing	Pass
10/10/2017	2	City Council	Approved on First Reading	Pass
9/18/2017	1	Planning and Zoning Commission	Recommended for Adoption	

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 REZONING THREE SEPARATE (3) PARCELS WITHIN A PROPOSED 7.31-ACRE SUBDIVISION GENERALLY LOCATED SOUTHWEST OF THE NORTH HEATHERWILDE BOULEVARD AND KINGSTON LACY BOULEVARD INTERSECTION WITH PARCEL ONE (1), CONSISTING OF 5.46 ACRES, BEING REZONED FROM GENERAL BUSINESS 1 (GB1) TO GENERAL BUSINESS 2 (GB2) DISTRICT, PARCEL TWO (2), CONSISTING OF 1.0 ACRE, BEING REZONED FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 2 (GB2) DISTRICT, AND PARCEL THREE (3), CONSISTING OF 0.45 ACRES, BEING REZONED FROM AGRICULTURE/CONSERVATION (A) TO GENERAL BUSINESS 1 (GB1) DISTRICT, AND ALL COLLECTIVELY TO BE KNOWN AS THE KUEMPEL COMMERCIAL REZONING (REZ1708-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The property is located generally southwest of the North Heatherwilde Boulevard and Kingston

Lacy Boulevard intersection, along the western border of North Heatherwilde Boulevard, about a half mile south of the North Heatherwilde Boulevard and SH45 intersection. The proposed site includes a collection of unplatted tracts totaling 7.31 acres. The tracts consist of both unimproved, agricultural land and an existing single family dwelling with direct access from North Heatherwilde Boulevard, a four-lane, arterial-level street. To the west, an estimated 130' wide strip of land allocated formally as the MoKan railway, now a right-of-way controlled by TxDOT, separates the proposed site from the Spring Trails single family neighborhood. To the east, North Heatherwilde Boulevard separates the proposed site from a Planned Unit Development (PUD) development, Highland Park, and General Business 1 (GB1) developments, including Cash Construction and Capital Gymnastics. The greater area surrounding the proposed site includes a residential neighborhood called Royal Point to the north, with commercial opportunities concentrated farther north near SH45. Please refer to the attached zoning map in the Staff Report for further clarification.

In 2005, the current property owner zoned this site under the General Business (GB) zoning district. At that time, the GB district contained a wide variety of commercial uses ranging from light retail to more intense commercial. During the process of zoning code amendments in 2007, the General Business (GB) District was divided into the General Business 1 (GB1) and General Business 2 (GB2) districts. By default, all properties zoned GB became GB1 and over time, properties have been rezoned to the GB2 district as appropriate to address the more intense commercial land uses. As a result of the code amendment, contractors shops, machine shops, mini-warehouse, office/showroom, and small engine repair facilities are permitted within the General Business 2 (GB2) zoning district, but not the General Business 1 (GB1) district. The proposed request is intended to provide conforming zoning to the adjacent properties and for the property owner's anticipated land uses for the subject site to be permitted once again. The subject site is adjacent to the Light Industrial (LI) zoning district to the northwest, the General Business 1 (GB1) zoning district to the northeast, and the Agriculture/Conservation (A) zoning district to the south. The applicant would like to develop the land and has requested to rezone the property. The owner intends to rezone the 0.45 tract of land adjacent to North Heatherwilde Boulevard to General Business 1 (GB1) and the remainder 6.46 acres to the west, General Business 2 (GB2).

### **Staff Recommendation**

Throughout the rezoning process thus far, the property owner has been very responsive and willing to listen to the suggestions of the city. The property owner was willing to change the original proposal to better complement the surrounding existing and future developments. Originally, the property owner proposed to rezone the entire 6.91 acres to General Business 2 (GB2). After meeting with the city, the property owner amended the application to rezone the 0.45 acres fronting North Heatherwilde Boulevard to General Business 1 (GB1) to create consistency with the existing properties along North Heatherwilde Boulevard. The General Business 1 (GB1) District permits a full range of retail and office uses with a city-wide and even regional trade area. The proposed commercial use of the General Business 1 (GB1) portion of the subject site is consistent with the existing adjacent commercial properties to the east and north.

The property owner intends to develop the remaining 6.46 acres to the west under the General Business 2 (GB2) zoning district. The General Business 2 (GB2) district allows for more intense commercial uses and should be located near a collector or higher classified thoroughfare. The proposed commercial use of the General Business 2 (GB2) portion of the subject site complements the existing zoning and permitted land uses to the north, the Light Industrial (LI) District. The aesthetic of any future structures will not be affected by the rezoning. The General

Business 2 (GB2) district requires the same architectural standards as the General Business 1 (GB1) district. The existing Light Industrial (LI) district to the north allows different architectural standards than the General Business 1 and 2 districts. Both the Light Industrial (LI) and General Business 2 (GB2) districts require additional setback distances and screening measures when abutting single-family residential development, which the property owner is fully aware of. Also, the entire western border of the site is separated from the residential development to the west by the existing 130' wide strip of land allocated formally as the MoKan railway, now a right-of-way controlled by TxDOT.

The General Business 1 (GB1) and General Business 2 (GB2) districts proposed within the Kuempel Commercial site will allow for greater compatibility with both existing zoning districts and developments surrounding the subject site. North Heatherwilde Boulevard, an arterial street, is classified appropriate by the Comprehensive plan to provide access to more intense, commercial-driven development, which would help foster more employment opportunities to the north as called out in the Preferred Land Use Vision Plan. The Kuempel Commercial rezoning proposal to General Business 1 (GB1) and General Business 2 (GB2) is compatible with the adjacent land uses and appropriate development complementing the employment center to the north. Staff recommends approval of the proposed rezoning.

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

On September 18, 2017, the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance with a vote of 7-0.

#### **Prior City Council Action**

The City Council held a public hearing and approved the ordinance on first reading on October 10, 2017.

#### **Drafter**

Emily Barron, AICP  
Planning Director