

Planning and Zoning: 12/3/2012
City Council: 12/11/2012
City Council: 1/8/2013

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SUBJECT: Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIAL DISTRICT FOR A LIGHT INDUSTRIAL USE IN CORRIDOR URBAN LEVEL 4 (CL4) ON APPROXIMATELY 40.36 ACRES OUT OF THE T.G. STEWART SURVEY NO. 6 AND THE H. BLESSING SURVEY NO. 3, IN TRAVIS COUNTY, TX, GENERALLY LOCATED NEAR THE INTERSECTION OF W. PFLUGERVILLE PARKWAY AND F.M. 685, TO BE KNOWN AS THE DATA CENTER PARK SPECIAL DISTRICT. (SD1210-02), AND PROVIDING AN EFFECTIVE DATE.

SPECIAL DISTRICT PROCESS:

A Special District Permit is a land use tool which allows for a case-by-case review of a requested land use that has been specifically identified in the Unified Development Code as a potentially acceptable use. A Special District Permit is similar to a zoning request in which the application is considered at public hearings and allows for the public, Planning and Zoning Commission and City Council to review and consider the proposed request based on specific criteria. (Provided below)

CRITERIA FOR APPROVAL OF A SPECIAL DISTRICT IN THE CORRIDOR:

The Commission and City Council shall consider the following criteria in determining the validity of the Special District Permit request:

- (a) Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses;
- (b) Whether the activities requested by the applicant are normally associated with the requested use;
- (c) Whether the nature of the use is reasonable; and
- (d) Whether any impact on the surrounding area has been mitigated.

The SH 45 and SH 130 Corridor Study established land use preferences in the Corridor based on 4 guiding principles. Integrated as additional criteria for Special Districts, the four guiding principles of the Corridor Study are as follows: (1) create a series of unique places to shop, work, and live; (2) establish a diversified and leak-free tax base; (3) establish an enhanced, long-term market capture; and (4) utilize smart, healthy and sensible design concepts. In addition to the criteria above, City Council may choose to use the following criteria in determining the suitability of the proposed land use on subject site as it relates to the corridor in accordance with Subchapter 3, Section (E) of the Unified Development Code.

- (1) 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
 - e. FM 685 and Pflugerville Parkway
- (2) Structures should orient to public streets and designated trails as noted on the future Trails Map referenced in the Comprehensive Plan.
 - (3) The extent to which connectivity among proposed and existing right-of-ways is demonstrated.
 - (4) The extent to which uses, such as free-standing 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.
 - (5) The application illustrates compliance with the requirements and guidelines of this Chapter.
 - (6) The application exhibits compatibility of the design with surrounding properties and development patterns.
 - (7) The application exhibits compatibility and coordination between the character of the streetscape and the planned surrounding built environment.
 - (8) 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.

BACKGROUND:

City Council approved an Economic Development Agreement with Arista Data Centers, L.L.C. in July 2012 whereby the City agreed to provide financial incentives for the development of a data center park, in accordance with Chapter 380 of the Texas Local Government Code, to encourage and promote job growth and economic development. The agreement has built-in economic performance measures where the project is anticipated to have an aggregate ad valorem property tax value of \$210,000,000 or greater within 10 years. Dimension-RPC Stone Hill, LP purchased a 40.36 acre tract from Terrell Timmermann with the intentions of developing a campus style data center, while Arista Data Centers, L.L.C assigned its entitlement rights under the 380 agreement to Dimension-RPC Stone Hill, LP. The company agrees to use reasonable efforts to cause the facility to be LEED Silver compliant.

PROJECT DESCRIPTION:

The Applicant, Dimension-RPC Stone Hill, LP has requested a Special District Permit in the Corridor Urban Level 4 (CL4) zoning district to allow for a light industrial land use, more specifically, a data center on the 40.36 acre tract.

Land Use: Per the Unified Development Code, a light industrial land use is defined as “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.” While the data center land use is not specifically listed in the Unified Development

Code, nor is it included under the current definition of a light industrial land use, a data center is simply a warehouse of computers providing direct service to the business community, thus closely resembling a light industrial land use. Therefore, this project is subject to the Special District process.

Architectural: The maximum scope of the project includes three tilt-wall buildings totaling approximately 540,000 square feet with the primary facades oriented to an internal boulevard type roadway or private drive with a cul-de-sac. The architectural sheets provided generally represent the building design proposed on site, while the site plan shows the conceptual building footprints and orientation as shown in the exhibits. Through the site development process, minor adjustments will be permitted to the building elevations and site layout.

Dimensions of Proposed Buildings				
Buildings	Gross Floor Area (Square-Feet)	Approx. Depth (Feet)	Approx. Length (Feet)	Height (Feet)
Building 1 (South)	200,000	250'	750'	40'
Building 2 (North)	Approx. 140,000	250'	600'	40'
Building 3 (West)	Approx. 200,000	250'	800'	40'

In addition to the minimum requirements, the Commission may consider requiring a minimum of 15% of the exterior primary façades to incorporate accent materials other than tilt-wall.

Parking: The off-street parking illustrated on the site plan is conceptual. However, it is anticipated that this project will require less parking than a standard Light Industrial land use due to its low intensity. The standard Light Industrial parking ratio is listed below.

Light Industrial Parking Ratio

- 1:600 (1 parking space required per 600 square-feet of Gross Floor Area) for an Indoor (Office) Facility, except indoor storage.
- 1:1000 for outdoor facility; and
- 1:2500 for indoor storage area.

Since a data center is mostly a storage warehouse of computer servers and other appurtenances, a minimum of a 1:2500 parking ratio will be applied to the site. The exact parking ratio will be determined later through the formal site development process.

Transportation: Access to the site is proposed via Pfluger Farm Lane. This major collector roadway is being built in conjunction with the Arista Data Center through a development agreement. Also, by agreement, Pfluger Farm Lane will be a three lane roadway connecting Town Center Drive to Pflugerville Parkway within 10 years. The Pfluger Farm Lane project is broken out into phases based on development. Initially the City will construct Phase A of the roadway which will consist of a three lane road south from Town Center Drive to the proposed internal boulevard roadway or private drive of the data center. Also included with Phase A are water, wastewater and reuse water lines from Town Center Drive south to Pflugerville Parkway. Phase A is anticipated to go to bid by mid-February, 2013.

The design consultant for the City is concurrently designing the remainder of Pfluger Farm Lane connecting the data center location to Pflugerville Parkway (Phase B). This roadway will consist of a 3 lane section and included two bridge structures crossing FEMA floodplain. Per development agreement, the City has approximately 10 years to fulfill construction of Phase B.

Site Lighting: A photometric plan will be provided in the formal site development application process and shall meet the minimum lighting requirements of Subchapter 13 of the Unified Development Code.

Site Elements: Backup diesel generators and commercial chillers to cool the servers are proposed in the service yards. The noise rating for chillers are 78 decibels (dba) measured at 30', while the generators are rated at 70 dba at a distance of 23'. The backup generators will be tested regularly to ensure optimum reliability in case of power outages. While the service yards are oriented towards the adjacent properties, mitigating measures are proposed including masonry walls to wholly enclose the service yards, bufferyard plantings at a rate of 7 (3" caliper) trees and 15 shrubs per 100 linear feet of the north and west site property boundaries. The applicant has requested a waiver to the 8' bufferyard masonry wall requirement for the north property boundary. By means of the 50' vegetative bufferyards and the 100' setbacks of the exterior service yards from the residential properties to the north and west, the noise level of the generators and chillers is anticipated to be greatly reduced, therefore meeting noise level ordinance. Due to security concerns, wrought-iron type fencing is proposed around the perimeter of each building.

Landscaping: A detailed landscape plan has not been provided at this time; however the site landscaping shall be in accordance with the requirements of the Unified Development Code. Staff further recommends a combination of evergreen trees to be planted as the required bufferyard trees.

LAND USE COMPATIBILITY:

The Preferred Land Use Vision Plan of the 2030 Comprehensive Plan identifies the subject tract as Mixed Use at the northwest corner of W. Pflugerville Parkway and F.M. 685. Per the Comprehensive Plan, Mixed Use areas are intended to provide a built environment that facilitates the ability to live, work, play and shop in one area. This project is anticipated to create employment with high paying jobs within close proximity to a regional shopping center of Stone Hill Town Center to the north. A master plan of the remaining Timmermann tracts has not been created at this time; however based on the CL4 zoning, a mix of commercial uses will be permitted by right, with the possibility of multi-family by Special District.

LAND USE GOALS PER THE COMPREHENSIVE PLAN:

Implementation Action Item 3.1.1 of the Comprehensive Plan states "Evaluate existing zoning to ensure sufficient land supply for office retail, and industrial use to meet projected 2030 population projections and regional market demands." According to PCDC, currently there is a shortage of available facilities to house the growing demand for light industrial types of uses in the City of Pflugerville. This application represents the City's desire to accommodate opportunities for employment, services, and strengthening tax base for the City of Pflugerville.

Other related implementation action items are as follows:

- Action 3.1.2: Continue to work with PCDC to maintain an inventory of parcels suitable for office, retail, and industrial uses that are located in designated centers in the Preferred Land Use Vision Map.
- Action 3.1.3: Continue to work with PCDC to leverage incentives to attract additional office, retail, and industrial development.

THE PLANNING AND ZONING COMMISSION APPROVED THE FOLLOWING WAIVERS:

Item	Waiver	Reason
1	Waiver of 8' masonry Bufferyard wall along the north property boundary	Grade difference between the subject site and the property to the north (Mansions at Stone Hill apartment complex)
2	Waiver from Vertical Articulation standards; Architectural design to be generally in conformance with the proposed building elevations identified in Exhibit B.	Ensure quality architectural standards; vertical articulation technical requirements for this scale of building are excessive.
3	To only require a 6' sidewalk along one side of the proposed interior boulevard driveway/street.	Secured sites with low intensity uses may only serve a few pedestrians.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval of the Special District with the following conditions.

Item	Condition	Purpose
1	Land use limited to a data center or any other land use permitted by right in the base zoning district.	Assurance of low intensity land use over time. (e.g. – Manufacturing/Warehouse/Distribution land use would need to be approved by a Special District)
2	The service yards containing mechanical equipment are wholly shielded from view with the use of masonry walls measured at finished grade.	Maintain visual aesthetics of development.
3	Site Plan generally in conformance with the Exhibit.	Site Layout; building orientation
4	Architectural design generally in conformance with the proposed building elevations identified in the Exhibit.	Ensure quality architectural standards.
5	Combination of evergreen trees to be planted as the required bufferyard trees.	Maintain a visual buffer
6	Screening of the electric substation generally consistent with the Exhibit.	Maintain a visual buffer

7	Testing of generators may only occur Monday – Friday between 8 a.m. and 5 p.m.	Nuisance mitigation
8	Provide a minimum of 15% accent materials on the primary facades (facing the internal boulevard driveway/street) other than tilt wall.	Ensure quality architectural standards and visual aesthetics.

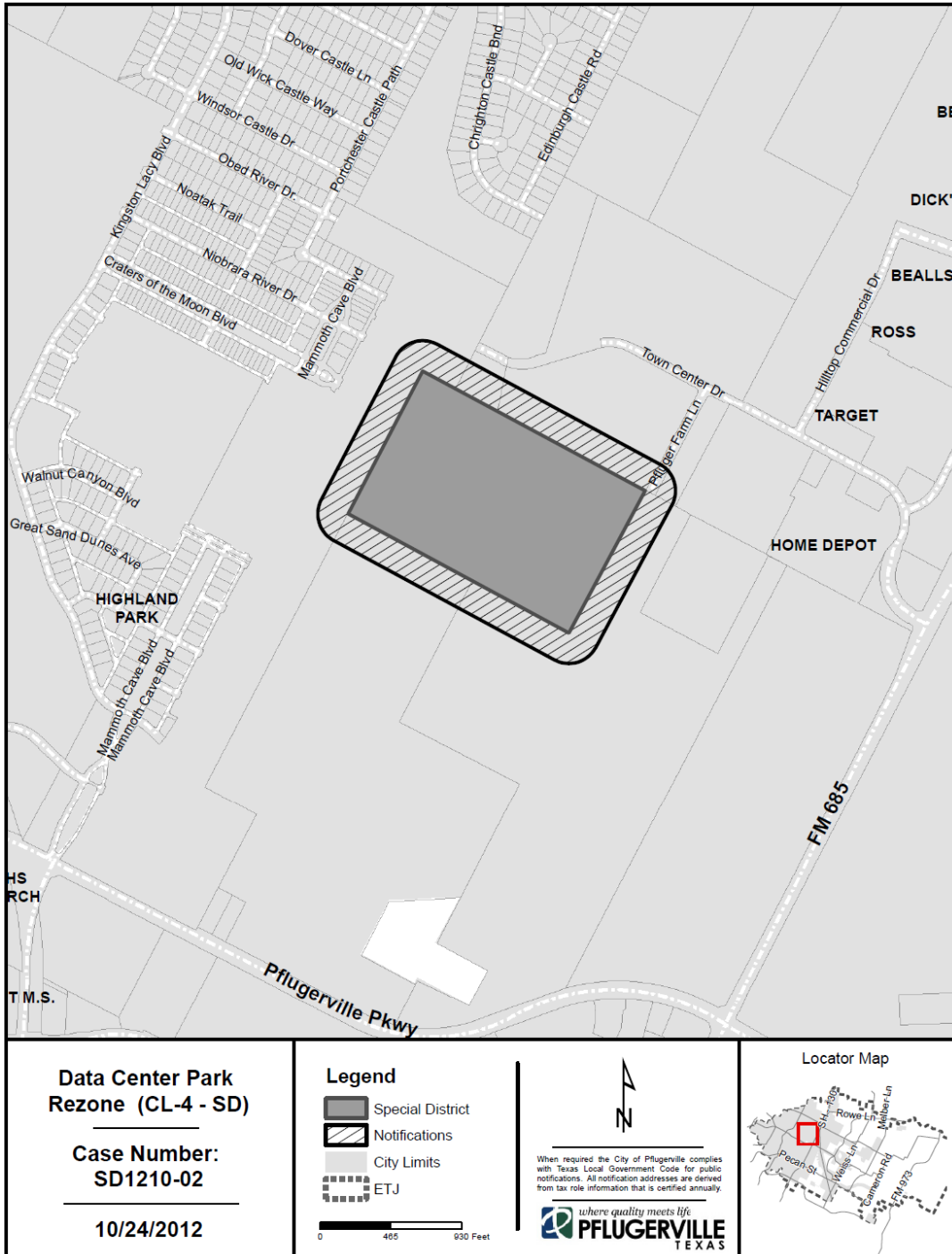
NOTIFICATION:

Notification letters were sent to property owners within 200-ft. of the proposed site. A sign was placed on the property prior to November 21, 2012 and a public notice appeared in the Pflugerville Pflag newspaper on November 21, 2012.

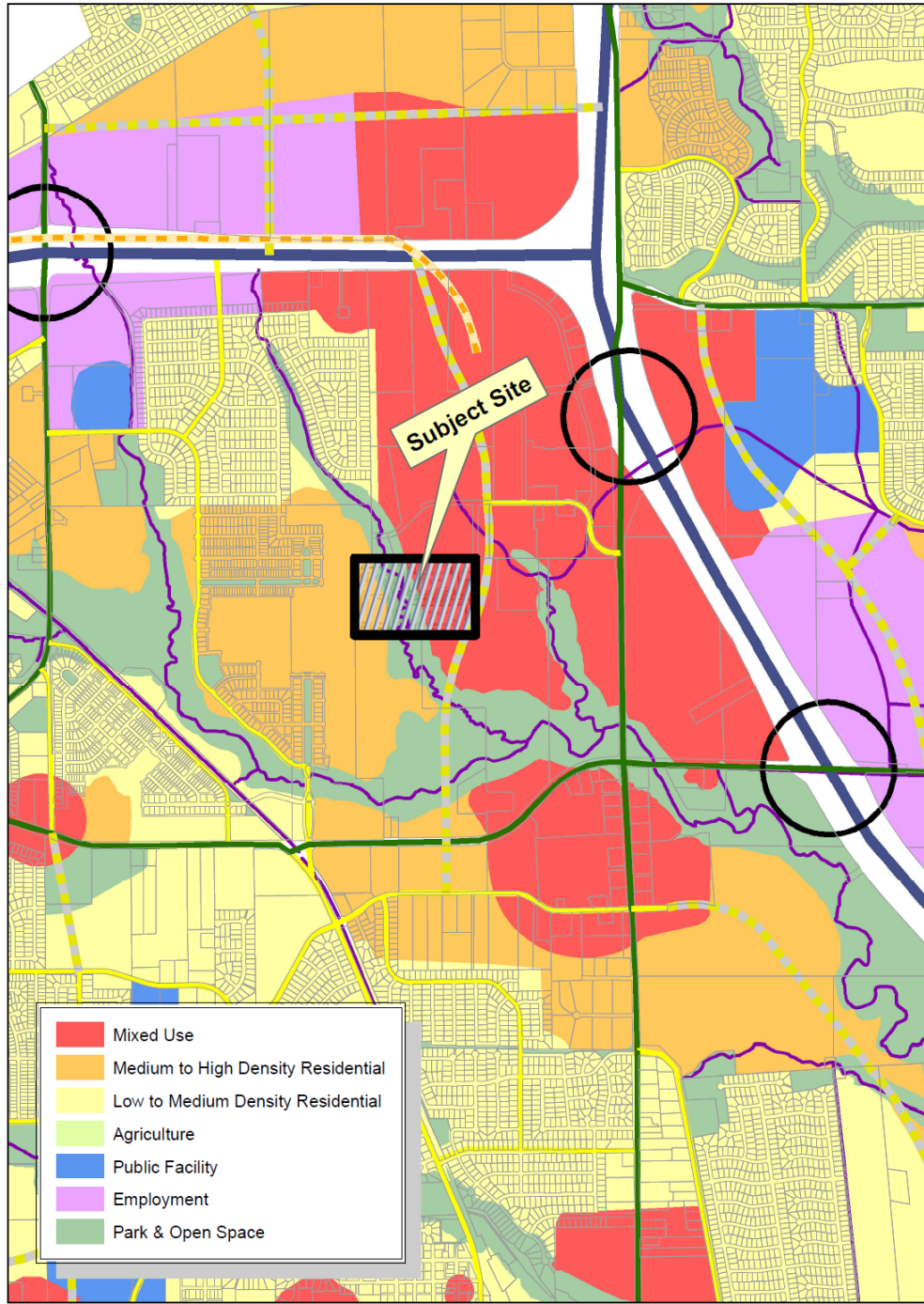
ATTACHMENTS:

- Notification Map
- Preferred Land Use Plan
- Map of Adjacent Development
- Application
- Exhibit A – Conceptual Site Plan
- Exhibit B - Building Elevations
- Exhibit C – Screening of Substation
- Ordinance

NOTIFICATION MAP:



PREFERRED FUTURE LAND USE PLAN:



APPLICATION: Refer to the attachment.

EXHIBIT A – CONCEPTUAL SITE PLAN: Refer to the attachment.

EXHIBIT B – BUILDING ELEVATIONS: Refer to the attachment.

EXHIBIT C – SCREENING OF SUBSTATION: Refer to the attachment.

ORDINANCE: Refer to the attachment.