



Legislation Text

File #: 2017-4687, **Version:** 1

Consider an ordinance rezoning Lot 7 of Egger's Southview Addition, approximately 0.51 acres located on the east side of S. Mays Avenue, from the SF-2 (Single Family - standard lot) zoning district to the C-1 (General Commercial) zoning district. (First Reading)*

The General Plan designates the site as appropriate for commercial uses. The subject tract and the two adjacent lots to the south are the only remaining residentially zoned tracts on the east side of S. Mays between Gattis School Rd. and Logan Street. The adjacent businesses and the traffic volume on N. Mays make these tracts suitable for commercial use. The property contains an existing residential structure, which could be converted to a commercial or office use, or a new commercial structure could be built. The site has frontage on both S. Mays Avenue and Cushing Drive.

The property owner requests a rezoning to the C-1 (General Commercial) zoning district. The staff recommendation is for the C-1a (General Commercial - limited) zoning district, because it prohibits a car sales lot and other land uses which are not desirable at this location. The C-1a district was adopted in 2005 and is the City's most recent general commercial zoning district. It has been used for nearly all newly zoned general commercial properties since its adoption. The C-1a district prohibits certain uses, including: pawn shops, tattoo parlors, self-service storage, manufactured home sales, portable building sales, shooting ranges, truck service or repair, shooting ranges, and sexually oriented businesses. Other uses, vehicle sales, rental or leasing, including boats and campers, are allowed only on property which has IH-35 frontage. When the C-1a district was adopted, the C-1 (General Commercial) district was retained to avoid the need to rezone the many existing properties already zoned as C-1 and to prevent the creation of numerous non-conforming uses. Many properties in the City are zoned as C-1, including properties surrounding the subject site.

Staff considers this site inappropriate for the C-1 district because of its location on Mays Avenue, a gateway to downtown Round Rock. Two similar properties on Mays Avenue have been rezoned from SF-2 to C-1a and a larger tract on the west side of Mays Avenue near the intersection with Logan Street were also zoned as C-1a for this reason. In addition, all properties on which general commercial zoning has been requested over the last five years have been designated for the C-1a district. The C-1a district has also been used as the basis for general commercial uses in all PUDs (Planned Unit Developments) approved in the same period.

The applicant initially requested C-1a zoning for the property, but following a recommendation from the Planning and Zoning Commission for C-1a, changed his mind and asked for consideration of the C-1 zoning district instead. During his testimony at the public hearings, he acknowledged having already used the property for the display of cars for sale, despite this being a violation of the zoning code.

The Planning and Zoning Commission voted 4-3 to recommend approval of the rezoning to C-1 (General Commercial) at their meeting on July 19, 2017, against the recommendation of staff.

Recommendation: Staff continues to recommend denial of the rezoning to C-1 (General Commercial).