



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	ORD-0436	<b>Version:</b>	3	<b>Name:</b>	Justice Center Drive Rezoning (REZ1809-01)
<b>Type:</b>	Ordinance	<b>Status:</b>	Approved		
<b>File created:</b>	10/31/2018	<b>In control:</b>	City Council		
<b>On agenda:</b>	12/11/2018	<b>Final action:</b>			
<b>Title:</b>	Approving an ordinance on second reading 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 LOTS 1 AND 2, CONSISTING OF 2 ACRES OUT OF THE 685 BUSINESS CENTRE SUBDIVISION AND BEING LAND SITUATED IN THE HENRY BLESSING SURVEY NO. 3, ABSTRACT NO. 99, AND THE SEFRIN EISELIN SURVEY NO. 1, ABSTRACT 265, TRAVIS COUNTY, TEXAS, LOCATED GENERALLY WEST OF F.M. 685 AND DIRECTLY NORTH OF JUSTICE CENTER DRIVE; TO BE KNOWN AS JUSTICE CENTER REZONING (REZ1809-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Justice Center (REZ1809-01), 2. Staff Report - Justice Center Rezoning (REZ1809-01), 3. Applicant Letter - Justice Center Rezoning (REZ1809-01), 4. Location Map - Justice Center Rezoning (REZ1809-01)

Date	Ver.	Action By	Action	Result
12/11/2018	3	City Council	Approved on Second Reading	Pass
11/27/2018	2	City Council	Action taken to close the Public Hearing	Pass
11/27/2018	2	City Council	Approved on First Reading	Pass
11/5/2018	1	Planning and Zoning Commission	Recommended for Adoption	Pass

Approving an ordinance on second reading 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 LOTS 1 AND 2, CONSISTING OF 2 ACRES OUT OF THE 685 BUSINESS CENTRE SUBDIVISION AND BEING LAND SITUATED IN THE HENRY BLESSING SURVEY NO. 3, ABSTRACT NO. 99, AND THE SEFRIN EISELIN SURVEY NO. 1, ABSTRACT 265, TRAVIS COUNTY, TEXAS, LOCATED GENERALLY WEST OF F.M. 685 AND DIRECTLY NORTH OF JUSTICE CENTER DRIVE; TO BE KNOWN AS JUSTICE CENTER REZONING (REZ1809-01); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

### **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 Action**

On November 5, 2018, the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance with a vote of 6-0.

### **Prior City Council Action**

On November 27, 2018, the City Council conducted a public hearing and approved the proposed ordinance on first reading with a vote of 7-0.

**Supporting documents attached:**

1. Ordinance
2. Staff Report
3. Applicant Letter
4. Location Map

**Recommended Actions**

Approve the ordinance on second reading rezoning the property from General Business 1 to General Business 2.