



# City of Pflugerville

## Minutes - Final

### Planning and Zoning Commission

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Monday, August 6, 2018

7:00 PM

100 E. Main St., Suite 500

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#### Regular Meeting

#### 1 Call to Order

**Staff present:**

**Emily Barron, Planning Director; Jeremy Frazzell, Assistant Planning Director; Abbey Rose, Planner II; Ian Beck, Planner I; Kristin Gummelt, Administrative Technician**

**Vice Chair Epstein called the meeting to order at 7:03 pm**

**Present** 6 - Commissioner Tammie Williamson, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein, Commissioner Cesar Ruiz and Commissioner Nasim Uddin

**Absent** 1 - Chair Daniel Flores

#### 2 Citizens Communication

#### 3 Consent Agenda

**3A** [2018-6939](#) Approve the Planning and Zoning Commission Minutes for July 2, 2018 Regular Meeting

**Approved on the Consent Agenda**

**3B** [2018-6961](#) Approving a Revised Preliminary Plan for Carmel West Phase 2; a 211.201-acre tract of land out of the Joseph Weihl Survey No. 8, Abstract No. 802 and the William Caldwell Survey No. 66, Abstract No. 162 in Travis County, Texas. (PP1803-01)

**Approved on the Consent Agenda**

**Kristin Gummelt read the Consent Agenda.**

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

#### 4 Public Hearing

**4A** [2018-6960](#) To receive public comment and consider an application to Replat Lot 14, Block 1 of the Stone Hill Town Center, Lot 14 Replat No. 2 Plat in order to

create two lots. (FP1805-01)

Jeremy Frazzell, Assistant Planning Director presented this Item.

Mr. Frazzell stated that the request was to replat the existing lot into two separate lots. There was no public comment.

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

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

**Aye:** 6 - Commissioner Tammie Williamson, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein, Commissioner Ceasar Ruiz and Commissioner Nasim Uddin

**4B**     [ORD-0417](#)

To receive public comment and consider an application to rezone Lot 3, Skyview Manor, an approximate 1.0-acre lot locally addressed as 1207 Nimbus Drive, from Agriculture/Conservation (A) to Office (O) district; to be known as 1207 Nimbus Dr. Rezoning. (REZ1807-01)

Jeremy Frazzell, Assistant Planning Director presented this item.

Mr. Frazzell gave an overview and history of the property and neighborhood.

The neighborhood was established when the area was still in the Austin ETJ.

The property was annexed into the city in 1997 and given an interim zoning district of Agricultural/Conservation (A). The applicant is requesting a rezoning from (A) to the Office (O) zoning district. This request was brought from a zoning violation found. The applicant bought the property and proceeded to update the property while it was still zoned (A). Due to the location of the lot being in the interior of a residential neighborhood, only one access point, the need to pass other residential lots to reach this lot and the fact that there is a private restrictive covenant in place staff recommends denial of the request. Commissioner Williamson asked about the transitional status of the neighborhood since the lots are still zoned (A) which, is an interim zoning district. Mr. Frazzell stated that the neighborhood is an established residential area with several lots already zoned Single Family Suburban (SF-S). Along Pflugerville Loop a few properties have been zoned to multifamily or commercial zones. Commissioner Guerrero asked if a copy of the agreement was available. Mr. Frazzell stated that he was provided a copy and handed to the commission to look over. The applicant, Philip Wanke, gave a short presentation about why the rezoning should be approved. He stated that he is looking to relocate their corporate office here from Round Rock.

Commissioner Uddin left the meeting at 7:25 pm.

Commissioner Ruiz asked what the property was going to be used for. Mr. Wanke stated that the office would be used for their new corporate office and there would be 14 employees. Commissioner Williamson asked about parking for the property. Mr. Wanke stated that a gravel parking lot had been added already. Mr. Frazzell stated that if the rezoning was approved that all improvements for the property would have to be brought up to the Unified Development Code (UDC) standards meaning the parking lot would have to be paved. Vice Chair Epstein inquired about why the work was done before the rezoning was even requested. Mr. Wanke stated that for the most part only landscaping had been done besides the parking lot. He stated that he was told the property had been used for a business prior to him purchasing and that he sought a letter on non-conformity originally. Commissioner Mitchell asked the

applicant how he planned to address the covenant in place. Mr Wanke stated that it would be a separate matter that was entirely civil. Commissioner Guerrero asked if there were any outstanding fines with the city over the code enforcement issue that this arose from. Mr. Frazzell stated that since they had not occupied the property there had not been citations or fines issued. Chair Flores opened the floor to public comment.

Lynda Strehler, 1107 Nimbus Dr, stated she was speaking for a large number of the residents of the neighborhood. She doesn't feel that the neighborhood is in transition at this time. It is firmly a single family neighborhood and she is very much against the rezoning. She doesn't want the extra traffic. There isn't any sewer available in the neighborhood and the residents are all on septic systems. She stated that she liked the neighborhood the way it is and she feels that is a neighborhood people want to live in and to have the commercial business would ruin that.

Claude Sheats, 1211 Nimbus Dr, stated that he understand what the applicant is seeking and was originally okay with rezoning. However once he looked in to the proposed district he changed his stance and doesn't feel that rezoning would be beneficial. Should this rezoning be approved there is nothing stopping a future business from moving in if/when the property is sold in the future. He now agrees with his neighbors and would like the neighborhood to stay the way it is.

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

Commissioner Williamson motioned to recommend disapproval of item 4B. Commissioner Mitchell seconded the motion. All in favor. Motion carried.

**Aye:** 5 - Commissioner Tammie Williamson, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein and Commissioner Ceasar Ruiz

**Non-voting:** 1 - Commissioner Nasim Uddin

**4C**     [ORD-0418](#)

To receive public comment and consider an application to rezone an approximate 6.798-acre tract out of the Thomas G. Stuart Survey Abstract No. 689, located generally northeast of the Pfluger Farm Rd and E. Pflugerville Pkwy intersection, from Agriculture/Conservation (A) to Urban Level 4 (CL4) district; to be known as the Timmermann 2018 Rezoning. (REZ1807-02)

Jeremy Frazzell, Assistant Planning Director presented this item. Mr. Frazzell gave an overview and history of the property. It is generally range land surrounded by commercial uses. The property was recently annexed into the city through an owner petition for annexation. This rezoning request is proposing a zoning that would be consistent with the surrounding properties. City staff does recommend approval of this rezoning. Commissioner Ruiz asked what would happen to the existing house on the property, not the original Pfluger house but the other one. Mr. Frazzell stated that the other large house on the property was not a part of the rezoning and is there for not in the city. It is still considered county. Ms. Barron stated that is the city's understanding that the house is owned by the bank. At the time of annexation this property was looked at but since the bank owns the property it could not legally be annexed due to changes in state law. If in the future the ownership

changes the new owner would be able to petition for annexation.  
 Commissioner Williamson motioned to close the public hearing. Commissioner Mitchell seconded the vote. All in favor. Motion carried.  
 Commissioner Guerrero motion to recommend approval of item 4C.  
 Commissioner Williamson seconded the motion. All in favor. Motion carried.

**Aye:** 5 - Commissioner Tammie Williamson, Commissioner Geoff Guerrero, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein and Commissioner Ceasar Ruiz

**Non-voting:** 1 - Commissioner Nasim Uddin

**5 Discuss and Consider**

**5A** [2018-6948](#) Discuss and consider an application for an Architectural Waiver to allow for an increase of accent materials permitted for a structure located within the Corridor Urban Level 4 (CL4) district. (ARB1806-01)

**Ms. Rose gave an overview of the project and explained that the applicant is asking for an increase in the accent material. Overall the design will meet the minimum primary masonry requirements. The applicant is requesting double the amount of accent material which will be metal wall and roof panels. The design meets the intent of the code and is keeping with current trends. Staff does recommend approval of this request. The applicant, Daniel Turner, spoke about why he believes in the design and he feels it's a good fit for the area. Commissioner Ruiz motioned to approve item 5A. Commissioner Mitchell seconded the motion. All in favor. Motion carried**

**6 Discuss Only**

**6A** [2018-6940](#) Discussion regarding existing building setbacks, building height setbacks, and bufferyards associated with non-residential and multi-family adjacent to single-family zoning in the Unified Development Code (UDC).

**Ms. Barron discussed current setbacks, building heights and buffer yards of non-residential and multifamily developments as they relate to single-family zoning. She opened up discussion about whether current standards are still relevant for current development or whether the Commissioner should formally look at changing standards. No formal action was taken.**

**7 Future Agenda Items**

**The next regularly scheduled meeting for the Planning and Zoning Commission is September 17, 2018.**

**8 Adjourn**

**Daniel Flores, Chairman, Planning and Zoning Commission**

**Commissioner Williamson made a motion to adjourn the meeting. Commissioner Mitchell seconded the motion. All in favor. The meeting was adjourned at 8:26 p.m.**

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Daniel Flores, Chair  
Planning and Zoning Commission  
1. Respectfully, submitted on this 1st day of October, 2018.