



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	ORD-0663	<b>Version:</b>	3	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Second Reading	
<b>File created:</b>	7/11/2022	<b>In control:</b>		City Council	
<b>On agenda:</b>	9/13/2022	<b>Final action:</b>			
<b>Title:</b>	Conduct a public hearing and consider approving on first reading of an ordinance with a 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 an approximate 11.84-acre tract of land, out of the Jacob Casner Survey No. 9, Abstract No. 2753, in Pflugerville, TX from Agriculture/Development Reserve (A) District with a base zoning district of Urban Corridor: Level 4 (CL4); to be known as the Fairfield PUD Rezoning (2022-2-PUD); providing for repeal of conflicting ordinances; providing for severability; and providing an effective date.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Staff Report, 2. Exhibit A - Development Standards, 3. Exhibit B - Fairfield Crossing UDC Deviations Chart, 4. Exhibit C - The Commons District, 5. Exhibit D - Mixed Use Commercial, 6. PH Letter, 7. Ordinance				

Date	Ver.	Action By	Action	Result
9/13/2022	3	City Council	Approved as amended on First Reading.	Pass
7/18/2022	1	Planning and Zoning Commission	Recommended for Disapproval	Fail

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The applicant is requesting for the approximately 11.84-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 35 dwelling units/acre, with a minimum of 10,000 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.

### 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 SH 130 corridor with a minimum of 10,000 sq. ft. of walkup retail required along the frontage integrated as a vertical mixed-use component of the multi-family. The commercial component is a requirement to be full filled prior to issuance 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 increase in density as it moves away from the single-family adjacency toward SH 130. In order to achieve this, there is a no-build area of 65' from the eastern property boundary, and the max height within 125' from the eastern property line is 35', or 2 stories - shown as townhomes on the concept plan. Then the project will progress in height, with a four-story maximum, and eventually a five-story max for the buildings immediately adjacent to SH 130.

Another feature of this PUD is a provided "Main Street" concept, which is a private drive where buildings are oriented toward and facing with a walk-up frontage, parallel street parking, and a walkable environment connecting the commercial to the residential area.

#### **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+ unit 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.

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. In addition, this district currently has limited open space availability, which is due to connectivity issues that are present. More details regarding this district are attached.

In addition to the Aspire 2040 plan, there are land uses assumptions and infrastructure needs identified through the city's transportation, water, and wastewater master plans, which are also part of the city's comprehensive plans. Within the Wastewater Master Plan, the future land use projection for this parcel was assumed to be retail, which assumes approximately 5/LUEs per acre. The water

master plan does not provide for land uses assumption in this area, because it is within Manville's service area.

Staff has been working with the applicant since December of 2021 regarding this request, and several iterations were worked through regarding the land plan and development regulations in order to meet the intent of the comprehensive plan, as well as ensuring compatibility with adjacent land uses. The Aspire 2040 plan calls this area out as the Mixed-Use Commercial future land use, which collectively makes up the entire frontage area of SH 130 in the Commons District. While in some instances there may be a need to apply the future land use designation on a parcel-by-parcel basis, in this case, 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. There would also be further commercial development desired for the parcels south of this property when they decide to redevelop. With the addition of continuing the 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.

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

## **Housing and Neighborhoods**

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

## **Development, Character, and Placemaking Goals and Policy Statements**

2. 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.
  - a. 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.
  - b. 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.

## Healthy Communities and Neighborhood Vitality Goals, Policies, and action items

3. Focus on infill areas
  - a. 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 while oriented primarily along private streets, still adhere to the urban design guidelines as they are outlined the Healthy Communities component of the comprehensive plan. The community 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.

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.

City Attorney has approved the ordinance as to form.

### Planning and Zoning Commission Action

On July 18, 2022 the Planning and Zoning Commission conducted a public hearing and recommended **denial** of the proposed ordinance with a vote of 5-2.

### Deadline for City Council Action

Conduct a public hearing on September 13, 2022 as advertised with action required within 60 days.

### Projected Future City Council Action

The second reading of the ordinance is scheduled for September 27, 2022

**Funding Expected:** Revenue ☐ Expenditure ☐ N/A ☒

**Budgeted Item:** Yes ☐ No ☐ N/A ☒

**Amount:** \_\_\_\_\_

**1295 Form Required?** Yes ☐ No ☒

**Legal Review Required:** ☐ Required ☐ Date Completed: 8/30/2022

### Supporting documents attached:

1. General Location Map
2. Staff Report
3. Ordinance
4. Proposed Development Standards

### Recommended Actions

1. Conduct the public hearing.

2. Motion to close the public hearing.
3. Motion to approve the ordinance on first reading rezoning the property from Agriculture/Development Reserve to Planned Unit Development