



City of Pflugerville

Minutes - Final

Planning and Zoning Commission

Monday, September 18, 2017

7:00 PM

100 E. Main St., Suite 500

Regular Meeting

1 Call to Order

Staff present:

**Emily Barron, Planning Director; Jeremy Frazzell, Assistant Planning Director;
Erin Sellers, Senior Planner ; Abbey Rose, Planner II; Ian Beck, Planner I;
Kristin Gummelt , Administrative Technician**

Chair Williamson called the meeting to order at 7:03 pm.

Present 7 - Chair Tammie Williamson, Vice Chair Daniel Flores, Commissioner Geoff Guerrero, Commissioner Karen Arnold, Commissioner Oscar R. Mitchell, Commissioner Pat Epstein and Commissioner Karen Duncan

2 Citizens Communication

There were none.

3 Consent Agenda

3A [2017-6115](#) Approve the Planning and Zoning Commission Minutes for August 7, 2017 Regular Meeting

Approved on the Consent Agenda

3B [2017-6160](#) Approving a Final Plat for The Commons at Rowe Lane Ph. IV-B; a 12.680-acre tract of land out of the John Kelsey Survey, Abstract No. 2753, in Travis County, Texas. (FP1508-03)

Approved on the Consent Agenda

3C [2017-6161](#) Approving a Final Plat for The Commons at Rowe Lane Ph. V-B; a 20.595-acre tract of land out of the John Kelsey Survey, Abstract No. 2753 and the Jacob Casner Survey, Abstract No. 918 in both Travis and Williamson County, Texas. (FP1508-03)

Approved on the Consent Agenda

Ms.Gummelt read the Consent Agenda.

**Commissioner Arnold made a motion to approve the Consent Agenda as read.
Vice-Chair Flores seconded the motion. All in favor. Motion carried.**

4 Public Hearing

- 4A [ORD-0369](#) To receive public comment and consider a Specific Use Permit application for a proposed Multi-Family land use on a 17.43 acre tract of land situated in the T.G. Stewart Survey No. 6, Abstract 689 in Pflugerville, Travis County, TX, generally located north of Pflugerville Pkwy and west of Pfluger Farm Lane, to be known as the Stone Hill Luxury Apartments Specific Use Permit. (SUP1706-01)

Jeremy Frazzell, Assistant Director Presented this item.

Mr. Frazzell explained that this property is generally located north of Pflugerville Parkway and west of Pfluger Farm Lane. The Highland Park Subdivision is located to the west and all other land bordering the property as well as the property are unimproved. The property is zoned CL4. The southern portion of the property does have flood plain. CL4 zoning allows for a variety of land uses. Multi-family does have to be approved through the Planning and Zoning (P&Z) commission via a Specific Use Permit (SUP).

Mr. Frazzell spoke about the process of obtaining a SUP. Items looked at are: is the proposed use harmonious and compatible with the surrounding uses, is the request reasonable, and are the adverse impact on the surrounding areas being mitigated. The SUP may be approved, approved with conditions or not approved.

Mr. Frazzell spoke about the parent tract to this property. There are two roads currently in the Highland Park neighborhood, Kingston Lacy Blvd and Walnut Canyon Blvd, which are part of the thoroughfare plan and will be continued into the current development. The developer is planning on continuing Kingston Lacy Blvd so that they will have a second access point for fire and EMS. The applicant does not currently own the portion of property the road will sit on but does intend to purchase this portion of property to construct the road. The planned development is 300 units in 13 three story buildings. There will be a mixture of attached and detached garage types, car ports and surface parking. There is a club house being proposed along the east side of the property along with a pool. The Buffer yard area is required per the Unified Development Code (UDC). There is a proposed walking path and green space area in the buffer yard. Mr. Frazzell also spoke to the proposed parkland that the developer will be adding in future phases. The parkland will encompass the flood plain just south of the proposed property. They do not currently own the parkland property.

The staff does recommend approval of this waiver with conditions. Staff recommends that a Preliminary Plan be completed on the parent tract so that a plan for the whole development could be reviewed. The staff feels the use fits in the planned future use of property and fits into the Comprehensive Plan. The staff also ask that the property be developed with in the current UDC requirements without waivers. The staff request parkland and development fee for the proposed land use be provided in accordance with the UDC and that no structures or parking be located any closer than 135 feet from the western property line.

Commissioner Mitchell asked for clarification on whether the applicant currently has the property for the parkland or road. Mr. Frazzell stated that at this time the applicant does not currently own the property the parkland and the future extension of Kingston Lacy Blvd will be built on.

Chair Williamson asked what conditions would address the road. The Preliminary Plan would address where the road extension would be located.

Commissioner Epstein asked for clarification on whether they would have to build the road. If the developer doesn't build the road they will be tasked with finding a secondary access point for fire and EMS. It is in their best interest to build the road.

Commissioner Epstein asked whether the city would be held financially responsible for the road. Mr. Frazzell stated that the road would be covered under the Preliminary Plan and are typically tasked to the developer to construct.

Commissioner Guerrero asked for clarification on what the Preliminary Plan would cover. Mr. Frazzell stated that it would cover the Land south of the Data tract (40 acres just south the Mansions at Stone Hill), west of Pfluger Farm Lane, north of Pflugerville Pkwy and East of the Highland Park subdivision. The owner is aware that a Preliminary Plan will need to be done before approval of the SUP.

The applicant, Kurt Goll, came forward to address the parkland piece and roadway extension. He stated the developer does intend to build the road. They will be purchasing the land for the parkland and road way extension. They are currently waiting for the survey to come back so that it can be submitted for the Prelim Plan. The goal is to have the Preliminary Plan approved for the second City Council meeting. He stated that the owner is aware and is participating in the Preliminary Plan.

Commissioner Epstein asked for clarification of the number of unit types. She asked about which school this development would feed into. She is worried about the impact on the schools. The proposed development has 192 1 bedroom, 102 2 bedroom, and 6 3 bedroom.

Vice-Chair Flores asked for confirmation that the developer plans to extend Kingston Lacy Blvd all the way to the Pfluger Farm Lane. The developer assured the Commission that it would be built before a certificate of occupancy (CO) is issued.

Cindy Wendling, 18117 Bandelier Dr, came forward to voice her concerns about the proposed use. She is worried that by completing Kingston Lacy Blvd, Highland Park is being opened up to the community and the Highland Park HOA pays to up keep the common spaces/ amenities i.e. the medians and park. She is also worried that the any children living in these apartments would funnel into the Highland Park schools and the schools are already over capacity. She is also very concerned about the noise and dirt from the construction. She is worried that debris and dust will affect her being able to use her backyard. She is also worried that she would not have the privacy she has now with three stories building going in behind her house. Mr. Frazzell explained that the distance from her back property line to the actual building

will be 135+ feet. In that area there will be vegetation and walking trails. Mr. Frazzell also explained that the parkland inside the Highland Park subdivision is city owned. The HOA does maintain the portion of the park with the lake and pavilion and the medians per an agreement with the city.

Chair Williamson and Mr. Goll both assured that there are precautions/regulations in place to help mitigate the impact on the surrounding properties during construction. Mr. Goll explained that the construction will follow city operating hours meaning they won't be out there excessively earlier or late. He also explained that there will be watering trucks on site to wet the ground to keep it from blowing everywhere. He furthered explained the buffer yard area that is going to be built. There will be a berm on the edge of the property line that will as tall as the fence with landscaping on top. Mr. Goll explained the planned amenities for the development. There will be a movie theater in the club house as well an onsite pool, along with courtyards with pavilions.

Rudy Metayer, 1814 Kingston Lacy Blvd, voiced his concerned about the safety on Kingston Lacy Blvd. People already move to quickly through that area. Is there way to address the speeding and safety when the road is extended? He also shared concern about the capacity of the schools for this area.

Regina Decker, 1809 Bandelier Dr. had concern of the unmaintained area right behind her house. She wondered who would be required to maintain the area. Mr. Frazzell and the land owner explained that once the property is developed the area will be maintained by the new development. The fence that exist today, that creates this unmaintained area, is there to stop the cattle from venturing into the back yards of the Highland Park residents.

Chair Williamson called to close the Public Hearing.

Vice- Chair Flores motioned to close the public hear. Commissioner Mitchell seconded the motions. All in Favor. Motion carried.

Vice- Chair Flores motion to approve with conditions. Commissioner Duncan seconded the vote. 6- Yay 1 Nay, Commissioner Epstein. Motion carried.

4B [ORD-0367](#)

To receive public comment and consider an application to rezone three separate (3) parcels within a proposed 7.31-acre subdivision located generally southwest of the North Heatherwilde Boulevard and Kingston Lacy Boulevard intersection. Parcel one (1) consists of 5.46 acres proposed to be rezoned from General Business 1 (GB1) to General Business 2 (GB2) district, parcel two (2) consists of 1.0 acre proposed to be rezoned from Agriculture/Conservation (A) to General Business 2 (GB2) district, and parcel three (3) consists of 0.45 acres proposed to be rezoned from Agriculture/Conservation (A) to General Business 1 (GB1) district; all to be known as Kuempel Commercial Rezoning. (REZ1708-01)

Abbey Rose, Planner II presented this item.

Ms. Rose presented the proposal to rezone three tracts of land from A (agricultural conservation) and GB1 (general business 1) to GB1 and GB2 (general Business 2) to be known as the Kuempel Commercial rezoning. She

explained that the proposed rezoning is a step up from the current zoning. Light Industrial (LI) is currently located north of the property with single family (SF) located to the west of the property and "A" located to the south. The Comprehensive Plan (CP) calls for this area of property to be a medium to high density residential. Many residents in these areas demonstrated a strong preference for more commercial and employment centers. The CP recognizes Heatherwilde Blvd. an arterial level street that would be appropriate for this level of zoning.

Mr. Rose explained the zoning history of the parcels. In 1999 the parcels were annexed into the city. In 2005 the parcels were rezoned to General Business (GB). In 2007 there was a code update and GB was updated to GB1 unless there was request to rezone to GB2. The applicant is aware of all setbacks and screening requirement associated with development of this property. The west property line backs up to the Moka Right-of-Way that is controlled by TxDOT. So along with existing setback and screening requirements there will be a 130 feet buffer between the parcels and the SF parcels.

Staff does recommends approval of this zoning proposal. The use is compatible with existing land uses. It will help contribute to employment centers located directly north. Heatherwilde is an appropriate level street for the proposed land use.

A gentleman from audience inquired about the impact of the development on the Moka Right-of-Way. Ms. Rose explained that the developer would not be allowed to touch the Moka. Any trees in this area are protected. Hal Kuempel, the applicant, came forward to address the question as well. Mr. Kuempel explained that any trees on the property line are going to be protected due to the fact that he can't do anything within 50 feet of the property line. He gains nothing from cutting down the trees.

Rick Landi, 19213 Pencil Cactus Dr asked if the Commission had any reservations about turning property zoned A into GB1, a more intense use. Chair Williamson stated that the parcels were zoned A as a place holder when they were annexed since no clear land uses were intended then. He also brought up the issue of trees. Mr. Kuempel addressed those issues. He explained that a retention pond will be built in the southwest corner were the bulk of the trees are located. No trees in this area will be touched and few trees fall outside of this area. Mr. Kuempel feels the impact on the trees will not be noticeable.

Commissioner Arnold motioned to close the public hearing. Vice- Chair Flores seconded the motion. All in favor. Motion carried.

Vice-Chair Flores motioned to approval the rezoning. Commissioner Mitchell seconded. All in favor. Motion carried.

5 Discuss and Consider

- 5A [2017-6163](#) Discuss and consider an application for an Architectural Waiver to consider multiple waivers to accommodate contemporary architecture for a multi-family project located within the Pecan District Phase 1 development. (ARB1708-01)

Jeremy Frazzell, Assistant Planning Director presented this item.

Mr. Frazzell explained the location and proposed development for the property. The developer has brought this architectural waiver forward to address the amount of accent material, the roof type, the transparency and the vertical and horizontal articulation for the buildings. While reviewing the site plan it became apparent that the modern architecture desired for the building ran into issues with the way the current code for multi-family is written. Mr. Frazzell spoke to the design of the proposed buildings. There will be two buildings with two different facades, a public facade that fronts to the either a private drive or Old Austin- Pflugerville Road and an interior facade the fronts to a court yard area. There will be surface parking located in the middle of the two buildings with tuck under parking available as well.

The waiver is requesting to reduce the primary masonry from 40% to 20%. So it would be 20% primary, 60 % secondary, 20 % accent material. The Public elevations almost meet the primary requirements. The interior elevations are far less. The proposed secondary material is going to be cementitious material (Hardi Plank) and stucco. The Hardi plank would be installed in a vertical board and baton style.

The UDC does not properly cover the material for flat roof. The material proposed is a typical rubber type roofing membrane that has a 30 year life expectancy. It is non-reflective and will not be seen from the road.

Mr. Frazzell explained that the developer is asking for a waiver for the vertical articulation so that they may shorten the articulation from 5 feet to 2-3 feet so that it is esthetically pleasing to the eye. The current UDC standard of 5 feet makes the building appear out of proportion with the other design elements. They are also asking for a waiver for the horizontal articulation. The brick areas will not meet the require 5 foot projection per 50 linear feet. The last articulation waiver they are asking for is to do away with the cornice on top of the building. Their design calls for the top of the building to terminate at the roof line.

In regards to the transparency waiver the developer is meeting most of the requirements except where the tuck under parking and the stair wells are. The developer has shown interest in doing additional visual design where the stair wells are. They are further asking to not provide trim around doors and windows where there is brick or stucco. They will provide trim where there is Hardi plank.

The staff does recommend approval of these waivers. It will provide a new and contemporary building design. It would be a unique development that does fit into the future land use of the property. The staff does not have any concerns with the material being used for the roof. It is an industry standard. The public facades remain close to what the UDC requires and the articulations are in line with intent of the code.

Commissioner Arnold asked if they would set a precedence with approving this waiver stating that individually the waivers make sense but collectively they seem like a lot. Mr. Frazzell explained that the current code is set up for the current suburban type developments currently being built. Perhaps the current codes needs to be updated to conform to the more contemporary designs of

the urban settings.

Vice-Chair Flores asked if there was code to regulate the primary and interior façade requirements. Mr. Frazzell explained that the definition of a primary façade is any façade that faces a public street, private drive, or court yard. The way these buildings are set up there is a lot of primary façade.

Commissioner Guerrero asked for clarification of the transparency waiver, specifically the visual imagery/ art on the stairwell. Mark Odom, the architect, clarified that on the large facades there is going to be stucco that is contrasting or perhaps have in inspirational quote to add visual interest. The exterior graphics have not been decided upon yet. Whatever is chosen will be subtle and more mature. It won't be anything in your face. The interior will be more playful and energetic. Commissioner Guerrero asked if there would be push back if the Commission asked for a heightened landscape requirement on these sides to soften the lack of break in façade. Mr. Odom didn't think it would go against what the owner is trying to accomplish with the feel of the design. He feels that there will be plenty landscape design to break up the large facades.

The owner also came up to address the questions. He stated that they are trying to create a very walkable neighborhood with tons of visual interest. He wants to engage the nearby school.

Commissioner Epstein commented that she is having a hard time visualizing the project. She asked if there is an example she could look at or compare it to. The owner mentioned a project on Oltorf west of First Street. Commissioner Epstein mentioned that she isn't necessarily against the project, she just can't visualize the project from the computer rendering.

Vice-Chair Flores asked if the waivers are coming from a cost or design stand point. Mr. Odom stated that the waivers are being pursued from a design standpoint. Visually the current UDC doesn't lend to the overall look they are trying to achieve. Mr. Odom further explained each request and how it relates to the overall look of the project.

Commissioner Guerrero asked about fencing for the project. Would there be a perimeter fence or a zero building line to the street. Mr. Odom stated that they would be building up to their set back. There would be no fencing. Mr. Odom and Mr. Frazzell stated that all utilities will be moving underground per the site plan.

Lee Garner, 15205 Hebbe lane, came forward to speak on the project. Mr. Garner doesn't feel that the project fits into with the vision of Pflugerville. He stated that this project looks like it fits in Oregon, Santa Fe, New Mexico or downtown Austin where you want to keep things weird. Mr. Garner was very insistent that the project does not belong in Pflugerville.

Commissioner Epstein motioned to table the discussion until the October 2nd meeting. Vice- Chair Flores seconded the vote. 3 yay, 4 nay. Motion failed.

Commissioner Arnold motioned to approve all waivers. Commissioner Duncan seconded the motion. Chair Williamson requested a condition be added that artistic elements that enhance the community being used follow sign regulations for the City of Pflugerville. 1nay, 6 yay. Motion carried.

5B [2017-6152](#)

Discuss and consider an application for an Architectural Waiver to allow for an additional increase in the amount of permitted accent materials with the use of Exterior Insulation Finishing Systems (E.I.F.S.) up to 44% and to permit E.I.F.S. within the first nine (9) above finished grade for the Pflugerville Hospital. (ARB1709-01)

Erin Sellers, ACIP Senior Planner presented this item.

Ms. Sellers explained that this waiver would be in addition to the waiver that was granted in February 2017 to allow for metal panels and Trespa (high pressure laminate). The applicant is asking for up 44% use of Exterior Insulation Finishing System (E.I.F.S.) and that this product be allowed within the first 9 feet of finished grade. UDC standards currently states that a masonry product must be used with in the first 9 feet of finished grade. This request would bring the total percentage of accent material up to 69%.

Ms. Sellers explained the E.I.F.S. product. This product creates a higher efficiency building envelop. The proposed location of the E.I.F.S. is on the side and rear elevations. The rear elevation would have a considerable amount of this product.

Ms. Sellers stated that while the staff is more favorable to stucco over E.I.F.S. they do recommend approval with conditions.

Commissioner Arnold asked Ms. Sellers if staff had a recommended on the percentage they would like for the E.I.F.S. Ms. Sellers stated that it would be nice to meet the 40% masonry requirement for the project. However with the scale of the project and the number of stories in question it may not be possible. Chair Williamson asked about whether this would set a precedent for future projects. Ms. Sellers commented that this will absolutely set a precedent going forward.

Ms. Barron commented that while this waiver will set precedence, it is also an opportunity to give comment on a previously unconsidered product because of previous issues. Ms. Sellers stated that stucco is currently classified as a secondary product and is permitted up to 60 % and that the applicant is looking to use the E.I.F.S. product in lieu of the stucco.

Vice-Chair Flores asked how the product is installed. Ms. Sellers invited the applicant to answer the question.

Baylor Scott & White, Brian Jarrett, introduced the Principle Architect, Robert Doane and Brian Melcher from Field Verified to speak on the E.I.F.S. product. Mr. Melcher spoke to why the proposed system is a superior product to stucco. Per the energy code buildings are required to have a continuous envelop on the outside of the building. With stucco the installation poses an issue. The fasteners for stucco have to be done every six inches. The E.I.F.S. system is adhered to the wall with a cementitious polymer. The installation methods lend to a continuous envelop that is water and air tight.

Vice-Chair Flores asked about what happens when the products burns. Mr. Melcher stated that this product is approved to go over fire rated products without compromising them. When the product is in the presence of fire the first ½ inch of the form melts and falls to the bottom creating an air gap and

protect the rest of the product from becoming molten.

Vice-Chair Flores asked Ms. Sellers to please clarify how the applicant is deviating from the UDC requirements. Ms. Sellers stated that the E.I.F.S. material would be classified as a secondary material and therefore cannot exceed 60%. The applicant is asking for a waiver that would allow them to have up to 69% of accent material.

Commissioner Guerrero asked for clarification on the waiver to use the product below nine feet. Ms. Sellers stated that per the UDC masonry is used for this nine feet above finished grade because of its durability. However E.I.F.S. is just a durable and easily repaired if needed. Mr. Melcher demonstrated the durability by taking a hammer to the sample that he brought.

Commissioner Epstein motioned to approve the waiver. Commissioner Mitchell seconded the motion. All in favor. Motion Carried.

6 Discuss Only

- 6A** [2017-6048](#) Discuss zoning and land use of property within the State Highway 130 and State Highway 45 Corridors.

Discussion of the CL5 residential zoning and land use. Ms. Barron suggested a worksession on October 2nd at 6 pm to discuss the commercial zoning and land uses for the corridor districts.

Adjourn

Commissioner Epstein made a motion to adjourn the meeting. Chair Williamson seconded the motion. All in favor. The meeting was adjourned at 9:54 p.m.

Tammie Williamson, Chair
Planning and Zoning Commission