



City of Pflugerville

Legislation Text

File #: ORD-0704, Version: 3

Approving an ordinance on second reading with the caption reading: An Ordinance of the City of Pflugerville, Texas, Amending Ordinance No. 1203-15-02-24 of the City of Pflugerville, Texas, as amended, by changing the zoning designation of approximately 11.858 acres of unplatted land, out of the Jacob Casner Survey No. 9, Abstract No. 2753, in Pflugerville, Texas, from Agriculture/Development Reserve (A) District, to Planned United Development District with a base zoning district of Urban Corridor: Level 4 (CL4); to be known as the Fairfield PUD Rezoning (2022-5-PUD); Providing for Repeal of conflicting ordinances; providing for non-severability; and providing an effective date.

The applicant is requesting for the approximately 11.858-acre property to be rezoned from Agriculture/Development Reserve (A) to Planned Unit Development (PUD) with a base zoning district Urban (Level 4: CL4). The proposed PUD regulations are requesting that multi-family and townhomes be allowed by right at a density not to exceed 40 dwelling units/acre, with a minimum of 17,000 sq. ft. of commercial vertically integrated along the frontage of F.M. 685. The regulations also do not allow the site to have a full Certificate of Occupancy until the commercial requirement is met. In addition to the multi-family and townhome addition to the base zoning district, the PUD also prohibits gas stations and drive-in/thru uses.

History:

The property was annexed into the City in 2007 by Ordinance No. 920-07-12-11 through a city-initiated annexation, and subsequently zoned to the Agriculture/Development Reserve District. In July 2022, the Planning & Zoning Commission denied a rezoning request for this property from the same applicant, that was proposing a Planned Unit Development with a base zoning district CL-4, allowing multi-family at a density of 35 dwelling units an acre, with a minimum of 10,000 sq. ft. of commercial. The case was subsequently denied by City Council in September 2022 because it failed to receive the super majority vote that is required if a case moves forward with a P & Z denial. In addition, this applicant was approved by City Council to request the ability to apply for a Planned Unit Development for this project, because the Code requires a 20-acre minimum for PUD requests unless granted approval by City Council.

Proposed District:

The applicant is proposing to rezone the property from Agriculture/Development Reserve (A) to Planned Unit Development (PUD) with a base zoning district of Urban: Level 4 (CL4). According to the UDC, PUDs are intended to encourage unique, well planned comprehensive developments, which allow varied standards by both the City and the developer to improve upon the development design or enable a unique development that would not otherwise be accommodated through straight zoning. It also helps with maintaining compatibility with existing or allowable future land uses.

This project is designed to be an urban-style development that enhances the SH130 corridor with a minimum of 17,000 sq. ft. of walkup retail/commercial required along the frontage integrated as a

vertical mixed-use component of the multi-family. The commercial component is a requirement to be fulfilled prior to issuance of a full Certificate of Occupancy for the site. In addition to the walk up commercial that is integrated along the frontage, the site also provides a significant buffer adjacent to the single-family neighborhood to the east of the property in order to create more compatibility of adjacent land uses. The project is proposed to have a residential building setback of 65' from the eastern property boundary adjacent to the Steeds Crossing Subdivision, and the maximum structure height of 35' or two stories - shown as townhomes on the concept plan - within 125' of the eastern property boundary. Additionally, the project has a minimum height of four stories required for the remainder of the site, and the property will be structurally parked with a parking garage not to exceed six stories.

Another feature of this PUD is the entry "Main Street" will be planted on either side with street trees and sidewalks, which will direct visitors to the properties leasing office and amenity area. There are also required street trees on one side of the north/south connector drive that will be extended from the property to the north.

Comprehensive Plan:

The City has multiple plans that have been adopted that provide direction on land use, transportation, parks, and future infrastructure needs. The Future Land Use Map was adopted through the Aspire Pflugerville 2040 plan, which outlines the land use mix proposed for this area. This property is designated as Mixed-Use Commercial, with Suburban Residential to the east and Mixed-Use Commercial north and south. The Mixed-Use Commercial designation is identified as 75-percent commercial, with a 25-percent residential component. Furthermore, it identifies multi-family, 5+ units as the residential type mix, with retail making up the majority of the proposed commercial desired for this area. Both urban and courtyard/garden apartments are seen as acceptable housing types in this designation, as well as mixed-use neighborhood scale, community scale, and regional scale, and regional office and commercial, regional shopping centers, and civic recreation uses. This is also provided as an attachment. This scale of development is further identified through the plan with building type suggestions for the various development types proposed for this designation. Furthermore, the Aspire 2040 plan also created districts throughout the city, and this development is located within the Commons District. The Commons District is described as providing a mix of uses, with commercial and retail developments proposed along the SH 130 frontage, while noting that more intense residential developments are also appropriate. More details regarding this district are attached.

In addition to the Aspire 2040 plan, there are land use assumptions and infrastructure needs identified through the city's transportation, water, and wastewater master plans. Within the Wastewater Master Plan, the future land use projection for this parcel was assumed to be retail, which assumes approximately 5 living unit equivalents (LUEs) per acre. The Water Master Plan does not provide for land use assumption in this area, because it is within Manville's service area.

Additionally, this project takes access from F.M. 685, the frontage roads to SH 130 Toll, and there is a north/south drive aisle that will run through the development to provide additional circulation north to current County Road 138 (Future Williamson County Southeast Loop), which is a proposed ultimate major arterial, six-lane divided roadway.

Staff has worked with the applicant since their previous case in effort to address concerns that arose through the public hearing process for the previous rezoning request (2022-2-PUD). The first rezoning request was submitted December 2021, and the latest version was submitted December 2022.

In the latest request that is under consideration, the applicant increased the required commercial by 7,000 sq. ft., as well as provided structured parking with a liner building to create more of an urban neighborhood environment. Additionally, there is a 65' setback maintained from the eastern property line adjacent to the Steeds Crossing subdivision, and the maximum height within 125' of that property line is 35', with a vegetative buffer and screening provided as well. The townhomes provide an appropriate transition of this property east to west.

Staff finds that the PUD request meets the land use and development goals and policies of the comprehensive plan, as well as ensures compatibility with adjacent land uses. The Future Land Use Plan calls this area out as the Mixed-Use Commercial, which collectively makes up the entire frontage area of F.M. 685 in the Commons District. While in some instances, there may be a need to apply the future land use designation and its respective 75-percent commercial and 25-percent residential mix on a parcel-by-parcel basis, in this case, it is appropriate to interpret the desired land use mix on a general location basis relative to other existing and anticipated uses within the same future land use designation. For instance, all the properties north of the parcel proposed for development have commercial services that are serving this area, thus already making up a significant portion of desired mix of commercial that is needed to accommodate this area. Additionally, there are more opportunities for future commercial development south of the subject property along F.M. 685 within the Commons District. With the addition commercial development in a vertically mixed-use arrangement along the frontage, it provides needed retail services that further lend themselves to healthy communities and a walkable 10-minute neighborhood for future and current residents in this area.

Staff finds that this Planned Unit Development rezoning application meets the Economic and Infrastructure goals of the City's 2021-2025 Strategic Plan, including creating a fiscally-sustainable city with a high quality of life, and preparing robust, resilient infrastructure.

The Planned Unit Development complies with the following goals and objectives that are outlined in the Aspire 2040 plan:

(Ch. 3) Housing and Neighborhoods

1. Diversify the housing supply, types, and locations to meet community needs through each phase of life.
 - 1.1 Encourage housing to support the differing needs of households and changing characteristics.
 - 1.3 Provide programs and regulations to achieve incremental transitions in design and scale between areas of high density and intensity and existing neighborhoods.
 - 1.4 Encourage housing that addresses the needs and desires of employers and targeted industries.
 - 1.5 Create a regulatory ecosystem that encourages and fosters diverse housing choices to fit residents' needs.

(Ch. 3) Development, Character, and Placemaking Goals and Policy Statements

3. Foster transit-ready development patterns and combinations of land use that support walkable access to goods, services, entertainment, opportunity, and quality of life while also providing appropriate transition of intensity and scale between uses.
 - 3.1 Encourage and remove barriers to market-supported mixed-use development. The barriers may be site development requirements, open space, parking, in addition to exclusive zoning.
 - 3.3 Support land use and place type configurations to achieve walkable 10-minute neighborhoods (where daily needs and amenities are within walking distance) throughout the city, allowing high access to goods, services, and opportunities without exclusive reliance on personal automobiles.

(Ch. 8) Healthy Communities and Neighborhood Vitality Goals, Policies, and action items

7. Focus on infill areas
 - 7.2 Encourage multi-family along freeway corridors with access to existing or planned services, jobs, retail, and parks within ¼ mile.

Furthermore, this plan also provides urban design guidelines, which adhere to the desired development form in the SH130 corridor and the healthy community goals and policies of the comprehensive plan. The proposed development provides an urban design that orients buildings along the private drive aisles, with public amenities and sidewalks connecting the overall development to the retail services that are on-site, as well as located to the north. There is also an enhanced buffer added along the eastern property boundary, which further lends itself to creating a healthy neighborhood by providing smoother transition between land uses and creating open space.

The proposed PUD was also reviewed by the fire department and engineering to ensure the proposed regulations were in line with their standards.

For the reasons outlined above, staff is recommending ***approval*** as presented.

Planning and Zoning Commission Action

On April 3, 2023, the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed ordinance with a vote of 7-0.

Prior City Council Action

The City Council held a public hearing and approved the ordinance on first reading at the April 25, 2023 meeting.

Funding Expected: Revenue Expenditure N/A

Budgeted Item: Yes No N/A

Amount: _____

1295 Form Required? Yes No

Legal Review Required: Required Date Completed: April 7, 2023

School District Impact

The residential land use was communicated to the district representatives during the standing monthly meeting and a notice was mailed to the district about the proposed rezoning. No concerns about the rezoning or proposed residential land use were stated or received from the district representative.

Supporting documents attached:

1. General Location Map
2. Staff Report
3. Summary Letter
4. Fairfield PUD Development Standards
5. Commons District Overview
6. Mixed-Use Commercial Overview
7. CL-4 Development Regulations Chart
8. Ordinance

Recommended Actions

1. Motion to approve the ordinance on second reading rezoning the property from Agriculture/Development Reserve (A) to Planned Unit Development (PUD).