



City of Pflugerville

Minutes - Final

Planning and Zoning Commission

Monday, October 1, 2018

7:00 PM

100 E. Main St., Suite 500

Regular Meeting

1 Call to Order

Staff present: Jeremy Frazzell, Assistant Planning Director; Erin Sellers, Senior Planner; Abbey Rose, Planner II; Ian Beck, Planner I; Kristin Gummelt, Administrative Technician

Pat Epstein, Vice Chair, called the meeting to order at 7:03 pm.

Present 5 - Chair Daniel Flores, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein and Commissioner Nasim Uddin

Absent 1 - Commissioner Ceasar Ruiz

2 Citizens Communication

There were none.

3 Consent Agenda

- 3A** [2018-7016](#) Approve the Planning and Zoning Commission Minutes for August 6, 2018 Regular Meeting

Approved on the Consent Agenda

- 3B** [2018-7090](#) Approve the Planning and Zoning Commission Minutes for September 17, 2018 Regular Meeting

Approved on the Consent Agenda

Kristin Gummelt read the Consent Agenda.

Commissioner Mitchell made a motion to approve the Consent Agenda as read. Commissioner Uddin seconded the motion. All in favor. Motion carried.

4 Public Hearing

- 4A** [ORD-0419](#) To receive public comment and consider an application to rezone an approximate 5,500 sq. ft. lot locally addressed as 105 S. 3rd St., from the base zoning district of Single Family Residential (SF-S) to Office (O) district; to be known as 105 S. 3rd St. Rezoning. (REZ1807-03)

Jeremy Frazzell, Assistant Planning Director, presented this item.

Mr. Frazzell gave an overview of the property location and zoning overlay it falls within. He talked about the adjacent properties and their current zoning. He gave a brief history of the property and what brought the owners in to rezone the land. The current owner were in the process of renovating the property when code compliance was made aware of the activities taking place. At that time a stop work order was placed on the property and the owner started the process of rezoning the property to fit their intended land use.

Chair Flores arrived at 7:12pm.

The applicant is requesting to rezone the property to Office (O). This use fits within the Comprehensive Plan and the Downtown Vision Report. The requested zoning is a lower intensity land use than the surrounding properties and makes a transition from the higher intensity uses in the area. Staff does recommend the approval of the request.

Commissioner Mitchell asked about the existing bufferyard and setback and whether they would meet the current standards for the new zoning district. Mr. Frazzell stated that the current setbacks of the building would be kept and they will not need to change even if they don't meet setback requirements. Setbacks and bufferyard requirements would be addressed during the site plan stage of the property.

The applicant, Greg Wooten, addressed the Commission and spoke about the type of the business they wish to open at the address. Vice Chair Epstein asked why they did not seek the rezoning initially instead of moving forward with the renovation. Mr. Wooten stated that when the property was purchased it was stated that the property was already zoned commercial. Once the issue was brought to their attention, they worked with the planning department to remedy the violations and take the steps necessary to rezone the property. Chair Flores asked about the parking on site and if it would be expanded or improved. Mr. Wooten stated that he would have to work with the planning department to determine what requirements will need to be met to improve the parking.

Vice Chair Epstein asked if they would be meeting clients at the site. Mr. Wooten stated that the IT consulting business would be all over the phone and construction consultations would take place on site for the project.

Robert Van de Geijn, 101 E Pfluger St, talked about the previous rezoning cases that the neighborhood worked diligently to block. He believed the alley between Hall Street and Pecan Street was the agreed upon boundary for the commercial zoning. He is afraid that approving this rezoning would create a domino effect that would see more of the neighborhood becoming commercial. He is against the rezoning and would like to see a variance approved instead. This would put in place the restrictions he is seeking for the property.

Steven Wurtz, 202 1st St, likes the neighborhood the way it is. He likes that it looks like "Mayberry". The quietness of the neighborhood is an attractive feature. He talked about the domino effect as well. He doesn't want the neighborhood to slowly become commercial all because one rezoning was allowed. He feels that this will impact the neighborhood in a negative way. Commissioner Mitchell asked about the surrounding properties and their respective zoning. Mr. Frazzell stated that the surrounding properties were already zoned to various commercial zoning districts. Mr. Frazzell also stated that the variance that was brought up is not a viable option for the property. A variance is not allowed for the land use. The rezoning will have to be approved for the applicant to move forward. Mr. Frazzell stated that the applicant did reach out to the surrounding property owners to talk about their

intentions for the property.

Commissioner Guerrero motioned to close the public hearing. Commissioner Mitchell seconded the motion. All in favor. Motion carried.

The Commissioners continued their discussion of the request.

Vice Chair Epstein motioned to approve item 4A as read. Commissioner Uddin seconded the motion. All in favor. Motion carried.

Aye: 5 - Chair Daniel Flores, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein and Commissioner Nasim Uddin

4B [ORD-0426](#)

Conduct a public hearing and consider a recommendation of an ordinance with the caption: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 12 TO INCORPORATE A REVISED TREE TECHNICAL MANUAL AND AMEND TREE PRESERVATION STANDARDS; AND AMENDING SUBCHAPTER 20, DEFINITIONS, BY ADDING CORRESPONDING DEFINITIONS; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 157, SUBCHAPTER 12 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT OF NOT LESS THAN \$300.00 AND NOT TO EXCEED \$500.00; AND DECLARING AN EFFECTIVE DATE. (CA1807-02)

Erin Sellers, AICP, Senior Planner presented this item.

Ms. Sellers presented the proposed changes to the Unified Development Code (UDC) Subchapter 12- Tree Technical Manual. The Commission provided feedback on the proposed changes.

Commissioner Mitchell motioned to close the public hearing. Commissioner Guerrero seconded the motion. All in favor. Motion carried.

Commissioner Mitchell motioned to approve item 4B. Commissioner Uddin seconded the motion. All in favor. Motion carried.

Aye: 5 - Chair Daniel Flores, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein and Commissioner Nasim Uddin

4C [ORD-0427](#)

Conduct a public hearing and consider a recommendation of an ordinance with the caption: AN ORDINANCE AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE BY AMENDING SUBCHAPTER 13, LIGHTING STANDARDS, BY LISTING HIGH-PRESSURE SODIUM AS A PROHIBITED LIGHT SOURCE AND FIXTURE TYPE AND MODIFYING THE ILLUMINATION REQUIREMENTS FOR WALKWAYS, LANDSCAPE AND DECORATIVE LIGHTING; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR A PENALTY FOR A VIOLATION OF CHAPTER 157, SUBCHAPTER 13 AS A CLASS C MISDEMEANOR AND A FINE IN AN AMOUNT NOT TO EXCEED \$2,000.00; AND DECLARING AN EFFECTIVE DATE. (CA1807-03)

Erin Sellers, AICP, Senior Planner presented this item.
Ms. Sellers presented the proposed changes to the UDC Subchapter 13-
Lighting Standards. The Commission gave feedback on the proposed changes.
Commissioner Mitchell motioned to close the public hearing. Vice Chair
Epstein seconded the motion. All in favor. Motion carried.
Commissioner Mitchell motioned to approve item 4C. Vice Chair Epstein
seconded the motion. All in favor. Motion carried.

Aye: 5 - Chair Daniel Flores, Commissioner Geoff Guerrero, Commissioner Oscar
R. Mitchell, Vice Chair Pat Epstein and Commissioner Nasim Uddin

5 Discuss and Consider

6 Adjourn

Commissioner Mitchell made a motion to adjourn the meeting. Vice Chair
Epstein seconded the motion. All in favor. The meeting was adjourned at 8:35
p.m.

Daniel Flores, Chair
Planning and Zoning Commission
1. Respectfully, submitted on this 3th day of December, 2018.