



Legislation Details (With Text)

File #: 2019-0448
Type: Ordinance
Status: Approved
File created: 10/24/2019
In control: City Council
On agenda: 11/26/2019
Final action: 11/26/2019
Title: Consider public testimony regarding, and an ordinance rezoning 19.35 acres located west of Chisholm Trail Road and north of W. Old Settlers Boulevard from the LI (Light Industrial) zoning district to the PUD (Planned Unit Development) No. 118 zoning district. (First Reading)*

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A, 3. Vicinity Map with surrounding zoning, 4. Aerial Photo

Date	Ver.	Action By	Action	Result
11/26/2019	1	City Council	approve the first reading	Pass
11/26/2019	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance rezoning 19.35 acres located west of Chisholm Trail Road and north of W. Old Settlers Boulevard from the LI (Light Industrial) zoning district to the PUD (Planned Unit Development) No. 118 zoning district. (First Reading)*

The proposed Planned Unit Development (PUD) contains approximately 19.35 acres, to be developed with a maximum of 115 single family detached units on a common lot, with each condominium dwelling unit having a private external entrance, private parking, and a private yard area. The development is to be served by 30-foot wide private drive aisles and will include amenities. The request was filed by Waterloo Development, Inc., on behalf of the property owner, Austin MKA Investments, Ltd.

The subject site is bordered to the north and south by land zoned as LI (Light Industrial). To the south of the site is an auto collision repair center. Under construction to the north of the site is the 440,000 square foot Chisholm Trail Trade Center. This project was provided incentives by the City Council through an Economic Development agreement and will consist of office/warehouse uses with loading areas. The property to the east, across Chisholm Trail Boulevard, is also zoned as LI and it contains a light manufacturing facility and undeveloped land. The Hidden Glen subdivision to the west, across the tracks of the Georgetown Railroad, is zoned as SF-2 (Single Family - standard lot). Applying residential use to the property may result in negative impacts to future residents of the subject site, such as off-hour noise emanating from the nearby auto-body work, truck traffic, outdoor storage activity, and warehouse loading areas.

The Future Land Use Map (FLUM) of the City's General Plan 2020 designates the subject site and the surrounding properties between Chisholm Trail Road and the Georgetown Railroad as industrial. The requested residential use of the property therefore does not match the use on the FLUM, resulting in a land use conflict. Approval of the PUD will amend the FLUM in order to provide for the residential use.

The PUD includes a minimum rear setback of 10 feet when a housing unit is adjacent to the outer property boundary. A 20-foot minimum rear setback has been used in all the previous single family common lot PUDs approved to date. In addition, the maximum height of the homes would be 3-stories instead of the standard 2 ½ story maximum height. Perimeter fencing is also proposed, 6-feet in height.

Staff does not support the rezoning to PUD for a single family residential common lot development because the land use designation on the FLUM for the subject property and the surrounding area does not match the requested use. As a result, there is reasonable potential for future land use compatibility issues to arise between this residential use and the abutting light industrial uses. However, it is also important to note that the applicant has worked well with City staff to develop the proposed PUD, and the document mirrors or exceeds the standards included in all other recent single-family condo PUDs approved in the City, save and except for the reduced setback and 3-story height allowance. Furthermore, the type of housing product proposed would serve to diversify the City's housing stock as desired by the City's adopted General Plan.

The Planning and Zoning Commission held a public hearing on October 2, 2019. There were six speakers at the public hearing, all residents of the Hidden Glen subdivision. They expressed concern about the proposed 3-story maximum building height and the minimum 10-foot building setback from the property line. The Commission added requirements in the PUD that no houses within 300 ft. of the western boundary exceed two stories and that a minimum 8-foot height solid fence be installed on the western boundary, across from Hidden Glen. It is staff's professional opinion that these added requirements sufficiently address the concerns raised by the Hidden Glen residents regarding the 3-story building height and the western boundary setback. It is also important to note that there will be adequate separation between the existing homes in Hidden Glen and all new homes in this project. Due to an existing overhead electric easement and a pipeline easement running parallel to the subject property's western boundary, in addition to the railroad tracks, all new homes will be approximately 140 feet from the rear property line of the closest homes in Hidden Glen. The Commission voted 7-2 to recommend approval of the rezoning, with Commissioner Emerson and Commissioner Sellers opposed.