

AGENDA REPORT

Planning & Zoning:	8/1/2011	Staff Contact:	Jeremy Frazzell, Senior Planner
Agenda Item:	2011-0747	E-mail:	jeremyf@cityofpflugerville.com
Case No.	FP1107-01	Phone:	512-990-6300

SUBJECT: Approving a Subdivision Variance to Subchapter 15(Q)(4)(a) of the Unified Development Code and a Final Plat for Stone Hill Town Center, Section Two, Phase One; a 33.7956-acre tract of land out of the T.G. Stewart Survey No. 6, Abstract No. 689, in Pflugerville, Texas

BACKGROUND/DISCUSSION

Location:

The proposed subdivision consists of 33.7956-acres out of a 60.64-acre tract of land located generally west of FM 685 and south of SH 45 frontage road, between the Highland Park and Highland Park North residential subdivisions and the Stone Hill Town Center shopping center.

Zoning:

The entire 60.64-acre tract is zoned Urban Center Level 5 (CL5) which allows for a mix of commercial and residential land uses. Under the base development standards, residential land uses in the CL5 district have a minimum density of 15 units/acre and a maximum density of 25 units/acre without incentives applied.

Analysis:

The Final Plat establishes four (4) lots, including two public parkland lots, and a portion of right of way for Town Center Drive and Pfluger Farm Drive.

Multi-Family: Lot 19 is a 16.9-acre lot anticipated for multi-family development. Under the current zoning and base development scenario, a maximum 423 units/ac (16.9 acres x 25 units/ac) could be permitted.

Commercial: Lot 20 is being planned with a drainage structure, however in the future a relocation of the drainage facilities into Pfluger Farm Lane right of way may be proposed allowing the lot to be useable for commercial development.

Subdivision Variance: On July 18, 2011, the Stone Hill Town Center Section Two Preliminary Plan with a subdivision variance to not provide an extension of Chrichton Castle Bend was approved.

Upon approval of the Preliminary Plan, the applicant concurrently submitted construction plans and a final plat. According to Subchapter 15(Q)(4)(a) "a complete application for a final plat may be submitted only for those subdivisions for which there exists a valid preliminary plat and approved construction plans, if applicable, with the required public improvements either

constructed and approved or fiscal security is provided.” Fiscal security for the public improvements has been posted and a subdivision variance is requested to allow the final plat to be considered prior to approved construction plans.

Tree Protection: A signed statement from a registered landscape architect was provided with the Preliminary Plan identifying the majority of trees on site are hackberry and do not meet the “protected” status outlined in Subchapter 12 of the Unified Development Code. Trees located in the southwest portion of the tract are predominantly located within parkland and drainage easements.

Transportation:

A subdivision variance was approved with the Preliminary Plan to not provide a connection to Crighton Castle Bend in the Highland Park North subdivision. Town Center Drive (60-ft right of way) ultimately will be extended westward to provide a connection to Portchester Castle Path in the Highland Park residential subdivision.

Pfluger Farm Lane as identified in the Transportation Plan will be a major collector (70-ft. right of way) that connects the SH 45 frontage road to Pflugerville Pkwy. The final plat includes a 730-ft segment of Pfluger Farm Lane between Lots 19 and 20.

A Fourth Amendment to the Economic Development Agreement was approved by the City Council on July 12, 2011 to address the phasing and responsibility for roadway improvements through the development to provide desired connectivity. Consistent with the proposed phasing plan, the landowner will be responsible for extending Town Center Drive approximately 1,000 feet with a termination into a temporary cul-de-sac for Phase One. Upon development of Lot 22, the landowner will be responsible for extending Town Center Drive to the floodplain as part of Phase Two. The City will construct the final segment of Town Center Drive to the western property line to provide the connection with Portchester Castle Path. D.R. Horton will remain responsible for extending Portchester Castle Path through the Highland Park subdivision to connect to Town Center Drive. Per the agreement, the landowner will not be responsible for the construction of Pfluger Farm Drive.

Water and Sewer:

The City of Pflugerville will provide water and wastewater service to the subdivision through extensions of lines by the subdivider in Town Center Drive. A future wastewater interceptor is planned along Pfluger Farm Lane per the Wastewater Master Plan.

Parks:

Lot 23 and 24 are located along the western boundary of the subdivision and are proposed as public parkland. While Lot 24 is predominantly floodplain, combined there is 8.77 acres of creditable parkland. The amount of creditable public parkland meets the requirements for the maximum density per the proposed development scenario on Lot 19, but the acreage does not account for any additional residential development within the subdivision.

On June 16, 2011, the Parks and Recreation Commission recommended approval of the proposed dedication of Lots 23 and 24 as public parkland with the condition that the parkland is

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to satisfy the dedication requirements associated with Lot 19 and its intended multi-family land use.

If Lot 22 or another lot is developed with a residential land use, and Lot 19 is not developed to the maximum density under the development scenario described above, then the balance of the dedicated parkland shall be creditable towards the additional residential. Once the total amount of creditable public parkland is accounted for, then additional approvals shall be required by the Parks and Recreation Commission for either land dedication or fee in lieu.

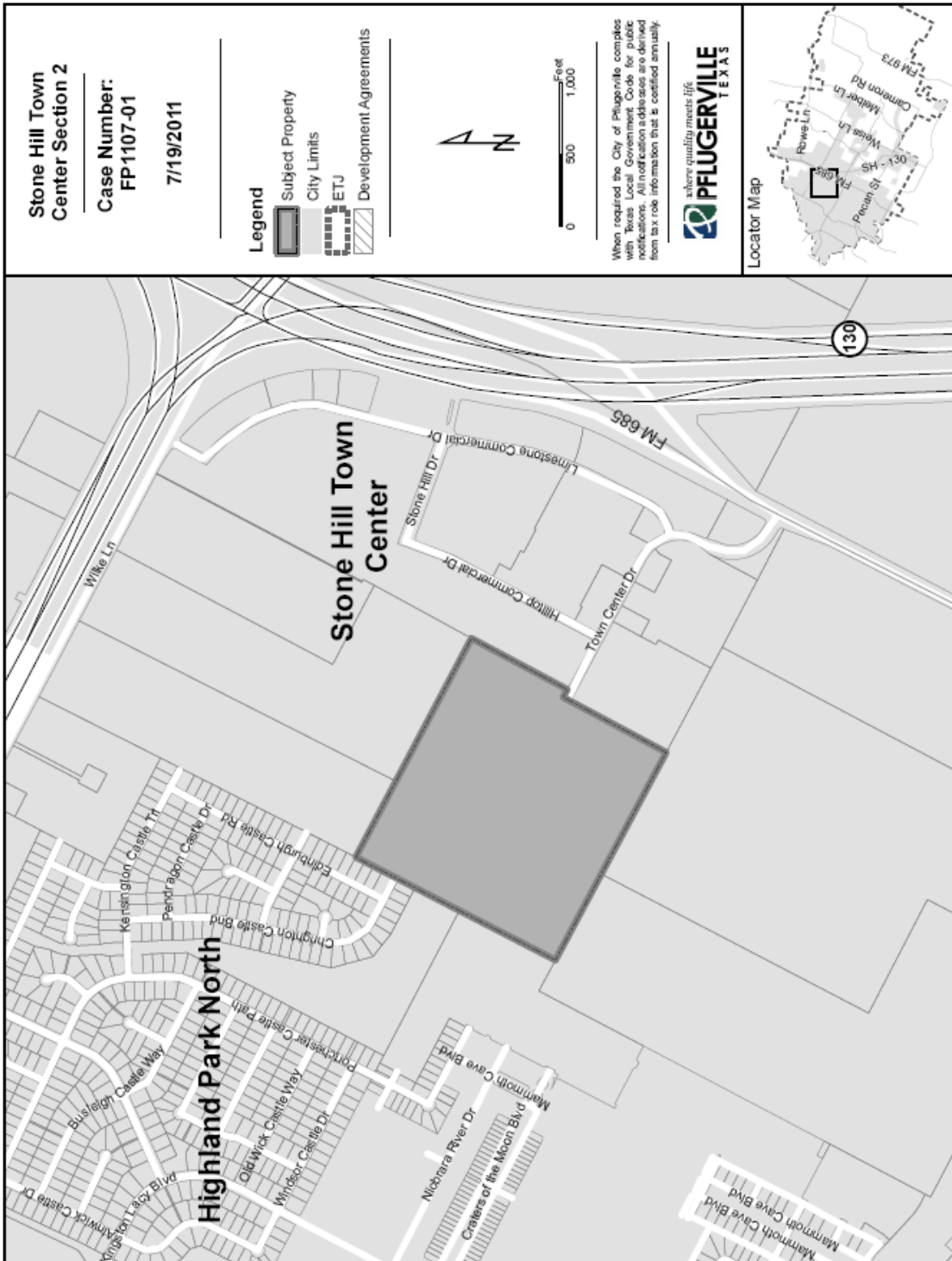
STAFF RECOMMENDATION:

With the Subdivision Variance, the proposed subdivision meets the minimum requirements for a Final Plat. Staff recommends approval of a Subdivision Variance to Subchapter 15(Q)(4)(a) of the Unified Development Code and the Stone Hill Town Center, Section Two, Phase One Final Plat.

ATTACHMENTS:

- Location Map
- Subdivision Variances
- Tree Protection letter
- Parks and Recreation Commission recommendation
- Stone Hill Town Center, Section Two, Phase One Final Plat (separate attachment)
- Fourth Amendment to the Economic Development Agreement Exhibit

LOCATION MAP:



SUBDIVISION VARIANCES:



July 29, 2011

Mr. Trey Fletcher
City of Pflugerville
102 South 3rd Street
Pflugerville, Texas 78691

RE: Stone Hill Town Center Section 2 – Approved Plans Variance

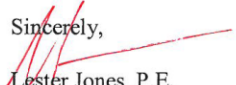
Dear Mr. Fletcher:

As developer of this project, NewQuest Properties, Inc., requests that a variance be granted from Subchapter 15.Q.4.a Final Plat Review Process requires “a complete application for a final plat may be submitted only for those subdivisions for which there exists a valid preliminary plat and approved construction plans, if applicable, with the required public improvements either constructed and approved or fiscal security is provided.” We are asking that the final plat be approved without formal final plan approval for the following reasons:

1. The City of Pflugerville comments have been addressed and the revised construction drawings will be delivered to the City of Pflugerville no later than 10:00 am on Monday morning.
2. Our design consultant (TEAM) has had extensive conversations with the City of Pflugerville Engineering staff, and are confident that the plans have been revised in accordance with City Staff comments.

We request that these variances be approved along with the plat as submitted.

Sincerely,


Lester Jones, P.E.
Director of Development
NewQuest Properties



VARIANCE REQUEST

June 30, 2011

Mr. Trey Fletcher
City of Pflugerville
102 South 3rd Street
Pflugerville, Texas 78691

RE: *Extension of Chrighton Castle Bend into Lot 23 (future park) of Stone Hill Town Center, Section 2*

Dear Mr. Fletcher:

As developer of this project, NewQuest Properties, Inc., requests that a variance be granted from Section 156.413(B) of the City's Subdivision Ordinance. This section states that "all streets that are stubbed out into the subject Subdivision boundary must be extended into the Subdivision". Chrighton Castle Bend is a stub street that ends on this subdivision's northwest property line. We request that this street not be extended into / through this subdivision for the following reasons:

1. The extension of this street would dissect Lot 21 which is land that is being set aside for City park land. This future park land could be developed into a quality City park. An extension of this street would cut off a significant area of contiguous park land. This could restrict flexibility of a comprehensively designed park. It could also potentially create a safety hazard for park users.
2. It has been reported that the residents of Highland Park North Subdivision do not want this street extended.
3. This street will not benefit this proposed subdivision. We feel it is an unreasonable burden that we should bear the cost of this street extension without getting any benefit for our subdivision.

Variance Request
June 30, 2011
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4. After the park land is dedicated to the City, the City may decide in the future that the street should be extended and turned to the north to the benefit of the adjoining property. However, with the north / south collector just to the east, the need for this street will be strongly diminished.

Additionally, Note 10 on page 1 of 1 of the preliminary plat comments provided by the City of Pflugerville dated June 17th, 2011 stated that "a wastewater easement will be required for the existing wastewater line stubbed out near the northwest corner of the subdivision. Do to the flowline elevation of this existing sanitary sewer line relative to the ultimate finished floor elevations of the structures on the adjacent lots, this stub will not be utilized for wastewater service to any of the lots currently beign platted. Therefore, we request that this easement dedication requirement be lifted.

We request that these variances be approved along with the preliminary plan as submitted.

Sincerely,



Steven D. Alvis
Managing Partner



TREE PROTECTION LETTER:



Jeremy Frazzell
Senior Planner
Planning Department
City of Pflugerville, Texas
www.cityofpflugerville.com
Main: (512) 990-6300
Fax: (512) 251-8525

Date: June 30, 2011
Project: Stone Hill Town Center: Section Two
Proposed Lots 19 & 22
Pflugerville, TX.
Re: Existing Trees

Jeremy,

On June 30, 2011, I, the undersigned landscape Architect, made a visual inspection of the existing trees on the aforementioned property and determined there are no "Significant" or "Protected" trees onsite, per the criteria established in Subchapter 12: Tree Preservation Standards, of the Pflugerville, Texas Unified Development Code. The majority of trees onsite are Hackberry, and treelines will not be separating adjacent single-family land uses.

Should you have any questions, I can be reached at (512) 496-4989, or via email at dan@evergreendesigngroup.net.


Sincerely,



Dan Reece
Texas Landscape Architect #1986

9600 Great Hills Trail #150W Austin, TX 78759
Office: (800) 660-6630 ext. 2 * Cell (512) 496-4989 * Fax: (866) 579-8452

PARKS AND RECREATION COMMISSION RECOMMENDATION:

 PO Box 589/ 79691 512-990-6100	Parks and Recreation Commission Recommendations to the Planning and Zoning Commission	Parks & Recreation Department 400 Immanuel Rd/ 78660 512-990-6355 512-990-0932 Fax
<p>Date of Meeting <u>June 16, 2011</u></p>		
<p>Park Land Dedication Name <u>Stone Hill Section 2 Preliminary Plat design.</u></p>		
<p>1. The Parks and Recreation Commission RECOMMENDS APPROVAL of the plan for the above subdivision as it is depicted on the preliminary plans dated _____.</p>		
<p>2. The Parks and Recreation Commission RECOMMENDS APPROVAL OF THE PRELIMINARY PLANS DATED <u>June 7, 2011</u>, WITH THE FOLLOWING CHANGES AND CONDITIONS: <u>The Parks and Recreation Commission voted unanimously to approve the Stone Hill Section 2 Preliminary Plat parkland dedication as proposed by the applicant. The Parks and Recreation Commission understands the proposed 370 units would formulate a parkland dedication requirement of 7.4 acres. The current zoning of Lot 19 would allow for a maximum of 422.5 units. If Lot 19 were to be built out to capacity the parkland dedication requirement would be 8.45 acres. As proposed Reserve B meets the parkland dedication requirements for Lot 19 if applicant were to build to capacity of 422.5 units. The applicant is proposing dedicating Reserve B- 9.5257 acres, (8.77 acres of which is out of the floodplain) and Reserve A (1.82 acres) all of which is in the 100 year floodplain. It should be noted this parkland dedication is only agreed upon to meet the requirements of Lot 19. Additionally staff is recommending an environmental assessment be completed as required by parkland dedication standards.</u></p>		
<p>3. The Parks and Recreation Commission RECOMMENDS ACCEPTANCE OF \$<u>0</u> IN LIEU OF PARKLAND REQUIREMENTS for the above subdivision. (The required parkland for this development would be _____ acres.</p>		
<p>4. The Parks and Recreation Commission DOES NOT RECOMMEND APPROVAL of the plan for the above subdivision as it is depicted on the preliminary plan dated _____.</p>		
<p>Commission Vote: Ayes <u>4</u> Nays <u>0</u></p>		
<p>_____ Cory Shepperd, Chairperson Parks and Recreation Commission</p>		Revised 6/2011

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FOURTH AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT EXHIBIT:

