



City of Pflugerville

Legislation Details (With Text)

File #: RES-1163 **Version:** 1 **Name:** Lakeside Municipal Utility District No. 5 Amendment
Type: Resolution **Status:** Consent Agenda
File created: 11/3/2023 **In control:** Planning and Zoning Commission
On agenda: 11/14/2023 **Final action:** 11/14/2023

Title: Approving a resolution approving the Amendment to the Amended and Restated Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5 and authorizing the City Manager to execute the same.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Concept Hodde Site Plan and Renderings, 3. Conceptual Land Use Plan from Amended and Restated MUD 5 Consent Agreement

Date	Ver.	Action By	Action	Result
11/14/2023	1	City Council	Approved as amended	Pass

Approving a resolution approving the Amendment to the Amended and Restated Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5 and authorizing the City Manager to execute the same.

In 2004 the City entered into a Comprehensive Development and Consent Agreement for Lakeside Water Control Improvement District (WCID) No. 5, which was later amended in 2006 and then again in 2011. In 2017 the Developer for Lakeside WCID, now known as Municipal Utility District (MUD) No. 5, expressed interest in adding land to the area known as Lakeside MUD 5. In 2019, Lakeside MUD 5 was further amended to include a total of 850.6 acres of single family residential totaling to 3,456 dwelling units; 34.2 acres of commercial; 15.7 acres for a school site; 6.2 acres for a public facility; 43.5 acres of right of way; and 219.1 acres of open space. The property is in the ETJ and only subject to the development requirements approved with the agreement.

The proposed amendment is to address the commercial area located along Hodde Ln and Cele Rd that was established with the 2019 amendment and identified as "Retail". The current agreement requires the property to be developed consistently with the Retail zoning district as outlined in the Unified Development Code, as amended. The developer has proposed amendments to the development agreement to deviate from several of the Unified Development Code requirements as listed below to establish a commercial development that will serve the immediate area.

Land use: The proposed amendment includes the addition of a single drive thru location on the tracts marked "Retail" on the Conceptual Land Use Plan in the development agreement, which is not currently permitted in the Retail district per the Unified Development Code. In exchange for the allowance of the drive thru allowance, the developer has proposed to remove the gas station land use from all tracts identified as Retail in the concept plan, which would otherwise be permitted with conditions in the Retail district per the Unified Development Code.

Driveway spacing: The amendment clarifies driveway spacing for the non-residential tracts will

conform with the requirements established by Travis County and not the City of Pflugerville Unified Development Code. The clarification will allow driveways to be located closer to one another along the Travis County arterial streets, Hodde Ln and Cele Rd., than would be otherwise permitted if developed per the Unified Development Code. Travis County spacing allows driveways on arterial streets to be 200 feet apart whereas the Unified Development Code addresses spacing based on design speed. The Unified Development Code would require driveways along Hodde Ln to be spaced 450' with a design speed of 50mph as a major arterial, and 325' on Cele based on a minor arterial with a design speed of 45mph.

Architectural: The proposed architecture for the buildings at the Hodde Ln and Speidel intersection anticipate elongated roof lines which have a pitch that is shallower than permitted for commercial structures in the Unified Development Code. The proposed architecture is intended to provide a more modern aesthetic to the development that will complement the area.

Landscaping: An allowance for a limited amount of synthetic turf is proposed between buildings to establish an outdoor, inviting area to patrons. The synthetic turf will be designed with a drainage system which ensures no ponding and adequate drainage is provided. Synthetic turf is not currently allowed in the Unified Development Code due to variations in quality and longevity. The proposed synthetic turf has been used successfully in other open space areas and is anticipated to be an amenity at this location.

Parking: An alternative parking ratio of 1 parking space per 90 square feet of all restaurant and patio spaces is proposed with the amendment. The proposed adjustment to the parking ratio otherwise required by the Unified Development Code (1 parking space per 75 square feet) will reduce the number of required spaces for that land use but is anticipated to be sufficient due to the proximity of the neighborhoods and ability to walk and bike to the future commercial developments. No other parking adjustments are proposed and shared parking based on peak times per land use in the commercial development will still be permitted to create shared parking throughout the development.

The proposed amendment ensures the remaining items required by the Unified Development Code are retained while the property is developed in the ETJ, and will create a sense of place and neighborhood services to the area. The encouragement of the retail development is supported by the Economic Development pillar of the Strategic Plan.

Prior City Council Action

November 22, 2004: Rowe Lane Development, Ltd. and Robert M. Tiemann (collectively the "Developer") and the City of Pflugerville, Texas (the "City") have previously entered into that certain Comprehensive Development and Consent Agreement for Lakeside WCID No. 5

July 3, 2006: First Amendment to Comprehensive Development and Consent Agreement for Lakeside WCID No. 5

October 14, 2011: Second Amendment to the Comprehensive Development Agreement

January 23, 2018: Passed resolution RES-0479 authorizing the City Manager to prepare and negotiate the documents required for the modification and creation of a municipal utility district for the area.

May 28, 2019: Passed resolution RES-0622 approving a resolution approving the Amended and

Restated Comprehensive Development Agreement for Lakeside Municipal Utility District No. 5.

Deadline for City Council Action

There is no deadline for City Council Action

Funding Expected: Revenue Expenditure N/A

Budgeted Item: Yes No N/A

Amount: N/A

1295 Form Required? Yes No

Legal Review Required: N/A Required Date Completed: November 10, 2023

Supporting documents attached:

Resolution

Concept Hodde Site Plan and Renderings

Conceptual Land Use Plan from Amended and Restated MUD 5 Consent Agreement

Recommended Action

Motion to approve the resolution approving the amendment to the amended and restated Comprehensive Development Agreement for Lakeside MUD 5 as proposed and authorizing the City Manager to execute the agreement.