

<b>City Council:</b>	12/13/2022	<b>Staff Contact:</b>	Robyn Miga, Assistant Director
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<b>Case No.:</b>	2022-5-PUD	<b>Phone:</b>	512-990-6300

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**SUBJECT:** Approving a request in accordance with Section 4.5.3(B)(A) of the Unified Development Code to allow a Planned Unit Development rezoning application to be submitted for land which is less than 20 acres, located at 21101 FM 685 (2022-5-PUD).

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**LOCATION:** The subject property at 21101 F.M. 685 is an 11.858-acre tract of land, located generally east of SH 130, south of Gattis School Road, and west of the Ridge at Steeds Crossing neighborhood.

**SUMMARY:** Section 4.5.3(B)(A) of the Unified Development Code states that land with 20 acres or less shall require consent from the City Council prior to an application being submitted for a Planned Unit Development (PUD). The subject property at 21101 F.M. 685 is an 11.858-acre tract of land, located generally east of SH 130, south of Gattis School Road, and west of the Ridge at Steeds Crossing neighborhood. The request is to obtain consent from the City Council to allow the applicant to move forward with their request to submit a Planned Unit Development (PUD) rezoning application to rezone the tract. By pursuing a Planned Unit Development at this location, the applicant intends to make the proposed development more compatible with the adjacent properties. The request for this parcel to apply for a PUD was brought before City Council January 2022 for consideration and was approved. Following review and recommendation with planning staff, the zoning case for the PUD was denied by the Planning & Zoning Commission July 18, 2022, and subsequently denied by City Council with a 4-3 vote on August 16, 2022, because the action under 3.7, Zoning Procedures, required a  $\frac{3}{4}$  vote for the action to pass with a P & Z denial. The applicant made revisions to the PUD application based on feedback from the Commission and City Council during the public hearings. The revised PUD application proposes to include more commercial along the frontage and a slightly increased density for multi-family. Based on these revisions, the applicant is once again requesting the zoning change. An annotated concept plan is attached showing modifications to the PUD application as it was proposed previously.

If permitted to move forward, the applicant will develop a mixed-use development that is generally consistent with the future land use recommendations in the Comprehensive Plan. The mixed-use development is anticipated to transition from a more intense, vertical mix of commercial and multi-family uses near SH 130 to townhomes and open space at the east end of the property. A maximum density of 40 residential units per acre is proposed and building heights are planned to transition from five stories at SH 130 down to two stories at the eastern end of the property. The applicant has considered straight zoning to either the Urban (Level 4: CL4) or Urban Center (Level 5: CL5) districts. However, the applicant ultimately prefers to request the PUD with the base zoning district of CL4, citing that the proposed project would be more harmonious with the adjacent parcels, less dense, and mitigate adverse effects on the neighboring residential.

While this is an introduction to what is proposed for this project, and is subject to going through the development review process for establishing the parameters for regulations that are incorporated through the Planned Unit Development, the applicant has summarized the proposed PUD as follows:

1. Providing a mixed-use development that includes multi-family residential homes, townhomes, retail uses, and commercial frontage along the highway for a more urban-style design.
2. Height limitations and transition language for the property as it transitions away from the single-family to the east at Steeds Crossing.
3. Pedestrian Walkability, which would promote pedestrian activity and walkability by incorporating more internal sidewalks than required by code, increasing the width of those pedestrian zones and providing increased connectivity.
4. Additional amenities distributed throughout the site that would exceed the required five required by the UDC.
5. A combination of parking, through structured parking and some surface parking, with screening incorporated.
6. Provides more of a transition and is “respectful” of the adjacent single-family residential neighborhood to the east, by designing cascading building heights, offering a mix of product type and increasing building setbacks, all of which reduce the “perceived intrusive element of a mixed-use project that would be designed with CL-4 or CL-5 zoning districts.”
7. Provides connectivity to the development to the north.

**PARCEL HISTORY:** The property owner of this parcel made the same request to allow them to apply for a PUD rezoning January 2022, which was approved. Staff then worked with the applicant on the proposed PUD and associated concept plan. That case was taken to the Planning & Zoning Commission July 18, 2022, and was denied. The case then forwarded to City Council for approval which required a strong majority vote due to the denial at P & Z, and the action failed with a 4-3 vote because the  $\frac{3}{4}$  vote was required to pass.

**STAFF RECOMMENDATION:** Staff finds that the proposed request for a Planned Unit Development for this parcel will be a better fit for the subject parcel, given its size, there are certain development allowance that are allowed by right in the corridor districts (CL4 and CL5) that have potential to lend themselves to being more intense adjacent to the single-family. Through straight zoning, the buffer requirements adjacent to the single-family would be less, and the required development regulations would likely force this site to maximize density to make the site work, which would allow up to 60 dwelling units per acre in the CL-4 district. The applicant is proposing a plan that would be subject to staff negotiations, P & Z, and City Council approval to incorporate a development that takes into consideration the surrounding properties, as well as adds enhanced standards to meet the intent of a Planned Unit Development.

Staff recommends approval of the request, per Section 4.5.3(B)(A), Planned Unit Development, which states that land with 20 acres or less shall require consent from the City Council prior to an application being submitted for a Planned Unit Development.

With consent from City Council to move forward with the request, the applicant will be able to submit an application for a rezoning request for a Planned Unit Development, in compliance with all criteria outlined in the Unified Development Code, as described in 4.5.3, and criteria set forth in Appendix B, Section 2 for submittal criteria for a rezoning application.

**ATTACHMENTS:**

- Location Map
- Concept Plan
- Letter of Intent