

---

**AGENDA REPORT**

**Planning & Zoning:** 6/4/2012      **Staff Contact:** Jeremy Frazzell, Senior Planner  
**City Council:** 6/26/2012      **E-mail:** jeremyf@pflugervilletx.gov  
**Case No.:** REZ1205-01      **Phone:** 512-990-6300

**SUBJECT:** To receive public comment and consider an application by the City of Pflugerville to rezone Lot 1, Block 1 of the E.W. Pfluger Addition, consisting of 0.29 acres and locally addressed as 102 S. Third St., from Retail (R) to Office 1 (O1) district; to be known as 102 S. Third St. Rezoning. (REZ1205-01)

**BACKGROUND/DISCUSSION:**

**LOCATION:** The property is located at 102 S. Third St, which is at the northwest corner of the W. Hall St. and S. Third St. intersection.

**SURROUNDING ZONING AND LAND USE:** Properties along the north side of Hall Street from S. Fifth St. to Railroad Avenue have a base zoning district and are included in the Central Business District Overlay (CBD). All properties within the CBD are regulated by a base zoning district that identifies the permitted land use, while the CBD overlay predominantly identifies the design requirements when properties are improved or redeveloped. The table below identifies the base zoning districts and existing uses for properties surrounding 102 S. Third St.

Adjacent	Base Zoning District	Existing Land Use
North	Retail (R)	Retail boutique shop
South	Single Family Suburban (SFS)	Single family
East	Single Family Suburban (SFS)	Single family
West	Single Family Suburban (SFS)	Single family

**ZONING HISTORY:** The property was zoned Single Family (RS1) until 1999 when the City proactively rezoned the property to Transitional Business (TB) as Ordinance No. 552-99-06-22. According to Ordinance No. 518-98-12-08 which established the Transitional Business zoning district, it was intended "...to be used, as a buffer zone between residential areas and major arterial streets, or other uses which are incompatible with residential. The district permits uses that draw patrons from a relatively large area. The permitted uses in this district generate low to medium traffic volumes... Uses with very high traffic generation are not permitted..." In 2004, the Central Business District Overlay was created as Chapter 155, Subchapter B (Ordinance No. 735-04-01-27) and applied to the subject site and neighboring properties. As mentioned previously, the base zoning of TB determined the allowable land uses, while the CBD overlay established design requirements in the event the property was further improved or redeveloped. In 2007, the Zoning Code was amended and reestablished the TB district as the Retail (R) zoning district. The property has retained the Retail base zoning district with Central Business District Overlay to date.

**ANALYSIS:**

Purchased by the City in 1985, 102 S. Third St. has been used for various municipal operations by the Police, Library and most recently the Engineering Department. The City no longer utilizes the property and as a result the asset was declared surplus on January 10, 2012, authorizing the sale of the property. The sole bidder for the property withdrew their bid following much discussion associated with the existing zoning and context of the property in the Old Town area. At that time, Staff was directed to initiate a rezoning of the property to Office 1. The purpose of this change is generally in recognition that the Retail district is less compatible than other districts given the variety of uses that could be contemplated, whether they are feasible or not.

The Office 1 district is currently along both sides of Main St., west of N. Second St., and provides a transition from a commercial strip along Pecan to low density residential uses along Walnut. For now, and subject to additional evaluation and scrutiny, the property will retain the CBD overlay. This affords an additional layer of protection to the neighborhood and ensures any alterations must be in scale and context that is consistent with the area. As an example, off street parking is required to be attained from the alley to maintain existing character of the site and lessen impact to the neighborhood.

The southern boundary of the CBD has historically been a contentious item with specific concern regarding non-residential development encroaching into the neighborhood along Hall Street. Advocates of the neighborhood have requested the CBD boundary to be retracted to the alley between Pecan and Hall Street. While the CBD overlay establishes design requirements for redevelopment and certain uses are specifically prohibited or conditional as provided in Subchapter 5 of the Unified Development Code, the CBD boundary by itself does not determine where specific land uses can occur. Having the CBD boundary extend to the north side of Hall St. provides assurance to the neighborhood that if a site was to redevelop, it will be required to meet specific design requirements. In the event that the CBD boundary is removed from the north side of Hall St., and a non-residential zoning district exists or is approved at a later time, the CBD requirements will be replaced by the City-wide standards outlined in the Unified Development Code.

Hall Street has experienced non-residential pressure in the recent past which is likely due to the neighboring commercial uses to the north, proximity of Pecan St., development costs and lack of available land in the downtown area. In 2006 the property owner of 302 W. Hall St. requested a rezoning from Single Family Residential (RS1) to Transitional Business (TB) in order to establish an office at the property. The request was ultimately denied with concerns related to encroachment into the neighborhood and the number of uses that could be permitted under the TB zoning. A similar request was denied for the same reasons in 2008 when the property owner of 100 W. Hall St. requested a rezoning from Single Family Residential (RS1) to Office 1 (O1). In the previous cases the property was a conversion from existing residential to non-residential. In the proposed rezoning, the City proposes to reduce the land uses entitled with the existing zoning.

According to information provided by the Pflugerville Community Development Corporation, there is a need for additional professional office space in Pflugerville, including the downtown area. While an office will be able to locate at the subject property under the current zoning, rezoning the property to the Office 1 will provide a transition to the neighborhood and reduce the types of uses that can potentially locate to the site.

---

**AGENDA REPORT**

Below are excerpts from the Unified Development Code identifying the intent of the Retail and proposed Office 1 district as well as a side by side comparison of the land uses allowed in the two districts:

**Retail**

This District is established to provide locations for various types of **general retail trade, business and service uses for services to one or more neighborhoods**. The shopping areas developed within an “R” District and shopping areas should be located generally at the intersection of major thoroughfares and convenient to their residential trade area, with signage compatible with surrounding land use. In the “R” District, open storage as defined herein shall be prohibited.

**Office 1 (O1)**

This District is established to create a flexible District for **low intensity office and professional uses** (less than 10,000 square feet of floor area). The District can be used as a transition district between more intense commercial uses and residential uses. Permitted uses should be compatible with adjacent residential areas by limiting heights to one story and utilizing buffers and landscape requirements established. Sites zoned O1 may be built to two stories or in excess of 10,000 square feet if not located adjacent to any properties zoned SF-S or 2-F. Buildings in this District should be compatible and in similar scale with residential uses and adjacent property.

Use	Office 1	Retail
Single Family Attached (3 or more)		P
Multi-Family Suburban		p*
Nursing Home		P
Live Work Unit		P
Athletic Fields		p*
Cemetery/Mausoleum		P
Church	P	P
Civic/ Convention Center		P
Clinic		P
Club, not bar/tavern		P
College, University, Trade or Private Boarding		
Accessory Drive-in/thru		p*
Gas Station		p*
Government Facilities	p*	p*
Hospital		P

Pflugerville  
City Council  

---

**AGENDA REPORT**

Use	Office 1	Retail
Museum/Art Gallery	P	P
Park or Playground	P	P
School, Public, Private, or Parochial	P	P
Public Swimming Pool	P*	P*
Utilities	P	P
Free-standing Monopole Cell Towers	P*+	P*+
Administrative, Medical, or Professional Offices	P	P
Governmental Office	P	P
Research and Development		
Bicycle Shop		P*
Catering Establishment		P
Commercial Amusements, Indoor		P*
Day Care Facility		P
Dry Cleaning, minor	P*	P*
Equipment and machinery sales, minor		P*
Financial Institution	P	P
Golf Course and/or Country Club	P	P
Hotel		
Household Appliance Service and Repair		P
Laundromat		P
Massage Therapy, Licensed	P	P
Personal Services Shop		P
Pet Store/Kennel/Vet Clinic		P*
Restaurant	P*	P
Retail Sales and Service (under 50,000 sf)	P	P
Theatre, Neighborhood		P
Auto Parts Sales, inside		P+
Automobile Parking Lot/Garage	P+	P+
Car Wash		P*+

P= Permitted

P\*= Permitted with conditions

+ = Permitted in base district but not in CBD

**INFRASTRUCTURE IMPACTS:**

**Transportation:** The site is a corner lot with street frontage along Hall Street and S. Third St. An improved alley is located along the north property line with mid-block access points at S. Third and Fourth Streets. An on-site parking lot is located off of the alley and a driveway from the former residential use is located off of Hall Street. No sidewalks currently exist along Hall Street or S. Third St.

**Traffic Impact:** Traffic can be expected from any of the uses permitted in the Office 1 district; however the intensity of the trips to the site under the Office 1 district, with the expectation of a professional office, is expected to be less than what could be encountered through other uses permitted by right in the Retail district. In a horizontal mixed use setting where residential and non-residential land uses share a street or block, the presence of an alley enables off-street parking and vehicular access off of the alley, away from the shared street, and minimizing impact to the lower intensity residential use. This concept is a requirement for development in the CBD as Section 155.1201 states, "No parking or other vehicular use area shall be permitted between the front or side building line and any street... on-site parking shall be located to the interior side or rear of the proposed development."

**COMPREHENSIVE PLAN and DOWNTOWN VISION:** The Preferred Land Use Vision plan identifies Old Town with low to medium density residential, mixed use and a neighborhood center. According to the plan, neighborhood centers can include churches, public facilities or commercial buildings. Retail and offices in a neighborhood center provide goods and services to the immediate area and have a market catchment area of a two to three-mile radius. The Land Use and Development Character chapter identifies an action item in Goal 2 which states: "Provide new and infill development to accommodate basic retail services within walking distance of residential areas." Referenced in the Comprehensive Plan, the Downtown Vision plan identified 10 desired characteristics for how Old Town should be:

- Vibrant
- Accessible
- Have a civic presence
- Walkable
- Have a residential component
- A gathering place
- Green
- Have a distinct image and draw
- Attractive for business
- Maintain historic features

**STAFF RECOMMENDATION:**

The intent of the rezoning is to be sensitive to the neighborhood by reducing the number and type of land uses under the current zoning, while still allowing for basic non-residential services as currently allowed today and recommended in the Comprehensive Plan. Retaining a non-residential zoning district like the

Office 1 district will also maintain several of the desired characteristics as presented in the Downtown Vision Plan. Traffic impacts associated with land uses under the proposed zoning are anticipated to be less than what might occur under the current Retail zoning. Staff recommends approval of the rezoning of 102 S. Third St. from Retail (R) district to Office 1 (O1) district.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

On June 4, 2012, the Planning and Zoning Commission conducted a public hearing and heard from multiple property owners and representatives of the Old Town Neighborhood Association whom requested the property be rezoned to the Single Family Suburban (SFS) district. Two residents supported the rezoning request to the Office 1 (O1) district. With a vote of 6-1, the Planning and Zoning Commission recommended approval of the rezoning request to Office 1 (O1) district.

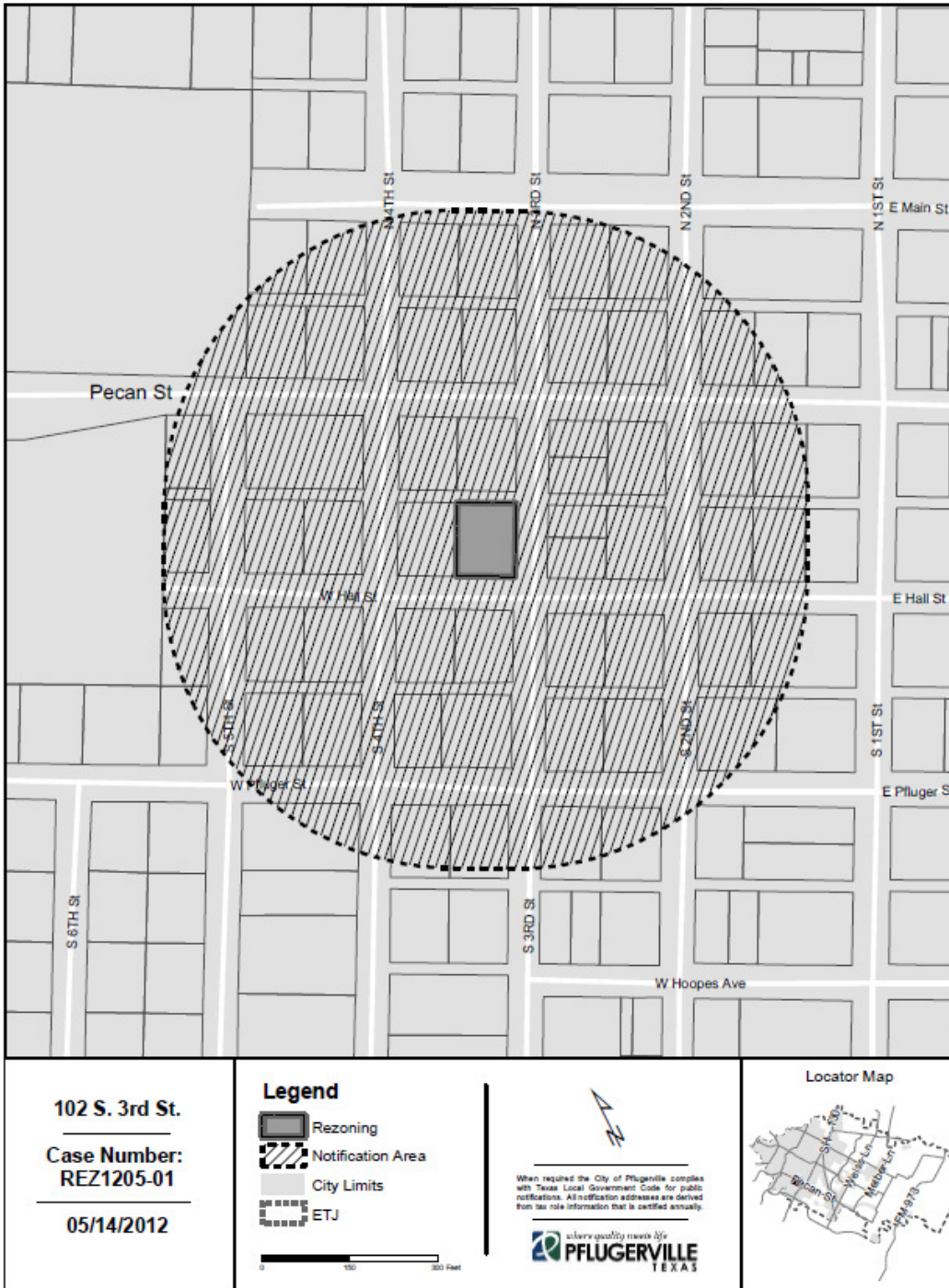
**NOTIFICATION:**

Newspaper Notification was published on May 23, 2012 and notification letters were mailed to property owners within 500 feet of the property as well as the Old Town Neighborhood Association. Signs were posted on the property on May 24, 2012.

**ATTACHMENTS:**

- Notification Map
- Zoning Map
- Subject Site Photos
- Plat

**NOTIFICATION MAP**







**102 S. 3rd St.**

**Case Number:  
 REZ1205-01**

**05/14/2012**

**Legend**

-  Rezoning
-  Notification Area
-  City Limits
-  ETJ



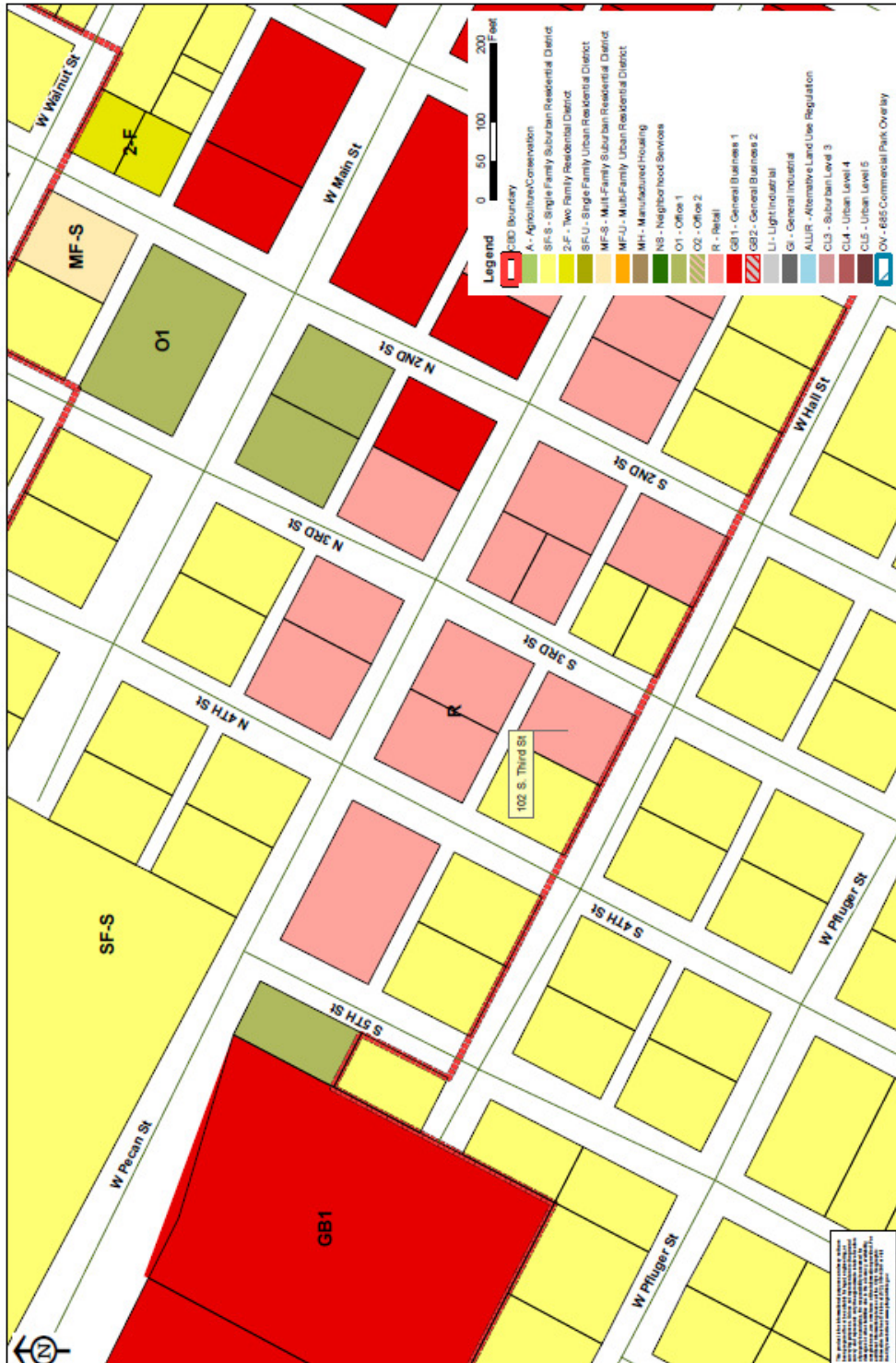
When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.

**Locator Map**





**ZONING MAP**





**SITE PHOTOS:**



**SUBJECT SITE**



**SOUTH OF SITE**



**SOUTH OF SITE**

Pflugerville  
City Council  

---

**AGENDA REPORT**



**NORTH OF SITE**



**EAST OF SITE**



**WEST OF SITE**

PLAT:

*E.W. Pflugerville*

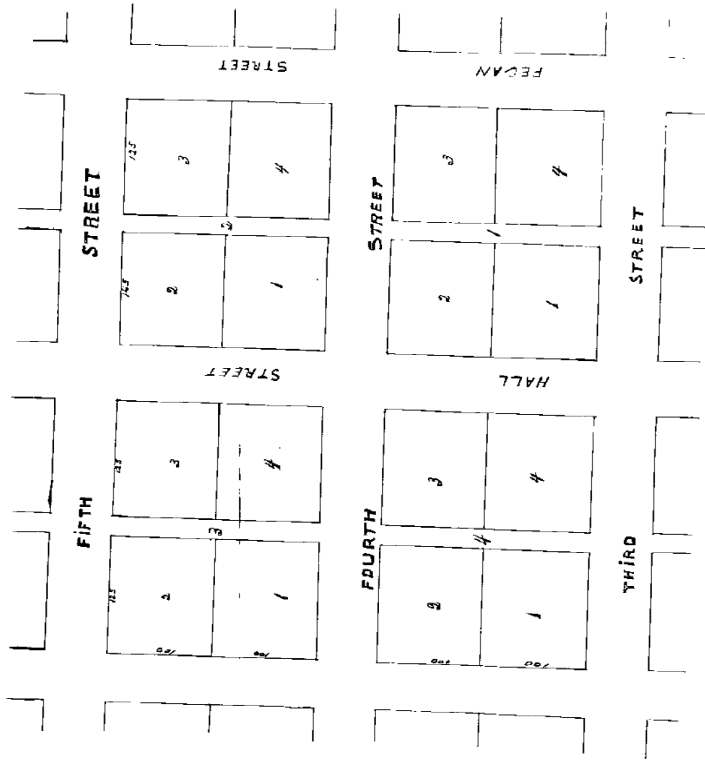
*Filed for record in  
 Travis County Vol 5 Page 516*

**E.W. PFLUGER ADDITION TO PFLUGERVILLE TEXAS.**

*Plat map represents an addition to Pflugerville  
 in Travis County Tex. as such, streets and  
 alleys is being added by plat and not by  
 order of Pflugerville*

*The City of Pflugerville  
 City of Pflugerville Before me Paul W. Keate, County  
 Clerk did not find said plat and plat, on this 15th  
 day of January 1976. Paul W. Pflugerville, County Clerk  
 did the plat and returned same to the recorder to be  
 recorded and the same was recorded on the 15th day of  
 January 1976. The same was returned to the  
 recorder for recording. I, County Clerk, do hereby  
 certify that the same was recorded on the 15th day of  
 January 1976. Paul W. Keate, County Clerk*

*Paul W. Keate, County Clerk  
 Travis County, Texas*



Scale: 1" = 50'

© E.W. Pflugerville