



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	ORD-0419	<b>Version:</b>	3	<b>Name:</b>	105 3rd Street Rezoning
<b>Type:</b>	Ordinance	<b>Status:</b>	Approved		
<b>File created:</b>	8/14/2018	<b>In control:</b>	Planning and Zoning Commission		
<b>On agenda:</b>	11/13/2018	<b>Final action:</b>			
<b>Title:</b>	Discuss and consider action to approve an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE BASE ZONING DESIGNATION OF THE NORTH 55 FEET OF THE WEST HALF OF LOT 1, BLOCK C PFLUGERVILLE SUBDIVISION, AN APPROXIMATE 5,500 SQ. FT. LOT LOCALLY ADDRESSED AS 105 S. 3rd STREET, LOCATED GENERALLY SOUTHEAST OF THE S. 3rd STREET AND PECAN STREET INTERSECTION FROM SINGLE FAMILY SUBURBAN (SF-S) TO OFFICE (O) DISTRICT; TO BE KNOWN AS THE 105 S. 3rd STREET REZONING (REZ1807-03); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 105 S. 3rd St. Rezoning Ordinance, 2. General Location Map, 3. 105 S. 3rd St. Rezoning Staff Report

Date	Ver.	Action By	Action	Result
11/13/2018	3	City Council	Approved on Second Reading	Pass
10/23/2018	2	City Council	Action taken to close the Public Hearing	Pass
10/23/2018	2	City Council	Approved on First Reading	Pass
10/1/2018	1	Planning and Zoning Commission	Recommended for Adoption	Pass

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The property is located at 105 S. 3rd St., which is generally southeast of the S. 3rd Street and Pecan Street intersection, along the east side of S. 3rd Street. 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 north 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. 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 applicant has proposed to rezone the property from the base zoning district of Single Family Suburban (SF-S) to Office (O) district for purposes of establishing an office at the location.

### **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 that currently exists in the property to the north of the subject 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).

### **Planning and Zoning Commission Action**

On October 1, 2018 the Planning and Zoning Commission conducted a public hearing and recommended approval of the proposed rezoning with a vote of 5-0.

### **City Council Action**

The City Council conducted a public hearing and approved the ordinance on first reading on October 23, 2018 by a vote of 3 to 2. Mayor Pro Tem Peña has a conflict of interest in that he lives within 500 feet of the rezoning and is not allowed to participate in the discussions or vote on the item. Councilmember Rudy Metayer was not in attendance for the item on October 23, 2018. The

ordinance requires a majority vote for approval. A tie vote of 3 to 3 on second reading of the ordinance would result in the failure of the ordinance to pass and therefore denial of the rezoning.

**Supporting documents attached:**

Ordinance

Location Map

Staff Report

**Recommended Action**

Motion to approve the ordinance on second reading as presented, rezoning 105 S. 3rd Street from Suburban (SF-S) to Office (O).