



Planning and Zoning Commission Planning Department Staff Report

Report Date: September 6, 2019
Case No: PUD-2018-007
Project Planner: Andreina Dávila-Quintero, AICP, Current Planning Manager

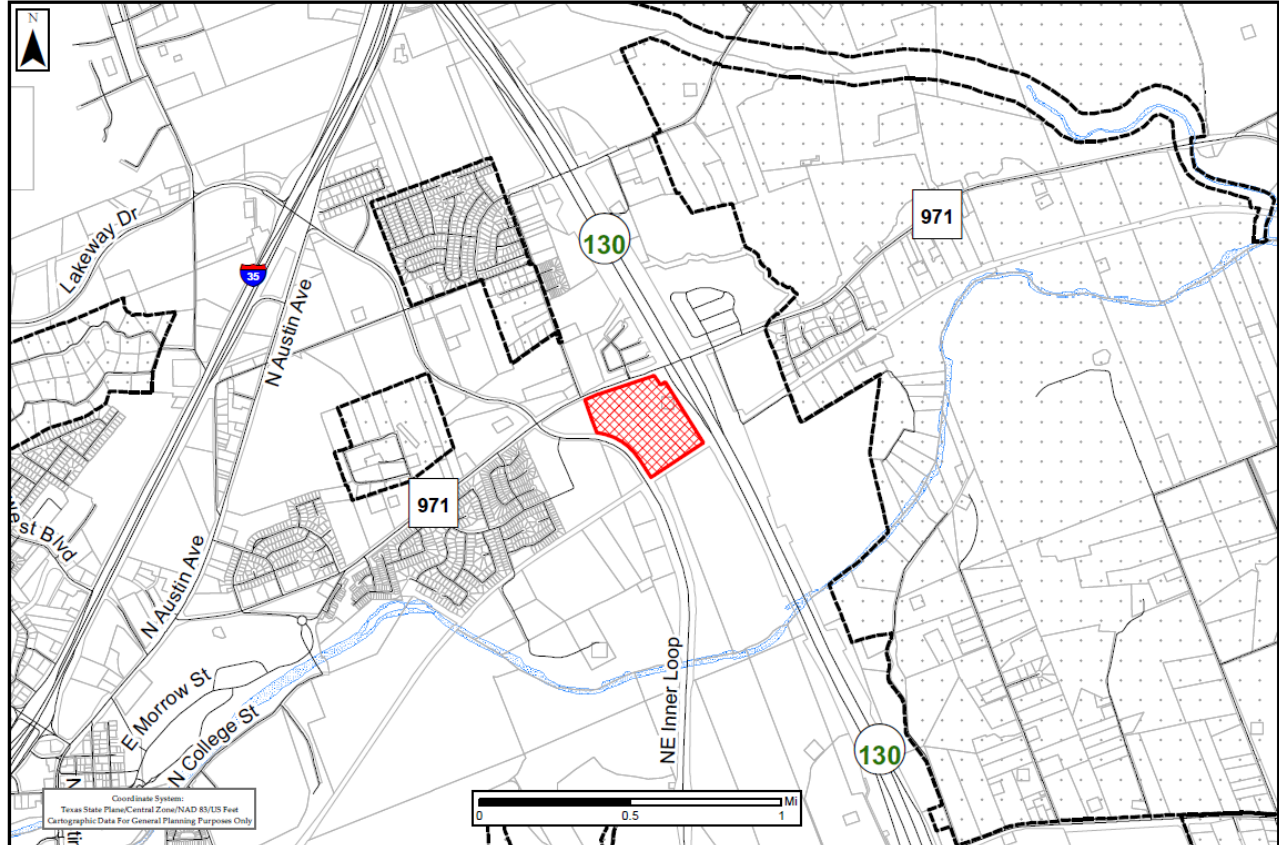
Item Details

Project Name: Troop Tract PUD
Project Location: Generally Located at the southwest corner of FM 971 and SH 130 Toll
Total Acreage: 45.819 acres
Legal Description: 45.819-acre tract of land out of and part of the John Berry Survey Number 3, Abstract No. 51.

Applicant: SEC Planning, LLC, Peter Verdicchio, c/o KB Home
Property Owner: David Troop

Request: Zoning Map Amendment to rezone the subject property from **Townhome (TH)**, **General Commercial (C-3)**, and **High Density Multi-Family (MF-2)** to a **Planned Unit Development (PUD)** with a base zoning district of Low-Density Multi-Family (MF-1) and General Commercial (C-3).

Case History: This is the first public hearing for this case.



Location Map

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Overview of Applicant's Request

The Applicant is requesting to rezone the subject property into a Planned Unit Development (PUD) district to develop a horizontal mixed-use development over approximately 46 acres including commercial and detached multi-family residential to be developed as a residential condominium subdivision matching in appearance and scale of a single-family detached subdivision.

The proposed development will consist of approximately 6.3 acres to be developed with several general commercial uses, with the exception of certain auto-related, transportation and entertainment uses. Additionally, it will consist of approximately 39.5 acres of detached multi-family units with a maximum of 225 units developed at a density of six (6) dwelling units per acre. In addition to the residential and commercial uses, a 5.6-acre private parkland area, and 2.7 -acre private open space that will include private amenities and other recreational facilities have been included as part of the development.

Site Information

Location:

The subject property is located southwest of the FM 971 (Weird Rd) and SH 130 Toll intersection, and east of SE Inner Loop. It is currently vacant.

Physical and Natural Features:

The subject property is generally flat and has a small concentration of trees along the eastern portion, with no other special environmental or natural features. A railroad right-of-way abuts the subject property along its southern property line.

Future Land Use and Zoning Designations:

The subject property has a Future Land Use Designation of High-Density Residential, with a Community Commercial Node at the hard corner of FM 971 and SH 130 Toll. It is currently zoned High-Density Multi-Family (MF-2) (approximately 14.75 acres), Townhouse (TH) (approximately 17.39 acres), and General Commercial (C-3) (approximately 17.72 acres), as well as the Highway and Scenic-Natural Gateway overlay districts.

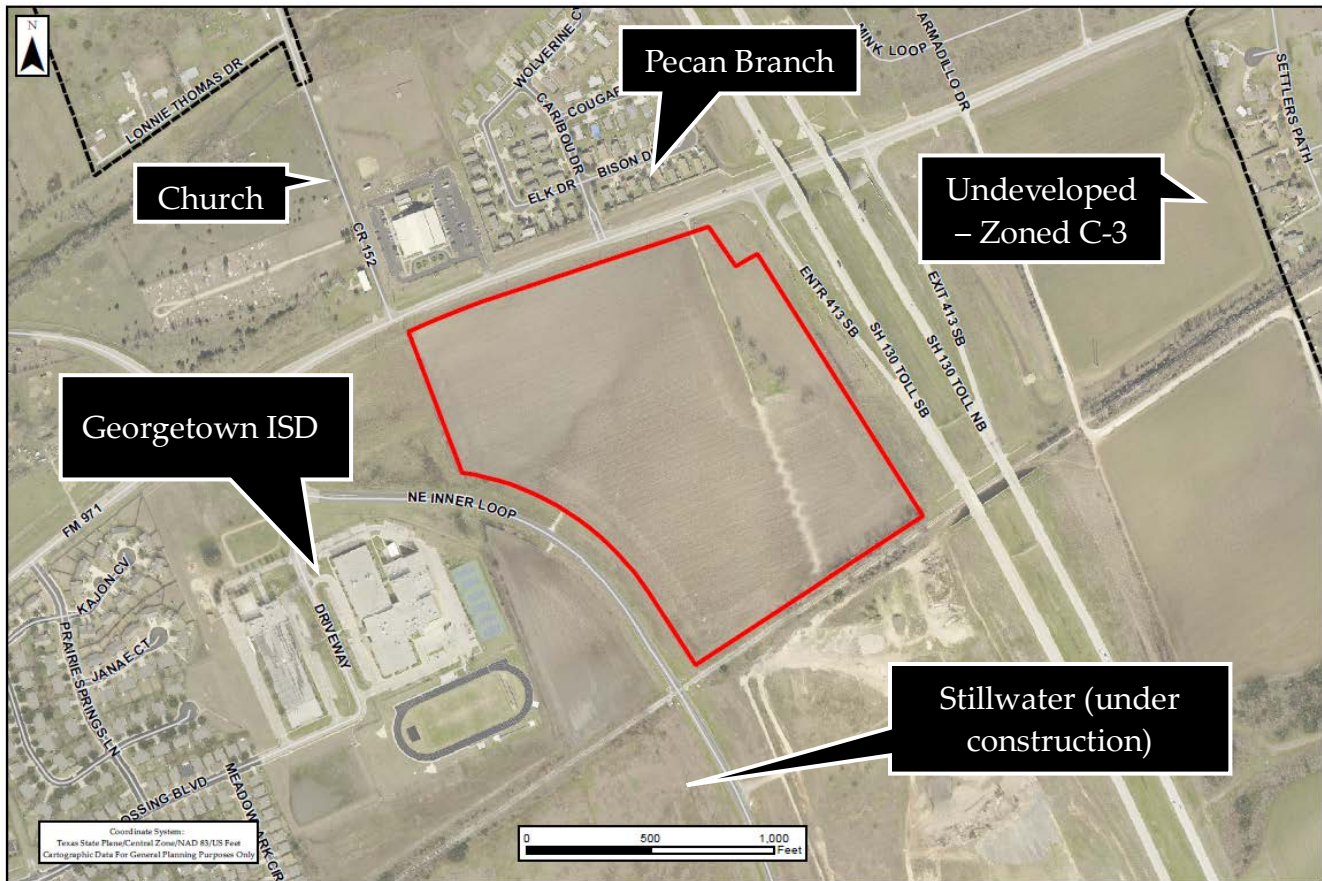
Surrounding Properties:

The area where the subject property is located has been developed with a mix of residential and civic uses, and property entitled for commercial development particularly along FM 971. A Georgetown Independent School District (GISD) campus of Cooper Elementary and Forbes Middle School and the Katy Crossing subdivision are west of the subject property. The Stillwater development, which includes a mix of single-family and multi-family residential are further to the south along SE Inner Loop. A church and the Pecan Branch Manufacture Home subdivision are located to the north. The majority of the properties along SH 130 Toll remain undeveloped within the vicinity.

The current zoning, Future Land Use designation, and existing uses of the adjacent properties to the north, south, east and west are outlined in the table below:

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DIRECTION	ZONING DISTRICT	FUTURE LAND USE	EXISTING USE
North	Agriculture (AG); Manufactured Housing (MH)	Moderate Density Residential; Community Commercial	Church; and Pecan Branch Manufactured Home Park
South	Agriculture (AG)	High Density Residential; Moderate Density Residential	Vacant
East	General Commercial (C-3)	Community Commercial; High Density Residential	Vacant
West	Residential Single- Family (RS); General Commercial (C-3)	Institutional; Moderate Density Residential	Vacant; GISD schools



Aerial Map

Property History:

The subject property was annexed in 1998 as part of an overall annexation of approximately 571 acres prior to SH 130 Toll being constructed. In 2006, the City Council approved an amendment to the Future Land Use Map from Residential to Office/Retail/Commercial, and to the Century's Plan (now the City's Comprehensive Plan) Intensity Map from the levels 2 and 3 to the level 4. The purpose of the Intensity Map was to assign development intensities throughout Georgetown's Planning area – the higher the level, the higher the intensity. Following this amendment, the subject property was also rezoned from the Agriculture (AG) district to General Commercial (C-3), Townhouse (TH), and Multi-Family (MF)

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(now the High-Density Multi-Family (MF-2)) districts. The purpose of these amendments was to accommodate denser residential development (including multi-family) and supporting commercial uses on the subject property.

Comprehensive Plan Guidance

Future Land Use Map:

High-Density Residential

This category provides for residential uses developed at a minimum density of 6.1 dwelling units per gross acre. These higher density areas provide opportunities to diversify the housing stock by accommodating dwelling types that still maintain a compatible neighborhood scale and character, such as patio homes and townhomes, yet respond to the demographic shift toward smaller households looking for alternatives to the large-lot single family home and younger families looking for affordability.

This category accommodates duplexes, triplexes, fourplexes, apartments, condominiums, life care and other forms of multifamily housing types. As with the preceding land use category, creating opportunities for diverse types of housing will become increasingly important to respond to demographic shifts and the continued need for affordable housing within Georgetown. This land use classification is ideally suited near major activity and employment centers and in areas suitable for future transit service.

The High-Density Residential category may also support complementary non-residential uses along arterial roadways such as neighborhood-serving retail, office, institutional, and civic uses, although such uses may not be depicted on the Future Land Use Map. Standards should be established to maximize compatibility of these uses with adjacent land uses, minimize traffic congestion and overloading of public infrastructure, and also ensure a high standard of site, landscape, and architectural design.

Community Commercial

This category applies to areas that accommodate retail, professional office, and service-oriented business activities that serve more than one residential neighborhood. These areas are typically configured as “nodes” of varying scales at the intersection of arterial roads, or at the intersection of arterials and collectors. Community commercial areas typically will include some neighborhood-serving commercial uses as well as larger retail uses including restaurants, specialty retail, mid-box stores, and smaller shopping centers. They may also include churches, governmental branch offices, schools, parks, and other civic facilities.

Growth Tier:

The subject property is located within Growth Tier 1A. **Tier 1A** is that portion of the city where infrastructure systems are in place, or can be economically provided, and where the bulk of the city’s growth should be guided over the near term. Within Tier 1A, the city is called on to conduct assessments of public facility conditions and capacities, and to prioritize short- and long-term capital investments so as to ensure that infrastructure capacity is sufficient to serve development intensities as indicated on the Future Land Use Map and in the zoning districts.

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Utilities

The subject property is located within the City's service area for wastewater, Jonah Water Special Utility District for water; and within the City of Georgetown and Oncor dual service area for electric. The Developer is responsible for standard utility extension to serve the development, including constructing wastewater infrastructure consistent with City's utility master plans. It is anticipated that there is adequate water and wastewater capacity to serve this property either by existing capacity or developer participation in upgrades to infrastructure.

Transportation

The subject property has frontage and access from FM 971 and SE Inner Loop, both of which are classified as a Major Arterial in the City's Overall Thoroughfare Plan. Arterial streets provide traffic movement through and between different areas within the city and access to adjacent land uses. Access is more controllable because driveway spacing requirements are much greater and, if safety dictates, overall access can be limited to specific turning movements. Major Arterials connect major traffic generators and land use concentrations and serve much larger traffic volumes over greater distances.

In addition to these roadways, the subject property also has frontage along SH 130 Toll, although no access to this roadway will be provided. SH 130 Toll is classified as a freeway in the City's Overall Thoroughfare Plan. Freeways and Tollways are controlled access roadways that allow for the movement of traffic through and around the City. This classification includes interstate highways, state highways, tollways and loops. Direct property access is limited as access is not the intended purpose of these facilities. Design characteristics of these facilities include multiple travel lanes, limited access points, high traffic volumes and high traffic speeds.

Due to the number of trips that will be generated by the proposed development, a Traffic Impact Analysis (TIA) has been submitted and is currently under review. The TIA will identify potential improvements to the existing roadway network needed to accommodate the proposed development, which will need to be completed at time of development.

Proposed Zoning District

The proposed zoning district is a Planned Unit Development (PUD) district. The PUD is a special purpose zoning district intended to allow flexibility in planning and designing for unique or environmentally sensitive properties and that are to be developed in accordance with a common development scheme. PUD zoning is designed to accommodate various types of development, including multiple housing types, neighborhood and community retail, professional and administrative areas, industrial and business parks, and other uses or a combination thereof. A PUD may be used to permit new or innovative concepts in land use and standards not permitted by zoning or the standards of the Unified Development Code (UDC).

The Conceptual Land Plan depicts land uses, primary circulation patterns, open spaces and amenities that are proposed to be developed in 3 phases, provided the minimum requirements of the PUD district and UDC are met. The proposed PUD provides for 39.5 acres of Low-Density Multi-Family (MF-1) to be developed at a density of 6 dwelling units per (net) acre, 6.3 acres of General Commercial (C-3), 5.6 acres of private recreation, and 2.7 acres of private open space (including detention and water quality).

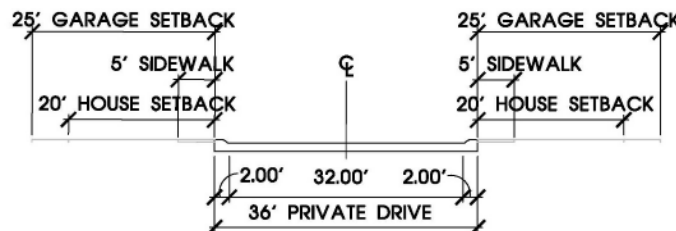
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The area designated as residential in the Conceptual Land Use Plan is slated for single-family detached dwelling units on a common lot established as condominium units where the owner association do not own the land. Within this area, each unit will have a private external entrance, private parking, and private yard to resemble a traditional single-family subdivision. The residential portion is proposed to be limited to no more than 225 residential units.

The PUD's Development Plan requires the following standards for the residential component:

- Maximum impervious cover of 70% with the use of low impact design (i.e. use of rainwater harvesting, bio-retention facilities, and wet ponds to mitigate the impact of additional impervious cover may have) and tree preservation in accordance with the UDC.
- A minimum of 1,200 sq. ft. of living space, exclusive of porches, decks, and garages.
- Residential product lines will range between 38 feet and 42 feet, with a limitation that no single type residential product width line may exceed 55% of the total number.
- A mix of one- and two-story products, with 2-4 bedrooms.
- Accessory dwellings are allowed with a maximum height of 8 feet, and a maximum area of 64 sq. ft.
- Residential fences are allowed along the side and rear yards, and prohibited in the front yard, and shall be cedar picket fence.
- A minimum setback 20', and all residential garages shall be setback 25' from the back of the curb of private drives.

Figure 1. Private Drive Cross Section



- One primary entry sign with a sign area of 100 sq. ft. (measured as the boundary of the text), with a maximum height of 8 feet (not including architectural features).
- One neighborhood monument sign with a sign area of 25 sq. ft. (measured as the boundary of the text), with a maximum height of 4.6 feet (not including architectural features).

The area designated as commercial in the Land Use Plan is slated for certain general commercial uses typically permitted in the General Commercial (C-3) zoning district. Uses proposed to be prohibited within this PUD, include: live music/entertainment, dance hall or nightclub, theater, urgent care facility, substance abuse treatment facility, cemetery, athletic facility (indoor or outdoor), firing range (indoor), flea market, small engine repair, veterinary clinic (indoor and outdoor pens), kennel, event catering and equipment rental services, pest control or janitorial services, manufactured housing sales, automotive parts and accessory sales (indoor), fuel sales, recreational vehicle sales, rental, or service, bus barn, parking lot (off-site), parking lot (commercial), park n Ride facility, and private transport service dispatch facility.

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The PUD's Development Plan requires the following standards for the commercial component:

- Minimum lot are of one (1) acre
- Minimum lot area of 50 feet
- Maximum building height of 35 feet.
- Building design standards, such as articulation and provision of architectural elements, for building frontages greater than 100' in length.
- Maximum impervious cover of 70% with the use of low impact design and parking lot design in accordance with the UDC.

In addition to development standards for the residential and commercial properties, the PUD also provides for buffering along both FM 971 and SH 130 Toll, which will be a combination of masonry wall, and a 25-foot landscape buffer (as depicted on the conceptual plan). Furthermore, the private internal streets/drives are required to be a minimum width of 36 feet back of curb to back of curb, and parallel parking shall be allowed on both sides of the drive isle. Internal sidewalks along the drives/streets are required to be 5 feet, and along FM 971 and Southeast Inner Loop they're required to be 6 feet.

Intergovernmental and Interdepartmental Review

The proposed rezoning request was reviewed by all applicable City Departments to determine the appropriateness of the requested zoning on the subject property. Comments issued by City Staff included the use of the impervious cover waiver options outlined in the UDC for accommodate the proposed percentage requested; relocation of the private parkland to the area of the property where existing trees are located to preserve them; inclusion of additional site design standards such as internal setbacks, fence height limitations and internal sidewalks to ensure that the project is developed similar to a residential subdivision. Other comments included the provision of additional housing types to provide a diversity of housing options; amenities and recreational facilities to serve the development; and preservation of commercial property along the major thoroughfare. The applicant has addressed the majority of the comments in the proposed Development Plan of the PUD.

Approval Criteria

Staff has reviewed the proposed rezoning request and has found that it **complies** with the criteria established in UDC Section 3.06.030 for a Zoning Map Amendment, as outlined below:

REZONING APPROVAL CRITERIA	FINDINGS	STAFF COMMENTS
1. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action.	Complies	An application must provide the necessary information to review and make a knowledgeable decision in order for staff to schedule an application for consideration by P&Z and City Council. Staff reviewed the application and deemed it complete.
2. The zoning change is	Complies	The subject property has two Future

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REZONING APPROVAL CRITERIA	FINDINGS	STAFF COMMENTS
consistent with the Comprehensive Plan.		<p>Land Use designations: High Density Residential and Community Commercial. The proposed commercial uses and development standards within the PUD comply with the Community Commercial category due to the site design limitations proposed to ensure a scale of development is appropriate at this location and consistent with the character of this category.</p> <p>The High Density Residential category provides for residential uses developed at a minimum density of 6.1 dwelling units per gross acre, and accommodates duplexes, triplexes, fourplexes, townhomes, patio homes, apartments, condominiums, life care and other forms of multifamily housing types. The proposed residential use provides for high-density multi-family, given that the property is proposed to be developed at a minimum density of six (6) dwelling units per acre and include two different housing sizes that would allow for more units than the traditional single-family neighborhood and be more in line with a subdivision consisting of patio homes.</p>
3. The zoning change promotes the health, safety or general welfare of the City and the safe, orderly, and healthful development of the City.	Complies	The proposed mix of commercial, residential, open space and private park uses would generally neither harm, nor bolster, the health, safety and general welfare of the City. Commercial uses and open space and greenbelts are proposed along the major thoroughfares, transitioning into the residential portion of the development, allowing for an orderly development from the major corridors to the residential uses.
4. The zoning change is compatible with the present zoning and conforming uses of nearby property and with the character of the	Complies	<p>The proposed PUD contains the following uses to create a zoning district that is compatible with the existing adjacent residential subdivisions:</p> <ul style="list-style-type: none"> - Open space, and recreational

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REZONING APPROVAL CRITERIA	FINDINGS	STAFF COMMENTS
neighborhood.		<p>amenities;</p> <ul style="list-style-type: none"> - General Commercial; and - Residential dwelling units. <p>Because of this, the proposed rezoning is compatible with the surrounding properties that have rezoned in accordance with the Comprehensive Plan, such as the Manufacture Home development to the north and General Commercial (C-3) district to the west. Immediately adjacent properties are zoned Agriculture District from the point of annexation and are anticipated to rezone in the future to facilitate higher levels of development.</p>
5. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment.	Complies	The proposed PUD and associated Development Plan is suitable for the uses to be permitted in this zoning district based on the proposed development standards of the PUD and other applicable UDC requirements, such as setbacks, building height, and parking.

In addition to the rezoning criteria above, staff has reviewed the request and determined that the proposed request **partially complies** with two of the criteria, and **complies** with four (4) of the criteria and objectives established in UDC Section 3.06.040 for a Planned Unit Development (PUD), as outlined below:

PUD CRITERIA	FINDINGS	STAFF COMMENTS
1. A variety of housing types, employment opportunities, or commercial services to achieve a balanced community.	Does Not Comply	<p>The proposed PUD includes commercial services, recreational facilities, as well as detached single dwelling units to be developed at a minimum density of six (6) dwelling units per acre. However, while the proposed development includes a variation in the housing that is being built (two different widths; one- and two-story dwelling units; units with 2-4 bedrooms), the PUD does not include a variety in housing types, creating a development that is similar to the traditional single-family subdivisions found in the vicinity.</p> <p>In examining developed area along FM</p>

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PUD CRITERIA	FINDINGS	STAFF COMMENTS
		<p>971, east of IH-35 and west of SH 130 Toll, the residential uses include an older multi-family development near the intersection of Austin Ave and FM 971, a small inventory of duplex units in the Villas at Katy Crossing development, and traditional detached single-family homes. As the City has seen an increase in both traditional single-family and multi-family developments, a variety of housing types and supporting commercial uses is needed in order to ensure a long-term balance of housing typologies.</p> <p>Given the current zoning entitled to the property, including town homes and high-density multi-family, the proposed request appears to be decreasing the potential variety of residential types along the FM 971 corridor and surrounding area. The decrease in housing types serves at least two purposes: 1) affordability and choice - as the community grows the desire for housing types outside of a traditional detached unit grows as a preference and the ability to afford such a type of residence; and 2) as development along major corridors, such as SH 130 Toll, FM 971, and Inner Loop, takes place it is important to utilize a variety of housing types and non-residential development as an opportunity to create transitions in intensity of land use.</p>
<p>2. An orderly and creative arrangement of all land uses with respect to each other and to the entire community.</p>	<p>Does Not Comply</p>	<p>The proposed uses are compatible with the surrounding area due to the existing residential to the north, and civic uses to the north and west. In addition, the residential component incorporates the use of open spaces, trails, and private amenities to support it. However, the proposed PUD does not integrate the two proposed uses with each other. The commercial portion will be developed as a stand-alone project without any</p>

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PUD CRITERIA	FINDINGS	STAFF COMMENTS
		connectivity (pedestrian or otherwise) that would allow businesses within the commercial portion to integrate with the residential. The lack of integration also results in the development to proceed without a common development theme that identifies it as part of the same project. Thus, an orderly or creative arrangement of land uses was not implemented in the proposed PUD.
3. A planned and integrated comprehensive transportation system providing for a separation of pedestrian and vehicular traffic, to include facilities such as roadways, bicycle ways, and pedestrian walkways.	Partially Complies	<p>The proposed PUD has incorporated street and pedestrian connectivity throughout the residential portion consistent with the public street standards and generally consistent with the standards of a traditional detached single-family development. In multiple unit, one lot subdivisions, the UDC does not account for internal sidewalks, trails, drives to be used as streets. The PUD includes private drive cross-sections to ensure that adequate vehicle and pedestrian facilities are accounted for to accommodate the proposed residential uses.</p> <p>However, as previously stated, the proposed integrated transportation system does not include the commercial portion of the property, and how this can be integrated with the residential portion. As proposed, it appears to create the opportunity for a stand-alone project that is not part of a planned common master development.</p>
4. The provisions of cultural or recreational facilities for all segments of the community.	Partially Complies	<p>The proposed PUD includes private parks and recreational facilities to serve and support the residential development, and include the following:</p> <ul style="list-style-type: none"> • Playground equipment • Pavilion with picnic area • Full court basketball court • Walking trails (five feet (5') wide) • Community Garden

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PUD CRITERIA	FINDINGS	STAFF COMMENTS
		However, no cultural or recreational facilities have been included for the commercial portion of the project. The required public parkland dedication (4.5 acres) will be met through fee-in-lieu of dedication.
5. The location of general building envelopes to take maximum advantage of the natural and manmade environment.	Partially Complies	<p>The subject property is relatively flat and is primarily bounded by street right-of-way or railroad right-of-way. Because of this, the location of the uses and potential building envelopes have been designed in such a way to minimize the impact that the rights-of-ways may have on the development. Moreover, additional site design standards such as internal setbacks, fence height limitations and internal sidewalks are proposed to ensure that the project is developed similar to a residential subdivision. The private park is proposed to be located where the existing trees exist in order to ensure its preservation.</p> <p>However, it should be noted that the current zoning districts (C-3, MF-2 and TH) were established in such a way where the most intense uses would be located nearest to the most intrusive rights-of-way, as well as in a manner that would allow for a transition and variety in uses at this key intersection. The proposed commercial and residential areas have not been designed in a way that promotes a transition of uses in the built environment, taking advantage of the environment to its full potential.</p>
6. The staging of development in a manner which can be accommodated by the timely provision of public utilities, facilities, and services.	Complies	All adequate utilities are required to be in place prior to development in order to support the development. The development is proposed to be developed in 3 phases: commercial (1) and residential (2). Each phase will separately be required for the extension of utilities to serve each phase.

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Based on the findings listed above, staff finds that the proposed PUD request does not meet all of the criteria for a Planned Unit Development (PUD). As stated above, the PUD zoning is intended to allow flexibility in planning and design to accommodate various types of development and permit new or innovative concepts in land use and standards not permitted by zoning or the standards of the UDC. Because of this, inclusion of various housing types and uses, integrated comprehensive transportation network, creative arrangement of land uses, and other unique features are used to evaluate the appropriateness of the PUD district.

The Development Plan, as proposed, includes specific standards to ensure that the property is developed at a higher standard than what could be developed under the Low Density Multi-Family (MF-1) zoning district, the zoning district that would be required for the proposed detached single-unit use. These standards include the requirements for proper vehicle and pedestrian facilities along the private drives, as well as specific setbacks, fence height and other similar standards to ensure that the project is developed similar to a residential subdivision. However, it is important to note that these standards are included in the Development Plan to ensure that the proposed detached single-unit use is developed consistent in character, look and feel to the traditional single-family residential neighborhood. For a traditional single-family residential neighborhood, a Comprehensive Plan amendment would have been required to change the higher density development currently envisioned at this intersection.

Furthermore, the proposed PUD development does not include the creative arrangement and integration of the different uses to ensure that a common development theme is applied throughout the project. The proposed PUD is being requested primarily to obtain a higher percentage of impervious cover than what would be allowed in the Low Density Multi-Family (MF-1) zoning district (50%) to accommodate the proposed density with detached single-units, and allow a residential development that meets the minimum density encouraged by the High Density Future Land Use category, in addition to the standards listed above.

Meetings Schedule

August 20, 2019 – Planning and Zoning Commission

September 10, 2019 – City Council First Reading of the Ordinance

September 24, 2019 – City Council Second Reading of the Ordinance

Public Notification

As required by the Unified Development Code, all property owners and registered associations within a 300-foot radius of the subject property were notified of the Zoning Map Amendment request, a legal notice advertising the public hearing was placed in the Sun Newspaper (August 4, 2019) and signs were posted on-site. To date, staff has received no written comments in favor or opposition of the request.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Future Land Use Map

Exhibit 3 – Zoning Map

Exhibit 4 – PUD Document