

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF TWO SEPARATE TRACTS CONSISTING OF APPROXIMATELY 38.465 ACRES OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, AND APPROXIMATELY 6.279 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67, ABSTRACT 791, FROM GENERAL BUSINESS 1 (GB1) AND AGRICULTURE/CONSERVATION (A) DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD); TO BE KNOWN AS THE COMMONS AT HEATHERWILDE AND PECAN PLANNED UNIT DEVELOPMENT (REZ1503-03); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the authority of Texas Local Government Code Chapter 211, the City of Pflugerville adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

WHEREAS, the Planning and Zoning Commission held a public hearing on June 1, 2015 and voted for its approval with a vote of 6-0;

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

The City Council finds:

THAT, the zoning amendment is in accordance with the City's Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City, and is in accordance with the following purposes: 1) lessen congestion in the street; 2) secure safety from fire, panic and other dangers; 3) promote the general health and welfare; 4) provide adequate air and light; 5) prevent undue overcrowding of land; 6) avoid undue concentration of population; and 7) facilitate the adequate provision of transportation, water, sewer, schools, parks and other public requirements.

Section 1: That the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1203-15-02-24, as amended, is amended to change the base zoning district of the property described herein as Exhibit "A", from General Business 1 (GB1) and Agriculture/Conservation (A) Districts to Planned Unit Development (PUD) District.

The property described above may be developed and used in accordance with the Development Standards established for The Commons at Heatherwilde and Pecan Planned Unit Development as described herein as Exhibit "B", as applicable, and all other applicable ordinances of the City of Pflugerville, Texas. Where an unintentional conflict may occur, applicable City codes and ordinances shall prevail.

Section 2. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Pflugerville except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 3. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 4. That this Ordinance will become effective on its adoption and passage by the City Council.

PASSED AND APPROVED this _____ day of _____, 2015.

CITY OF PFLUGERVILLE, TEXAS

by: _____
JEFF COLEMAN, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

GEORGE E. HYDE, City Attorney
DENTON, NAVARRO, ROCHA, BERNAL, HYDE & ZECH P.C.

FIELD NOTES

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; BEING ALL OF A 12.016-ACRE TRACT (TRACT 1) AND ALL OF A 10.146-ACRE TRACT (TRACT 2) AS CONVEYED TO PECAN STREET PLAZA, LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2005197001 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF A 0.517-ACRE TRACT AS CONVEYED TO PECAN STREET PLAZA, LLC BY WARRANTY DEED RECORDED IN DOCUMENT NO. 2008082727 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND ALL OF A 15.800-ACRE TRACT AS CONVEYED TO PECAN STREET PLAZA, LLC BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2005177304 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a concrete monument found at the intersection of the south right-of-way line of Pecan Street (F.M. Highway No. 1825) and the northwest right-of-way line of Old Austin-Pflugerville Road at the northeast corner of the above described Pecan Street Plaza, LLC 12.016-acre tract for the northeast corner and POINT OF BEGINNING of the herein described tract, from which a ½" iron rod found bears N78°01'22"E a distance of 77.73 feet;

THENCE, with the northwest right-of-way line of Old Austin-Pflugerville Road, S27°57'31"W a distance of 1368.77 feet to a ½" iron rod found at a nontangent point of curvature of a curve to the left on the northwest right-of-way line of Heatherwilde Boulevard at an angle point of this tract;

THENCE, with the northwest right-of-way line of Heatherwilde Boulevard, the following five (5) courses:

- 1) Along said curve to the left an arc distance of 155.60 feet, having a radius of 845.00 feet and a chord which bears S33°09'43"W a distance of 155.38 feet to a ½" iron rod found at a point of tangency;
- 2) S27°55'39"W a distance of 185.30 feet to a ½" iron rod found at a point of curvature of a curve to the right;

- 3) Along said curve to the right an arc distance of 39.33 feet, having a radius of 25.00 feet and a chord which bears S72°53'05"W a distance of 35.40 feet to a ½" iron rod found at a point of nontangency;
- 4) S61°56'57"E a distance of 39.01 feet to a point at an outside corner of this tract; and
- 5) S27°57'05"W a distance of 3.14 feet to a point on the northeast right-of-way line of Old Austin-Pflugerville road for the most southerly corner of said Pecan Street Plaza, LLC 10.146-acre tract, for the most southerly corner of this tract;

THENCE, with the northeast right-of-way line of Old Austin-Pflugerville Road, N61°57'13"W a distance of 1386.90 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the southwest corner of said Pecan Street Plaza, LLC 15.800-acre tract, for the southwest corner of this tract;

THENCE, with the west line of said Pecan Street Plaza, LLC 15.800-acre tract, N12°07'55"W a distance of 438.88 feet to a ½" iron rod found on the south right-of-way line of Pecan Street (F.M. Highway No. 1825) at the northwest corner of said Pecan Street Plaza, LLC 15.800-acre tract, for the northwest corner of this tract;

THENCE, with the south right-of-way line of Pecan Street (F.M. Highway No. 1825) N77°59'34"E a distance of 2178.31 feet to the POINT OF BEGINNING, and containing 38.522 acres of land, more or less, save and except the following tract:

SAVE AND EXCEPT TRACT

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE JOHN VAN WINKLE SURVEY NO. 14, CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS; BEING ALL OF A 0.0574-ACRE TRACT AS CONVEYED TO THE CITY OF PFLUGERVILLE BY WARRANTY DEED RECORDED IN VOLUME 9335, PAGE 926 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for POINT OF REFERENCE at a ½" iron rod set with cap stamped TERRA FIRMA on the northeast right-of-way line of Old Austin-Pflugerville Road at the southwest corner of a 15.800-acre tract as conveyed to Pecan Street Plaza, LLC by general warranty deed recorded in Document No. 2005177304 of the Official Public Records of Travis County, Texas; Thence, with the northeast right-of-way line of Old Austin-Pflugerville Road, S61°57'13"E a distance of 126.28 feet to the most

westerly corner of a 5' x 50' ingress/egress and public utility easement as conveyed to the City of Pflugerville by general warranty deed recorded in Volume 9335, Page 926 of the Real Property Records of Travis County, Texas, Thence along the westerly line of said easement, N28°02'47"E a distance of 5.00 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the southwest corner of said City of Pflugerville 0.0574-acre tract, for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE N28°02'47"E a distance of 50.00 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the northwest corner of this tract;

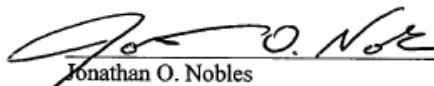
THENCE S61°57'13"E a distance of 50.00 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the northeast corner of this tract;


THENCE S28°02'47"W a distance of 50.00 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the most easterly corner of said City of Pflugerville ingress/egress and public utility easement, for the southeast corner of this tract;

THENCE, along the northerly line of said City of Pflugerville ingress/egress and public utility easement, N61°57'13"W a distance of 50.00 feet to the POINT OF BEGINNING and containing 0.0574 acre (2,500 square feet), more or less.

The net area for the herein described tract is 38.465 acres of land, more or less.

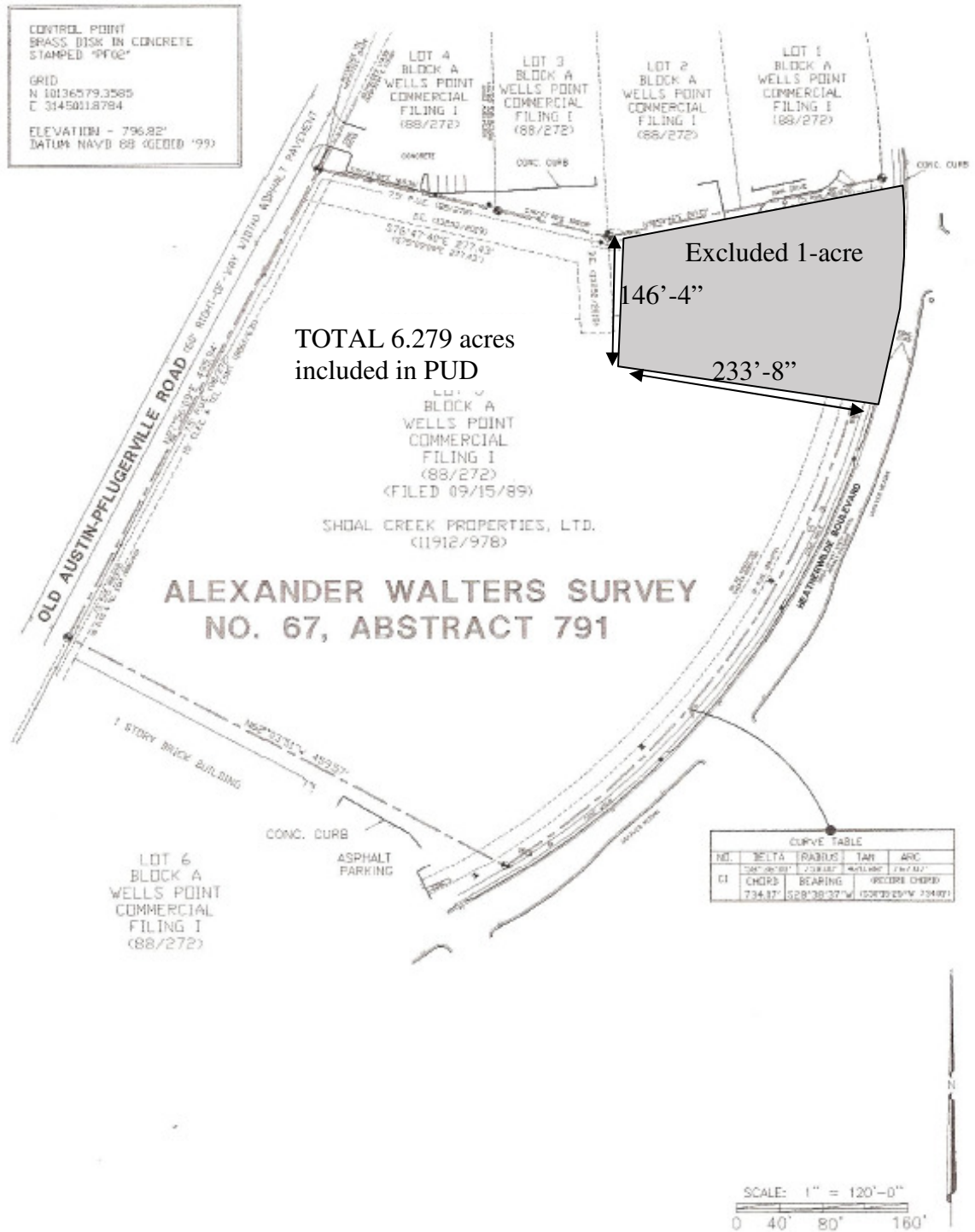
I HEREBY CERTIFY that these notes were prepared by Terra Firma Land Surveying from a survey made on the ground on February 16, 2009 under my supervision and are true and correct to the best of my knowledge.


Jonathan O. Nobles
Registered Professional Land Surveyor No. 5777

 03/04/2009
Date

Client: American City Neighborhood Development
Date: February 24, 2009
WO No.: 0A008-007-00/550
FB: 606
File: J:\PROJECTS\A008\007\Point Files\A008-007B.CRD

EXHIBIT "A"





**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

6.249 ACRES

PORTION OF LOT 5, BLOCK A, WELLS POINT COMMERCIAL-FILING I

A DESCRIPTION OF 6.249 ACRES (APPROXIMATELY 272200 SQ. FT.) IN THE ALEXANDER WALTERS SURVEY NO. 67, ABSTRACT 791 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 5, BLOCK A, WELLS POINT COMMERCIAL-FILING I, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 88, PAGES 272-273 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6.249 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the east right-of-way line of Old Austin-Pflugerville Road (60' right-of-way), being the northwest corner of said Lot 5, being the southwest corner of Lot 4, Block A of said Wells Point Commercial Filing I, for the northwest corner hereof;

THENCE, South 76°47'40" East, with the north line of said Lot 5, at a distance of 169.36 feet passing a 1/2" rebar found at the southeast corner of said Lot 4, being the southwest corner of Lot 3, Block A of said Wells Point Commercial Filing I, and continuing on, a total distance of 277.43 feet to a 1/2" rebar found at the southeast corner of said Lot 3, being the southwest corner of Lot 2, Block A of said Wells Point Commercial Filing I, for an angle point hereof;

THENCE, North 78°01'46" East, with the common line between said Lot 5 and said Lot 2, a distance of 68.83 feet to a calculated point for the northernmost northeast corner hereof, from which a 1/2" rebar found in the curving west right-of-way line of Heatherwilde Boulevard (right-of-way varies) at the northeast corner of said Lot 5 bears North 78°01'46" East, a distance of 192.32 feet;

THENCE, leaving said Lot 2 and crossing said Lot 5, the following two(2) courses and distances:

1. South 27°56'09" West, a distance of 146.33 feet to a calculated point;
2. South 62°03'51" East, a distance of 233.67 feet to a calculated point in the curving west right-of-way line of said Heatherwilde Boulevard, for the easternmost northeast corner hereof;

THENCE, with a curve to the right, having a radius of 750.00 feet, a delta angle of 36°50'22", an arc length of 482.23 feet, and a chord which bears South 39°31'26" West, a distance of 473.97 feet to a 1/2" rebar with "Chaparral" cap set for the southeast

corner of said Lot 5, being the northeast corner of Lot 6, Block A of said Wells Point Commercial Filing I, for the southeast corner hereof;

THENCE, North 62°03'51" West, with the common line between said Lot 5 and said Lot 6, a distance of 459.57 feet to a 1/2" rebar found in the east line of said Old Austin-Pflugerville Road at the southwest corner of said Lot 5, being the northwest corner of said Lot 6, for the southwest corner hereof;

THENCE, North 27°56'09" East, with the common line between said Lot 5 and said Old Austin-Pflugerville Road, a distance of 495.94 feet

to the **POINT OF BEGINNING**, containing 6.249 acres of land, more or less.

Surveyed on the ground June 1, 2006

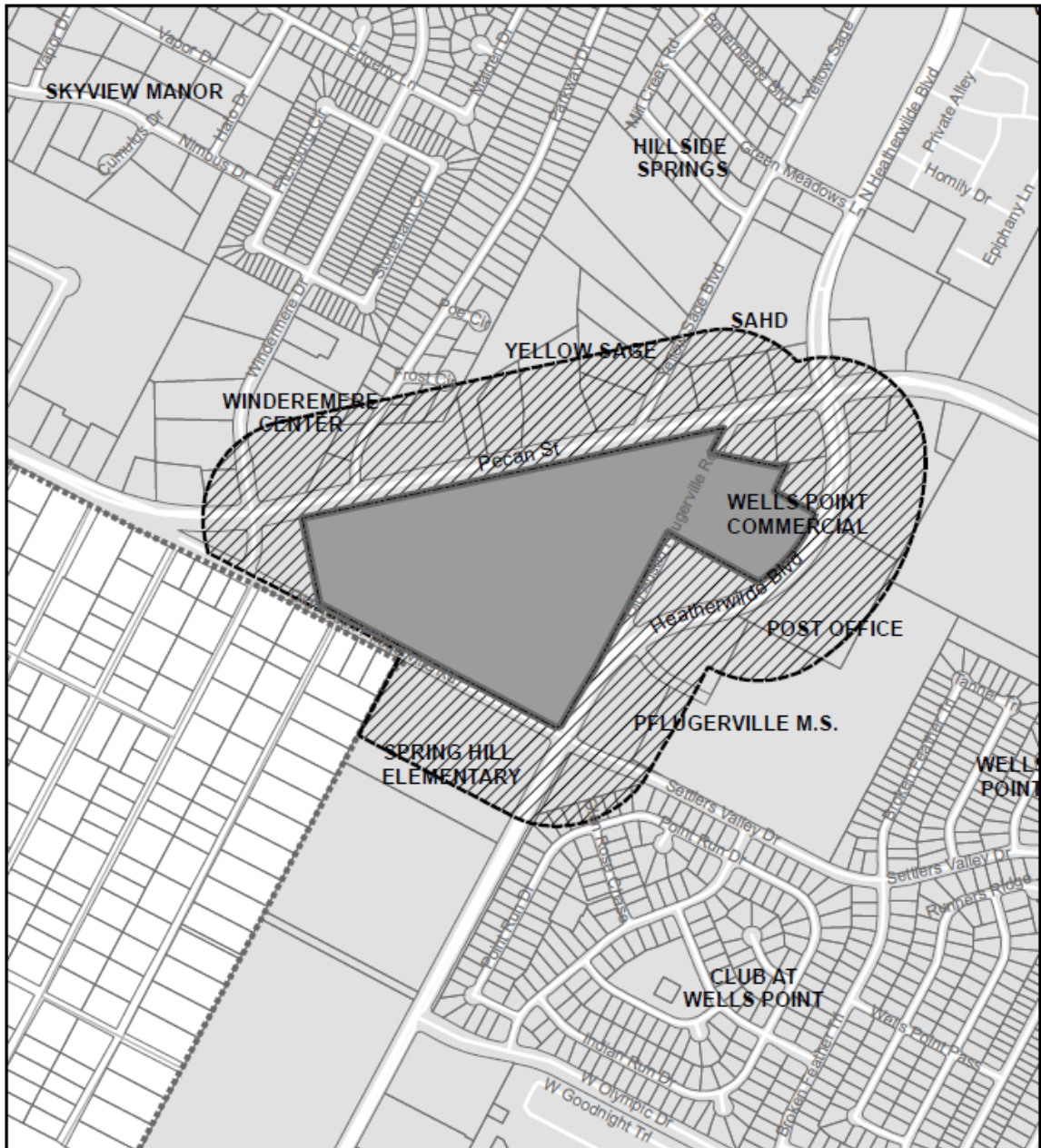
Bearing Basis: Grid azimuth for Texas Central Zone, NAD1983/93 HARN values from LCRA control network.

Attachments: None

 06/01/15

Paul L. Easley
Registered Professional Land Surveyor
State of Texas No. 4432
TBPLS Firm No. 10124500









**Commons @
Heathwilde & Pecan
(GB-1 and A to PUD)**

**Case Number:
REZ1503-03**

3/30/2015

Legend

-  Subject Property
-  Notification Area
-  ETJ
-  City Limits

0 500 1,000 Feet



When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.



Locator Map



EXHIBIT "B"



THE COMMONS
AT HEATHERWILDE & PECAN
A PLANNED UNIT DEVELOPMENT
PFLUGERVILLE, TEXAS

DEVELOPMENT STANDARDS

MAY 14, 2015



A. GENERAL REQUIREMENTS

1. Purpose and Intent

These Development Standards describe the Planned Unit Development zoning entitlements and development requirements (the “PUD”) for The Commons at Heatherwilde and Pecan (“The Commons”, the “Project”, or the “Development”). This re-zoning allows two separately owned but contiguous and undeveloped parcels in the City of Pflugerville (the “City”) to be transformed into a densely developed urban mixed-use community.

2. Development Plan

The Commons is an innovative community proposed for development on approximately 44.7 acres of land. See EXHIBIT 1 and EXHIBIT 2 for separate land surveys of the two parcels. It will consist of a mix of retail, office, and residential uses. The community is designed to meet the market demand for “walkable urbanism” whose best practices for providing a variety of housing products, pedestrian and bicycle safety, proximity to employment and basic daily needs, and highly amenitized civic spaces available to the general public, cannot be met under the regulations of the City’s existing Unified Development Code (UDC). The development plan incorporates the following goals:

- a. Create a walkable, mixed-use, compact community offering a diversity of housing options, for rent and for sale, at various price points.
- b. Provide a range of living, working, shopping, and recreation choices in close proximity to each other.
- c. Accommodate a variety of transportation modes including potential future bus transit, as well as safe mobility for people on foot, people on bicycles, and people in cars.
- d. Create a distinctive, human-scaled destination place with interesting civic spaces and programming of festivals, farmers markets, and other community events for all residents of Pflugerville to enjoy.
- e. Apply best management practices for community programming and urban design through the establishment of a master property owner’s association and architectural control committee committed to these principles.
- f. Improve quality of life, sustain long-term property values, and enhance the positive effects of infrastructure investments made by the City of Pflugerville and the Pflugerville Independent School District in the west side of the city.

3. Consistency with Comprehensive Plan and Unified Development Code

The Commons is designed as a high quality, compact, walkable mixed-use community consistent with the goals and policies of the Comprehensive Plan and Unified Development Code (the “UDC”) of the City of Pflugerville. Development shall be approved in accordance with the City of Pflugerville Unified Development Code CL5 Zoning District regulations (unless otherwise referenced), the Engineering Design Manual, the Building and Fire Codes and all other applicable codes and ordinances unless otherwise stated within this ordinance. Where an unintentional conflict may occur, the applicable City codes and ordinances shall prevail.



4. Subdivision and Phasing

The Project shall be developed in no more than ten (10) phases that will each include one or more blocks and associated amenities and infrastructure, including parking and civic space. Prior to the recordation of a final plat for any lot within the Project, all existing billboard signs shall be disassembled and physically removed from the property.

5. Building Entitlements Summary

Building Entitlements by parcel (Blocks 1-9, and Blocks 10-11) are allocated as follows:

Entitlement	Blocks 1-9	Blocks 10-11	Total
Total Acreage	38.5 acres	6.2 acres	44.7 acres
Minimum Civic Space Dedicated	5.27 acres	0.81 acres	6.08 acres
Maximum Impervious Cover*	(see below)	(see below)	85%
% Hotel Use	0% - 15%	0% - 40%	n/a
% Retail Use	5% - 25%	0% - 20%	n/a
% Office Use*	5% - 30%	10% - 40%	n/a
% Residential Use	50% - 75%	50% - 85%	n/a
Maximum Residential Units	1,030	220	1,250

Minimum percentage of non-residential use required by Block shall be as follows:

Block	1	2	3	4	5	6	7	8	9	10	11
% NR	10%	0%	5%	20%	10%	0%	20%	10%	20%	10%	10%

* For purposes of these calculations, maximum impervious cover may be considered for the entire development vs. on a per lot conditions, provided that the entire Development never exceed 85% impervious cover. Water cover throughout the Development shall be considered pervious cover for purposes of this calculation. Live/Work Units may be classified as Office Use for this purpose.

6. Additional Residential Requirements

- Maximum number of apartment style (internal single-story) units (for sale or rent) allowed is 1,000. Live/Work Units shall not be classified as apartment style units for this purpose. Live/Work Units shall have a ground floor component, shall face a public sidewalk, and shall be allowed only on building frontages designated for allowed commercial use on the Land Use Plan (Section E herein). Live/Work Units may have two separate front entrances to facilitate internal separation of live and work functions.







- b. No more than 500 residential units of any type shall be built until at least 50,000 SF of commercial space is built (commercial space is defined as hotel, office, retail, or any other non-residential use). Live/Work Units shall not be classified as commercial space for this purpose.
- c. Apartment style (internal single-story) residential units (for sale or rent) shall have no more than two bedrooms; however, all apartment style residential units may include one additional ancillary room that shall not to exceed 100 SF and shall not have a built-in closet.



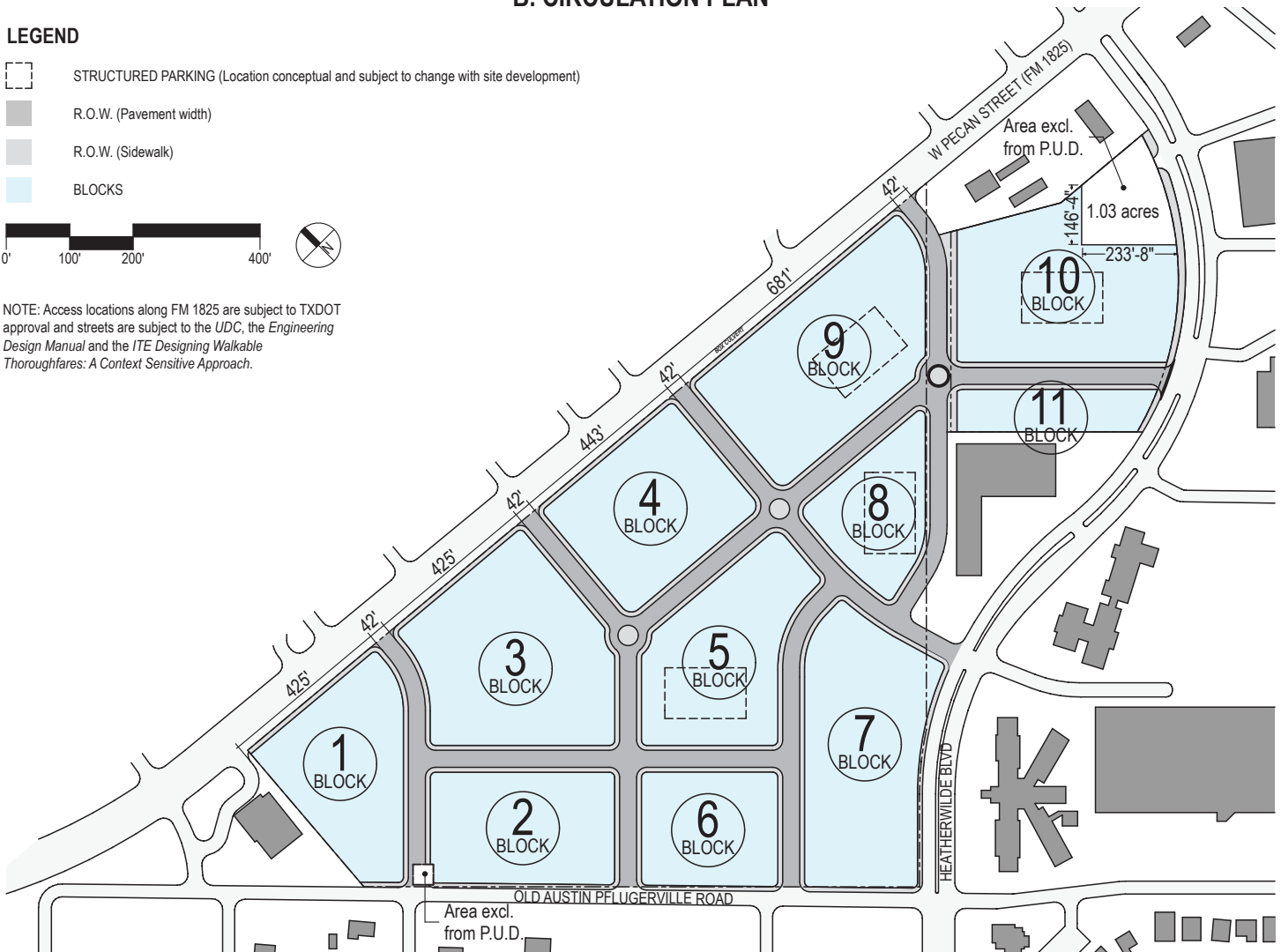
B. CIRCULATION PLAN

LEGEND

-  STRUCTURED PARKING (Location conceptual and subject to change with site development)
-  R.O.W. (Pavement width)
-  R.O.W. (Sidewalk)
-  BLOCKS



NOTE: Access locations along FM 1825 are subject to TXDOT approval and streets are subject to the UDC, the *Engineering Design Manual* and the *ITE Designing Walkable Thoroughfares: A Context Sensitive Approach*.



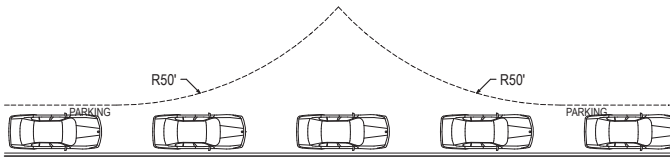
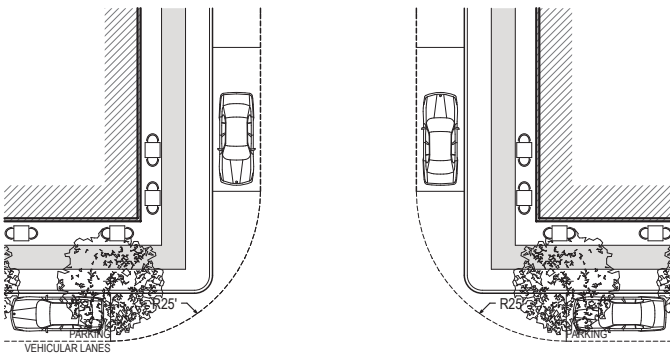
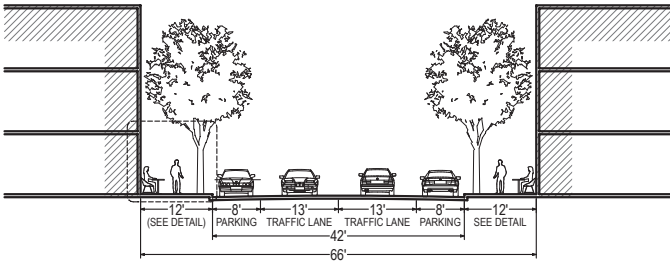
AREA MAP



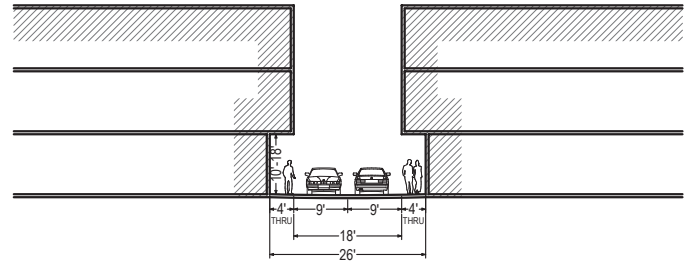


C. THOROUGHFARE ASSEMBLIES

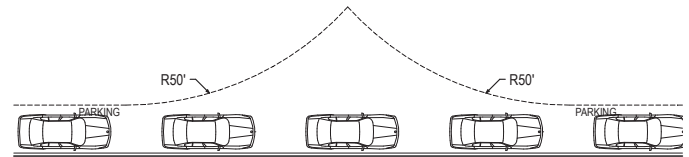
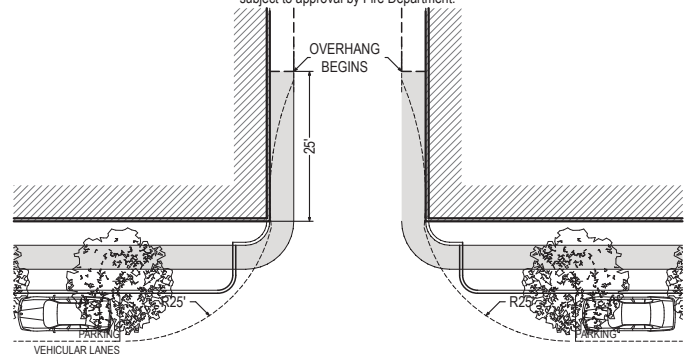
CST-66-42



AL-26-26



NOTE: Use of depicted overhang shall be subject to approval by Fire Department.



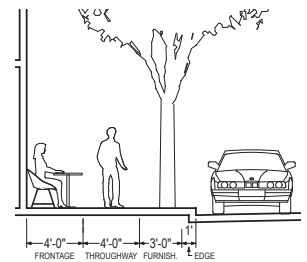
CST-66-42

JURISDICTION	PUBLIC
THOROUGHFARE TYPE	COMMERCIAL STREET
RIGHT-OF-WAY WIDTH	66 FEET
PAVEMENT WIDTH	42 FEET
MOVEMENT	SLOW
DESIGN SPEED	20-30 MPH
PEDESTRIAN CROSSING TIME	12 SECONDS
TRAFFIC LANES	2 LANES
PARKING LANES	2 LANE (8' BY 25' PARKING SPACES)
EFFECTIVE TURNING RADIUS	25' EFFECTIVE TURNING RADIUS
PUBLIC FRONTAGE TYPE	ALL
WALKWAY TYPE	12' SIDEWALK (BOTH SIDES)
PLANTER TYPE	TREE PITS
CURB TYPE	RAISED
TRANSPORTATION PROVISION	BUS TRANSIT
SURFACE MATERIAL	ASPHALT, BRICK, PAVERS OR CONCRETE

AL-26-26

JURISDICTION	PRIVATE
THOROUGHFARE TYPE	ALLEY
RIGHT-OF-WAY WIDTH	26 FEET
PAVEMENT WIDTH	26 FEET
MOVEMENT	SLOW
DESIGN SPEED	10 MPH
PEDESTRIAN CROSSING TIME	10 SECONDS
TRAFFIC LANES	2 LANES
PARKING LANES	NONE
EFFECTIVE TURNING RADIUS	25' EFFECTIVE TURNING RADIUS
PUBLIC FRONTAGE TYPE	N/A
WALKWAY TYPE	4' WALKWAY (BOTH SIDES)
PLANTER TYPE	NONE
CURB TYPE	NONE
TRANSPORTATION PROVISION	NONE
SURFACE MATERIAL	ASPHALT, BRICK, PAVERS OR CONCRETE

SIDEWALK DETAIL



KEY	CST-66-42
THOROUGHFARE TYPE	↑
RIGHT-OF-WAY WIDTH	↑
PAVEMENT WIDTH	↑
TYPES	
COMMERCIAL STREET	CST
ALLEY	AL



D. CIVIC SPACE PLAN

LEGEND

- PROPERTY LINE
- BUILDABLE AREA
- SIDEWALK AREA
- CIVIC SPACE



CIVIC SPACE & IMPROVEMENTS BUDGET

	BLOCK	CIVIC SPACE	BUILDABLE AREA	TARGET UNITS/ BUILDABLE ACRE	TARGET RESIDENTIAL (Units)	SIDEWALK (Acres)	INTENDED CIVIC SPACE IMPROVEMENTS	MINIMUM IMPROVEMENTS BUDGET
	(Acres)	(Acres)	(Acres)					
BLOCK 01	3.24	0.35	2.89	25.0	72	0.31	Public Art, Landscape, Hardscape, Irrigation, Trail Amenities	\$50,000
BLOCK 02	2.69	0.37	2.32	25.0	58	0.39	Dog Park, Landscape, Hardscape, Irrigation, Trail Amenities	\$10,000
BLOCK 03	4.50	1.16	3.34	35.0	117	0.49	Playground, Landscape, Hardscape, Irrigation, Trail Amenities	\$115,000
BLOCK 04	3.26	0.09	3.17	45.0	143	0.46	Landscape, Hardscape, Irrigation, Trail Amenities	\$20,000
BLOCK 05	3.36	0.47	2.89	75.0	217	0.45	Play Fountain, Landscape, Hardscape, Irrigation, Trail Amenities	\$250,000
BLOCK 06	2.16	0.35	1.81	35.0	63	0.34	Garden, Orchard, Landscape, Hardscape, Irrigation, Trail Amenities	\$10,000
BLOCK 07	4.32	0.57	3.75	35.0	131	0.52	Exercise Station, Landscape, Hardscape, Irrigation, Public Art, Trail Amenities	\$20,000
BLOCK 08	1.88	0.24	1.64	70.0	115	0.34	Landscape, Hardscape, Irrigation, Trail Amenities	\$60,000
BLOCK 09	4.58	1.67	2.91	40.0	116	0.64	Water Feature, Amphitheater, Landscape, Hardscape, Irrigation, Trail Amenities	\$350,000
BLOCK 10	4.14	0.67	3.47	45.3	157	0.52	Landscape, Hardscape, Irrigation, Trail Amenities	\$10,000
BLOCK 11	1.14	0.14	1.00	60.0	60	0.23	Landscape, Hardscape, Irrigation, Trail Amenities	\$5,000
TOTAL	35.26	6.08	29.19	42.8	1,250	4.69		\$900,000

Minimum improvements budget for each block, except Blocks 5 and 9, shall not depend on achievement of Target Units

For Blocks 5 and 9, the minimum improvement budgets shall be reduced in double proportion to the deficit of Total Target Units, to a maximum reduction of 50%.

For example: If the Total Units built is 1,000 (20% short of Total Target Units), then the budgets for Blocks 5 and 9 shall be reduced by 40%.



E. LAND USE PLAN

LEGEND

- PROPERTY LINE
 - CIVIC SPACE
 - 1-2 STORIES
 - 2-4 STORIES (Minimum 2 Stories Required)
 - 3-5 STORIES (Minimum 3 Stories Required)
 - 4-7 STORIES (Minimum 4 Stories Required)
 - ALLOWED GROUND-FLOOR COMMERCIAL USE
 - REQUIRED ARCADE OR GALLERY
 - ARCHITECTURAL ELEMENT (an element of the building or space that responds to a vista termination or desired massing, to be constructed prior to final CO)
- *Height shall be measured as provided in the UDC
- *6' parapet is allowed on all flat roofs



SITE AREA CALCULATIONS

BLOCKS (acres)	AREA Includes Civic Space
BLOCK 01	3.24
BLOCK 02	2.69
BLOCK 03	4.50
BLOCK 04	3.26
BLOCK 05	3.36
BLOCK 06	2.16
BLOCK 07	4.32
BLOCK 08	1.88
BLOCK 09	4.58
BLOCK 10	4.14
BLOCK 11	1.14
TOTAL BLOCK AREA	35.26
TOTAL R.O.W. AREA	9.45
TOTAL SITE AREA	44.71



F. UNIFIED DEVELOPMENT CODE CALIBRATIONS

Development shall comply with the Corridor District CL5 zoning category described in the City of Pflugerville Unified Development Code (the “UDC”) as amended, or as otherwise referenced or described as follows:

Subchapter 4: Land Uses

1. Permitted Uses: Uses listed below have been modified from the CL5 District in order to ensure compatibility with the entire development. Uses noted with a “P” are permitted by right provided that all other requirements applicable to the use within each section are met.
2. Uses Permitted with Conditions: Uses noted with a “C” are permitted by right provided that specific conditions are met. Specific conditions applicable to these certain uses are listed after the table.
3. Uses Requiring a Specific Use Permit: Uses noted with an “S” require consideration of impacts associated with a particular location for the proposed use, in addition to the standards that otherwise apply to the use under Subchapter 4 of the Unified Development Code.

Residential Uses	CL5
Accessory Dwelling Unit	C
Condominium	C
Duplex	C
Live Work Unit	P
Multi-Family	P
Single Family Attached (3 or more) Townhome	C
Single Family, Detached	C
Non-Residential Uses	CL5
Automobile Parking Lot/Garage	P
Bar/Tavern	P
Brewpub/Wine Bar	P
Brewery/Distillery/Winery, Micro	P
Civic Center	P
Clinic	P
Commercial Recreation and Entertainment, Indoor	P
Commercial Recreation and Entertainment, Outdoor	S



Convention Center	P
Day Care Facility	P
Drive Thru Facilities	S/C
Dry Cleaning, Minor	P
Event Center	P
Financial Institution	P
Government Facilities	P
Health/Fitness Center	P
Hospital	S
Hotel/Hotel Residence	C
Liquor Store (Off-Premise Consumption)	P
Massage Therapy, Licensed	P
Mobile Food Park	C
Museum/Art Gallery	P
Office: Administrative, Medical, or Professional	P
Park or Playground	P
Personal Services	P
Print Shop, Minor	P
Research and Development Center	S
Restaurant	P
Retail Sales and Services	P
Retail Sales- Single tenant over 50,000 SF	P
Theatre, Neighborhood	P
Theatre, Regional	P
Transit Terminal (Park & Ride)	P
Utilities	C



Residential Use Conditions:

1. Accessory Dwelling Unit: Shall be limited to single family detached structures. Only one accessory dwelling unit, including a single unit above a detached garage, may be permitted if established in accordance with Section 4.6.3 of the UDC.
2. Condominium: All residential detached and attached structures shall comply with the applicable structure design standards outlined in Subchapter 9 of the UDC. Where multiple “for sale” units are provided in one structure, refer to Multi-Family and Mixed Use Structure requirements provided in Table 4.2.4 B., Table 4.2.4 C., and Section 9.3 of the UDC.
3. Single Family Detached Structures:
 - a. Shall be permitted up to a maximum of 12 units within the Development, and only when located fronting Old Austin Pflugerville Road on Blocks 1 and 2.
 - b. Shall be subject to the General Regulations for Single Family Detached under the SF-MU zoning district per Subchapter 4 (Table 4.2.4 A), and the Residential Design Standards for Single Family Detached and Duplex/Two-Family Structures within the CL5 Corridor Zoning District per Section 9.1 of the UDC; as amended.
4. Duplex/Two-Family:
 - a. Shall be permitted up to a maximum of 12 units within the Development, and only when located fronting Old Austin Pflugerville Road on Blocks 1 and 2.
 - b. Minimum lot dimensions shall be 60 feet in width, 120 feet in depth, and minimum lot area shall be 7,200 square feet. Minimum Dwelling Unit area shall be 1,200 square feet, with a maximum of 2 units per structure.
 - c. Shall be subject to the Residential Design Standards for Single Family Detached and Duplex/Two-Family Structures within the CL5 Corridor Zoning District per Section 9.1 of the UDC; as amended.
5. Single Family Attached (3 or more units per structure):
 - a. Shall be permitted up to a maximum of 100 units (for sale or for rent).
 - b. Shall be subject to the General Regulations for Single Family Attached under the SF-MU zoning district per Subchapter 4 (Table 4.2.4 A), and the Residential Design Standards for Single Family Attached (3 or more) Townhome and Condominium per Section 9.2 of the UDC; as amended.

Non-Residential Use Conditions:

1. Drive Thru Facilities: Shall require a Specific Use Permit in addition to the following Conditions:
 - a. Limited to one (1) drive thru facility within the Development
 - b. Restaurants shall be prohibited from having a drive thru facility
 - c. Location shall be limited to within 100 feet of the perimeter of the Development along West Pecan Street and Heatherwilde Boulevard only.
2. Hotel, Hotel Residence:
 - a. External balconies must be set back at least 200 feet from any residential zoning district;
 - b. Must provide staff on-site 24 hours a day;
 - c. All guest rooms must be accessed through internal hallways, lobby, or courtyard; and
 - d. Must provide at least three amenities from the list below:
 - i. Indoor/Outdoor Pool



- ii. Spa/Sauna
 - iii. Weight Room/Fitness Center
 - iv. Playground
 - v. Sports Court
 - vi. Plaza/Atrium
 - vii. Game Room
 - viii. Jogging Trail
 - ix. Conference Room (1,000 square feet minimum)
 - x. Full service Restaurant (minimum seating capacity of 35)
3. Mobile Food Park: Shall comply with Section 4.10 of the Unified Development Code
 4. Research and Development Center: Shall require consideration through a Specific Use Permit.
 5. Utilities: All facilities shall be screened from view from residential areas and public right-of-ways with an opaque screen consisting of an 8' masonry fence or wall with dense vegetation capable of achieving a mature height of 8' or greater within two years.

Subchapter 4: Additional Use Regulations

1. Where a single family detached unit or duplex is established, adjacent land uses shall not exceed one additional story in height on that block.
2. All building setbacks shall be between 0 and 15 feet from the property line. Corner lots shall maintain a setback from the side street sufficient to maintain the Sight Triangle. Where a two car garage is provided per unit, the garage may abut the adjacent entry drive (not applicable to tandem spaces).
3. Target residential density per block shall be as described on the Civic Space Plan (Section D herein).
4. Minimum and maximum required structure height per block shall be as depicted on the Land Use Plan (Section E herein). Height shall be measured as defined in the Unified Development Code.
5. The first story of a structure shall have a height ranging between 10-18 feet, each additional story will be between 10-14 feet.
6. Parking structures or buildings with ground floor tuck-in parking shall have ground floor residential or commercial uses for their entire length fronting public streets and civic spaces, except for vehicle access entrances.

Subchapter 9: Architectural, Site Design and Layout Provisions

1. Minimum garage size internal dimensions for multi-family shall be 12 feet wide by 20 feet deep. A minor encroachment may be considered within the garage space to allow for a stairwell encroachment, provided the internal garage dimensions are never reduced to less than 10 feet in width.
2. Garage parking shall not be required for multi-family units if at least 1 parking space per unit is included in a structured parking garage, or the multi-family structure is designed to accommodate at least 1 parking space per unit under the footprint of the structure (tuck under parking).
3. At least 60% of block frontage facing a public street or civic space shall have a building façade within 15 feet of the property line.



4. With the exception of a defined entry, tuck under parking shall not be visible from a public street or a private main drive aisle functioning in a capacity equivalent to a public street.

Subchapter 10: Parking, Mobility and Circulation

1. Office: Administrative or Professional parking requirement shall be 1 parking space per 350 square feet.
2. An Alternative or Shared Parking Plan utilizing the Urban Land Institute (ULI) methodology and provided in the same or similar format as EXHIBIT 3 attached hereto shall be submitted by Developer for each phase of development in which parking deviations from the Unified Development Code are proposed. If Administrator determines parking deficiencies from previous development phases exist, additional excess parking may be required in subsequent phases.
3. On-street parking shall qualify as Off-site parking for Alternative or Shared Parking Plans.
4. Subject to the findings of the required Transportation Impact Analysis during the preliminary plan process, and the recommendations of TxDOT, street geometries and designs parameters shall be intended to maximize pedestrian and bicycle safety by maintaining a design speed of 30 m.p.h. or less. The final design shall consider the Recommended Practices described in the Institute of Transportation Engineers (ITE) manual entitled "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach", specifically General Urban (C-4) Residential Street and Commercial Street categories described on Table 6.4 Design Parameters for Walkable Urban Thoroughfares, attached hereto as EXHIBIT 4

Subchapter 11: Landscaping and Screening Standards

1. 6.08 acres of dedicated Civic Space and \$900,000 of budgeted improvements thereon as described on the Civic Space Plan (Section D herein) shall satisfy the requirements for Percent of Lot Landscaped on Tables 11.3B and 11.3C if the block is developed with at least 50% being 3 or more stories, equivalent to not less than 30 feet in height. Height shall be as defined in the UDC. When this is not met, Tables 11.3B and 11.3C of Unified Development Code shall apply.
2. Required Street Tree plantings in 12-foot sidewalk right-of-way surrounding each block, including existing Development boundary streets, in accordance with the Streetscape Yard Standards spacing requirements in the UDC (Section 11.5) shall satisfy the requirement for Required Trees and Shrubs if the block is developed with at least 50% being 3 or more stories, equivalent to not less than 30 feet in height. Height shall be as defined in the UDC.
3. Building Foundation Landscaping shall not be required if the block is developed with at least 50% being 3 or more stories, equivalent to not less than 30 feet in height. Height shall be as defined in the UDC.
4. Surface Parking Landscaping shall conform to the UDC (Section 11.7) except that in parking lots that are shielded from public streets by buildings and that have fewer than 150 parking spaces, a parking row may have up to 15 contiguous parking spaces without a separation of a landscaped Interior Island or Peninsula, and may be located as far as 75 feet from a landscaped area.
5. Nothing provided herein shall exempt the sidewalk improvements with street trees as depicted on the Thoroughfare Assemblies (Section C herein) from being constructed with each block along all existing boundary streets, including but not limited to West Pecan Street, Heatherwilde Boulevard, and Old Austin Pflugerville Road, except where such conditions already exist.



Subchapter 14: Parkland Standards

1. Designated Civic Space area and designated sidewalk area as described on the Civic Space Plan (Section D herein) shall count toward parkland dedication acreage requirements.
2. Fee-in-lieu and park development fees shall be dedicated to improvements within the dedicated civic space and sidewalk areas on site. At no point shall park development fees be used for the construction of a detention facility.
3. Intended civic space improvements and architectural elements per block, as described on the Civic Space Plan (Section D herein), shall be constructed concurrently with construction of the first phase of each block.
4. No Certificates of Occupancy shall be issued for Blocks 4, 5, 8 or 9 until the intended civic space improvements for all four blocks have been constructed.
5. Any civic space to be dedicated to the city, in whole or on a block by block basis, at the city's discretion, shall be conveyed by warranty deed through the process outlined in Subchapter 14 of the UDC once all intended civic space improvements have been provided and deemed acceptable by the Parks and Recreation Director.
6. Details for intended civic space improvements shall be finalized at time of site development and approved by the Parks and Recreation Director.

Subchapter 15: Subdivision Process

1. Required 10-foot public utility easements may be considered in alternative locations with the Preliminary Plan. Public utility easements shall not be permitted within the right of way.
2. A Preliminary Plan for Blocks 1-9 must be submitted prior to, or concurrently with the Final Plat for the first phase of development. The Preliminary Plan must be approved prior to approval of any final plat for the Development.
3. Prior to approval of the first final plat of the Development, a master property owner's association shall be established for ownership and maintenance of all common elements and civic spaces, until such time of applicable dedication. A license agreement between the master property owner's association and the City shall be established for any improvements located in the civic spaces and for any improvements located between the back of curb and the buildings. Such improvements shall include but are not limited to trees and landscaping, hardscape, seating, signs, awnings, and similar improvements as mutually agreed upon.

Engineering Design Manual and Construction Standards

1. A Transportation Impact Analysis (TIA) in accordance with the Engineering Design Manual for the entire Development shall be provided prior to or concurrently with the Preliminary Plan for the Development.
2. A regional detention facility may be considered for the entire Development, provided the facility is designed in accordance with the Engineering Design Manual, and approved by the City Engineering Department.