



# City of Pflugerville

## Minutes - Final

### Planning and Zoning Commission

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Monday, July 2, 2018

7:00 PM

100 E. Main St., Suite 500

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#### Regular Meeting

#### 1 Call to Order

Emily Barron, Planning Director; Jeremy Frazzell, Assistant Planning Director;  
Erin Sellers, Senior Planner; Abbey Rose, Planner II; Kristin Gummelt ,  
Administrative Technician

**Present** 4 - Chair Daniel Flores, Commissioner Oscar R. Mitchell, Vice Chair Pat  
Epstein and Commissioner Ceasar Ruiz

**Absent** 3 - Commissioner Tammie Williamson, Commissioner Geoff Guerrero and  
Commissioner Nasim Uddin

#### 2 Citizens Communication

There were none.

#### 3 Consent Agenda

- 3A [2018-6884](#) Approve the Planning and Zoning Commission Minutes for June 4,  
2018 Regular Meeting

Approved on the Consent Agenda

- 3B [2018-6887](#) Approving the Windermere Parke Garden Villas Section One Final Plat;  
a 5.444-acre tract of land out of the J. Van Winkle Survey No. 14,  
Abstract No. 786; in Pflugerville, Travis County, Texas. (FP1602-04)

Approved on the Consent Agenda

Kristin Gummelt read the Consent Agenda.

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

#### 4 Public Hearing

- 4A [ORD-0411](#) To receive public comment and consider an application for a Specific  
Use Permit for a proposed Bar/Tavern in the Downtown District on an  
approximate 0.90 acre tract located generally northeast of the N. Railroad  
Ave and E. Pecan St intersection; locally addressed as 200 E. Pecan St.;  
to be known as the Three Legged Goat Specific Use Permit.

(SUP1805-01)

Jeremy Frazzell, Assistant Planning Director presented this Item.

Mr. Frazzell gave an overview of the location of the property and what the applicants are interested in opening at that location. They are requesting to open a wine bar in suite 5, this suite also includes the use of the courtyard located in front of the suite. The property is zoned General Business 1 (GB1) which allows the use of a bar/ tavern. The property also falls within the Downtown Overlay and for that reason a Specific Use Permit (SUP) is required. Mr. Frazzell talked about the requirements that need to be met with the SUP and what is classified as a bar/tavern. He talked about the parking spaces needed for the uses on the property. When considering this request the Old Town Vision Report was looked at to make sure that the proposed use would be in line with what was envisioned for the downtown area. The proposed use meets several of the goals outlined in the report. Staff does recommend the approval of the request. Commissioner Mitchell asked about parking for the location. Mr. Frazzell stated since the property falls within the downtown district that 50% or more of the parking is required to be offsite. There is street parking located along Railroad and Main Street as well the adjacent neighborhood that is all within walking distance. Chair Flores invited Chelsea Robertson, Partner, to speak. Chair Flores asked her if they were planning on taking any parking away to build out the bar. She stated that the only new construction would be possibly a new deck in the courtyard but that it would not extend into any parking area. Jean Garlick, 103 N. Railroad, asked if there would be any outdoor music. Mr. Robertson stated that there would be but it would not be anything outlandish.

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

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

**Aye:** 4 - Chair Daniel Flores, Commissioner Oscar R. Mitchell, Vice Chair Pat Epstein and Commissioner Ceasar Ruiz

**4B**     [ORD-0412](#)

To receive public comment and consider an application for the rezoning of two tracts located generally south of the Willow St. terminus and east of the E. Pfluger St. terminus for a total of 7.09 acres. The proposed request is to rezone the south 5.84 acres from Retail (R) and General Business 1 (GB1) to Single Family Mixed Use (SF-MU) District, and the east 1.25 acres from Single Family Suburban (SF-S) to Single Family Mixed Use (SF-MU) District; all to be known as Townhomes of Old Town East Rezoning. (REZ1805-01).

Jeremy Frazzell, Assistant Planning Director presented this Item.

Mr. Frazzell gave an overview of the location of the proposed development and history of the area. The applicant is requesting a change in zoning from General Business 1 (GB1) and Retail (R) to Single Family Mixed Use (SF-MU). The proposed zoning is a less intensive land use than what is currently in place. The applicant is proposing single family detached condos for the site. The Comprehensive Plan identifies the area as a low to medium residential area. The development would offer a diverse housing type to the area helping to accomplish the goals of the Comprehensive Plan. There would be access to

the development off of Pfluger St and Willow St. Jim Huffcutt, representative for the applicant, addressed the Commission and spoke about the proposed development. He spoke about why the zoning for this property is so important for project.

Chair Flores asked why SF-MU zoning was chosen over Multifamily zoning. Mr. Huffcutt stated that the SF-MU was a better fit for the project, it allows for multitude of housing types and it also changes the infill development (i.e. drainage, traffic, and unit count). Once the zoning is in place the layout can be designed for the project.

Chair Flores asked why there would only be access off Willow St. and Pfluger St and not Dessau Rd. Mr. Huffcutt stated there is no access because currently the property has no frontage along Dessau Rd.

Vice Chair Epstein stated that she was deeply concerned for the flow of traffic through the surrounding neighborhood and the development. Traffic on Pecan St. during peak hours is already terrible. The roads that lead up to the development are also small and not well equipped for so much traffic. Mr. Frazzell stated that Willow St has the potential to be extended to the south with further development and meet the future extension of Oxford Dr, which is south of the development. This could potentially provide another access point to the development. Commissioner Ruiz asked whether assurance could be given that the development would have access to Dessau in the future. Mr. Frazzell stated that no assurance could be given but with further development of the area and the extension of Willow and Oxford the east-west connections could be made. Commissioner Ruiz asked if the contractor was required to maintain access to the resident that resides just south of the proposed development. Mr. Huffcutt stated that the contractor would be required to maintain access to the property throughout the construction of the development. Vice Chair Epstein restated her concerns on the flow of traffic throughout the area surrounding the development. She stated that there have been other infill developments built in the city but there is proper access for those developments.

Christian Hampton, 202 Willow St., stated he lives a block away from the proposed development. He moved in a few months ago and fell in love with the neighborhood. He and his wife walk the neighborhood with their daughter and even though there are no sidewalks through the neighborhood they feel safe walking along the streets. He is not outright against the project, he is just concerned that the traffic will make the neighborhood un-walkable. He feels there needs to be access to Dessau.

Danny Selman, 200 Willow St, stated that he was speaking in opposition of the rezoning. He collected signatures from his neighbors in opposition to the project. There were two different petitions. One was in opposition of the project which received 4 signatures, the other stated "I would support the rezoning if the existing streets were not used for construction traffic and were not the only access for the completed project" this one received 22 signatures. He stated that most people he talked to were not opposed to the development just the lack of access to the completed development. As it is proposed right now 100% of the traffic would go down Willow St and he feels that resident and construction traffic would tear up the road. He proposed that the applicant rework the project and bring it back for consideration.

Paul Weitkemper, 497 E Pfluger St., stated he is not against the rezoning and feels the change in use would be great. The lesser zoning would be a great transition from the more intensive uses to the south. He is greatly concerned that there is not access from Dessau Rd.

Nancy Reels, 600 E Pfluger St, is concerned for safety of the neighborhood.

When accidents happen on Pecan St. people shoot through the neighborhood at high rates of speed to avoid the accident already. Her husband directs traffic when it backs up because people get disoriented trying to exit the neighborhood. She feels like there is a lack of planning in respect to the traffic flow.

Deedra Areralo, 611 E Pfluger St, fears she will lose the privacy she has now due to tree removal along the southern border of her property. She stated it is a quiet neighborhood and she doesn't want to lose that.

Diane Anderson, 605 Paul St., said she is against the traffic flow for the project. She wanted to know why there couldn't be access to Dessau Rd. Ms. Anderson inquired about the small triangular piece of property that would give access to Dessau Rd, questioning if it was for sale. She also said it would have been nice to see some kind of plan for the property.

Belinda Beyer, 102 Willow St., stated she owns "one of the two most historic homes in the neighborhood". If this development is allowed she feels the neighborhood will lose its uniqueness. She would like the traffic to be such their neighborhood is their neighborhood and that new residents have access to their homes without going through the existing neighborhood.

Commissioner Ruiz asked Councilman McDonald in the audience what the City Council could do with this item. Could they amend or propose conditions? Ms. Barron stated that the City Council has the same abilities as the Commission. They can either approve or deny the request. No amendments or conditions can be set forth.

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

Vice Chair Epstein spoke about change in the community and that it is their responsibility as "preservers of the future" to ensure that change happens in a responsible way. She said that the rezoning request would be a good thing for the community but the negative impact of the traffic is too great. She stated more thought needed to go into the access for the neighborhood.

Chair Flores stated that the proposed zoning change made a great transition from the more intensive land use. However the new traffic generated from the development needed to have its own access point off Dessau so that new could stay within the new and the old could stay within the old.

Commissioner Ruiz felt that the proposed zoning change would be beneficial. The current zoning allows a more intense use and if the use permitted by right within the district little could be done to stop the development.

Commissioner Ruiz motioned to approve item 4B. Chair Flores seconded the motion. 3 Nay, 1 Yay. Motion failed.

Ms. Barron stated with the motion of disapproval sent forth by the denial of the motion tonight, it will require a supermajority by the City Council to approve the rezoning request. This item will be taken to the July 10th City Council meeting.

Aye: 1- Commissioner Ceasar Ruiz

Nay: 3- Chair Daniel Flores, Commissioner Oscar R. Mitchell and Vice Chair Pat Epstein

At 8:29 Chair Flores called for a five minute recess. The meeting resumed at 8:35 pm.

## 5 Discuss and Consider

**5A**     [2018-6848](#)

Discuss and consider an application for an Architectural Waiver to waive the requirement of the covered rear patio for the alley-loaded products with attached garages in the Carmel development. (ARB1805-01)

Abigail Rose, Planner II presented this item.

Ms. Rose explained why the request was brought forth and the need for the waiver. The current development standards put a constraint on where and how the patio is designed for alley-loaded attached garage products. The patio would not be functional for the homeowner and could cause encroachment issues. Staff does recommend approval of the architectural waiver for the alley-loaded product types with attached garages within the Carmel West development. Commissioner Mitchell asked what the intent on requiring the patio was. Ms. Rose stated that the intent was to have a gathering place within the home. Commissioner Mitchell asked if this issue arose because of the current design of the units or because it fundamentally doesn't make sense given the size and other requirements of the zoning. Ms. Rose stated that it doesn't fundamentally make sense for these lots. Commissioner Mitchell asked how the code could be rewritten. Ms. Barron stated that if this has the potential to be repeated in future developments, a code amendment could be brought forth if the Commission so desires. This waiver will cover the all alley-loaded attached garage product types within the Carmel West Development that currently permitted to be built and future phases not yet permitted.

Vice Chair Epstein motioned to approve item 5A. Commissioner Mitchell seconded the motion. All in favor. Motion carried.

**5B**     [2018-6883](#)

Discuss and consider recommending the future land use plan prepared for the Water and Wastewater Master Plans.

Jessica Vasser from Freese and Nichols, the engineering firm designing the Water and Wastewater Master Plan, presented this item. Ms. Vasser talked about what a Water and Wastewater Master Plan is and why the city has one completed. She stated that tonight the goal was to get the Future Land Use Map approved by the Commission. Ms. Vasser talked about what the Future Land Use Map is and how it helps the city better plan for the future extension of utilities. The acceptance of the Land Use Map by the Commission and the City Council is the first step in completing the Water and Wastewater Master Plans.

Commissioner Mitchell motioned to approved item 5B. Vice Chair Epstein seconded the motion. All in favor. Motion carried.

**5C**     [RES-0520](#)

Discuss and consider recommending approval of the Community Development Block Grant (CDBG) program proposed 2018 Action Plan.

Emily Barron AICP, Planning Director presented this item.

Ms. Barron brought forth the Plan Year 2018 Action Plan for approval. The focus of the 2018 Action Plan is still focused on the roadway projects that have been funded through previous Action Plans and the youth scholarship program that is currently in place. The design and construction of El Malino as well as the design of Bellmeade will all be funded through the 2018 Action Plan. Any unused funds will be rolled in the construction of Bellmeade. Ms. Barron asked for a motion to approve the Action Plan.

Vice Chair Epstein motioned to approve item 5C. Commissioner Ruiz seconded the motion. All in favor. Motion carried.

- 5D**    [2018-6888](#)       Discuss and consider action regarding participation in the Pflugerville Community Development Corporation (PCDC) tour of fast growth communities in the Dallas Metroplex during the fall of 2018.

**Ms. Barron let the Commission know that the Pflugerville Community Development Corporation (PCDC) invited the Planning and Zoning Commission and other elected City Officials and City Staff on a two day trip to the Dallas Metroplex area to tour fast growth communities. Three members of the Commission were invited to attend. Ms. Barron stated that she would reach out to each Commissioner separately and ask if they would like to attend since three Commissioners were absent from the meeting.**

## **6       Future Agenda Items**

**The next regularly scheduled meeting for the Planning and Zoning Commission is August 6, 2018.**

## **7       Adjourn**

**Commissioner Ruiz made a motion to adjourn the meeting. Commissioner Mitchell seconded the motion. All in favor. The meeting was adjourned at 9:29 p.m.**

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

**1.    Respectfully, submitted on this 6th day of August, 2018.**