

---

**STAFF REPORT**

**Planning and Zoning:** 2/6/2023  
**City Council:** 2/14/2023  
**Case No.:** 2022-6-SUP  
**Legistar No:** ORD - 0694

**Staff Contact:** Michael Patroski, Senior Planner  
**E-mail:** [michaelp@pflugervilletx.gov](mailto:michaelp@pflugervilletx.gov)  
**Phone:** 512-990-6300

---

**SUBJECT:** To receive public comment and consider an application for a Specific Use Permit for proposed use of Multi-Family within the Urban Center: Level 4 (CL-4) Zoning District for an approximate 20-acres of land, located at 17314 Weiss Lane to be known as the Weiss Lane Mixed Use Specific Use Permit (2022-6-SUP).

---

**SUMMARY OF THE REQUEST:**

The applicant is requesting a Specific Use Permit to allow for the use of multi-family within the Urban Center: Level 4 (CL-4) zoning district for an approximately 20-acre property. The applicant is proposing to construct 354 units of multi-family developed over 18.02-acres. This would result in the property being developed at 17.7 Dwelling Units (DU's) an acre. Additionally, the applicant's concept plan displays the remaining 1.98-acre property to construct an estimated 13,800 square feet of retail and restaurant uses.

**LOCATION:**

The subject property is located at 17314 Weiss Lane. The property is currently an unplatted 20-acre tract of land.



**HISTORY:**

The property was annexed in 2004 by Ordinance No. ORD768-04-12-28 and given the base zoning district of Agriculture/Development Reserve (A).

Agriculture/Development Reserve (A) identifies where an agricultural use may be an allowed and may be used as an interim zoning district for land that is relatively undeveloped but identified with growth potential in the Comprehensive Plan.

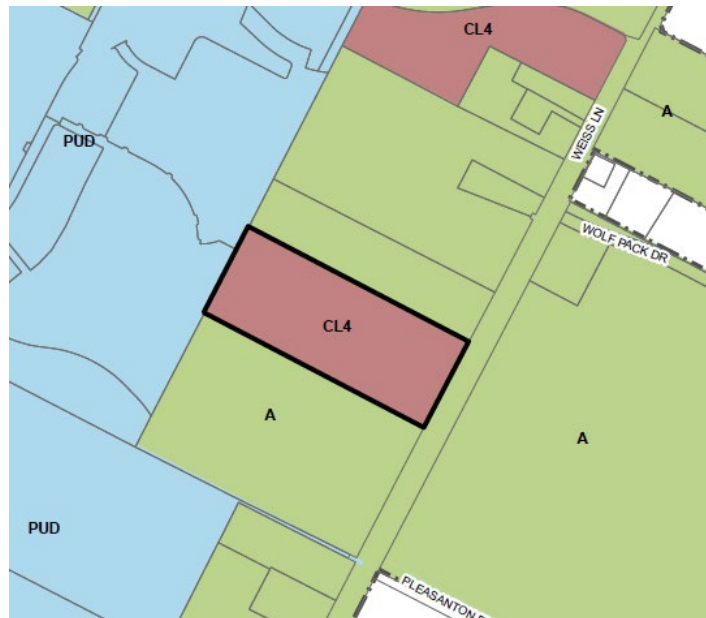
**STAFF REPORT**

In January of 2022, the subject property was rezoned from Agriculture/Development Reserve (A) to Urban (Level 4: CL-4) under Ordinance No. 1531-22-02-08 (Case No. REZ2111-02).

The CL-4 zoning district is intended to create vibrant and walkable neighborhoods and employment centers along the SH 130 and SH 45 corridors (roughly one mile along either side of the State Highway). The commercial retail services that are permitted in the CL-4 district play an increased role relative to the suburban district but remain supportive of surrounding neighborhoods and employment centers. Within the CL-4 zoning district, there are uses that are considered allowed by right, with conditions, as well as through a Specific Use Permit to create a more harmonious blend of land uses within the urban district.

**SURROUNDING ZONING AND LAND USE:**

Adjacent	Base Zoning District	Existing Land Use
North	Agriculture/Development Reserve (A), CL-4	Farmland/Vacant, multi-family
South	Agriculture/Development Reserve (A), PUD	Farmland/Vacant, industrial
East	Agriculture/Development Reserve (A)	Weiss Lane/Weiss High School
West	Lakeside Meadows PUD	Vacant land under development, proposed single-family attached (RV-1) and single-family detached (RV-2).



**STAFF REPORT**

**COMPREHENSIVE PLAN COMPATABILITY:** The Future Land Use Map adopted through the Aspire Pflugerville 2040 Comprehensive Plan, identifies the area as Mixed-Use Neighborhood.

Mixed-Use Neighborhood development incorporates different uses such as office, retail, commercial and residential in one area. Mixed-use development can be either vertical or horizontal. Vertical mixed-use describes a single structure with multiple uses within the structure. Typically retail or office is located on the ground floor while residential or office utilizes the upper floors. Horizontal mixed-use describes multiple uses next to each other in a single development or in close proximity. Uses can be located within a single structure, or in separate buildings adjacent to each other. These developments are intended to encourage users to not rely on vehicles and promote a pedestrian friendly experience.

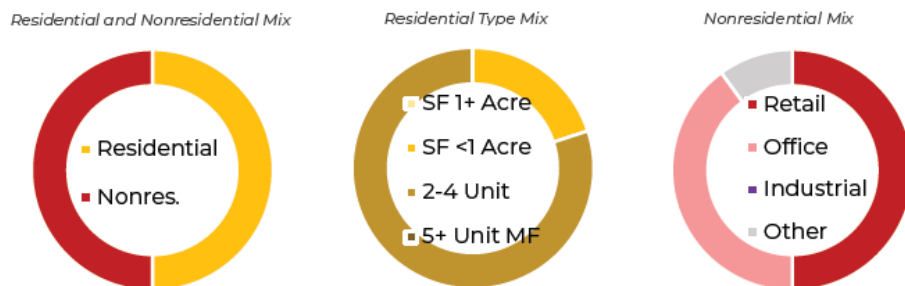
By mixing uses and having them in proximity, developments are more walkable than traditional suburban commercial development. These types of developments generally, incorporate amenities like plazas, public seating, and pedestrian features.

**COMPATIBILITY OF NEW USES AND BUILDING TYPES**

Primarily Residential		Primarily Nonresidential and Mixed-Use	
Agricultural	○○○	Mixed-Use, Neighborhood Scale	●●●
Cluster Subdivision	○○○	Mixed-Use, Community Scale	●●○
Single-Family, Large Lot	○○○	Mixed-Use, Regional Scale	○○○
Single-Family, Suburban Lot	○○○	Neighborhood Office and Commercial	●●○
Single-Family, Small Lot	●●○	Regional Office and Commercial	○○○
Accessory Dwelling Unit	●●●	Neighborhood Shopping Center	●●○
Townhome	●●●	Regional Shopping Center	○○○
Duplex	●●●	Light Industrial/Flex Space	○○○
Triplex/Fourplex	●●●	Heavy Industrial	○○○
Bungalow/Cottage Court	●●○	Civic/Recreation	●●●
Courtyard/Garden Apartment	○○○		
Urban Apartment	○○○		

●●● Appropriate primary uses  
 ●●○ Conditional as primary uses  
 ○○○ Inappropriate use

**Figure 3.12.** Mixed-Use Neighborhood



**STAFF REPORT**

While the 2040 Comprehensive Plan's Compatibility of New Uses and Building Types Chart for the Mixed-Use Neighborhood designation shows both Courtyard/Garden Apartment and Urban Apartments are an Inappropriate Use as a standalone development, when part of a mixed-use neighborhood scale or mixed-use community scale - it is considered appropriate.



Courtyard/Garden Apartment



Urban Apartment



Bungalow/Cottage Court



Mixed-Use, Neighborhood Scale



Mixed-Use, Community Scale

The CL-4 zoning district is an appropriate zoning district for those areas of the city that are identified as mixed-use neighborhood, however, the Unified Development Code requires a Specific Use Permit for the multi-family use. This suggests that while traditional apartment types are not the standard form of intended multi-family, the individual projects site location, compatibility with community, and additional factors may be taken into account, and if appropriate, be granted the ability to develop the multi-family use. Examples of this elsewhere in the city are the Stone Hill Apartment complex located generally northwest of Kingston Lacy Blvd and Pfluger Farm Lane, and Tacara at Weiss Ranch just north of this site, at the southwest intersection Weiss Lane and East Pflugerville Parkway. The Tacara at Weiss Ranch is an Urban Apartment style development that also has the zoning Urban Center: Level 4 (CL-4). With the Tacara at Weiss Ranch development, the SUP was approved on the condition that the structures be a minimum of three (3) stories, no parking be located adjacent to right-of-way, and a minimum of 14,000 sq. ft. of commercial/non-residential located on the ground floor to meet the intent of vertical mixed-use, and the uses were required to be in at least two of the overall buildings.

Chapter 8 of the Aspire 2040 plan created neighborhood districts throughout the city to establish goals and policies specifically related to those areas to improve the vitality and quality of life specific in those areas. This property is located within the Lakeside District (attached separately), which is described as one of the areas of the city that is expected to experience rapid growth in the near future based on the number of projects that are currently proposed in this area. An example is the Lakeside Meadows development located to the west of this site, which will have various employment centers, multi-family, single-family attached and detached, commercial, retail, office, light industrial, and vertical mixed-use. There is a

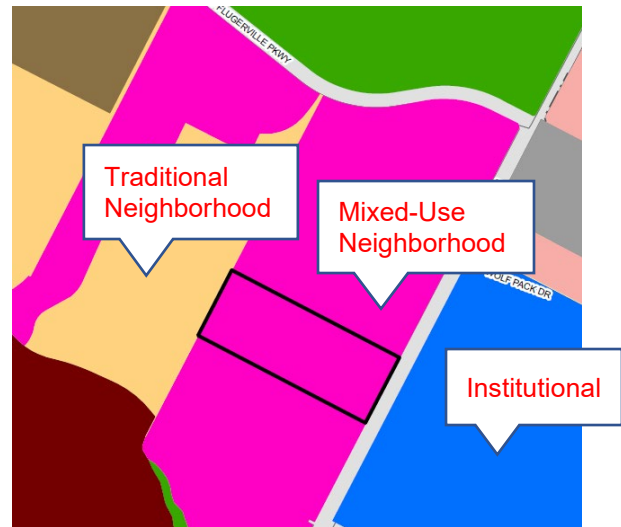
---

**STAFF REPORT**

network of trails in conjunction with sidewalks that are proposed in the area that will connect the neighborhoods to Lake Pflugerville, as well as have future potential to connect residents to 1849 Park located along Cameron Road.

Additionally, goals that were established through the Aspire Pflugerville 2040 Comprehensive Plan include:

1. Diversify the housing supply, types, and locations to meet community needs through each phase of life.
2. Foster transit-ready development patterns and combinations of land use that support walkable access to goods, services, entertainment, opportunity, and quality of life while also providing appropriate transitions of intensity and scale between uses.
3. Healthy Communities and Neighborhood Vitality Goals, Policies and Action Items:
  - a. Invest in designated areas to create an urban mixed-use environment to attract people and create a sense of place.
  - b. Strategically develop a mixture of residential and nonresidential in greenfield areas.
  - c. Encourage housing variety so that no more than 2/3rds of housing in an area is the same type.



While much of this area is currently undeveloped, within the Lakeside District near the property proposed for multi-family and commercial uses, there are multiple tracts within this region that are entitled for a variety of uses, with some of the land currently being developed.

As an extension of the city’s comprehensive plan, the city has also adopted a Transportation Master Plan, and water and wastewater master plans, which plan for future infrastructure as well as make land use assumptions. In both the water and wastewater master plans, this area is projected for mixed-use.

**TRANSPORTATION:**

The Transportation Master Plan (TMP) identifies Weiss Lane as a 120’ major arterial which, at full build-out, is 6 lanes, holds an 18’ median, as well as a 10’ shared use path protected by a 2’ and a 5’ buffer. As this property is developed, the 10’ shared use path will be constructed along the west side of Weiss Lane.



**STAFF REPORT**



**Parks Dedication and Development:**

The Parks and Recreation Commission held a public meeting October 20, 2022, where this project’s parkland dedication proposal was recommended for approval. Parkland dedication fee in lieu of this project is projected at \$203,512.32. The Park development fee is \$175,584 with a \$43,884 credit due to the developer planning to provide project management of a \$300,000 playground improvement at Lake Pflugerville. The Parks and Recreation Commission specifically mentioned the importance of the residents of this community getting to the lake (their nearest playground) safely.

**PROPOSED SPECIFIC USE PERMIT:**

The applicant is requesting consideration for the use of multi-family for the approximately 20-acre property within the CL-4 district to allow for an estimated 18.02-acres of the property to develop a maximum of 354 residential units. The use chart allows these uses within the CL-4 district by Specific Use Permit. The purpose of a Specific Use Permit is to ensure compatible land uses and harmonious development with the area where the uses may not be allowed by right but through an SUP.

The city’s Unified Development Code defines these uses as follows:

*DWELLING, MULTI-FAMILY-* A residential structure providing complete, independent living facilities for three or more families or households independently of each other including permanent provisions for living, sleeping, cooking, eating, and sanitation. For purposes of clarifying different product types, a Multi-Family Dwelling shall be considered a unit that is “for rent” vs. “for sale”.

While the property would be required to adhere to all development standards as outlined in the Unified Development Code and associated engineering standards and manuals at the time of development, there is an attached concept plan that shows a conceptual view of how this site may be laid out.

**PURPOSE OF SPECIFIC USE PERMIT:**

A Specific Use Permit provides for a case-by-case review of the proposed land use to ensure compatibility with the surrounding uses as well as the Unified Development Code (UDC). A Specific Use Permit is similar to a zoning request in that the application is considered by public hearings and allows for the public, Planning and Zoning Commission, and City Council to review and consider the proposed request based on

**STAFF REPORT**

the specific criteria outlined in the UDC, which allows consideration for creating compatibility for uses that are allowed through a Specific Use Permit.

**STAFF ANALYSIS:**

Per Section 3.8.4 of the UDC, the Planning and Zoning Commission and City Council shall consider the following criteria in determining the appropriateness of the Specific Use Permit request. Staff has reviewed the applicant's proposal against the criteria and included its analysis below:

1. Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses.

***Complies:** The subject property is currently located between two parcels that are undeveloped and zoned Agriculture/Development Reserve (A) along Weiss Lane. It is also just east of the Lakeside Meadows development, with a single-family detached product proposed immediately adjacent. While this property is adjacent to two agriculture tracts, they are vacant and do not have a residential use on either of them, therefore there is not a compatibility issue with an existing use. There is also a similar development in the CL-4 zoning to the north along Weiss Lane, which is proposed for 300 multi-family units and 14,000 sq. ft of retail/restaurant.*

*However, being that the adjacent properties along Weiss Lane are currently undeveloped, if approved, the subject properties land use would be the initial first step in establishing this portion of the roadways character and development pattern. In addition, the applicants Concept Plan depicts a 30' setback and 50' vegetative buffer to the adjacent single-family development to the west, which does provide harmonious compatibility with the developing neighbor tract.*

2. Whether the activities requested by the applicant are normally associated with the requested use.

***Complies:** The proposed activities that the applicant requested are consistent with the proposed use of multi-Family, as defined by the UDC.*

3. Whether the nature of the use is reasonable; and

***Complies:** The applicant's proposed uses of the subject property are reasonable. If the Specific Use Permit (SUP) is approved, the entire development will be subject to all development standards required by the UDC, and associated development manuals, requirements of the UDC. This includes subdivision standards for platting, all site and building development standards per the Unified Development Code (UDC), as well all specific development standards for projects within the Urban Center: Level 4 (CL-4) zoning district.*

4. Whether any adverse impact on the surrounding area has been mitigated.

***Complies:** If the Specific Use Permit is approved, the development of the subject property will not impose any negative impact to the surrounding area. The property will be subject to all UDC requirements including but not limited to proper screening, setbacks, landscaping, lighting standards, streetyards, proper articulation design, as well as all engineer design standards as adopted by the city.*

**STAFF REPORT**

In addition to the SUP criteria that is outlined in 3.8.4, Criteria for Approval, there are additional requirements and criteria for SUPs that are requested within the corridor districts outlined in 3.8.6, Additional Criteria for Corridor Districts.

The application illustrates conformance with the four guiding principles for the SH 130 and SH 45 corridor and consideration of the following desirable characteristics:

- A. Retail activity is preferred to be clustered within proximity to the following major intersections:
  - a. SH 130 and SH 45,
  - b. SH 130 and Pecan Street,
  - c. SH 45 and Heatherwilde Boulevard,
  - d. SH 130 and Pflugerville Parkway, and
  - e. FM 685 and Pflugerville Parkway.

***Not applicable:** In this case, the subject property is not located at any of the described intersections. However, for this project, which is located midblock along Weiss, they have proposed commercial activity along the frontage of Weiss Lane.*

- B. Structures should orient to public streets and designated trails as noted on the Future Trails Map referenced in the Comprehensive Plan.

***Partially Complies:** The Concept Plan provided displays that the clubhouse, retail, and restaurants along Weiss Lane are all facing the roadway, showing compliance with this requirement. However, the multi-family structures are oriented inward to common open spaces or toward the amenity center and pool. The property had an internal private sidewalk network as well as a required sidewalk along Weiss Lane. It is noteworthy that the multi-family structures are three-stories tall, while the retail/restaurant uses proposed along Weiss Lane are only one-story. However, base CL-4 zoning would allow taller structures along the frontage as long as the proposed use meets all UDC requirements. Separate of the 10' shared use path that will be required along Weiss Lane, there is no proposed or required extension of trail for this site. It is anticipated that the sidewalks adjacent to the street network combined with the trails proposed through the Lakeside Meadows development will facilitate connectivity in this area and to the lake.*

- C. The extent of connectivity among proposed and existing rights-of-way is demonstrated.

***Complies:** The Concept Plan for the site does not display any proposed new right-of-way. The subject property will take access from existing Weiss Lane.*

- D. The extent to which uses, such as freestanding pad sites, are clustered at focal points or key features within a development and relate to other components of the overall development. Such focal points or key features may include, but are not limited to retention systems,



**STAFF REPORT**

greenways, dedicated hike/bike facilities, or plazas, parks or other features that create a gathering place.

**Complies:** *The Concept Plan shows that the subject property is orientating the multi-family structures throughout the property to be facing key gathering places including a pool and amenity site, playscapes, and open space yards with sidewalks and shade structures.*

E. The application illustrates compliance with the requirements and guidelines of this Chapter.

**Complies:** *For the Specific Use Permits (SUP) displayed Concept Plan, the UDC will ensure that any further development of the subject property will be designed and developed to meet all applicable city code.*

F. The application exhibits compatibility of the design with surrounding properties and development patterns.

**Partially Complies:** *As previously mentioned, the subject property is currently adjacent to vacant and undeveloped land, as well proposed single-family immediately adjacent to the west. If approved, the subject properties land use would be the initial first step in establishing this portion of the roadways character and development pattern.*

G. The application exhibits compatibility and coordination between the character of the streetscape and the planned surrounding built environment.

**Complies:** *The subject property is currently surrounded by vacant or undeveloped farmland, so while it is not consistent with the character of the area today, it will be consistent with the character of the planned surrounding built environment, including the Lakeside Meadows development to the west. Additionally, the applicants Concept Plan is showing to the required setback, bufferyard and streetscape requirements including a 15' vegetative setback from Weiss Lane, a 30' setback and 50' vegetative setback to the future single-family development to the rear, as well as 5' setback to the neighboring agricultural properties to the north and south.*

H. The application exhibits no substantial negative impacts on the historic, cultural or architectural nature of the site or surrounding area, or successfully mitigates such impacts.

**Complies:** *The proposed land use(s) does not exhibit any negative impacts on historic, cultural or architect nature of the site or surrounding area.*

Furthermore, in granting a Specific Use Permit, conditions may be imposed upon the proposed use.

The SUP is evaluating the land use specifically and compatibility with the adjacent land uses, and at the time of development, the applicant would be required to adhere to all UDC regulations for the development, including but not limited to zoning, subdivision, site plan, landscaping, articulation, parking, engineering design standards, and associated master plans and design manuals, etc.

**STAFF RECOMMENDATION:**

## **STAFF REPORT**

The applicant is requesting an SUP for the use of multi-family. The use is permitted within the Urban (Level 4: CL-4) district by Specific Use Permit (SUP). All requirements of the UDC regarding site development will be reviewed and approved at the subdivision and site development stage.

While the area where this property is located today is not fully developed, as described in the comprehensive plan, the Lakeside District is intended to provide a variety of housing options with supportive commercial/retail/employment options that create the 10-minute neighborhood. The use of multi-family when part of a vertical or horizontal mixed-use development is an appropriate mix of land uses to achieve the mixed-use neighborhood and community scale developments that are provided for in the Aspire Pflugerville 2040 Plan. The mixed-use neighborhood is meant to spread a variety of uses throughout this region, and while there is a cluster of multi-family at the corner of Pflugerville Parkway and Weiss Lane under development currently, there are many proposed housing options entitled in the Lakeside District. As this area transitions east from Weiss Lane west to SH 130, there is proposed single-family detached, single-family attached, vertical mixed-use, and multi-family housing.

### **Staff recommends approval of the SUP request with the following conditions:**

- A minimum of 1.98 acres of the subject property fronting Weiss Lane to provide a minimum of 13,800 square feet of retail and restaurant use.
- Buildings/Structures immediately adjacent to Weiss Lane are to be oriented towards the roadway.
- Consistent architecture theme throughout entire 20-acre property.
- Comply will all Driveway Spacing requirements.
- All requirements of the Unified Development Code and adopted design manuals and master plans are met, even those not depicted in the conceptual site plan.

### **NOTIFICATION:**

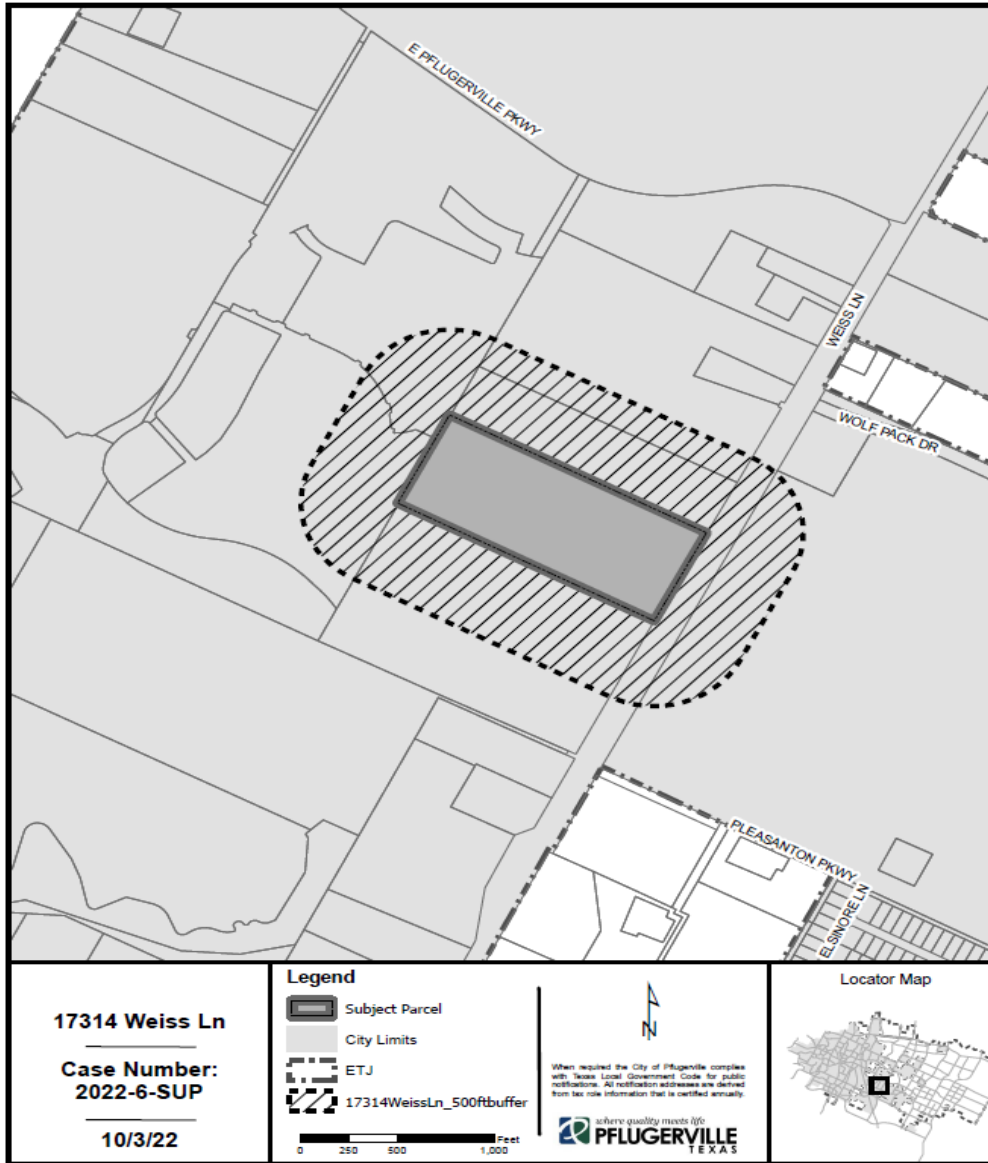
Notification letters were sent to property owners within 500-ft. of the proposed site. A sign was placed on the property and a public notice appeared in the newspaper. At time of staff report, there have been no inquiries.

### **ATTACHMENTS:**

- Notification Map
- Letter of Intent
- Site Photos
- Proposed Concept Plan

**STAFF REPORT**

**NOTIFICATION MAP:**



---

**STAFF REPORT**

**LETTER OF INTENT**



September 28, 2022

City of Pflugerville  
100 West Main Street  
Pflugerville, Texas 78660

RE: 17000 Weiss Lane - Specific Use Permit

Staff, Commissioners, and Councilmembers:

Land Strategies, Inc. (LSI) submits this request for a Specific Use Permit for the property at 17314 Weiss Lane on behalf of the property owner, DCI Developers LLC/Casey Development, LTD.

**Property Overview:**

The subject property is 20 acres out of the E. Kirkland Survey 7 Abstract 458, located at 17314 Weiss Lane across from Weiss High School in the Full-Purpose jurisdiction of the City of Pflugerville with current zoning Urban Level 4 District (CL4). The site is undeveloped agricultural land surrounded by the same; refer to the aerial image, property survey, and conceptual site plan provided with this submittal.

**Specific Use Permit:**

A Specific Use Permit is required for a multifamily use in the CL4 zoning district. The project proposes 100% fee-in-lieu of parkland dedication and parkland development fees, and up to 70% impervious cover is being requested in accordance with Table 4.4.4: Corridor Districts- General Regulations and Height Standards.

**Project Overview:**

The intent of this project is to create a vibrant and walkable horizontal mixed-use development that will enhance the streetscape along Weiss Lane with attractive architecture, landscape design, and public art. The conceptual site plan proposes approximately 354 multifamily units, 13,800 square feet of commercial/retail space along Weiss Lane, and approximately 39,000 square feet of open space including shade structures, playscape, dog park, decorative paving, and public art.

Thank you for your consideration and contact us at any time with any questions or requests for additional information.

Sincerely,



Paul W. Linehan, ASLA  
President

CC: Ory Kalenkosky, Casey Development LTD

**STAFF REPORT**

**Site Photos:**

**Facing West**



**Facing West, from across Weiss Lane Medium**



**Facing South along Weiss Lane**



**Facing North along Weiss Lane**

