



Planning and Zoning Commission Planning Department Staff Report

Report Date: September 3, 2021
Case No: 2021-19-REZ
Project Planner: Britin Bostick, Downtown & Historic Planner

Item Details

Project Name: 704 Martin Luther King, Jr. Rezoning
Project Location: 704 Martin Luther King Jr. Street, within City Council district No. 6.
Total Acreage: 0.17 acre
Legal Description: Lot 5, Block M, South San Gabriel Urban Renewal Addition
Applicant: 704 MLK, LLC, c/o Lucas Wilson
Property Owner: 704 MLK, LLC, c/o Lucas Wilson
Request: Zoning Map Amendment to rezone the subject property from **General Commercial (C-3)** to **Residential Single-Family (RS)**.
Case History: This is the first public hearing of this request.



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Overview of Applicant's Request

The applicant is requesting to rezone the subject property from the current General Commercial (C-3) zoning district to the Residential Single-Family (RS) zoning district so that the property might be used in the future as a single-family residence. The property is currently used as a law office, and the structure in which the law office is located is a single-family residential structure.

Site Information

Location:

The subject property is located in the block directly north of City Hall and northwest of the Georgetown Public Library.

Physical and Natural Features:

The subject property lacks distinctive physical or natural features and has a contemporary residential-style structure with a concrete parking area for the current office use. It is located directly across Martin Luther King Jr. Street from a public parking lot that is within the Downtown Overlay District.

Future Land Use and Zoning Designations:

The subject property has a Mixed Density Neighborhood future land use designation and is currently zoned General Commercial (C-3). It is also located in the Courthouse View Overlay.

Surrounding Properties:

The subject property is located on the east edge of the neighborhood known as the Track-Ridge-Grasshopper or TRG neighborhood. It faces Martin Luther King Jr. Street, which transitions the primarily Mixed-Use Downtown (MU-DT) zoning of the Downtown Overlay District to the primarily Residential Single-Family (RS) zoning of the TRG neighborhood. The TRG neighborhood underwent an urban renewal project in the 1960s and 1970s that resulted in a large portion of the existing neighborhood structures being replaced by single-family homes constructed of similar sizes, styles and materials. Surrounding properties include single-family residential structures and uses, a small church to the north, and the City Hall campus to the south and east. The TRG neighborhood is currently undergoing a Small Area Planning process, which includes recognition of the historic and cultural assets of the neighborhood, review of land use and transportation plans that affect the neighborhood, and stakeholder engagement regarding future goals and strategies for the neighborhood.

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	RS	Mixed Density Neighborhood	Single-Family Residential/Church
East	MU-DT	Special Area	Public Parking Lot
South	MU-DT	Special Area	City Hall Campus
West	RS	Mixed Density Neighborhood	Single-Family Residential



Property History:

A photo taken from the historic Williamson County Courthouse c. 1878 provides a glimpse of the TRG neighborhood shortly after the railroad spur was constructed. The subject property is in a portion of the neighborhood that has been identified as the south part of The Ridge, a historically African American neighborhood developed after the end of the Civil War. Visible in the c. 1878 photo is the St. Paul United Methodist Church, whose congregation is now in their third building on the same site, on a block now shared with the subject property. The subject property was originally part of Block 44 of the City of Georgetown, which the Sanborn Fire Insurance Map from 1889 shows to have been largely vacant with a few small wood frame structures on the north and south parts of the block noted as “Negro Tents” and a small stone structure on the southeast corner of the block.

By 1894 the south half of the block was the location of the Griffith Lumber Co’s Yard. C. S. Griffith was a notable local builder and contemporary of famed local builder Charles Belford. Griffith constructed many homes in the Old Town neighborhood of Georgetown as well as the former Odd Fellows Lodge at the corner of Main & 7th Streets and served as president of the Georgetown Building & Loan Association for nearly two decades. Block 44 saw an expansion of Griffith’s lumber yard as well as the dwellings of African America residents through the turn of the 20th century, and the 1905 Sanborn Map shows a small “lunch” restaurant located approximately on the subject property. The removal of the restaurant and development of both the lumber yard and houses continued on the block through 1940, and by that year the lumber yard had been sold to William Cameron and the subject property remained vacant.



The 1964 aerial photo of Georgetown (above) shows Block 44 prior to the initiation of the South San Gabriel Urban Renewal project in 1968. The photo shows a large warehouse structure on the southeast quarter of the block surrounded by small homes, including a long, narrow house on the subject property. The Urban Renewal Plan from 1968 called for a redevelopment of the block as RL Residential, and Lots 1-5 in Block M of the South San Gabriel Urban Renewal Addition were platted in 1971. The plat imposed "...the restrictions, covenants, conditions and limitations as set out in the Urban Renewal Plan dated February 13, 1968 recorded in Vol. 507, Page 421, Deed Records of Williamson County, Texas to which reference is here made for a further description of the same and which restrictions, covenants, conditions and limitations are made a part hereof as though set out in full herein." However, a rezoning of the subject property, which had been all or part of Lot 2 of Block 44, City of Georgetown, as well as Lots 3-7 (in whole or part) of the same Block 44 had been rezoned from R. S. Single-Family District to C-2-A Commercial, First Height District in 1970. Despite the Urban Renewal Plan's designation for residential and the confirmation of that designation in the 1971 plat of the property, the commercial zoning remained and became the C-3 General Commercial district in the District Name Changes referenced in UDC Table 1.04.040.

By 1974 the rest of Block M had been platted and Lots 1-5 had been redeveloped with several new single-family residential structures, one of which was on the subject property. At least five of the Urban Renewal structures remain on the block, primarily the four facing W. 8th Street. The current structure on the subject property was constructed around 2004.

Comprehensive Plan Guidance

Future Land Use Map:

Mixed-Density Neighborhood (MDN)

This category includes a blend of single-family and medium-density housing types. Medium density housing options are consistent with and complementary to the traditional single-family neighborhood with emphasis on connectivity and access to neighborhood amenities including schools and parks. Development standards for medium density housing and any nonresidential uses are in place to ensure compatibility through increased setbacks for taller buildings, architectural designs that are consistent with the neighborhood, location of more intense uses and development nearer to the edge of developments, and enhanced landscaping. Additionally, any non-residential uses are located primarily at arterials and other major roadway intersections and include appropriate buffering and pedestrian orientation to support the surrounding residents.

DUA: 5.1-14.0

Target Ratio: 80% residential, 20% nonresidential

Primary Use: Variety of single-family home types (detached, duplex, townhome)

Secondary Uses: Limited neighborhood-serving retail, office, institutional, and civic uses

The Mixed-Density Neighborhood designation has been applied to the majority of the TRG neighborhood north of University Avenue because this historic residential area does have a mix of home types and limited, neighborhood-scale commercial development, although the primary residential type is single-family homes. Although churches and small commercial sites are interspersed within the neighborhood, non-residential areas are primarily located along W. University Avenue and across Martin Luther King Jr. Street in the Downtown Overlay District. Civic uses and properties border the TRG neighborhood along the east edge and include City Hall and Council Chambers, the Historic Light & Water Works Building, the Georgetown Public Library, public parking lots, and the Williamson County Justice Complex. The Future Land Use Map's Mixed-Density Neighborhood in which the subject property is located comprises approximately 70 acres of primarily residential use, with a percentage of residential uses close to the target ratio of 80% residential and 20% nonresidential. As the subject property's size is approximately 0.17 acres, however, the proposed zoning change's impact to the target ratio is minimal – 0.2%.

Other Master Plans:

The 1968 Urban Renewal Plan identified the subject property and surroundings for RL Residential use, which was limited to single-family and duplex dwellings, churches, schools and public uses.

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.

Transportation

The subject property is located on Martin Luther King Jr. Street and two blocks east of Scenic Drive, providing access to an existing collector street to access W. University Avenue, a major arterial street. The property is also located three blocks west of S. Austin Avenue, another collector providing access

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to major arterial streets. Arterial streets provide traffic movement through and between different areas within the city and access to adjacent land uses. Major Arterials connect major traffic generators, land use concentrations, and serve much larger traffic volumes over greater distances.

Proposed Zoning district

Residential Single-Family (RS)

The Residential Single-Family (RS) zoning district allows for medium density and its minimum lot size is 5,500 square feet. The RS district contains standards for development that maintain single-family neighborhood characteristics. The RS district may be located within proximity of neighborhood-friendly commercial and public services and protected from incompatible uses. All housing types in the RS district shall use the lot, dimensional and design standards of the district.

Permitted land uses within the district include detached single-family homes and group homes with 6 or less residents. Attached single-family homes, churches, family home day care, and schools among other uses are permitted subject to specific design limitations to ensure compatibility with the surrounding properties. Other uses such as accessory dwelling units, bed and breakfast, group day care, general office and other similar uses may be permitted subject to approval of a Special Use Permit (SUP). Exhibit 4 contains a comprehensive list of RS 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 proposed rezoning request and has found that it complies with the criteria established in UDC Section 3.06.030 for a Zoning Map Amendment, as outlined below:

ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA	
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 Mixed Density Neighborhood designation characterizes a blend of primarily single-family and medium density housing types with neighborhood-serving commercial and access to neighborhood-serving amenities. The proposed zoning change would provide a density of 4.76 dwelling units per acre for Block M, which is just below the target dwelling unit density range of 5.1-14.0 units per acre. The Future Land Use designation of Mixed-Density Neighborhood allows a ratio of non-residential uses up to 20% of the neighborhood area, and the proposed change would not represent a significant shift in the use ratio; however, the proposed change is more compatible	

ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA

with the surrounding uses than is the existing zoning. The requested change is consistent with Land Use Policy #6 of the Land Use element of the Comprehensive Plan, which calls for promoting diversification of uses while strengthening the historic character and supporting the existing historic neighborhoods. Land uses are also proposed to provide a transition of use intensities, which can be separated by natural features such as rivers and topography or man-made features such as streets, roadways and parks. The addition or retention of commercial uses closer to intersections of arterial streets and existing commercial nodes could potentially benefit the TRG neighborhood, but given the context and the history of the subject property as a mid-block lot in a primarily single-family residential block developed as such, the proposed zoning change is consistent with the goals of the Comprehensive Plan.

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

The proposed zoning change would promote the health, safety and welfare of the City by creating a requirement for future uses and development of the property to be more compatible with surrounding properties and with the TRG neighborhood, which are primarily residential in character.

Martin Luther King Jr. Street is categorized as a Minor Collector and separates the Downtown Overlay District from the TRG neighborhood. The function of collector streets is to balance traffic between arterial streets (Scenic Drive and Austin Avenue, for example) and local streets and to provide access between neighborhoods, parks, schools, retail areas and the arterial street system. In this case the street acts as a division between the primarily commercial Downtown and the primarily residential TRG neighborhood. Although the public parking lots to the east of the subject property across Martin Luther King Jr. Street are a low-intensity use, the zoning of those properties to the east of the subject property, Mixed-Use Downtown (MU-DT), is a zoning district that allows for a mix of uses that range from single-family residential to offices, services and restaurants. The General Commercial (C-3) zoning currently applied to the property is a zoning district that permits more intense uses than either the RS or the MU-DT zoning district and does not promote an orderly transition of uses. The best order of intensity of uses is most effectively promoted by either: (a) changing the zoning of the subject property to a district which permits uses providing for an orderly transition of use intensity from the Downtown to the existing single-family uses in the TRG neighborhood, such as Office (OF); or, (b) to a district that is consistent and compatible with neighborhood character and surrounding properties. As the applicant's goals are to use the property as a single-family residence, which is not permitted in the OF zoning district, the more compatible zoning district for surrounding character and uses as a transition to the Downtown and MU-DT zoning is the RS zoning requested.

4. The zoning change is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.

Complies

The proposed zoning change to Residential Single-Family is compatible with the existing residential zoning of 61.4% the block on which the subject property is located and is compatible with 100% of the present uses of properties within the same block. Although presently five properties, including the subject property, are zoned General Commercial (C-3) and two properties

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ZONING MAP AMENDMENT (REZONING) APPROVAL CRITERIA

are zoned High-Density Multi-family (MF-2), the current use of properties within the block is largely residential, with the exception of St. Paul's United Methodist Church, a historic church congregation that has been in the present location since prior to 1878.

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 has a single-family residential structure used as an office that could be used as a residence in conformance with the uses permitted by the proposed district. Additionally, the property could meet the development standards of the RS zoning district through either future development or alterations to the site, specifically the removal of the concrete parking lot currently required to meet the commercial district zoning standards.

In summary, although the subject property was adjacent to a site that was used for several decades beginning in 1894 as a lumber mill and yard, and the zoning since 1970 has been commercial zoning, the Urban Renewal Plan and the Future Land Use Element of the City's Comprehensive Plan have all identified the subject property and its immediate surroundings for residential uses and development types, and the request to rezone the property from C-3 to RS is compatible with those adopted policies.

Meetings Schedule

September 7, 2021 – Planning and Zoning Commission

September 28, 2021 – City Council First Reading of the Ordinance

October 12, 2021 – City Council Second Reading of the Ordinance

Public Notification

As required by the Unified Development Code, all property owners and registered neighborhood associations within a 300-foot radius of the subject property were notified of the Zoning Map Amendment request (27 notices), a legal notice advertising the public hearing was placed in the Sun Newspaper on August 22, 2021 and signs were posted on-site. To date, staff has received 0 written comments in favor, and 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 RS Zoning District

Exhibit 5 – Letter of Intent