

**STAFF REPORT**

**Planning & Zoning:** 2/4/2019                      **Staff Contact:** Jeremy Frazzell, Asst. Planning Dir.  
**City Council:** 2/12/2019                      **E-mail:** jeremyf@pflugervilletx.gov  
**Case No.:** REZ1811-02                      **Phone:** 512-990-6300

**SUBJECT:** To receive public comment and consider an application to rezone Lots 1 & 2, Pflugerville East Business Park, consisting of approximately 2.17 acres with Travis Central Appraisal District Parcel IDs 276363 and 376364, from Agriculture/Development Reserve (A) to General Business 1 (GB1) district; to be known as 508 Old Austin Hutto Rd. Rezoning. (REZ1811-02)

**LOCATION:**

The proposed rezoning consists of land located along the west side of Old Austin Hutto Rd, generally southwest of the Firebush Dr and Old Austin Hutto Rd intersection.

**REQUEST:**

The applicant has proposed to rezone the two tracts consisting of a total of 2.17 acres from the Agriculture/Development Reserve (A) to General Business 1 (GB1) district.

**BACKGROUND:**

The property consists of two platted lots that were established in 1984 through the Pflugerville East Business Park plat, while the property was outside the city limits. The property was annexed in 1994 through Ordinance No. 411-94-12-13. At time of annexation, the property was zoned to the Agricultural/Open Space (AO) zoning district, and has remained zoned as such to date.



**SURROUNDING LAND USES and ZONING:**

Adjacent	Base Zoning District	Existing Land Use
North	General Business 1 (GB1)	Office complex (under construction)
South	General Business 2 (GB2)	Auto repair and self-storage
East	Single Family Suburban (SF-S)	Single Family neighborhood
West	General Business 1 (GB1)	Financial Institution

The existing “A” zoning district permits the government facilities land use, and as such a site plan was approved in 2013 for the existing office building for the Attorney General. The owner has interest in allowing other tenants into the facility as well as further developing the site, and therefore the zoning change is necessary.

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Per the Unified Development Code, the General Business 1 (GB1) district *“is designed to accommodate a full range of retail and office uses with a city-wide and even regional trade area. These types of commercial uses are conducted wholly within an enclosed building. The uses in this district have operating characteristics and traffic service requirements compatible with typical office, retail, shopping, and high density residential environments”*. The following are listed as land uses allowed in the GB1 district:

- Permitted residential land uses: Assisted Living, Live Work Unit, Nursing Home/Skilled Nursing,
- Permitted non-residential land uses: Athletic Facilities, Auction Sales, Automotive Parts Sales, Inside, Automotive Repair and Service, Automobile Parking Lot/Garage, Automobile Sales and Rental, Bar/Tavern, Micro Brewery/Distillery/Winery, Brewpub/Wine Bar, Business Services, Catering Establishment, Cemetery/Mausoleum, Civic Center, Clinic, Commercial Recreation and entertainment, Indoor, Commissary, Convention Center, Day Care Facility, Dry Cleaning Minor, Equipment and Machinery Sales and Rental, Minor, Event Center, Financial Institution, Golf Course and/or Country Club, Golf Driving Range, Government Facilities, Health/Fitness Center, Hospital, Household Appliance Service and Repair, Laundromat, Liquor Store, Lounge, Massage Therapy, Mortuary/Funeral Home, Museum/Art Gallery, Office, Park or Playground, Pawn Shop, Personal Service, Place of Worship, Minor Print Shop, Reception Hall, Restaurant, Retail Sales and Service – including users over 50,000 square feet, Private School, Theater, Trade school, and Transit Facility.
- Conditional uses include: Condominium, Multi-family, Commercial Animal Establishments, Bail Bond, Car Wash, Outdoor Commercial Recreation and entertainment, Indoor, Drive In, Financial Services Institution, Alternative, Gas Station, Hotel/Hotel Residence, Mobile Food Park, Nursery/Indoor Sales, Utilities, and Wireless Telecommunication Facilities.
- Specific Use Permit include: Body Art Studio, College, University or Private Boarding School, Wireless Telecommunication Facilities.

**COMPREHENSIVE PLAN:**

The Comprehensive Land Use Plan currently identifies the area as Mixed Use with a Community Center provided near the intersection of E. Pecan and FM 685. The mixed use component is identified in the Comprehensive Plan as an area intended to provide a built environment that facilitates the ability to live, work, and play in one area. Community Centers are intended to provide a mix of uses in areas between multiple neighborhoods and can include large anchor retail as well as specialized retail. In this case, the large anchor is the HEB grocery store with specialty retail and service uses within close proximity, providing services to the surrounding neighborhoods and community.



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**STAFF RECOMMENDATION:**

The proposed zoning will allow use of the property for professional office use, as well as allow for additional office space to be constructed. Zoned Agriculture/Development Reserve (A), the existing office complex was allowed to be constructed as it was intended to be used as government facility. The current zoning does not allow for flexibility with the tenants and does not allow the adjacent tract to be developed as desired by the applicant. The proposed request to the GB1 district is generally in conformance with the Preferred Land Use Vision Plan and is consistent with the surrounding properties. Staff recommends approval of the proposed request to the GB1 zoning district.

**NOTIFICATION:**

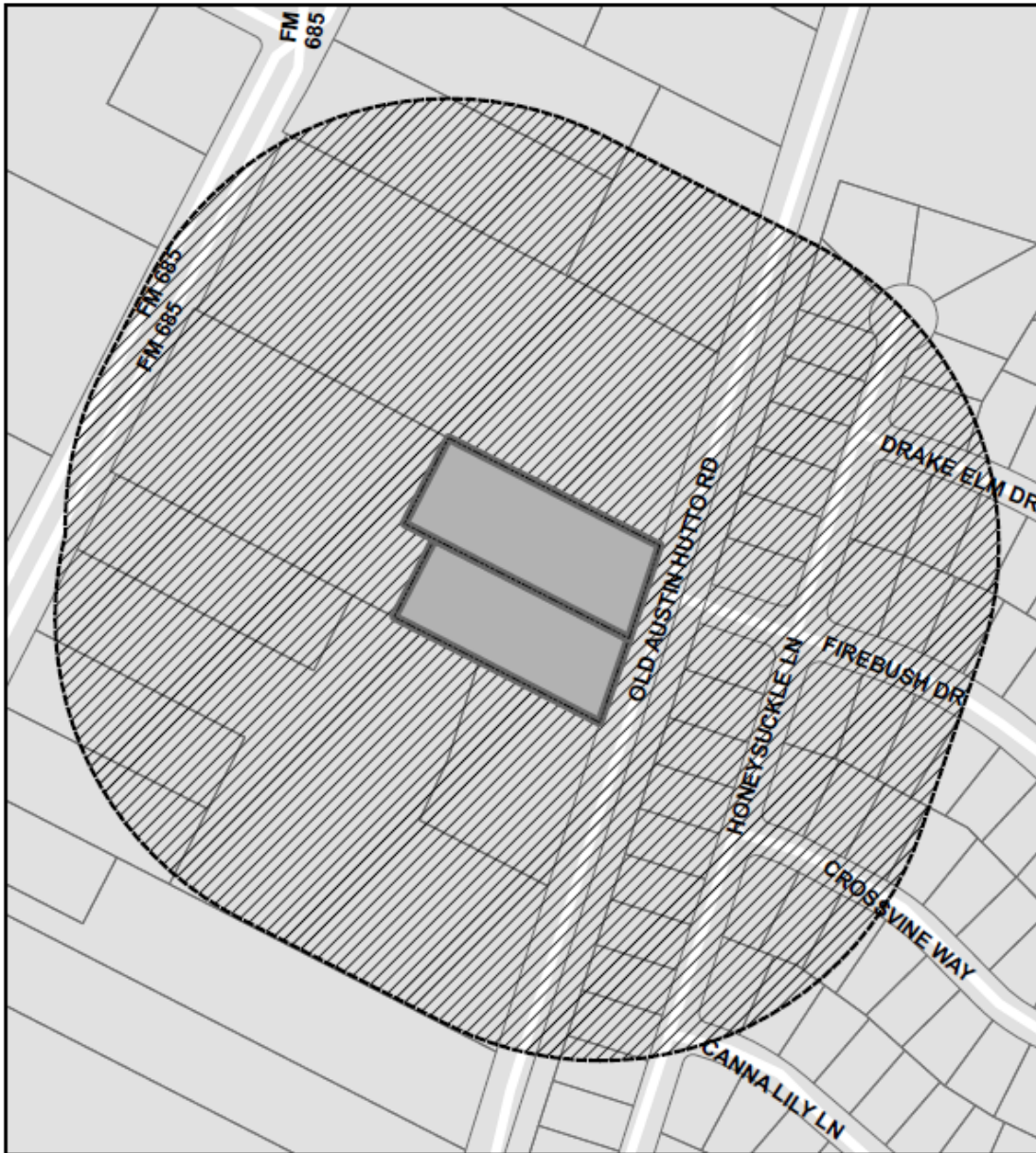
Newspaper notification was published, notification letters were mailed to property owners within 500 feet of the property, and signs were posted in accordance with the minimum notification requirements. No inquiries were received regarding the proposed request at the time of this report.






**ATTACHMENTS:**

- Notification Map
- Zoning Map
- Site Photos
- Applicant Request
- Survey

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**NOTIFICATION MAP:**



<p><b>508 Old Austin Hutto Rd (A to GB1)</b></p> <p><b>Case Number: REZ1811-02</b></p> <p><b>11/5/2018</b></p>	<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Rezoning</li> <li> Notification Area</li> <li> City Limits</li> </ul> <p>0 125 250 Feet</p>	<p style="text-align: center;">N</p> <p><small>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.</small></p> 	<p>Locator Map</p> 
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**ZONING MAP:**



**SITE PHOTOS:**



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**APPLICANT REQUEST:**

November 5, 2018

City of Pflugerville  
Planning and Zoning Commission  
201/ B E Pecan St,  
Pflugerville, Tx, 78660

Letter of Intent:

To Whom It May Concern:

By this letter and as an owner of the lots ( Parcel ID 276363 and 276364) I will like to make a request to rezone properties mentioned. from agricultural to commercial GB1, the intentions of the property are as follow:

The existing building now used for the Attorney General Officee, we will use it as Executive office space. The lot next to it will be consider it for the same purpose , offering office to build. Beside this request we also request it to repolt this two lots into one.

Thank You

  
Erick Trevino

**SURVEY:**

**REASON DEPARTMENT NOTING: 1286:**  
 NO LOT IS THEN UNDEVELOPED SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC WATER SYSTEM OR TO AN SEWERAGE SYSTEM OR BOTH WHICH HAS BEEN APPROVED BY THE AUSTIN-BOWWEN COUNTY HEALTH DEPARTMENT. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A POTABLE WATER SYSTEM FROM AN APPROVED PUBLIC WATER SUPPLY WITH SUFFICIENT CAPACITY FOR SMALL DOMESTIC USE AND CONNECTION OF AN APPROVED ON-LOT SANITARY DISPOSAL SYSTEM. THESE REQUIREMENTS ARE ENFORCEABLE BY THE AUSTIN-BOWWEN COUNTY HEALTH DEPARTMENT.

*James P. Olson* 7-20-84  
 JOHN P. OLSON, P.E., SURVEYOR

STATE OF TEXAS  
 COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared JOHN KILLINGER, owner of the herein described tract of land, being 2.75 acres of land more or less, same being that certain .50 acre tract of land a portion of the SEPTIN EISELIN SURVEY NO. 1 IN TRAVIS COUNTY, TEXAS, which 1.00 ac. tract of land was conveyed to ME IN DEED DATED APRIL 4, 1984 OF RECORD IN VOLUME 4827 PAGE 128 OF THE TRAVIS COUNTY DEED RECORDS, AND THAT CERTAIN 1.18 ACRES TRACT OF LAND A PORTION OF THE SEPTIN EISELIN SURVEY NO. 1 IN TRAVIS COUNTY TEXAS, WHICH 1.18 ACRES TRACT OF LAND WAS CONVEYED TO ME BY DEED DATED MARCH 21, 1984 OF RECORD IN VOLUME 4827 PAGE 128 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND I HEREBY CERTIFY SAID 2.75 ACRES TRACT OF LAND AND TO FURTHER ADVICE AS A PART OF OUR PROFESSION TO BE SURE AS TO THE EXISTENCE OF PUBLIC WATER AND SEWERAGE TO THE PUBLIC USE OF ALL STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HAND THIS 9<sup>th</sup> DAY OF Nov. A.D. 1984.  
*John P. Olson*  
 JOHN P. OLSON, P.E., SURVEYOR

STATE OF TEXAS  
 COUNTY OF TRAVIS

I, DORIS SHROPSHIRE, CLERK OF THE COUNTY COURT, TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF CONVEYANCE WITH THE CORRECTIVE AMENDMENT WAS FILED FOR RECORD IN MY OFFICE ON THE 9<sup>th</sup> DAY OF NOV. A.D. 1984 AT 9:40 O'CLOCK A.M. AND DULY ENTERED IN THE PUBLIC RECORDS OF SAID COUNTY IN BOOK PAGE 478.

WITNESS MY HAND AND SEAL OF OFFICE THIS 9<sup>th</sup> DAY OF NOV. A.D. 1984.  
 DORIS SHROPSHIRE, CLERK, COUNTY COURT, TRAVIS COUNTY, TEXAS.

STATE OF TEXAS  
 COUNTY OF TRAVIS

I, DORIS SHROPSHIRE, CLERK OF THE COUNTY COURT, TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE 5<sup>th</sup> DAY OF Nov. A.D. 1984, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER RESOLVING AND FILING FOR RECORD OF THIS PLAN AND THAT SAID ORDER HAS BEEN DULY ENTERED IN THE RECORDS OF SAID COUNTY IN BOOK PAGE 478.

WITNESS MY HAND AND SEAL OF OFFICE THIS 7<sup>th</sup> DAY OF Nov. A.D. 1984.  
 DORIS SHROPSHIRE, CLERK, COUNTY COURT, TRAVIS COUNTY, TEXAS.

STATE OF TEXAS  
 COUNTY OF TRAVIS

I, DORIS SHROPSHIRE, CLERK OF THE COUNTY COURT, TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE 5<sup>th</sup> DAY OF Nov. A.D. 1984, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER RESOLVING AND FILING FOR RECORD OF THIS PLAN AND THAT SAID ORDER HAS BEEN DULY ENTERED IN THE RECORDS OF SAID COUNTY IN BOOK PAGE 478.

WITNESS MY HAND AND SEAL OF OFFICE THIS 7<sup>th</sup> DAY OF Nov. A.D. 1984.  
 DORIS SHROPSHIRE, CLERK, COUNTY COURT, TRAVIS COUNTY, TEXAS.

IN APPROVING THIS PLAN BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS OR OTHER PUBLIC IMPROVEMENTS AND ANY UTILITIES OR CONDUITS NECESSARY TO BE PLACED IN SUCH STREETS, ROADS OR OTHER PUBLIC IMPROVEMENTS OR IN CONNECTION THEREWITH, SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAN IN ACCORDANCE WITH PLANS AND SPECIFICATIONS SUBMITTED BY THE OWNER TO BUILD SAID STREETS, ROADS, OR OTHER PUBLIC IMPROVEMENTS SHOWN BY THIS PLAN OR IN CONNECTION WITH ANY UTILITIES OR CONDUITS IN CONNECTION THEREWITH. THE APPROVAL OF THIS PLAN BY THE COMMISSIONERS COURT FOR FILING ON THE HERETOFORE ACCEPTANCE FOR MAINTENANCE BY THE COUNTY TO INSTALL PERMANENT EASEMENTS IN ROAD AND UTILITY CONDUITS DOES NOT OBLIGATE THE COUNTY TO INSTALL PERMANENT EASEMENTS, AS THIS IS CONSIDERED TO BE A PART OF THE CONTRACTOR'S OBLIGATION. THE SAID CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL STREETS, ROADS AND UTILITY CONDUITS, SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL STREETS, ROADS AND UTILITY CONDUITS, SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ALL STREETS, ROADS AND UTILITY CONDUITS.

T. C. ROBERT MEMOR JR., AN ATTORNEY UNDER THE LAWS OF THE STATE OF TEXAS TO FURNISH THE PROFESSION OF SURVEYING, DO HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAN IS TRUE AND CORRECT, AND WAS PREPARED FROM A SURVEY MADE ON THE GROUND, JUNE 14, 1984.

*Michael M. Hill* 7-18-84  
 MICHAEL M. HILL, JR.  
 SURVEYOR

**DABNEY-BYRN & ASSOCIATES, INC.**  
 ENGINEERS SURVEYORS LAND PLANNERS MAPMAKERS

AUSTIN 474-3841 SAN MARCOS 388-2078 SAN ANTONIO 921-8764

**PFLUGERVILLE EAST BUSINESS PARK**  
 A SURVEY OF A SUBDIVISION IN THE SEPTIN EISELIN SURVEY NO. 1 IN TRAVIS COUNTY, TEXAS

*Randy A. Noda*  
 RANDY A. NODA, P.E.

CLERK: KILLINGER, NEIC  
 DATE: JUNE 14, 1984  
 OFFICE: GEORGE  
 FIELD OFFICE: CHERRY, STONEY, T. FROM  
 P.S.: 144-74  
 PLAN NO.: 31236-04-6

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