



City Council Planning Department Staff Report

City Council Meeting: September 6, 2021

Project No: ZA2022-0004

Project Planner: Tory Carpenter, AICP - Senior Planner

Item Details

Project Name: Van Merkel Property

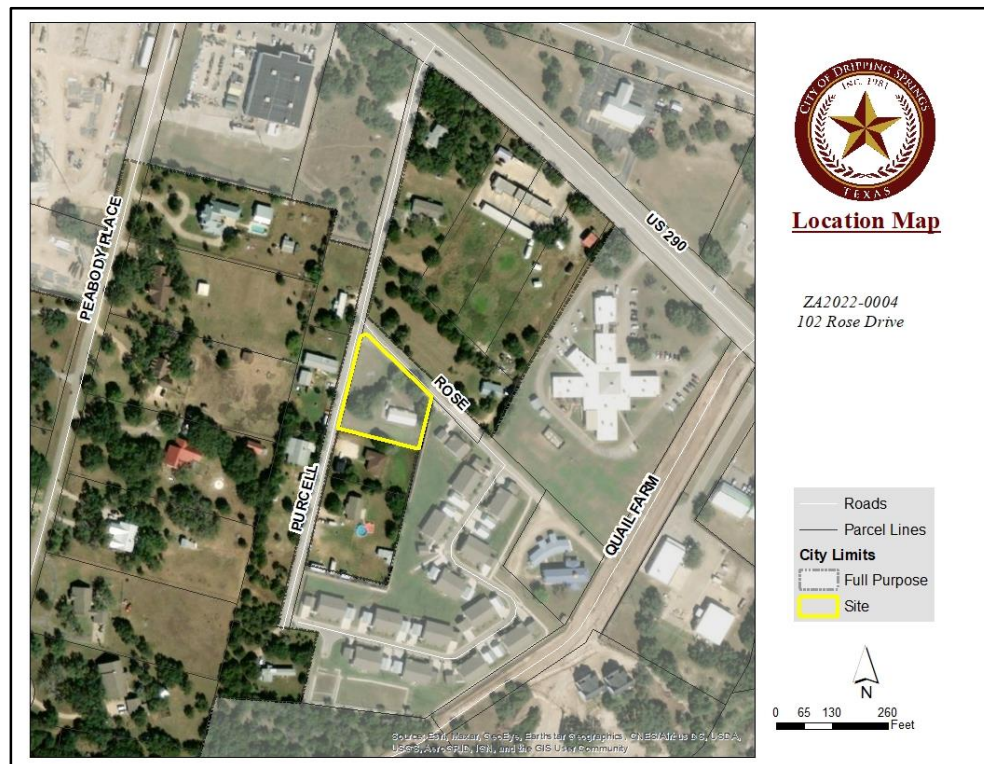
Property Location: 102 Rose Drive

Legal Description: Lot 1 Block 1 Van Merkel Addition

Applicant: Jon Thompson

Property Owner: Van Merkel, LLC

Request: A zoning map amendment from SF-4 Two-Family Residential – Duplex zone to MF Multiple Family with a conditional overlay



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Background

The property is currently zoned SF-4, Two-Family Residential- Duplex.

Per Ch. 30 Exhibit A, §3.5-3.6

- **SF-4 Two-family residential – Duplex:** The SF-4, two-family residential district is intended to provide for development of detached, two-family residence structures on moderate size lots of at least 10,000 square feet in size.
- **MF Multiple Family Residential:** The MF, multiple-family residential district is an attached residential district intended to provide the highest residential density, that being of 24 dwelling units per acre. The principal permitted land uses will include low-rise apartment dwellings and garden homes. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and may serve as a buffer between low or medium density residential development and nonresidential development or high-traffic roadways.

The applicant is requesting this zoning amending to construct a total of six residential units in three separate buildings on the property. Since more than two units will be on a single property, the use is considered “multifamily” which is not allowed in SF-4.

The property was annex and zoned SF-4 in 2020. The supplemental materials provided with the application at that time indicated the applicant’s intentions to construct six units on the property.

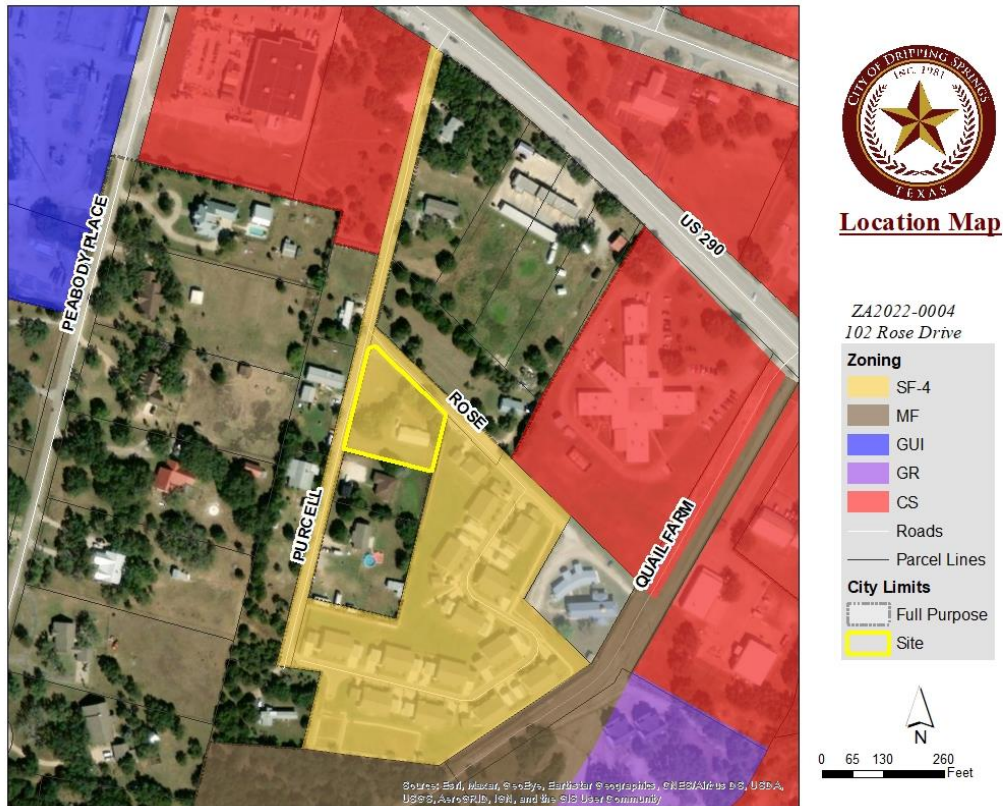
At their meeting on August 23, 2022 the Planning & Zoning Commission voted unanimously to recommend approval of the zoning amendment and conditional overlay.

Analysis

Based on the adjacent zoning category and land uses, staff finds that the proposed zoning with the conditional overlay is compatible within the area.

	SF-4	MF Conditional Overlay	Differences between SF-4 to Overlay
Units / Acre	8.7	6	2.7 units / acre less
Max Height	2.5 stories / 40 feet	1 story	1.5 stories
Min. Lot Size	10,000-sq-ft	20,000-sq-ft	10,000-sq-ft
Min. Lot Width	70 feet	60 feet	10 feet less
Min. Lot Depth	100 feet	N/A	N/A
Min. Front/Side/Rear Yard Setbacks	20 feet / 10 feet / 20 feet	20 feet / 15 feet / 25 feet	Same / 5 feet / 5 feet more
Impervious Cover	50%	60%	10% more

Surrounding Properties



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

Direction	Zoning District	Existing Use	Future Land Use
North	ETJ	Single-family	Medium Density Residential
East	MF-4	Duplexes	
South	ETJ	Single-family	
West	ETJ	Single-family	

Approval Criteria for Zoning Amendment (Chapter 30 Zoning, Exhibit A, Sec 2.28.1 and 2.28.2)

2.28.2 The Planning & Zoning Commission and the City Council shall consider the following factors:

Factors	Staff Comments
1. whether the proposed change will be appropriate in the immediate area concerned;	The proposed change from SF-4 to MF with a Conditional Overlay is an appropriate change. The Conditional Overlay allows duplexes consistent with other duplexes on Rose Drive.
2. their relationship to the general area and the City as a whole;	Staff worked with the applicant to provide a conditional overlay that complemented the area and the City as a whole.
3. whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;	The tracts are not within any existing or proposed City Plans.
4. the amount of undeveloped land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such undeveloped land unavailable for development;	This rezoning will not impact any undeveloped land in the vicinity with the same zoning district.
5. the recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	Moderately/High Dense residential developments are at an influx within the City of Dripping Springs.
6. how other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	No areas designated for similar development will be affected by this proposed amendment.
7. whether the proposed change treats the subject parcel of land in a manner which is significantly different from decisions made involving other, similarly situated parcels; and	The proposed change does not treat the subject tracts of land in a manner which is significantly different from decisions made involving other, similarly situated parcels.
8. any other factors which will substantially affect the public health, safety, morals, or general welfare.	The rezoning does not affect the public health, safety, morals, or general welfare.

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Staff Recommendation

Staff recommends approval of the rezoning request with the proposed Conditional Overlay.

Planning and Zoning action:

2.35.1 Every application or proposal which is recommended for approval or approval with conditions by the P&Z shall be automatically forwarded, along with the P&Z's recommendation, to the city council for setting and holding of public hearing thereon following appropriate public hearing notification, as prescribed in subsection 2.32. The city council may then approve the request, approve it with conditions, or disapprove it by a simple majority vote of the city council members present and voting, except where super majority is required as listed below.

2.36.1 After a public hearing is held before the city council regarding the zoning application, the city council may:

(a) Approve the request in whole or in part;

(b) Deny the request in whole or in part;

(c) Continue the application to a future meeting, specifically citing the city council meeting to which it was continued; or

(d) Refer the application back to the P&Z for further study.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the-site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the zoning map amendment. To date, no letters for or against the request have been received.

Attachments

Exhibit 1 – Zoning Map Amendment Application

Recommended Action:	Approval of the requested zoning map amendment.
Alternatives/Options:	Denial of the zoning map amendment or return to the Planning & Zoning Commission
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A
Comprehensive Plan Goal:	Livability /Quality of Life Support Housing Options in Dripping Springs