

STAFF REPORT

Planning and Zoning: 7/18/2022 **Staff Contact:** Kristin Gummelt, Planner I
City Council: 8/09/2022 **E-mail:** kristing@pflugervilletx.gov
Case No.: 2022-2-SUP **Phone:** 512-990-6300
Legistar No: ORD-0664

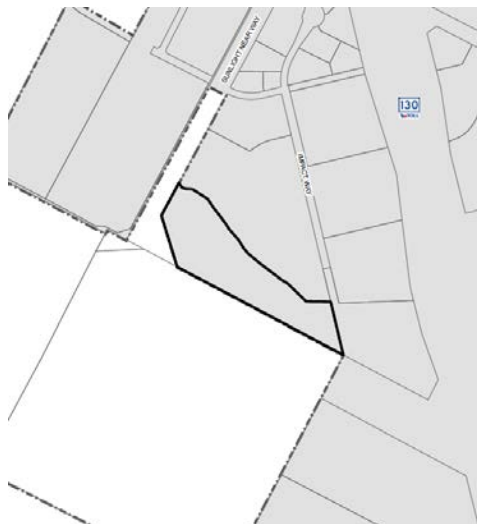
SUBJECT: To receive public comment and consider an application for a Specific Use Permit for proposed uses of Industrial Uses (Light) and Office/Warehouse within the Urban Center: Level 5 (CL-5) zoning District for an approximate 24.393-acres of land legally described as Lot 3F in the Renewable Energy Park Subdivision, situated in the William Caldwell Survey Abstract No. 162, City of Pflugerville, Travis County, Texas, generally located south of Pecan Street, east of Sun Light Near Way, and west of SH 130 Toll to be known as the Lot 3F Specific Use Permit (2022-4-SUP).

SUMMARY OF THE REQUEST:

The applicant is requesting a Specific Use Permit to allow for the uses of Industrial Uses, Light and Office/Warehouse within the Urban Center: Level 5 (CL-5) zoning district for an approximately 24.39 acre property to allow for proposed manufacturing uses. The applicant is proposing to construct three (3) buildings, two for manufacturing and one as a training facility. The first phase is to include approximately 14.5 acres of the site, which is proposed for an approximately 162,000 sq. ft. manufacturing facility. The proposed buyer is a sheet metal fabrication company with an existing facility in Pflugerville and wishes to expand their business. The facility will take previously prepared materials and fabricate them in a finished product.

LOCATION:

The subject property is generally located south of Helios Way, west of Impact Way, and east of Sun Light Near Way. It is located within a platted tract of land in the SH 130 Commerce Park known as Lot 3F of the Renewable Energy Park.



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HISTORY:

The property was annexed into the city in 2007 as part of a city-initiated annexation by Ordinance No. 880-07-04-24, and was later rezoned to Urban Center: Level 5 (CL-5) in October 2007 by Ordinance No. 913-07-10-09. In June 2013, the property was also approved a Special District – similar to a Specific Use Permit – for the use of Research and Development Center by Ordinance No. 1146-13-06-11.

SURROUNDING ZONING AND LAND USE:

Adjacent	Base Zoning District	Existing Land Use
North	Urban Center: Level 5 (CL-5)	Warehouse Distribution Indoor, FedEx Facility
South	ETJ	The Northeast Metropolitan Park: Public Parkland
East	Urban Center: Level 5 (CL-5)	Office/Warehouse
West	Urban Center: Level 5 (CL-5)	Vacant



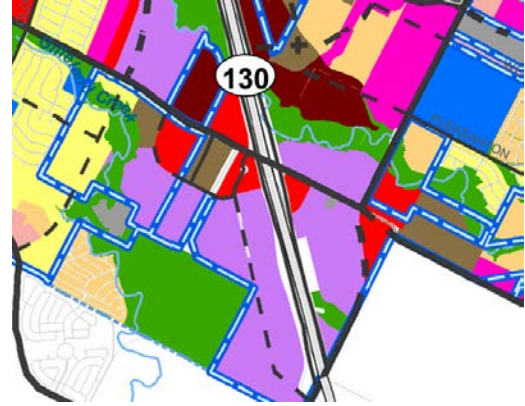
COMPREHENSIVE PLAN COMPATABILITY: The Future Land Use Map adopted through the Aspire Pflugerville 2040 Comprehensive Plan, identifies the area as Employment. The use of Light Industrial/Flex space is identified as an appropriate primary use.



Furthermore, the Aspire 2040 plan creates character districts, and this property is located within the East Pecan District. One of the objectives of the East Pecan District is to “expand 130 Commerce Park as an economic engine and consider diversification of the building types to support other target industries.” It further describes this area as an economic hub of employment.

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In addition, in 2019 and 2020, the city updated the Transportation Master Plan as well as the Water and Wastewater Master Plans, which serve as an extension of the city's comprehensive plan. In all 3 of these plans, the property is shown as Light Industrial/ Employment. The Transportation Master Plan (TMP) identifies Impact Way as a major collector which, at full build-out, is 3 lanes, center turn lane roadway with a right-of-way width of 70 feet and will extend south to connect to Cameron Road.



PROPOSED SPECIFIC USE PERMIT:

The applicant is requesting consideration for the uses Industrial Use, Light, as well as Office/Warehouse for the approximately 24.39-acre property within the CL-5 district to allow for proposed manufacturing uses for an existing Pflugerville business that is proposing to expand on this site. The use chart allows these uses within the CL-5 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:

INDUSTRIAL USE, LIGHT- A use engaged in the manufacture of finished products or parts predominantly from previously prepared materials, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

OFFICE/ WAREHOUSE- A building, or a portion of a building which is a structurally separate and functionally distinct unit, primarily devoted to storage, warehousing and distribution of goods, merchandise, supplies, and equipment. Accessory uses may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

While the property would be required to adhere to development standards as outlined in the Unified Development Code 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 the specific criteria outlined in the UDC, which allows consideration for creating compatibility for uses that are allowed through a Specific Use Permit.

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The Planning and Zoning Commission and City Council shall consider the following criteria in determining the appropriateness of the Specific Use Permit request:

1. Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses. *This parcel is located along a major collector (Impact Way), which at full build-out will extend south to connect to Cameron Road. It is located within the SH 130 Commerce Park which has a variety of uses such as Office/Warehouse, Industrial Uses (Light), and Data Center. Overall, the proposed use is harmonious and compatible with surrounding existing and proposed uses.*
2. Whether the activities requested by the applicant are normally associated with the requested use. *The proposed activities that the applicant requested are consistent with the proposed use of Industrial Uses (Light) and Office/Warehouse, as defined by the UDC.*
3. Whether the nature of the use is reasonable; and *The proposed uses and the nature of the proposed development is generally consistent with the area.*
4. Whether any adverse impact on the surrounding area has been mitigated. *The development will be required to meet all code requirements for the proposed land use including but not limited to screening of the truck docks, overhead doors, and trailer parking from the right-of-way, major drive aisles, and patron parking. When evaluating a Specific Use Permit, it is similar to a rezoning request in evaluating the compatibility of the specific use and not just what the applicant is proposing on the conceptual drawing. Staff finds that the proposed conceptual drawing for phase 1 meets the intent of the code and recommends conditions associated with the design of future buildings.*

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. Staff finds that the requested SUPs and corresponding concept plan for Office/Warehouse and Industrial Use, Light meets all criteria for SUPs within the corridor district, including structures being oriented toward public streets; the extension of Impact Way will be extended through the site in compliance with improving connectivity; the applicant exhibits compatibility with the design and development patterns of the area, as well as compatibility of the character of the area; and has no negative impact on the historic, cultural, or architectural 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, etc.

STAFF RECOMMENDATION:

The applicant is requesting an SUP for the use of Industrial Uses, Light and Office/Warehouse. The uses are permitted within the Urban Center: level 5 (CL-5) district by Specific Use Permit (SUP). The site design and architecture will be reviewed by the city in the standard site development process.

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The proposed land use is compatible with the Comprehensive Plan as well as the related sub-master plans. The area is intended for light industrial uses and employment. The Industrial Uses, Light and Office/Warehouse uses align with the Comprehensive Plan's intent of the property as employment. In addition, the proposed uses meet Goal 8 of the Aspire 2040 plan, which is to "create a land development ecosystem supportive of diverse employment opportunities ranging from small start-ups to Fortune 500 corporations to increase the amount of residents that work in Pflugerville and also elevate the community's image." In addition, one of the objectives of this goal encourages development that cultivates, supports, and assists in the growth of small businesses by providing spaces for start-ups as well space for growth. While the business that is proposing to expand to the 130 Commerce Park is not currently located in this area, they are a local business that would like to continue their growth and success within the city at this proposed location, in compliance with the goals and intent for this area outlined in the Aspire 2040 plan.

Furthermore, staff finds that the proposed Specific Use Permit (SUP) request for Industrial Uses, Light and Office/Warehouse uses complies with all four criteria outlined in the Unified Development Code (UDC) Section 3.8.4, SUP Criteria for Approval, as well as 3.8.6, Additional Criteria for Corridor Districts.

For the reasons outlined above, staff is recommending approval as presented with the conditions as follows:

- that the truck court area be oriented inwards towards the 130 Commerce park and the front-facing facade oriented towards the public park or public street.
- If the truck court orients towards the park to the south or can be seen from public right-of-way there shall be an 8ft masonry wall and a vegetative buffer consisting of 4 evergreen trees and 15 shrubs per 100 linear feet.
- Wing wall as required by the UDC in subchapter 11.8
- No outdoor storage

NOTIFICATION:

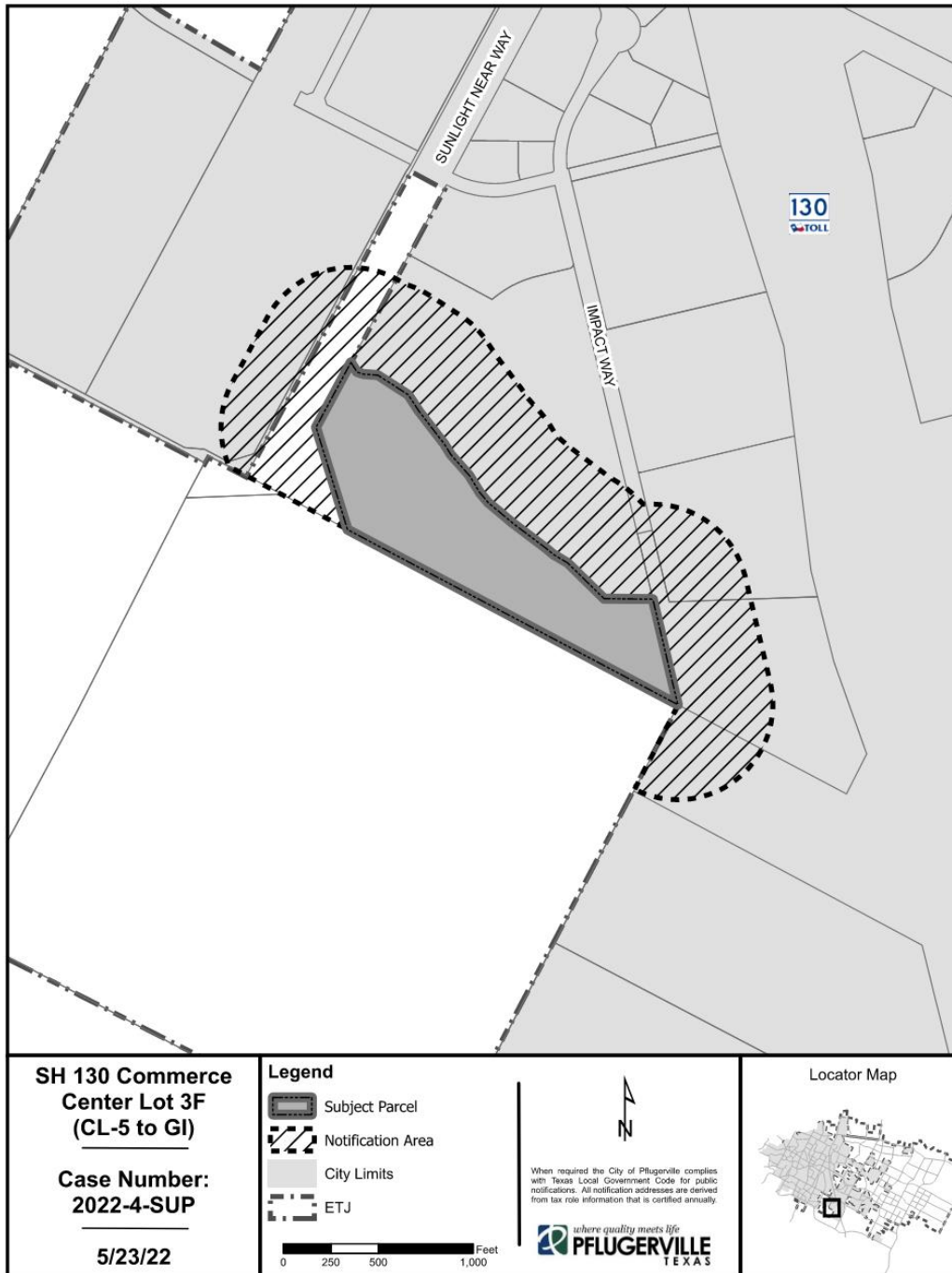
Notification letters were sent to property owners within 500-ft. of the proposed site. A sign was placed on the property and a public notice appeared in the newspaper on July 6th. At time of staff report, there have been no inquiries.

ATTACHMENTS:

- Notification Map
- Letter of Intent
- Site Photos
- Proposed Concept Plan
- Employment Summary
- East Pecan District Summary

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NOTIFICATION MAP:



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LETTER OF INTENT



DCS Engineering, LLC
1101 S. Capital of Texas Highway
Building G-100
Austin, Texas 78746
Tel: (512) 614-6171
T.B.P.E. Firm No. F-13162
www.DCS-Engineering.com

July 05, 2022

Mr. Jeremy Frazzell
City of Pflugerville
100 W. Main St.
P.O. Box 589,
Pflugerville, Texas 78691

Reference: Pflugerville Community Development Corporation
Lot 3F - Specific Use Permit
DCS Project No. : 20101482

Dear Mr. Frazzell:

Attached you will find a copy of the Zoning Application Form in order to request a Specific Use Permit for the 24.393-acre Lot 3F of Replat of Lot 3C -Renewable Energy Park (Property ID 837593), located within the SH-130 Commerce Center at Impact Way, Pflugerville, Tx 78660. It should be noted here that the lot is being re-platted as a part of the Impact Way Extension -Phase III project and the plat will be filed once the public improvements have been constructed. A copy of the proposed plat is included in the application package and contains the full legal description of the subject property.

The property is currently zoned as CL5-Urban Level 5 and we are requesting a SUP to allow for Industrial Uses (Light) zoning usages. The Lot 3F site is proposed to be split into three parcels, the first of which will be an approximately 1-acre parcel containing a 40,000 SF training facility, the second will be approximately 8.8 acres and contain a 60,000 SF manufacturing facility, and the third will be approximately 14.5 acres and will contain a 162,284 SF manufacturing facility. Other existing land uses within the SH-130 Commerce Center include Light Industrial -Warehouse Distribution Indoor, Campus Industrial, Industrial Uses (Light), Hotel, Office -Professional, and Data Center.

Prior to site development, Impact Way will be extended to provide access and public utilities to the site. The tracts will be shaped in such a way that each lot will have at least 50' of frontage onto Impact Way, however, it is anticipated that the two larger tracts will utilize a joint access driveway for their ingress and egress to Impact Way.

If you have questions about this proposal, please call me at (512) 614-6171.

Sincerely,



Kathryn Johnson, P.E.
Project Manager

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Site Photos:



Looking South from the terminus of Impact Way towards the site



Looking north from the Northeast Metropolitan Park

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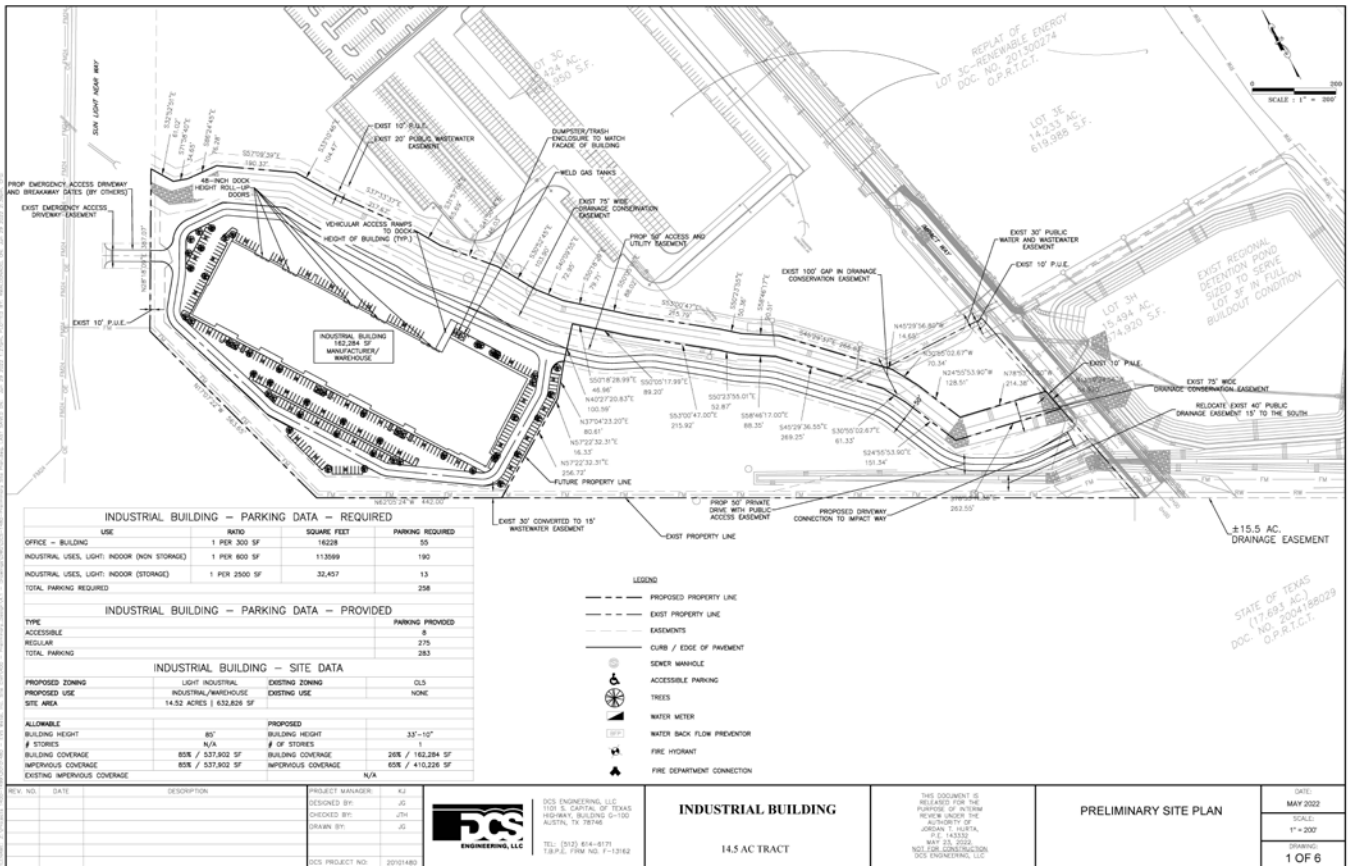


Looking north from the Northeast Metropolitan Park



The sign placed for the notification of a public hearing

Proposed Concept Plan



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Employment Summary

EMPLOYMENT

The Employment future land use category applies to the industrial flex space opportunities along SH 45 and SH 130. The primary uses for Employment centers are a mix of office, industrial, and flex space uses.

Industrial flex space development includes a variety of manufacturing and storage uses that have a wide range of appearances and intensities.

Residential uses are not appropriate within these areas in order to ensure the City's ability to attract and maintain employment generating uses.

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



View of an employment center

Figure 3.15. Employment

Residential and Nonresidential Mix



Residential Type Mix



Nonresidential Mix



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East Pecan Summary

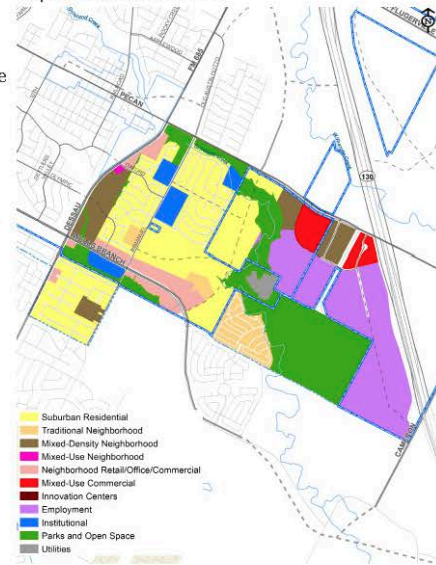
ASPIRATIONAL ACTIONS

- Increase access to parks, open space and trails, with safety enhancements such as lighting along trails and streets feeding into the trail system.
- Improve pedestrian safety along major roadways, with improved connectivity.
- Develop enhanced trail connections up Gilleland Creek, creating a strong pedestrian connection to Northeast Metropolitan Park.
- Enhance the parks of Gilleland Creek, creating different experiences appealing to a variety of park users that draw more people in. Use trail system connections as an opportunity to create unique, exciting experiences at different parks along the route, along with supportive wayfinding directing to destinations.
- Enhance Pecan Street, Dessau Road, Immanuel Road and Wells Branch Parkway with improvements to support comfort for people using bikes or walking, and enhance further with appropriate wayfinding directing to destinations.
- Expand 130 Commerce Park as an economic engine, and consider diversification of the building types to support other target industries. Consider approaches that leverage the adjacency to the parks in addition to the logistical advantages of the SH 130 corridor.

- Consider approaches to landscaping and buffering to minimize the visual impact of the wastewater treatment plant, along with any further approaches identified to reduce negative effects of the facility, like odor control.
- Consider redesign of access as well as improved facilities for Pflugerville Animal Welfare Services, shifting so that it is not primarily accessed through the interior of a neighborhood. In doing so, use the creek crossing as an opportunity to expand trail infrastructure towards Northeast Metropolitan Park.

EAST PECAN DISTRICT

Map 8.7. East Pecan District



This district varies significantly in character between the east and west portions, split at Gilleland Creek. The creek and adjacent areas includes Northeast Metropolitan Park, with a variety of recreational opportunities ranging from BMX to athletic fields to walking trails along the creek. This is also the location of Pflugerville's current wastewater treatment plant. The eastern portion is an economic hub of employment, with significant amounts of flex industrial/commercial and lodging. To the west is primarily single-family neighborhoods although Dessau Road and Wells Branch Parkway serve as opportunities for denser residential and neighborhood-serving retail. A significant portion of the residential area includes manufactured housing. Multiple schools are located in this District.