



Planning and Zoning Commission

Planning Department Staff Report

Report Date: August 30, 2019
Case No: 2019-10-REZ
Project Planner: Chelsea Irby, Senior Planner

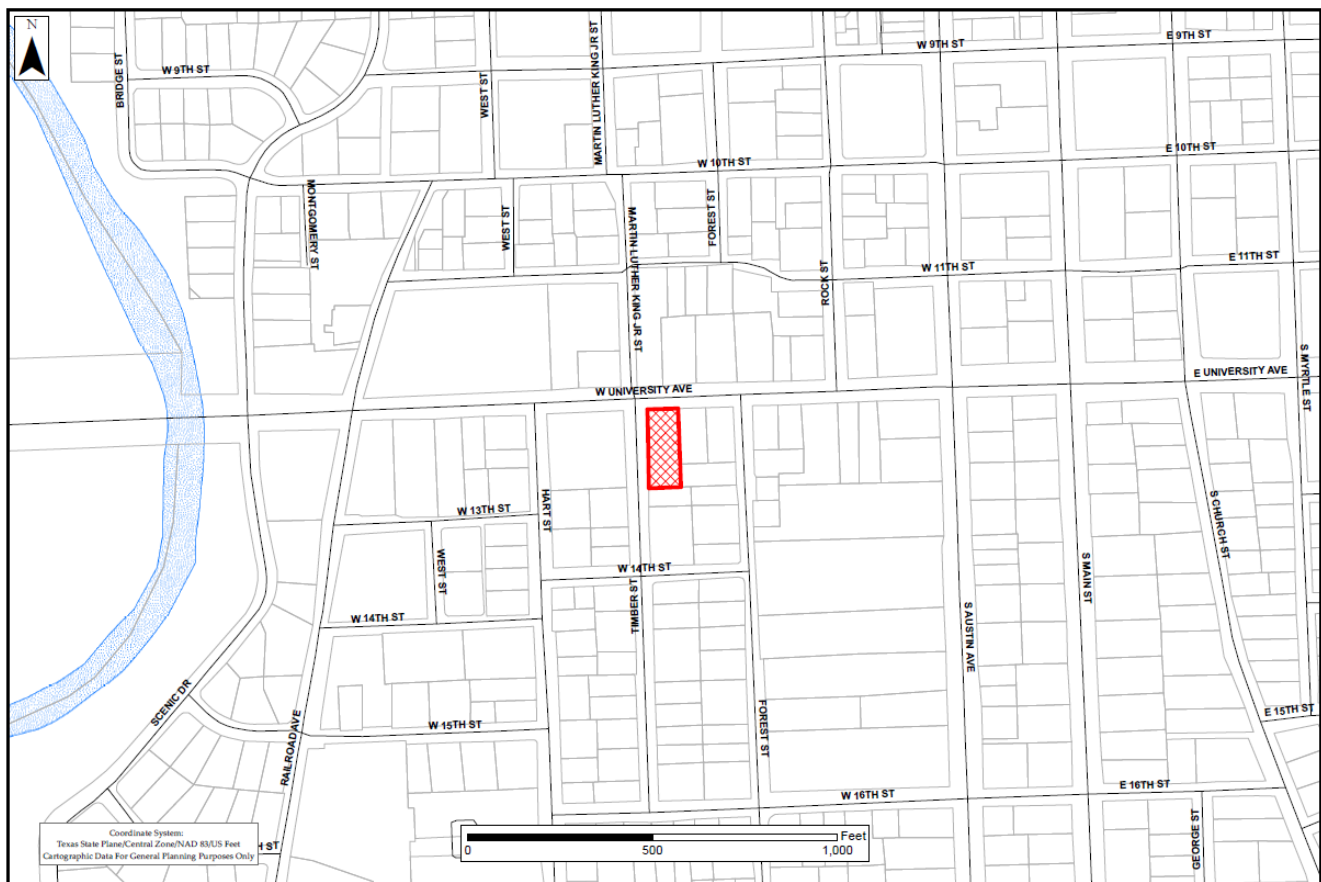
Item Details

Project Name: 408 W University Rezoning
Project Location: 408 W University Avenue, within City Council district No. 1.
Total Acreage: 0.44
Legal Description: Block G (W/PT) of the Dalrymple Addition, 0.44 acres

Applicant: Lee McIntosh
Property Owner: Lee McIntosh

Request: Zoning Map Amendment to rezone the subject property from **Residential Single-Family (RS)** to **Local Commercial (C-1)**.

Case History: This is the first public hearing of this request.



Location Map

Planning Department Staff Report

Overview of Applicant's Request

The applicant is requesting to rezone the property located at 408 W University from Residential Single-Family (RS) to Local Commercial (C-1). The applicant intends to restore the historic structure on the site to allow for additional commercial business along the University Avenue corridor.

Site Information

Location:

The subject property is located at the southeast corner of W University Avenue and Timber Street, west of the University Avenue and Austin Avenue intersection. Until the applicant recently purchased the property, it was used as a private residence. It is currently vacant.

Physical and Natural Features:

The subject property has minimal natural features and is generally flat. There is some tree cover.

Future Land Use and Zoning Designations:

The subject property has an existing Future Land Use designation of Specialty Mixed Use Area and is currently zoned Residential Single-Family (RS). The subject property is also in the Downtown Overlay (Area 2).

Surrounding Properties:

The surrounding area is a mix of non-residential and residential. This area is a transitional area into the Downtown area and is in the Downtown Overlay District (South Character Area). There are many houses that have been converted to non-residential uses in this area along the University Avenue corridor.

The current zoning, Future Land Use designation, and existing uses of the adjacent properties to the north, south, east and west are outlined in the table below:

| DIRECTION | ZONING DISTRICT | FUTURE LAND USE | EXISTING USE |
|--|--|---------------------------------------|----------------|
| North (across University Ave.) | Mixed Use Downtown (MU-DT) | Specialty Mixed Use Area (SMUA) | Office/Parking |
| South | Residential Single-Family (RS). The property owner has an application requesting Neighborhood Commercial (CN). | Moderate Density Residential (MDR) | Residential |
| East | MU-DT | SMUA | Office |
| West (across Timber Street) | Local Commercial (C-1) | MDR | Automotive |



Property History:

No notable property history.

Comprehensive Plan Guidance

Future Land Use Map:

The Specialty Mixed-Use Area designation accommodates large-scale mixed-use developments that are mostly commercial and usually near intense regional commercial uses and the I-35 corridor. This category encourages the creation of well planned “centers” designed to integrate a variety of complementary uses, with an emphasis on retail, offices, and entertainment activities. These centers may also include civic facilities and parks or other green spaces. Housing, in the form of apartments, townhomes, condominiums, and live-work spaces, is also encouraged in these mixed-use areas, generally in higher densities. These areas should be designed in a pattern of pedestrian-oriented, storefront-style shopping streets, with shared parking and strong pedestrian linkages to the surrounding areas.

Growth Tier:

Tier 1A is that portion of the city where infrastructure systems are in place, or can be economically provided, and where the bulk of the city’s growth should be guided over the near term. Within Tier

Planning Department Staff Report

1A, the city is called on to conduct assessments of public facility conditions and capacities, and to prioritize short and long term capital investments so as to ensure that infrastructure capacity is sufficient to serve development intensities as indicated on the Future Land Use Map and in the zoning districts.

Downtown Master Plan:

The area south of the downtown core along Austin Avenue and University Avenue is an important “service” area for the primary retail and entertainment focus of the Downtown Core. Today, it contains many buildings that have a strip commercial character, but in the future it should be more urban in character, with buildings constructed to the street edge and continuous sidewalks accommodating pedestrian activity.

University Avenue is a major point of access into the downtown and the historic Old Town neighborhood from the interstate. It does not provide, however, a strong image for the downtown experience. It is not pedestrian-friendly. This southern portion of Austin Avenue has followed this auto-dominated pattern. Sidewalks are lacking with the exception of the new retail center on the northeast corner of University and Austin. New sidewalk upgrades have occurred along Main Street in this area, which has helped elevate the character and identity of this area. This area includes a mix of traditional commercial storefronts, transitional business uses and residential structures that have been converted to commercial uses. Other houses remain residential in use. A recent adaptive use project, the conversion of Wesleyan Retirement Center to office space, has demonstrated the potential for larger companies to locate in the downtown when adequate space is available. At the same time, more services are needed in this area to cater to this employment base.

RECOMMENDED PROJECTS

- Mixed-use buildings with retail on the ground floor along Austin Avenue
- Restaurants
- Multifamily housing
- Professional offices, including startup incubator space
- Neighborhood-based services, including day care
- Neighborhood parks
- Improved sidewalks, streetscapes and landscaping

Utilities

The subject property is located within the City’s service area for water, wastewater, and electric. It is anticipated that there is adequate capacity to serve the subject property at this time. A Utility Evaluation may be required at time of Site Development Plan to determine capacity and any necessary utility improvements.

Transportation

The subject property is along University Avenue, which is a Major Arterial roadway. Arterial streets provide traffic movement through and between different areas within the city and access to adjacent land uses. Access is more controllable because driveway spacing requirements are much greater and, if safety dictates, overall access can be limited to specific turning movements. Major Arterials connect

Planning Department Staff Report

major traffic generators and land use concentrations and serve much larger traffic volumes over greater distances.

A Traffic Impact Analysis (TIA) will be required at time of Site Development Plan for any development that generates more than two thousand (2,000) average daily trips based upon the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

Proposed Zoning district

The Local Commercial (C-1) district is intended to provide areas for commercial and retail activities that primarily serve residential areas. Uses should have pedestrian access to adjacent and nearby residential areas, but are not appropriate along residential streets or residential collectors. The district is more appropriate along major and minor thoroughfares and corridors.

Permitted uses in this district include, but are not limited to, assisted living, financial centers, food catering services, general retail and office, and library and museums. Other uses such as bar/tavern/pun, car wash, church, and fuel sales are permitted subject to specific design limitations. Certain land uses, including event facilities, event market, and restricted personal services, require a Special Use Permit (SUP). Exhibit 4 contains a comprehensive list of C-1 district permitted uses and development standards.

Intergovernmental and Interdepartmental Review

The proposed rezoning request was reviewed by all applicable City Departments to determine the appropriateness of the requested zoning on the subject property. No comments were issued regarding the zoning request.

Approval Criteria

Staff has reviewed the request in accordance with the Unified Development Code (UDC) and other applicable codes. Staff has determined that the **proposed request complies with 5 of the 5 established in UDC 3.06.030 for a Rezoning**, as outlined in the attached Staff Report.

| REZONING APPROVAL CRITERIA | FINDINGS | STAFF COMMENTS |
|---|-----------------|---|
| 1. The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action. | Complies | An application must provide the necessary information to review and make a knowledgeable decision in order for staff to schedule an application for consideration by the Planning and Zoning Commission and City Council. This application was reviewed by staff and deemed to be complete. |
| 2. The zoning change is consistent with the Comprehensive Plan. | Complies | The request for Local Commercial (C-1) is consistent with the Specialty Mixed Use Area Future |

Planning Department Staff Report

| REZONING APPROVAL CRITERIA | FINDINGS | STAFF COMMENTS |
|---|-----------------|--|
| | | <p>Land Use designation.</p> <p>The Specialty Mixed Use Area is described in the Comprehensive Plan as also applying to Downtown Georgetown. It emphasizes urban character and a mix of uses that are tailored to the character of the area. It promotes a mix of commercial, entertainment, residential, and civic uses.</p> <p>The C-1 district allows commercial, entertainment, and civic uses.</p> |
| 3. The zoning change promotes the health, safety or general welfare of the City and the safe orderly, and healthful development of the City. | Complies | <p>The current residential zoning designation of the property is not suitable because of the frontage along a Major Arterial roadway. The Local Commercial (C-1) district creates orderly development along the University Avenue corridor.</p> |
| 4. The zoning change is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood. | Complies | <p>The surrounding properties are zoned Local Commercial (C-1) and Mixed Use Downtown (MU-DT). There are two residentially zoned properties to the south and east. The property to the south (1217 Timber) has submitted a rezoning request for Neighborhood Commercial (CN).</p> <p>C-1 zoning is appropriate in this location given the frontage on a Major Arterial and the limited residential adjacency. The UDC contains setback and buffering standards what would minimize any impact to the residential property to the east. Additionally, the residential property to the east is adjacent at the rear of the subject property. Given site development requirements, it is unlikely that there would be structures adjacent</p> |

Planning Department Staff Report

| REZONING APPROVAL CRITERIA | FINDINGS | STAFF COMMENTS |
|---|-----------------|---|
| | | to the residential property. Required parking for non-residential uses would need to be installed and would be on the southern portion of the property because of the existing driveway. The impervious cover limitation would also limit the addition of new structures. |
| 5. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment. | Complies | The subject property is 0.44 acres and has suitable area to accommodate the allowed uses of the C-1 district. The C-1 district contains a floor-to-area ratio requirements that limit the size of any future buildings. The subject property has land area to accommodate parking, setbacks, and bufferyards. |

Overall, the property is more suitable as a non-residential use because of the location along the University Avenue corridor. The Local Commercial (C-1) is suitable with the surrounding zoning and would allow the types of uses encouraged in the Downtown South Character Area.

Meetings Schedule

9/3/2019 – Planning and Zoning Commission
9/24/2019 – City Council First Reading of the Ordinance
10/10/2019 – City Council Second Reading of the Ordinance

Public Notification

As required by the Unified Development Code, all property owners within a 300-foot radius of the subject property and within the subdivision were notified of the Zoning Map Amendment request (37 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper (August 18, 2019) and signs were posted on-site. To date, staff has received zero (0) written comments in favor, and zero (0) in opposition to the request.

Attachments

Exhibit 1 – Location Map
Exhibit 2 – Future Land Use Map
Exhibit 3 – Zoning Map
Exhibit 4 – Design and development standards of the C-1 district
Exhibit 5 – Letter of Intent