



## Legislation Details (With Text)

<b>File #:</b>	2016-3781	<b>Status:</b>	Passed
<b>Type:</b>	Ordinance	<b>In control:</b>	City Council
<b>File created:</b>	8/31/2016	<b>Final action:</b>	9/22/2016
<b>On agenda:</b>	9/22/2016		
<b>Title:</b>	Consider public testimony regarding, and an ordinance rezoning 27 properties generally located along East Liberty Avenue and East Austin Avenue east of North Nelson Street from SF-2 (Single-family - standard lot) district to SF-D (Single-family - downtown) district. (First reading)*		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance		

Date	Ver.	Action By	Action	Result
9/22/2016	1	City Council	approve	Pass
9/22/2016	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance rezoning 27 properties generally located along East Liberty Avenue and East Austin Avenue east of North Nelson Street from SF-2 (Single-family - standard lot) district to SF-D (Single-family - downtown) district. (First reading)\*

This item will rezone 27 properties in east downtown from SF-2 (Single-family - standard lot) to the newly created SF-D (Single-family - downtown) district. The SF-2 zoning district is designed for the typical, modern suburban neighborhood, which brings about issues when applied to significantly older portions of the city that have been occupied by homes since before the district existed. These homes are usually built closer to the street than permitted by the SF-2 district, the lots on which they sit are smaller than permitted, and most of them lack garages, making many of them legally non-conforming. This severely hinders a homeowner who might want to expand their home or build a new one.

The SF-D district contains standards to allow these homes and lots to come into conformity and have room for the homeowner to perform desired improvements. The front setback is contextual, meaning new homes or additions to the front of an existing home shall be at a similar depth on the lot as other homes on the same block. The minimum lot size is 4,356 square feet, which is one-tenth of an acre, and is small enough to accommodate every lot in the proposed new zoning district. The SF-D district also contains architectural standards to ensure new construction and renovations are compatible with the existing neighborhood, which has historic character not found in any other single-family zoning district in the city.

Staff has proposed the district to encompass three blocks in the eastern downtown neighborhood. The blocks to the north of the proposed district contain larger lots with relatively newer homes which conform to the SF-2 district and need not be included. A few lots to the northwest are zoned Two-family (TF) and contain duplexes, which are not appropriate for the new SF-D district. The blocks to the west and southwest contain homes zoned SF-2 and one business zoned MU-L (Mixed-Use

Limited); staff is not proposing to rezone those SF-2 lots to SF-D, as they are more suitable for MU-L zoning should the owner seek to be rezoned due to their location adjacent to existing MU-L zoning and proximity to E. Main St. and N. Georgetown St.

The initial impetus for the creation of the district came from the neighborhood itself. The proposed standards and boundaries were formed with the assistance of a neighborhood representative who has since relocated outside the state. All affected property owners were mailed a draft copy of the SF-D zoning district in June for their review and comment. In the time since legal notices were first disseminated around August 5, and including the Planning and Zoning Commission public hearing on August 17, no property owners have come forward to voice support or opposition.

The General Plan designates these lots as “Downtown Mixed-Use” which allows for a variety of residential uses as well as commercial uses. The proposal to rezone the properties to SF-D (Single-family - Downtown) is consistent with the General Plan.

The Planning and Zoning Commission unanimously recommended approval at their meeting on August 17, 2016.

Staff recommends approval.