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**STAFF REPORT**

<b>Planning &amp; Zoning:</b>	10/7/2019	<b>Staff Contact:</b>	Emily Fesette, Planner II
<b>City Council:</b>	10/22/2019	<b>E-mail:</b>	emilyf@pflugervilletx.gov
<b>Case No.:</b>	REZ1908-02	<b>Phone:</b>	512-990-6300

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**SUBJECT:** To receive public comment and consider an application to rezone an approximate 0.3 acre lot locally addressed as 204 N 1<sup>st</sup> St., from Single-Family Suburban Residential (SF-S) to Office (O) district; to be known as Juarez Commercial Building Rezoning. (REZ1908-02)

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**LOCATION:** The subject property, 204 N 1<sup>st</sup> St, is located on the corner of East Walnut Street and North 1<sup>st</sup> Street, one block north of West Main Street and west of North Railroad Avenue. To the east, the property faces Suite 500 of City Hall.

**BACKGROUND/REQUEST:** The site is a corner lot with a residence sharing the property boundary to the south. The property is an approximate 12,853 sq. ft. lot consisting of Lots 13, 14, 15, 16, 17, and 18, of Block 7 out of the original Pflugerville subdivision. The lot configuration is a result of a lot division that likely occurred around 1937 when the house was constructed. The property contains an approximate 1200 sq. ft., single-story bungalow style house which fronts onto N. 1<sup>st</sup> St. There is a 420 sq. ft. carport that is located at the rear of the home and was constructed at the same time. A single wide, asphalt driveway extends from the rear of the property to the north and provides vehicle access off Walnut St. No sidewalks currently exist along N. 1<sup>st</sup> St.

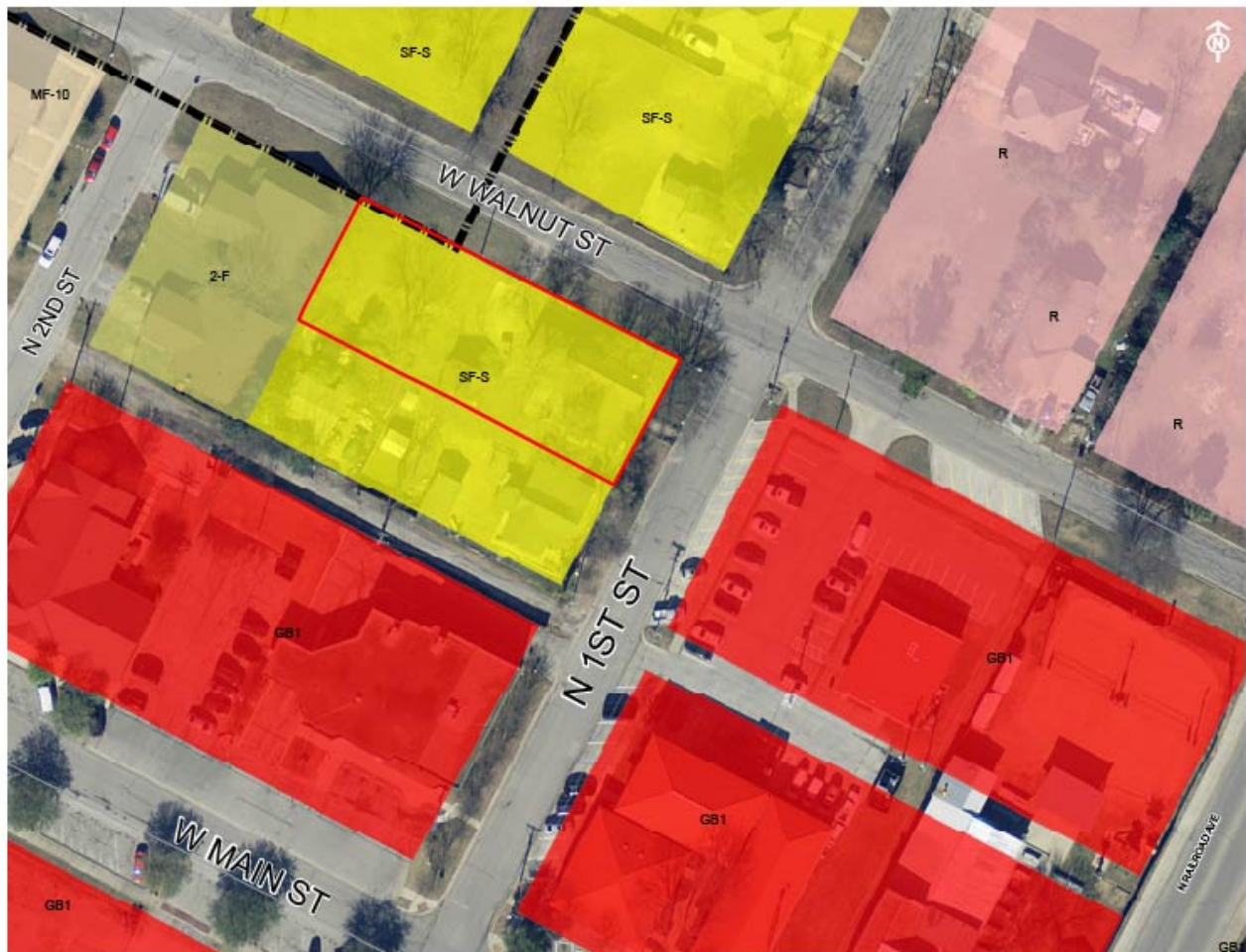


The property was recently acquired by the applicant for purposes of establishing an office. The current zoning, Single-Family Suburban (SF-S), does not allow non-residential uses. Therefore, the applicant has proposed rezoning to the Office (O) district.

**SURROUNDING ZONING AND LAND USE:** The property is located within the Downtown District Overlay (DDO). The DDO adds specific requirements to a base zoning district. In this case, the base zoning district currently is SF-S and the request is to change that base zoning district to O. In general, the base zoning district identifies the land uses that can be permitted on each property. The DDO further refines allowable land uses and identifies the design requirements for change of use or redevelopment. The request will not affect or remove the DDO, only the base zoning district. The table below identifies the base zoning districts and existing uses for properties surrounding 204 N 1<sup>st</sup> St.

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Adjacent	Base Zoning District	Existing Land Use
North	Single Family Suburban (SF-S)	Single family home with access off N. 1 <sup>st</sup> St.
South	Single Family Suburban (SF-S)	Single family home with access on N. 1 <sup>st</sup> St. and the adjacent alley.
East	General Business 1 (GB1) & Retail (R)	East, Owned by the City of Pflugerville, City Hall Suite 500. Northeast, vacant land adjacent to single-family homes.
West	Two Family Residential (2-F)	Duplex with two residences for rent.



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**ZONING HISTORY:** The property was part of the original tract of land that became the city limits when Pflugerville incorporated in 1965 (ORD No. 1-65-09-20). The property became zoned “Residential” with the first zoning ordinance in 1974 (ORD No. 55-7-15-74). Through time, the nomenclature of the districts have changed, however the zoning has always remained for a single-family use.

In 2004, the Central Business District Overlay was created as Chapter 155, Subchapter B (Ordinance No. 735-04-01-27) and was applied as an overlay to the subject site and neighboring properties. To reiterate, the base zoning of SF-S determines the allowable land uses, while the overlay establishes design requirements for when properties are further developed. In 2015, the Central Business District Overlay nomenclature changed to Downtown District Overlay (DDO). The property has retained the SF-S base zoning district with the DDO to date.

**PROPOSED DISTRICT:** The applicant has proposed to rezone the property from Single Family Suburban (SF-S) to Office (O) district for purposes of establishing an office at the location. According to the definition in the Unified Development Code, the Office (O) 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 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. Sites zoned Office (O) 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 Two Family Residential District (2-F).

The Office District Uses are provided below:

- **Permitted residential uses:** No permitted residential uses
- **Permitted non-residential uses:** Civic Center, Dry Cleaning Minor, Financial Institution, Government Facilities, Massage Therapy (Licensed), Museum/Art Gallery, Office: Administrative (Medical or Professional), Park or Playground, Place of Worship, Retail Sales and Services, School: Private or Parochial.
- **Conditional uses:** Restaurant, Utilities.



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**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 are intended to provide a mix of two or more non-residential uses that are considered to be gathering spaces. 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
- Attractive for business
- Maintain historic features



**STAFF RECOMMENDATION:**

The property owner purchased the property this year and began meeting with the City to determine how to establish a non-residential use (professional office). The property is located at the corner of N 1<sup>st</sup> St. and Walnut St. with frontage onto N 1<sup>st</sup> St. facing Suite 500 of City Hall to the east. The properties to the north and south are zoned Single Family Suburban (SF-S), and are not anticipated to change land use or zoning in the near future. Properties to the northeast are currently zoned Retail (R) and currently have residential land uses, but can change at any time. The properties to the east which contain City Hall and further east Hanover’s Draught Haus, are zoned General Business 1 (GB1). This same commercial zoning district, GB1, is consistent for several more of the properties further south and several of these properties contain commercial uses at this time.

The proposed Office (O) district is consistent with the zoning in the immediate area and would enable a small business to locate on the site. The proposed Office zoning district is the least intensive non-residential zoning district in the Unified Development Code, and is intended to be used in areas transitioning from more intense land uses to less intense land uses. The Downtown District Overlay (DDO) provides an additional layer of protection by adding design measures to ensure development of the property is harmonious with the area, including requiring any off-site parking to be located in the Right-of-Way adjacent to the property alone



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Walnut St. and N. 1<sup>st</sup> St. and the creation of a 15' sidewalk which contains 5' of landscaping, benches, trash receptacles, etc. Due to the adjacency of the SF-S and 2-F zoning districts the structure is limited to one story at this time. The proposed request to Office (O) is generally supported by the Comprehensive Plan through the mixed use and neighborhood center concept reflected for downtown, as well as the Downtown Vision Plan which encourages walkability to services, being attractive for businesses, and maintaining historic features like the original residential structure.

If the proposed zoning is approved, a site plan will be required to identify compliance with the Downtown District Overlay requirements including but not limited to parking, landscaping, lighting, screening, drainage, bufferyard to the conforming single-family property to the south and a streetscape yard for the single-family property to the north. A building permit will be required for any renovations and a certificate of occupancy will be required. Staff recommends approval of the rezoning of the base district for 204 N 1<sup>st</sup> St. from Single Family Suburban (SF-S) district to Office (O) district while retaining the Downtown District Overlay (DDO).

**NOTIFICATION:**

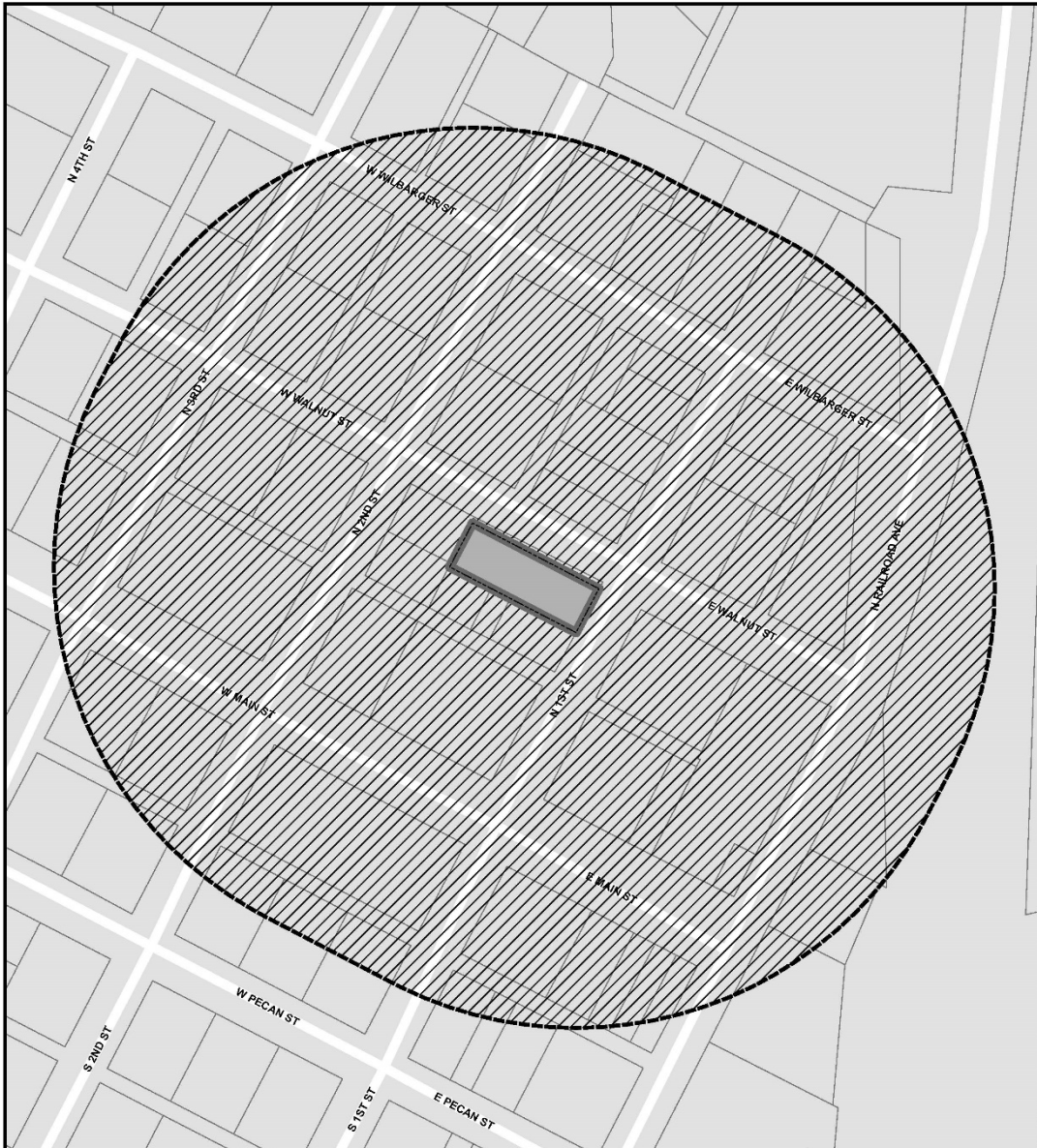
Newspaper Notification was published, notification letters were mailed to property owners within 500 feet of the property, and a sign was posted on the property. At time of staff report, no inquiries have been received.

**ATTACHMENTS:**

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

**NOTIFICATION MAP:**

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**Juarez Commercial Building (SF-S to O)**

**Case Number:**  
**REZ1908-02**

**8/29/2019**

**Legend**

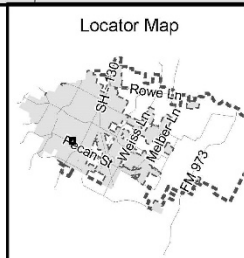
-  Rezoning
-  City Limits
-  Notification Area

0 100 200 Feet

N

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.

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**ZONING MAP:**





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**SITE PHOTOS:**

**SUBJECT SITE:** East facing facade





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Intersection of Walnut Street and 1<sup>st</sup> Street facing West, subject site left (across Walnut from Suite 500)





**STAFF REPORT**

**SUBJECT SITE: North facing facade**





**STAFF REPORT**

Intersection of Walnut Street and 1<sup>st</sup> Street facing South (towards City Hall) subject site on the right





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**SUBJECT SITE: North facing façade/rear of existing primary structure**





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**WEST OF SITE (Intersection of Walnut Street and 2<sup>nd</sup> Street facing east (towards N. Railroad))**





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**SOUTH OF SITE (perspective from City Hall)**





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**STAFF REPORT**

**NORTH OF SITE (at the intersection of Walnut St and 1<sup>st</sup> St, facing away from N. Railroad)**



**NORTH & EAST OF SITE**





**STAFF REPORT**

**EAST OF SITE (City Hall Suite 500)**







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**APPLICANT REQUEST:**



**REZONING REQUEST COVER LETTER**

DATE	28 August 2019
OWNER'S REPRESENTATIVE OWNER'S REP CONTACT INFO	Jack Eure, AIA architectEURE, llc jack@architectEURE.com (512) 839-8886 933 Electra, Austin, TX 78734
OWNER OWNER CONTACT INFO	Mario Juarez mjmobilecell@gmail.com (512) 922-9312 3401 Bratton Ridge Crossing, Austin, TX 78728
PROPERTY ADDRESS	204 N 1st St., Pflugerville, TX 78660
LEGAL DESCRIPTION	N 1/2 of Lot 13-18 Block 7 Pflugerville
PRESENT ZONING	SFS (Single Family Suburban)
ZONING CLASSIFICATION REQUESTED	O (Office)
NEIGHBORHOOD	Old Pflugerville
ZONING OVERLAY	Central Business District
ADDRESSEE	Emily M Barron Planning Director emilyb@pflugervilletx.gov Development Services Center City of Pflugerville, TX 201-B East Pecan St., Pflugerville, TX 78691

Ms. Barron,

We, the undersigned, do hereby respectfully make application and petition the Planning and Zoning Committee and City Council of the City of Pflugerville, Texas to approve the rezoning of 204 North 1st Avenue from a zoning classification of SFS (Single Family Suburban) to one of O (Office). We request that the City Council hereinafter amend the City of Pflugerville Zoning Map to reflect this new zoning designation to the above-referenced property, the legal description of which is *N 1/2 of Lot 13-18 Block 7 Pflugerville*.

Property Owner Mario Juarez is a Pflugerville native, and graduate of Pflugerville High ('92). He and his wife Minerva still reside nearby. The location of the property in question lies at the border between the commercial and residential areas of Old Town, and as such, is an appropriate location for a transitional property that blends historic renovation of the existing home, with a modest commercial scale that reflects the quaint charms of the Old Town historic

architectEURE

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url www.jackeure.com



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character. Mr. Juarez and his wife intend to be among the occupants in the proposed rezoned office property.

### THE PLAN

There is as-yet no preliminary development plan for the property beyond the following:

1. Restore the existing 1930s-era home, or the salvageable majority of it, which, although in poor condition, has clear historic merit, and tall, 10-foot ceilings suitable to an office property. Homes like these are rare in Old Town and must be preserved and cherished as part of the future vision of the neighborhood and the city.
2. Build an addition, also office space, that complies with the spirit and letter of the Downtown Vision Plan and other City requirements and that complements the existing historic home.

### NEIGHBOR OUTREACH

On 6 August, 2019, Mario Juarez and I met with Mr. Chuck Lesniak, who has lived in the neighborhood with his family for fifteen years, and who has at times been strongly opposed to rezoning applications within Old Pflugerville, as he cares deeply about preserving the character of historic Old Town. Mr. Lesniak took the time to meet with us and offer feedback on our proposed rezoning. He said we deserve credit as the first group in 15 years to begin our process by reaching out to neighbors. In fact, we are postponing preliminary design and even feasibility studies until we have fully heard the concerns and wishes of our neighbors and City of Pflugerville public servants. Mr. Lesniak said he would likely not oppose our rezoning, because of the location directly across from the commercial-zoned properties, including City Hall itself. The property's location on the border between the existing commercial properties clustered downtown and the bulk of residential Old Town, make a transitional, sensitive proposal such as ours more acceptable than others he opposed, he said.

The homeowner at 201 North 1st Street, Jesse Castillo, met with Owner Mario Juarez on 10 August 2019 and was supportive of our rezoning application. To those who might object to a commercial zoning next door to a residential one, the owner of the house next door, in this case, offered no objection, and in fact welcomed an improved property next door. Mr. Juarez also introduced himself to several other neighbors while walking around the neighborhood. He invited them to our Neighbor Feedback Meeting (discussed below) and requested their feedback about the rezoning application. He received feedback ranging from indifference to support. In no case were any neighbors he met critical or unsupportive of the rezoning.

### NEIGHBOR FEEDBACK MEETING

We next hosted a Neighbor Feedback Meeting at the Pflugerville Public Library at 6 pm on Wednesday 14 August 2019. The week prior, property owner Mario Juarez and his wife Minerva walked around the neighborhood, and introduced themselves to neighbors while personally hand-delivering event fliers inviting neighbors within a 500-foot radius of the property to the meeting. Mr. Lesniak predicted that our proposal would draw little in the way of opposition

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due to our location, and that our meeting could be poorly attended as a result. In fact, though we had reserved two rooms at the library with a capacity of 100-plus persons, and handed out scores of invitations, we had just one attendee, Old Town neighbor Matt Steele. Matt Steele expressed strong support of our project, since he is supportive of a rejuvenated Old Town that preserves its roots while building a measure of vibrancy. Having thus reached out to our neighbors to solicit feedback, we hereby submit this rezoning application for your consideration.

### TRAFFIC IMPACTS

By its nature a small office property such as this will generate fewer car trips than retail. The amount of vehicular traffic is in keeping with levels envisioned in the Comprehensive Plan and Central Business District Overlay, and will be counterbalanced with increased pedestrian trips to nearby restaurants and businesses, contributing to a more vibrant, walkable Old Town ambience.

### PARKING

Required parking will be accommodated in conformance with the City Zoning Ordinances, Comprehensive Plan and Central Business District Overlay requirements, with some combination of street and on-site parking. The intent is to promote and preserve the pedestrian-orientation of Old Town Pflugerville by avoiding new areas of surface parking in favor of street parking where possible, while not creating undesired parking in front of neighboring homes where it is not wanted.

### STORMWATER FLOWS

The proposed rezoning would result in a modest addition and footprint increase within the allowed impervious coverage maximum that will conform to City of Pflugerville stormwater regulations and requirements without creating negative impacts for neighboring properties and residents downhill from the subject property. A grading and stormwater plan prepared by a civil engineer will be forthcoming upon successful rezoning as required by the City of Pflugerville.

### STYLE

The proposed office property will include the renovation of the salvageable parts of the existing residence, in keeping with City planning objectives at historic preservation and preserving the charms of the Downtown area. The historic home renovations and the addition will be designed in keeping with the spirit of City design guidelines.



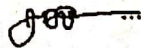
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**RESPONSE**

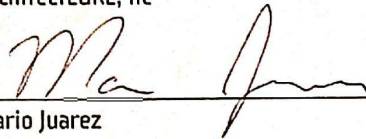
We believe the proposed Office (O) rezoning of 204 North 1st Street will embody an appropriate transitional property at the border between the residential and commercial areas of Old Pflugerville. We have deliberately not lead this project with a planning and design phase, but rather with open ears to the concerns and wishes of our neighbors. We are now welcoming the input of the Planning and Zoning Commission and the City Council. If our rezoning application is successful, we will aim to produce a charming office property that exemplifies the very best in terms of City visioning documents for the Old Pflugerville / Central Business District.

Thank you.



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Jack Eure, AIA  
Principal  
architectEURE, llc



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Mario Juarez  
Owner  
204 N. 1st St., Pflugerville, TX 78660

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**APPLICANT NEIGHBORHOOD COMMUNICATION:**



**SIGN-IN SHEET**

DATE: 14 August 2019  
 TIME: 6 pm  
 EVENT: Neighbor Outreach Meeting, 204 North 1st Street Rezoning Case  
 LOCATION: Pflugerville Public Library  
 HOSTS: Mario Juarez, Owner  
 Jack Eure, Architect

NAME	EMAIL	ADDRESS	SIGNATURE
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MATT STEELE	MWS1001@gmail.com	104. WILBARGER	
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