

STAFF REPORT

Planning and Zoning: 2/5/2024
City Council: 2/24/2024
SUP2023-
Case No.: 00055
Legistar No: ORD-0762

Staff Contact: Kristin Gummelt, Planner II
E-mail: kristing@pflugervilletx.gov
Phone: 512-990-6300

SUBJECT: To receive public comment and consider an application for a Specific Use Permit for the uses of Industrial Uses (Light) and Office/Warehouse within the Urban: (Level 4:CL-4) zoning district for an approximately 43.24-acre property generally located north of Cameron Road, east of the Northeast Metro Park, south of the Pecan Street, and west of State Highway 130, situated in the William Caldwell Survey Abstract No. 162, City of Pflugerville, Travis County, Texas, to be known as the Scannell Specific Use Permit (SUP2023-00055).

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: Level 4 (CL-4) zoning district for an approximate 43.24 acre property. The applicant is proposing to construct three (3) shell buildings for Industrial Uses (Light), and Office/Warehouse land uses.

LOCATION:

The subject property is generally located at the southern terminus of Impact Way, west of SH 130 and north of Cameron Road.



STAFF REPORT

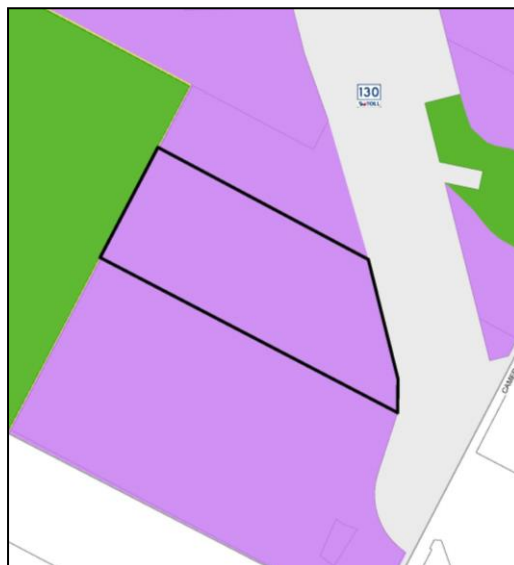
HISTORY:

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: (Level 4: CL-4) in October 2007 by Ordinance No. 913-07-10-09.

SURROUNDING ZONING AND LAND USE:

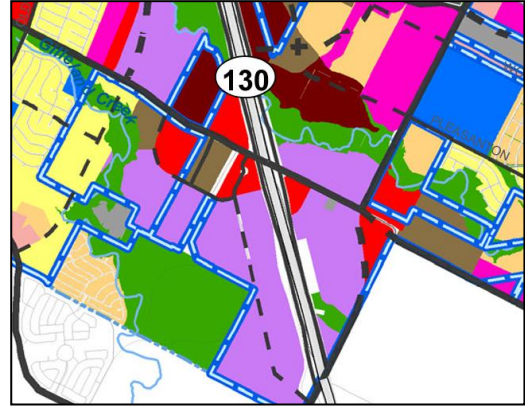
Adjacent	Base Zoning District	Existing Land Use
North	Urban: Level 4 (CL-4)	Undeveloped
South	Urban: Level 4 (CL-4); SUP	Undeveloped, approved with a SUP for Industrial Use (Light) and Office/Warehouse
East	SH 130	Freeway
West	ETJ	The Northeast Metropolitan Park: Public Parkland

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 Pflugerville 2040 Comprehensive 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.



STAFF REPORT

In addition, the city's Transportation Master Plan as well as the Water and Wastewater Master Plans, which serve as an extension of the city's comprehensive plan, all show this property 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 at full buildout.



PROPOSED SPECIFIC USE PERMIT:

The applicant is requesting consideration for the uses Industrial Use (Light), as well as Office/Warehouse for the approximate 43.24-acre property within the CL-4 district to allow for proposed Office/Warehouse and Industrial uses (Light) land uses. 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:

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. The Planning and Zoning Commission or City Council may include conditions to help ensure the use is compatible and harmonious with the surrounding developments.

STAFF REPORT

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 future major collector (Impact Way), which at full build-out will extend south to connect to Cameron Road. It is located just south of the existing 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. The Office/Warehouse and Industrial Uses (Light) land uses both utilize large machinery on site to make and store materials indoors. This will involve large trucks and trailer entering and exiting the site. The applicant has oriented the buildings to provide screening to lessen the visual impact of these activities on the surround lots. The applicant is proposing shell buildings that will market to the proposed uses that are requested through this Specific Use Permit application.*
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. The applicant is proposing Industrial Uses (Light) and Office/Warehouse. The 130 Commerce Park to the north and the 15000 Cameron Road development to south both have SUPs approved for these uses with similar conditions to minimize the impact of the uses visually. The applicant is requesting uses that are consistent with the immediate surrounding properties.*
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. While the site plan will be reviewed in more detail against the requirements of the code, staff finds that the proposed conceptual drawing met the intent of the code and recommended conditions in order to ensure compatibility and to preserve the design of future buildings.*

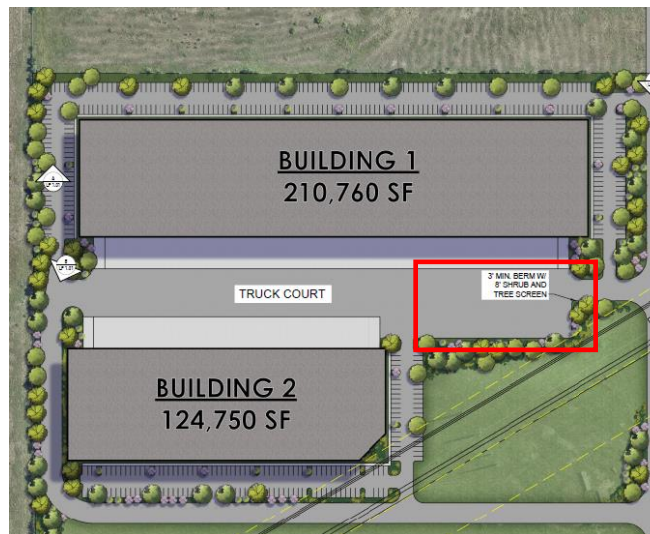
The applicant is proposing three industrial/warehouse buildings. At the time of this staff report, a user for these buildings has not been presented to city staff. The orientation of the site is dictated by the two large easements that cross the site from the southwest corner to the northeast corner, as well as the future extension of Impact Way. The buildings have been placed in such a manner to maximize the building square footage and minimize the visual impact of the service court for each building. Where the service court is visible to the public right-or-way or Northeast Metro Park, there is screening proposed to minimize the visual impact. Buildings 1 and 2 (as shown on the attached conceptual plan) have a shared service court to better screen the service courts and reduce the square footage of the service court. This

STAFF REPORT

allows the primary facades to orient toward the public right-of-way and the Northeast Metro Park. This is in line with the additional criteria for Corridor Level Districts as required in UDC 3.8.6.

Building 3 will have a three-foot berm and vegetative buffer along the southern portion of the service court to screen the service court from SH 130 and service road. Wing walls and buffer walls in accordance with Section 11.8 of the UDC will be required where the service court is visible to the public right-of-way, public park, major drive aisles, or patron parking. City staff is proposing the condition of no outdoor storage to ensure that heavy equipment, freight or commercial motor vehicles, trailers, construction materials, and raw, processed or packaged materials including any products on pallets, in shipping containers or in crates are not stored outdoors on site. This condition is consistent with previous approved SUPs in this area.

The applicant requested that this condition not be included as part of the SUP to allow for the parking of trailers on site in conjunction with the proposed uses, specifically in an area located to the south of Building 1, between the public right-of-way and Building 2 (as shown in red on the image below). The site is permitted through the Unified Development Code to have a service court that permits the parking of trailers in conjunction with the loading docks and receivables area. Service courts are located to the side or rear of the structure. The service court is required to be screened from the public street, main drive aisle or patron parking.



The service court located to the rear of Building 3 meets the requirements of the UDC as it is located to the rear of the primary structure and enhanced screening is proposed to screen the service court. In review, city staff has determined that the area located to the south of Building 1 and in front of Building 2 does not meet the definition of a service court because it is located between the right-of-way and Building 2 and is not located to side or rear of the primary structure. Should the applicant wish to utilize the area as a service court, they would be required to comply with the screening requirements of a service court. Depending on the proposed use of the area, the applicant is able to request an

STAFF REPORT

administrative interpretation as outlined in Section 3.16 of the UDC – to have a final determination related to the distinction between service court and outdoor storage. If this area were to be considered the service court, they would be allowed to park trailers in this area so long as they met all requirements for site design in the UDC.

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: (Level 4: CL-4) district by Specific Use Permit (SUP). The site and building design will be reviewed by the city during the site development process, which comes after subdivision.

The proposed land use of Industrial Uses (Light) and Office/Warehouse is compatible with the Comprehensive Plan as well as the related sub-master plans. 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 number of residents that work in Pflugerville and also elevate the community’s image.” The SUP also supports economic development goals and policy statements 2.1 to expand the 130 Commerce Center to the south and west. This project is not specifically part of the 130 Commerce Center but is proposing compatible and harmonious uses to those provided in the 130 Commerce Center.

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 recommends approval as presented with the conditions as follows:

STAFF REPORT

- The service court area for Building 1 and Building 2 shall be oriented inwards between adjacent buildings, and the primary façades shall be oriented outwards towards the public park and/or public street;
- If the service court for Building 3 orients towards the public right-of-way or can be viewed from the public right-of-way, there shall be a minimum three-foot berm and a vegetative buffer consisting of four (4) evergreen trees and fifteen (15) evergreen shrubs per one-hundred (100) linear feet. Trees shall be planted at a size that provides immediate screening of the service court at full Certificate of Occupancy;
- No outdoor storage permitted.

NOTIFICATION:

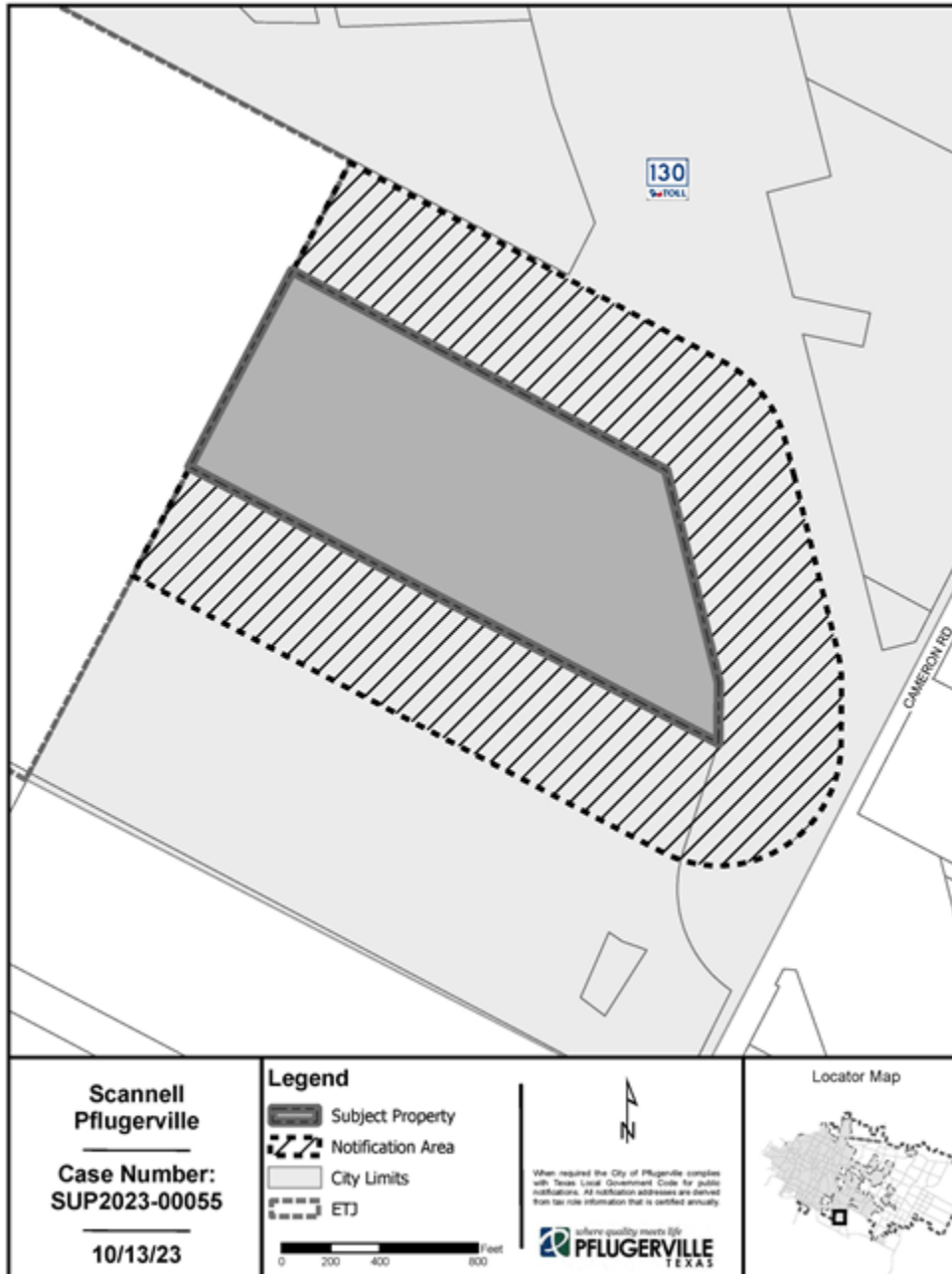
Notification letters were sent to property owners within 500-ft. of the proposed site. A sign was placed on the property and a public notice appeared in the newspaper on January 24th. At time of staff report, there have been no inquiries.

ATTACHMENTS:

- Notification Map
- Letter of Intent
- Site Photos
- Proposed Concept Plan
- Employment Summary
- East Pecan District Summary
- CL-4 Zoning District Chart

STAFF REPORT

NOTIFICATION MAP:



STAFF REPORT

LETTER OF INTENT



September 29, 2023

City Council and Planning & Zoning Commission
Planning and Development Services Director
City of Pflugerville
100 W Main Street
Pflugerville, TX 78691

Via Electronic Submittal

**RE: Request for a Special Use Permit for an Industrial Use, Light and Office/Warehouse use;
±43.25 acres (TCAD ID 806309) generally located along the east side of SH 130 Toll north
of Cameron Road and south of Pecan Street (the "Property")**

Dear Councilmembers and Commissioners,

As representatives of the owner and developer of the above stated Property (see Location Map) we respectfully submit the attached application for a Special Use Permit (SUP) to permit an Industrial Use, Light and Office/Warehouse use on the Property.

The Property is located along the SH 130 Toll corridor and is currently zoned CL-4. The Property is envisioned to be developed in alignment with the Employment future land use category which encourages a mix of office, industrial, and flex space uses. This is consistent in character with the surrounding area including the Renewable Energy Park to the north and the recently approved EastGroup site to the south. Northeast Metropolitan Park sits to the west of the subject property.

The proposed development will include three buildings with a total of approximately 497,260 square feet of light industrial/flex space. Impact Way will be extended through the subject property and will provide access to the development.

The request complies the criteria of UDC 3.8.4 for Special Use Permit:

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

The proposed use is harmonious and compatible with the surrounding uses. There are other similar developments in the area such as the Renewable Energy Park to the north of the subject property and the EastGroup site to the south. An SUP for the EastGroup site was approved in November 2022 as Ord. No. 1568-22-11-08. The proposed structures are similar in scale and use to those in the areas mentioned and adjacent to the park.

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

There are no additional activities requested other than what is normally associated with the requested use. This site will include activity that is typical to a light industrial/flex space type warehouse including light manufacturing, shipping and receiving, warehousing, office space, etc.

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

The nature of the use is reasonable. The proposed development is consistent with other developments of a similar nature and is appropriately situated along SH 130, which connects the other manufacturing and warehousing hubs in the region.

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

Adverse impacts on the surrounding area have or will be mitigated at the time of site development. Drainage, detention, and utilities will be coordinated with the adjacent property owners. The site will comply with all applicable screening and buffer standards in the UDC and buildings have been placed to limit the impact on the view from SH 130 as a gateway into the City. Buildings have been oriented so that the shorter side is presented the public roads and the park limiting their visual impact.

The request complies the criteria of UDC 3.8.4 for Special Use Permit for Corridor Districts:

A. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action.

This application is complete and provided for review.

B. 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.

This application conforms to the guiding principles and is not located near the above intersections. This request supports the comprehensive plan guidance to locate the employment uses away from retail centers and residential areas.

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

The structures as shown on the provided Concept Plan are oriented to SH 130 and Impact Way. There are no proposed trails on the Property.

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

Connectivity is demonstrated on the Concept Plan.

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

The buildings on the site are clustered together and oriented toward the public streets while avoiding the existing the overhead electric easements that bisect the site. The anticipated locations of detention ponds force green space at key locations in the development that will soften the look and feel from Impact Way and will create opportunities for open space amenities in the site.

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

The development and the proposed concept plan comply with all applicable codes and ordinances.

G. The application exhibits compatibility of the design with surrounding properties

The proposed development is located adjacent to similar light industrial/flex space developments.

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

The development exhibits compatibility with the existing industrial character of the area. The proposed extension of Impact Way will utilize the same extension and efforts will be made during site development to provide a similar plant pallet in the landscape.

I. 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.

Kimley»Horn

Page 4

The development does not have an impact on historical, cultural, or architectural fabric of Pflugerville.

If you have any questions about this application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Sincerely,

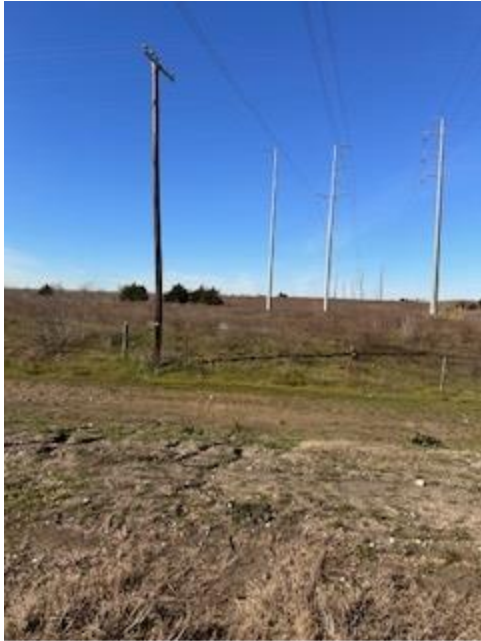


Ethan Harwell, AICP
512.580.5803
ethan.harwell@kimley-horn.com

STAFF REPORT

Site Photos:

Looking west from SH 130 Service Road



STAFF REPORT

The sign placed for the notification of a public hearing.

