

## STAFF REPORT

<b>Planning &amp; Zoning:</b>	10/1/2018	<b>Staff Contact:</b>	Jeremy Frazzell, Asst. Planning Director
<b>City Council:</b>	10/23/2018	<b>E-mail:</b>	jeremyf@pflugervilletx.gov
<b>Case No.:</b>	REZ1807-03	<b>Phone:</b>	512-990-6300

**SUBJECT:** To receive public comment and consider an application to rezone an approximate 5,500 sq. ft. lot locally addressed as 105 S. 3<sup>rd</sup> St., from Single Family Residential (SF-S) to Office (O) district; to be known as 105 S. 3<sup>rd</sup> St. Rezoning. (REZ1807-03)

**LOCATION:** The property is located at 105 S. 3<sup>rd</sup> St, which is generally southeast of the S. 3<sup>rd</sup> Street and Pecan Street intersection, along the east side of S. 3<sup>rd</sup> Street.

**BACKGROUND/REQUEST:** The site is an internal lot with street frontage along S. 3rd St. An improved alley is located along the northern property line with mid-block access points at S. 3rd and S. 2nd Streets. No sidewalks currently exist along S. 3rd St.

The property is an approximate 5,500 sq. ft. lot consisting of the northern 55 feet of the west half of Lot 1, Block C out of the original Pflugerville subdivision. The lot configuration is a result of a lot division that likely occurred around 1940 when the house was constructed. The property contains an approximate 768 sq. ft., single story bungalow style house which fronts onto S. 3rd St. A single wide, asphalt driveway extends along the south property line and provides vehicle access off of S. 3rd St. No garage is present. An alley is adjacent to the north property line and provides access to a relatively unimproved parking area in the eastern portion of the property.



The property was recently acquired by the applicant for purposes of establishing an office at the location. An exterior ramp was recently installed to provide access into the structure. Additional improvements to the interior were underway without a permit when Code Enforcement was alerted to the construction work and issued a stop work order. The current Single Family Suburban (SF-S) zoning does not allow non-residential use, therefore the applicant has proposed a rezoning to the Office (O) district.

**SURROUNDING ZONING AND LAND USE:** The area along the north side of Hall Street from S. 5th St. to Railroad Ave. is within the Downtown District Overlay (DD). Properties within the DD have a base zoning district, but are also subject to specific requirements associated with the overlay. In general, the base zoning district identifies the land uses that can be permitted on each property. The Downtown District Overlay (DD) further

## STAFF REPORT

refines allowable land uses and identifies the design requirements for change of use or redevelopment. The table below identifies the base zoning districts and existing uses for properties surrounding 105 S. 3<sup>rd</sup> St.

Adjacent	Base Zoning District	Existing Land Use
North	Retail (R)	Single family with access off S. 3rd St. followed by the Chamber of Commerce.
South	Single Family Suburban (SFS)	Single family with access only to Hall St.
East	Retail (R)	Owned by a real estate entity with access off 2nd St.; single family.
West	Office (O) and Retail (R)	City of Pflugerville office and boutique shop just to the north. Both have access off S. 3rd St.



**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. The base zoning of SF-S determines the allowable land uses, while the overlay establishes design requirements for when properties

## STAFF REPORT

are further developed. In 2015, the Central Business District Overlay nomenclature changed to Downtown District (DD). The property has retained the Single Family Suburban (SF-S) base zoning district with Downtown District (DD) 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.

**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 REPORT

### STAFF RECOMMENDATION:

Until recently, the property has been used for residential use. The current property owner purchased the property this year and began making renovations to the property to establish a non-residential use (professional office). The property is located mid-block between Hall St. and Pecan St. with frontage onto S. 3rd St. An existing alley is adjacent to the north property line and provides an opportunity for vehicle access to the eastern portion of the lot, which could be established as an off-street parking lot. A residential use currently exists in the property to the north, however that property is zoned Retail (R) and can be converted to a non-residential use at any time. The property to the south faces Hall St., is currently zoned Single Family Suburban (SF-S), and is not anticipated to change land use or zoning in the near future. Properties to the west are currently zoned Retail (R) and Office (O) and have non-residential land uses. The property to the east is zoned Retail (R) and according to TCAD, was recently sold to a real estate group, although the current use is not known.

The proposed Office district is consistent with the zoning in the immediate area and would enable a small business to locate to 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 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-street parking to be located off of the alley and bufferyards to be established as applicable. 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 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, and bufferyard to the conforming single family property to the south. 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 105 S. 3rd St. from Single Family Suburban (SF-S) district to Office (O) district while retaining the Downtown District Overlay (DD).

### 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. A phone call and email was received from a resident in the neighborhood stating opposition to the request.

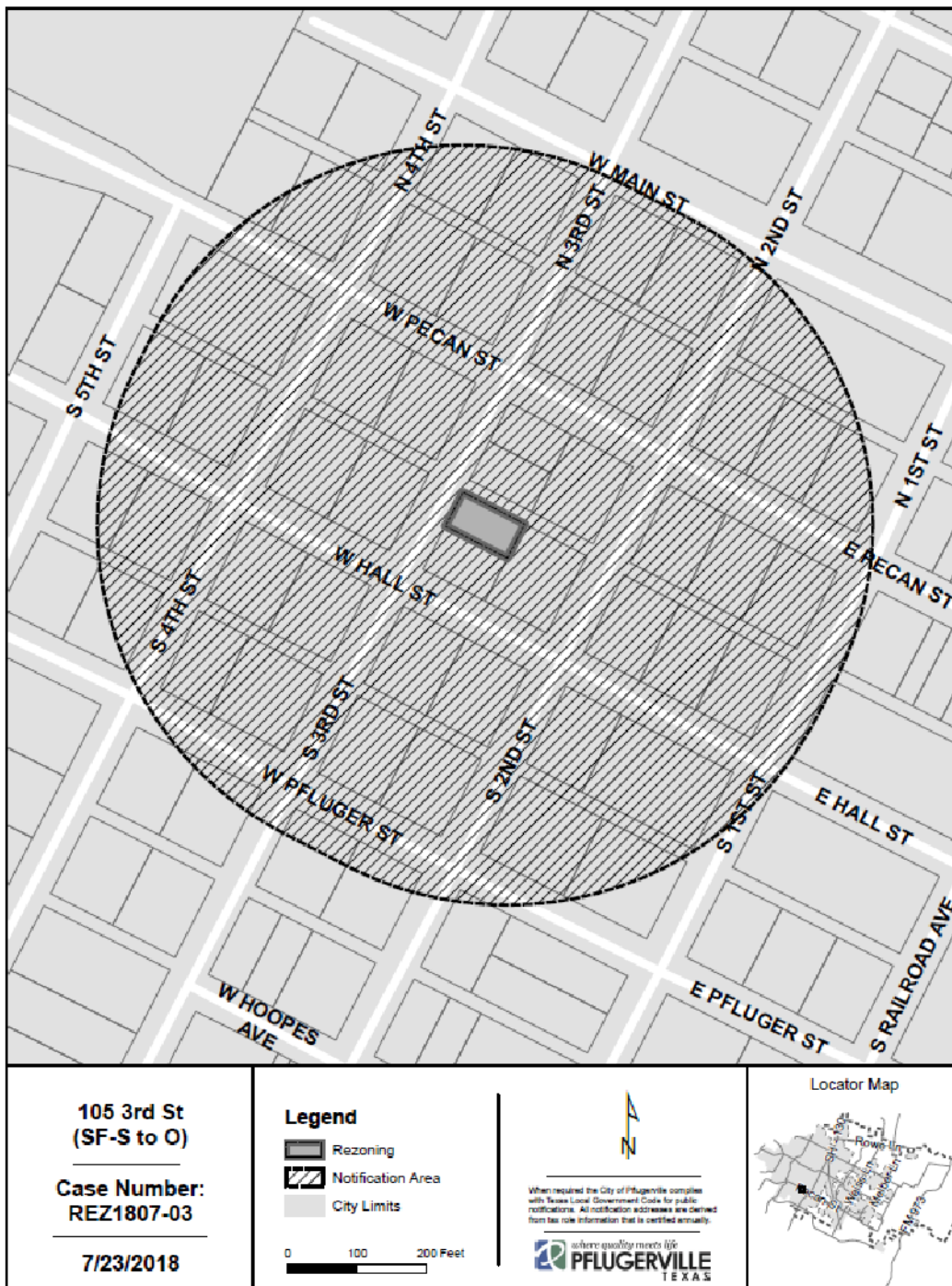
### ATTACHMENTS:

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



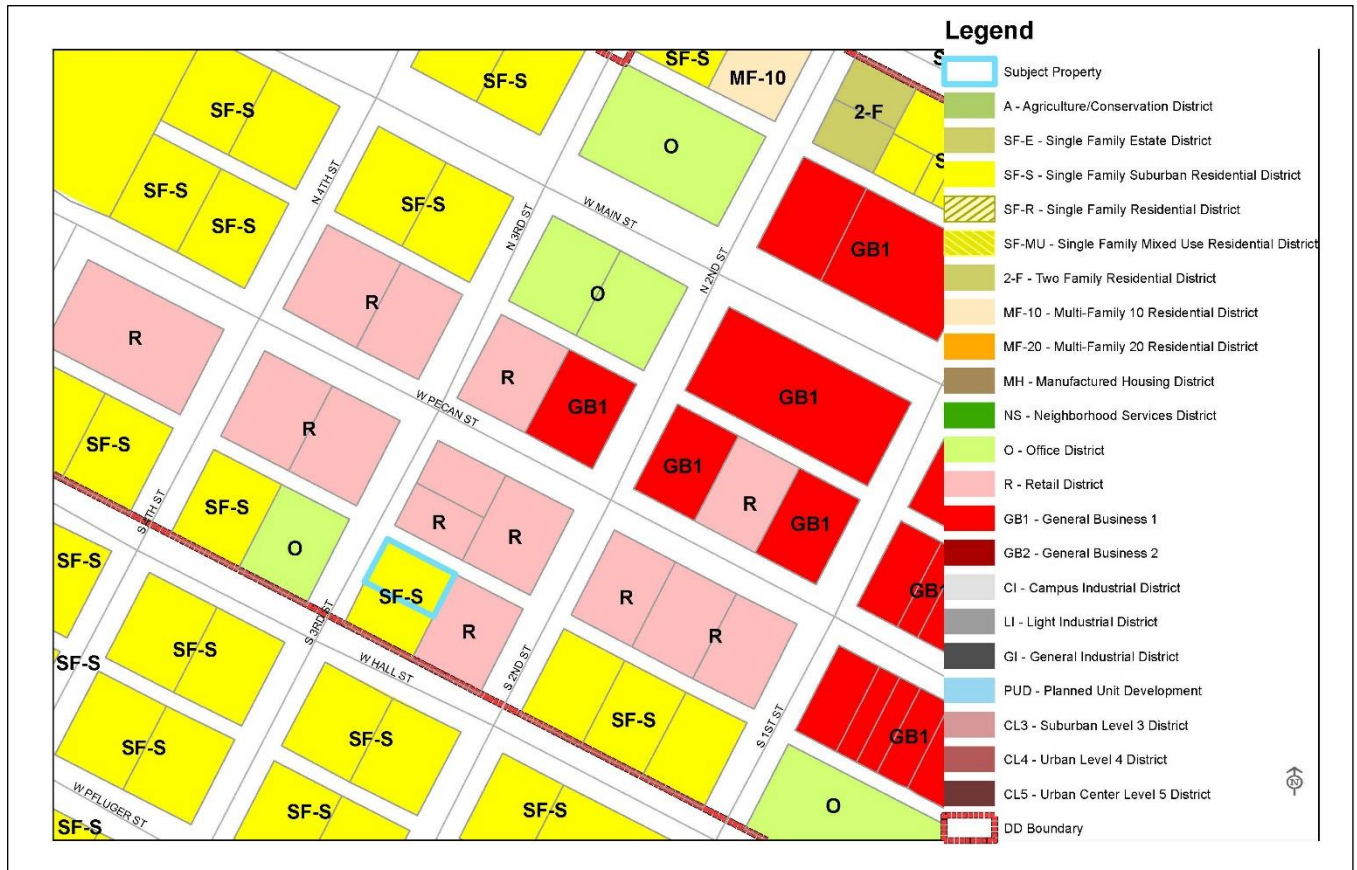
**STAFF REPORT**

**NOTIFICATION MAP**



**STAFF REPORT**

**ZONING MAP:**





**STAFF REPORT**

**SITE PHOTOS:**



**SUBJECT SITE: West facing facade**



**SUBJECT SITE: East facing facade**

**STAFF REPORT**



**SOUTH OF SITE**



**SOUTH OF SITE**



**STAFF REPORT**



**NORTH OF SITE**



**NORTH OF SITE**

**STAFF REPORT**



EAST OF SITE



EAST OF SITE



**STAFF REPORT**



**WEST OF SITE**



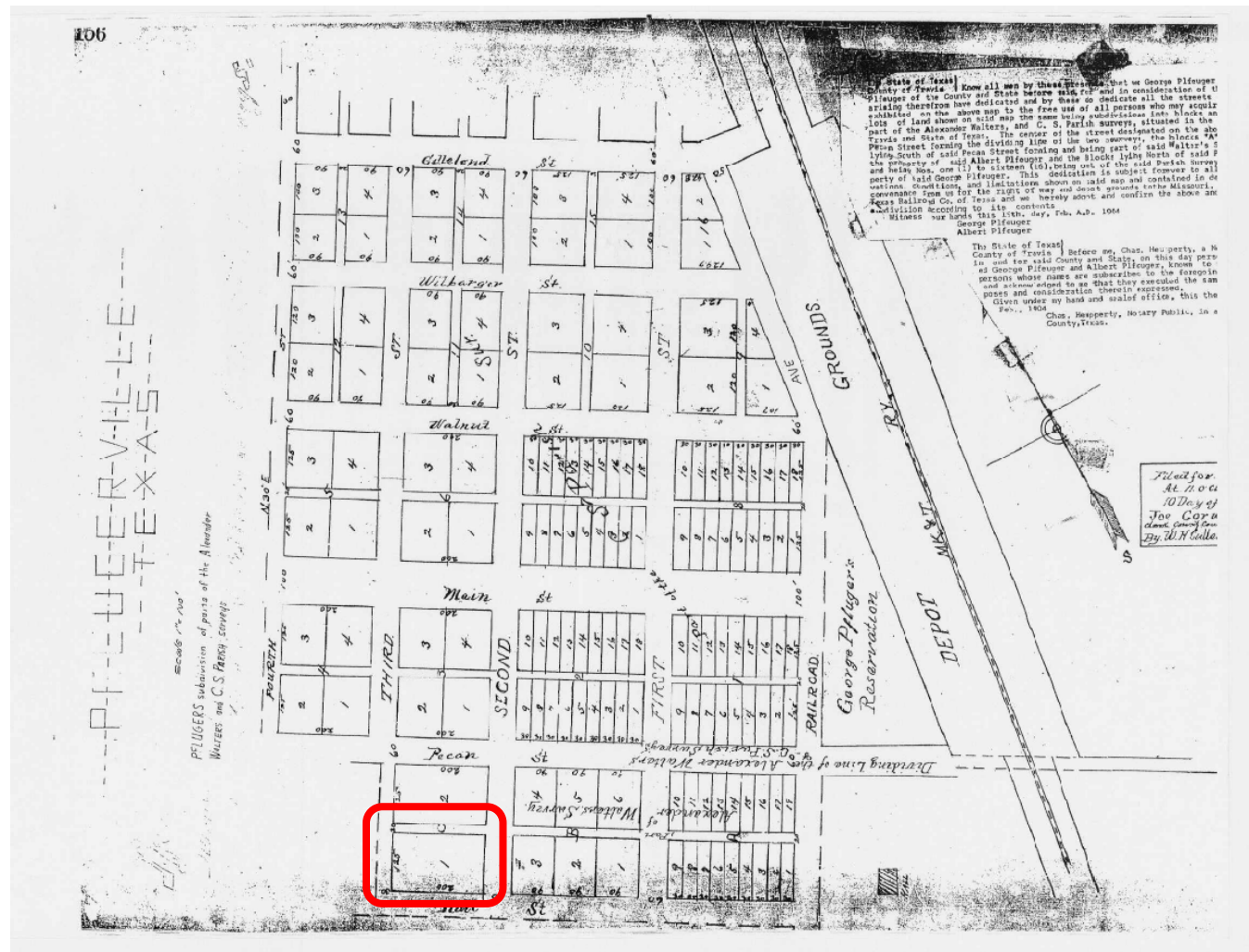
**WEST OF SITE**





## STAFF REPORT

**PLAT:**



**STAFF REPORT**

**APPLICANT REQUEST:**

Pflugerville Planning and Zoning Commission/City Council Office (O) District

We (Greg Wooten and Hari Pullakhandam) represent the address 105 S 3<sup>rd</sup> St., Pflugerville. As you may know, we recently bought the property and we are renovating it to the style of other downtown buildings by paying attention to every little detail. We are eager to run our small consulting (Computer/Information Technology/Real estate) business out of this address. We will keep business traffic to a minimum and we are NOT expecting a lot of clients to show up on a daily basis.

We need to change the zoning to light office commercial in order to accomplish the successful operation of our small consulting business. The houses across, adjacent and behind the subject places are all commercial. Those are namely, 200 W Hall St, 103 S 3<sup>rd</sup> St, 102 S 3<sup>rd</sup> St, We would appreciate your cooperation to accomplish this zone change.

If you have any questions or concerns please feel free to call us any time.

Yours sincerely,



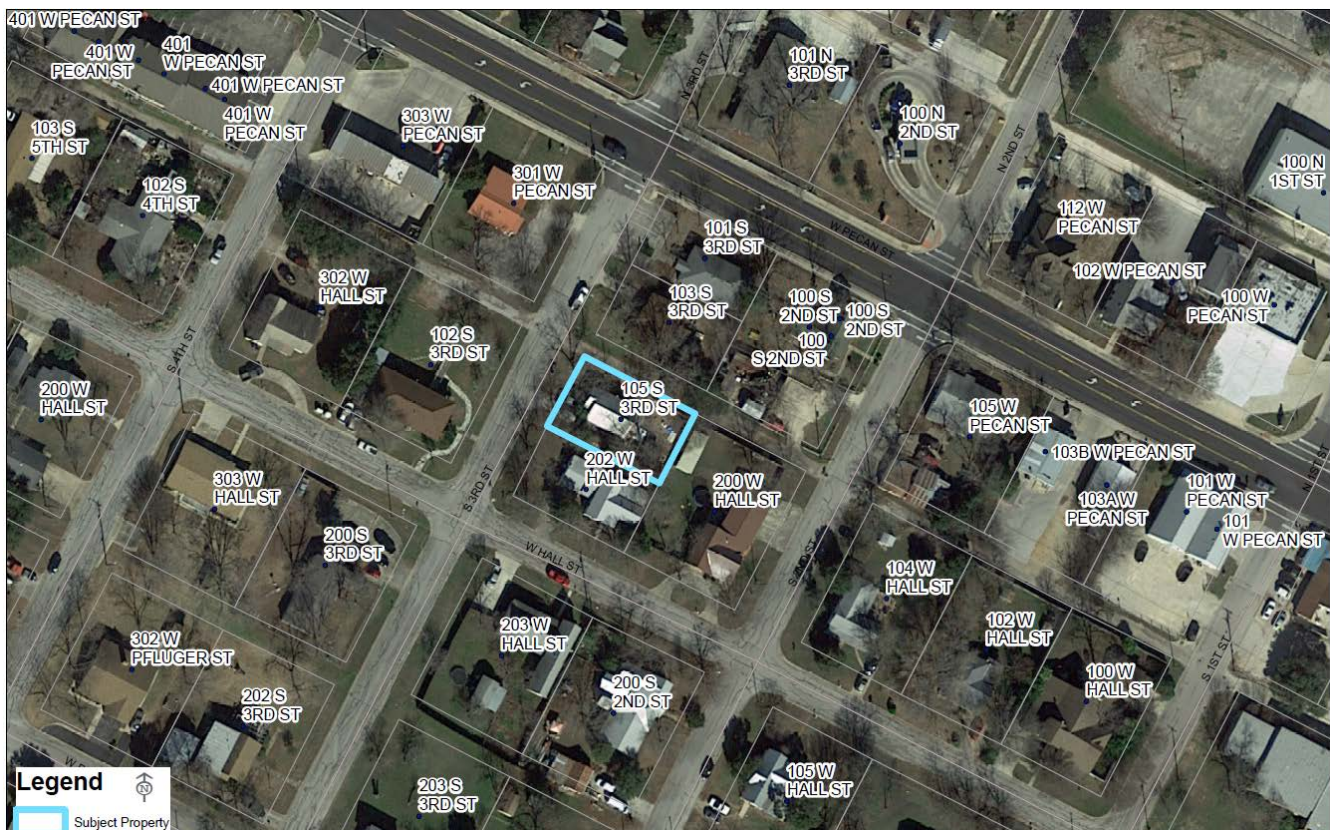
Greg Wooten [redacted] mobile

Hari Pullakhandam [redacted] mobile

## STAFF REPORT

### APPLICANT NEIGHBORHOOD COMMUNICATION:

Address	Owner	Agree For Re-Zoning 105 S 3rd st?
103 S 3rd St	Mr. Art	Yes
203 S 3rd St	?	Left Note
300 S 3rd St	?	Left Note
202 S 3rd St	Mrs. Nicole	Yes
200 S 3rd St	Mr. Damian	Yes
202 Hall St	Mr. Johnny	Yes
200 Hall St	?	Left Note
104 Hall St	?	Left Note
102 Hall St	?	Left Note
100 Hall St	Miss. Tina	Yes
200 S 2nd St	Miss. Sharon	Yes
207 W Pfluger St	?	Left Note
303 W Hall St	?	Left Note
302 W Hall St	?	Left Note
200 S 4th St	?	Left Note
201 S 5th St	Miss. Pena	Yes
200 S 5th St	Mr. James	No
103 S 5th St	Mr. Villarreal	Yes





**STAFF REPORT**

**LETTER OF OPPOSITION:**

**Sent:** Monday, September 17, 2018 4:40 PM

**To:** Planning Department

**Subject:** rezoning of 105 S. 3rd St.

Case Number: REZ1807-  
03

09/17/2018

I have concerns about the request to rezone the house located on 105 S. 3<sup>rd</sup> St. from residential to commercial. I support older homes along Pecan Street being rezoned into commercial businesses, but this house is not even the next building south of the Chamber of Commerce. The new owners claim they thought the house was already zoned commercial. They began remodeling without any permits, and the ramp they built clearly would not pass any inspections. They claim to be a real estate and consulting business, but yet they didn't know this wasn't a commercial structure. Seems shadey to me...

I have lived in "Old Town" for over 20 years, 2 blocks south of this house. I do not support commercial businesses creeping up towards our neighborhood homes. I would like the date and time of the public hearing to discuss this matter.

Thanks for your help,

Carol Richardson

400 S. 3<sup>rd</sup> St.

Pflugerville, TX