



## Legislation Details (With Text)

**File #:** 2015-3000

**Type:** Ordinance      **Status:** Passed

**File created:** 10/20/2015      **In control:** City Council

**On agenda:** 11/12/2015      **Final action:** 11/12/2015

**Title:** Consider public testimony regarding, and an ordinance rezoning a 0.26 acre tract of land located at the southwest corner of East Liberty Avenue and North Nelson Street 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, 4. Surrounding Zoning

| Date       | Ver. | Action By    | Action                                     | Result |
|------------|------|--------------|--|--------|
| 11/12/2015 | 1    | City Council | approve                                    | Pass   |
| 11/12/2015 | 1    | City Council | dispense with the second reading and adopt | Pass   |

Consider public testimony regarding, and an ordinance rezoning a 0.26 acre tract of land located at the southwest corner of East Liberty Avenue and North Nelson Street 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 west and south by MU-L zoning, and of the five properties in the block bounded by East Main Street, East Liberty Avenue, North Georgetown Street, and North Nelson Street, it is the only one without MU-L zoning. 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 bakeries. Strict restrictions are put on commercial uses to prevent adverse impacts to surrounding properties and the neighborhood. Design standards require future development to be residential in nature, with setbacks and height restrictions that mirror a single family zoning district rather than a commercial district. 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 that 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 to come into compliance with the MU-L district. They could keep the property as a single family use or convert it to one of the permitted uses.

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. Those road portions were considered 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 deeper in the neighborhood, 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 October 6, 2015.

Staff recommends approval