

Planning and Zoning: 4/4/2011
City Council: 4/26/2011
City Council: 5/10/2011

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SUBJECT: To receive public comment and consider an application for a Specific Use Permit for a proposed Day Care Facility in the Central Business District for Lots 7-9, Block 2 Pflugerville Subdivision, locally known as 112 W. Pecan St. and located northeast of 2nd St. and W. Pecan St. intersection; to be known as the Pfluger Haus – Creative Kids Preschool Specific Use Permit (SUP1103-01).

SPECIFIC USE PERMIT PROCESS:

A Specific Use Permit is a land use tool which allows for a case-by-case review of a requested land use that has been specifically identified in the Unified Development Code as a potentially acceptable use. A Specific Use Permit is similar to a zoning request in which the application is considered at public hearings and allows for the public, Planning and Zoning Commission and City Council to review and consider the proposed request based on specific criteria. (Provided below)

CRITERIA FOR APPROVAL OF A SPECIFIC USE PERMIT:

The Commission and City Council shall consider the following criteria in determining the validity of the Specific Use Permit request:

- (a) Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses;
- (b) Whether the activities requested by the applicant are normally associated with the requested use;
- (c) Whether the nature of the use is reasonable; and
- (d) Whether any impact on the surrounding area has been mitigated.

In granting a Specific Use Permit, the City Council may impose written conditions that the owner or grantee must comply with before a Certificate of Occupancy for the use can be issued.

BACKGROUND:

The building, constructed as a residence circa. 1910, was renovated in 2009 to satisfy building code requirements for a commercial structure. Building improvements were made to address insulation, electrical, and accessibility compliance. One of the site improvements included the addition of 15 parking spaces; 6 of which are located within the public ROW. The previous tenant, A-TEX vacated recently within the past couple of months.

PROJECT DESCRIPTION:

The Applicant, Jackie Procasky (owner of Creative Kids Preschool) has applied for a Specific Use Permit to allow for a Day Care Facility land use on Lots 7-9, Block 2 of the Pflugerville Subdivision in downtown Pflugerville, generally located at 112 W. Pecan Street, generally the northeast corner of 2nd Street and Pecan Street. The site is zoned General Business 1 (GB1) and is located within the Central Business District (CBD) Overlay District.

Pflugerville
Planning and Zoning
Commission

AGENDA REPORT

The existing building is approximately 2,056 square feet in size. However, 369 square feet is located on the second floor which may not be occupied by the commercial use due to ADA requirements. Proposed operating hours for the business are between 7 A.M. and 6:00 P.M. Monday through Friday. A maximum of four (4) employees are proposed at any given time during business operating hours. Also, the applicant proposes a maximum enrollment of 42 children. The day care facility proposes two programs; Mother's-Day-Out and full time care, which are proposed to have staggered drop-off and pick-up times.

Land Use: Per the Unified Development Code, a Day Care Facility is defined as *“a facility arranged and conducted for the organized recreation and instruction of children, including outdoor activities on a daytime basis; a kindergarten or nursery school.”*

Proposed Site Improvements: The applicant intends to place a wrought iron fence with approximately 800 square feet for a playground in the side yard. Also, at some point in the future, the applicant intends to plant shrubbery around the perimeter of the fence for privacy reasons.

Parking: Adequate parking is available on-site and within the public ROW for the proposed use. A total of fifteen (15) parking spaces exist on site or within the public ROW adjacent to the site. The parking requirement for commercial uses in the Central Business District is 1 per 300 square feet, which equates to approximately six (6) parking spaces required for the Day Care Facility. Dedicated parking spaces on-site are provided on paved surfaces and are identified through wheel stops or 6” curbs.

Traffic Generation: While there may be sufficient parking allocated for the Day Care Facility based on the CBD parking ordinance, this use may have an adverse impact on the adjacent properties and traffic flow on Pecan Street. The subject site is directly across from Dazzle Coffee, a small business in the Downtown. However, Dazzle Coffee's site design has already demonstrated traffic circulation and flow issues along Pecan and 2nd Street with the existing location of the drive-thru. While Pecan Street is our major concern from a traffic control/safety standpoint, 2nd Street may also be negatively impacted. Dazzle Coffee and the proposed day care share the same peak hours in the morning between 7 A.M. and 9 A.M. which may exacerbate the current traffic conditions.

Site Lighting: There is existing pedestrian lighting near the alley parking, thus no additional site lighting is proposed through the Specific Use Permit.

Structural Modifications: The previous office use did not require substantial building modifications; however the proposed land use change to a Day Care Facility triggers different building and fire code requirements. With this application, no external or internal structural modifications are proposed to the existing building. However, after a staff walk-through of the building with Travis County ESD#2, substantial structural modifications would be required to meet Building and Fire Codes for the proposed land use. At this time, the building does not have a sprinkler system which would be required for a Day Care that accommodates any child under 2 ½ years old. If a sprinkler system is not provided, there is an alternative option to provide an exit door to the outside for each classroom if the facility accommodates children under 2 ½ years of age. There are 5 rooms that potentially can be converted into classrooms for the Daycare Facility, none of which have exit doors to the exterior. Letters from Travis County ESD #2 and Blake Overmyer, the Building Official, listing

the technical requirements for approval are provided as attachments. Both of these have been forwarded to the applicant and owner.

Landscaping: No additional landscaping is proposed with the Specific Use Permit. However, applicant may choose to plant shrubs around the perimeter of the proposed fence at a later date.

Signage: The Central Business District regulates the amount and types of signage permitted on site. The applicant seeks to install a sign within the existing monument sign's masonry columns. The maximum area of the proposed signage is limited to 9 square feet in the Central Business District. An example of the type of sign proposed is included with this staff report below.

LAND USE COMPATIBILITY:

As represented in the map below, surrounding land uses are predominantly service commercial and professional offices and have commercial zoning (General Business-1, Retail and Office-1) designations. A proposed day care facility is generally compatible with the surrounding uses; as it provides a neighborhood service to the community.



OLD TOWN VISION REPORT:

The Old Town Vision Report was taken into consideration when evaluating the proposed use. As presented, the use may achieve a few of the desired values and characteristics for the development of Old Town. By allowing consideration through the Specific Use Permit process, the community is able to become engaged in the review process of the Day Care Facility to determine if the desired values and characteristics for Old Town are being upheld. An excerpt from the Old Town Vision Report regarding the desired values and characteristics of Old Town is provided as an attachment.

STAFF RECOMMENDATION:

While the proposed use is generally harmonious and compatible with its surrounding low-intensity commercial uses, the nature of the proposed day care poses traffic safety concerns due to its location directly on Pecan Street. There may be a potential impact on the neighboring commercial office properties with anticipated noise levels. However, this business would occupy a currently vacant historic home zoned for commercial uses and may coincide with other desired values and characteristics of the Central Business District expressed in the Old Town Pflugerville Vision Report. Staff recommends approval of the Day Care Specific Use Permit with the conditions listed in the table below. The list of recommended conditions was created in order to address potential impacts on the surrounding area. The Commission may also consider the optional conditions provided below.

Recommended Conditions

Item	Condition	Purpose
1	Main entry to the facility be limited to the rear door facing the public alley and on-site parking area	Pedestrian Safety & Traffic Circulation
2	Playground fence: limited to 4 feet in height; limited to the side yard; restricted to the furthest point of the front façade facing Pecan Street; 5' setback from the eastern property boundary; limited to wrought iron or picket fence with at least 50% transparency (No privacy fence)	Maintain visibility and open commercial/ civic atmosphere; Safety; and Buffer from eastern commercial property.
3	Playground area limited to 1,000 square feet.	Maintain open commercial/ civic atmosphere; Safety
4	No alteration of the exterior facades. No additional exit doors.	Maintain integrity of existing historic building
5	City approved parking signage facing 2 nd street indicating "No stopping, standing or parking" is not permitted between the southern-most point of the ROW parking along 2 nd Street and Pecan Street.	Traffic Circulation & Parking Management
6	Maximum of 4 employees working at any given time; Total Maximum of 42 children enrolled.	Limiting size of operation due to traffic and parking considerations and building size.
7	Employee parking along 2 nd Street to reduce traffic conflicts with Dazzle Coffee's drive-thru. (Please note, designated employee parking signage along 2 nd Street ROW parking will not be permitted because it is considered public parking.)	Alleviate potential traffic circulation issues

Optional Conditions

Item	Condition
1	Additional landscaping: trees and shrubs with irrigation to be utilized as a buffer between playground and commercial property to the east.
2	Permit expiration, so the use can be re-evaluated after a certain time frame.

NOTIFICATION:

Notification letters were sent to property owners within 200-ft. of the proposed site, the Pflugerville Council of Neighborhood Associations, and the Old Town Neighborhood Association. A sign was placed on the property prior to March 18, 2011 and a public notice appeared in the Pflugerville Pflag newspaper on March 24, 2010.

ATTACHMENTS:

- Site Photos
- Notification Map
- Site Survey
- Conceptual Signage Example
- Application
- Excerpt from Old Town Pflugerville Vision Report
- Letter from Building Department
- Letter from Travis County ESD#2 (Fire)

PHOTOS:

SUBJECT SITE



AGENDA REPORT



GENERALLY WEST OF SUBJECT SITE



GENERALLY SOUTHEAST OF SITE



GENERALLY EAST OF SITE



NOTIFICATION MAP:



SITE SURVEY: Please refer to the attachment.

CONCEPTUAL SIGNAGE EXAMPLE:

