



Legislation Details (With Text)

**File #:** 2015-3087  
**Type:** Ordinance                      **Status:** Passed  
**File created:** 11/16/2015              **In control:** City Council  
**On agenda:** 12/3/2015                      **Final action:** 12/3/2015

**Title:** Consider public testimony regarding, and an ordinance rezoning tracts of land totaling 0.20 acres located at the southeast corner of Pecan Avenue and Circle Avenue from SF-2 (Single Family - Standard Lot) zoning district to the MU-L (Mixed Use Limited) zoning district. (First Reading)\*

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A, 3. Map

Date	Ver.	Action By	Action	Result
12/3/2015	1	City Council	approve	Pass
12/3/2015	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance rezoning tracts of land totaling 0.20 acres located at the southeast corner of Pecan Avenue and Circle Avenue from SF-2 (Single Family - Standard Lot) zoning district to the MU-L (Mixed Use Limited) zoning district. (First Reading)\*

The subject property is surrounded on the east and southeast by MU-L zoning, and the property across the street to the north is zoned MU-2 (Mixed Use Downtown Medium Density), which allows larger buildings and greater density than MU-L. This proposal is consistent with the General Plan, which designates this area as Downtown Mixed Use.

The MU-L district is the least intense of the downtown mixed-use zoning districts. Permitted uses include single family, office, bed and breakfast, and very limited retail sales and services, such as boutique shops and a bakery. Its regulations are tailored for conversions of homes into non-residential uses rather than for new construction, but any new construction must be residential in nature. Setbacks, height restrictions, and architectural requirements mirror a single family zoning district rather than a commercial district. Strict restrictions are put on non-residential uses to prevent adverse impacts to surrounding properties and the neighborhood. As a compatibility measure, new non-residential uses are required to install a masonry fence along property lines that are shared with existing single family uses unless the owner of the single family property objects to it, or if there are other site conditions which render the fence of minimal benefit.

Staff has seen increased interest in local business owners seeking to relocate their offices to this area of downtown, drawn in by the proximity to the downtown core. Recent redevelopment in the MU-L district has been strictly for offices; there are no retail or bed and breakfast establishments. If the rezoning is approved, the current owner will not be forced to change anything. Should they choose to sell the property, the new owner will also not be required to change anything if the use remains single-family residential. A change to office will require site and building modifications as facilitated through the site development and building permit review processes.

This property was left out of the original downtown rezoning initiative in 2013 due to not having frontage on East Main Street, North or South Georgetown Street, or East Liberty Avenue west of Georgetown Street. The properties abutting those roadways were considered the most appropriate for a rezoning due to their relatively high traffic counts. However, staff supports this rezoning proposal given the contiguity with existing MU-L zoning and the increased interest in this particular portion of downtown. A property surrounded on all sides by SF-2 zoning and without frontage on a busy street would not receive the same support.

The Planning and Zoning Commission unanimously recommended approval at its meeting on November 4, 2015.

Staff recommends approval