



Planning and Zoning Commission Meeting Planning Department Staff Report

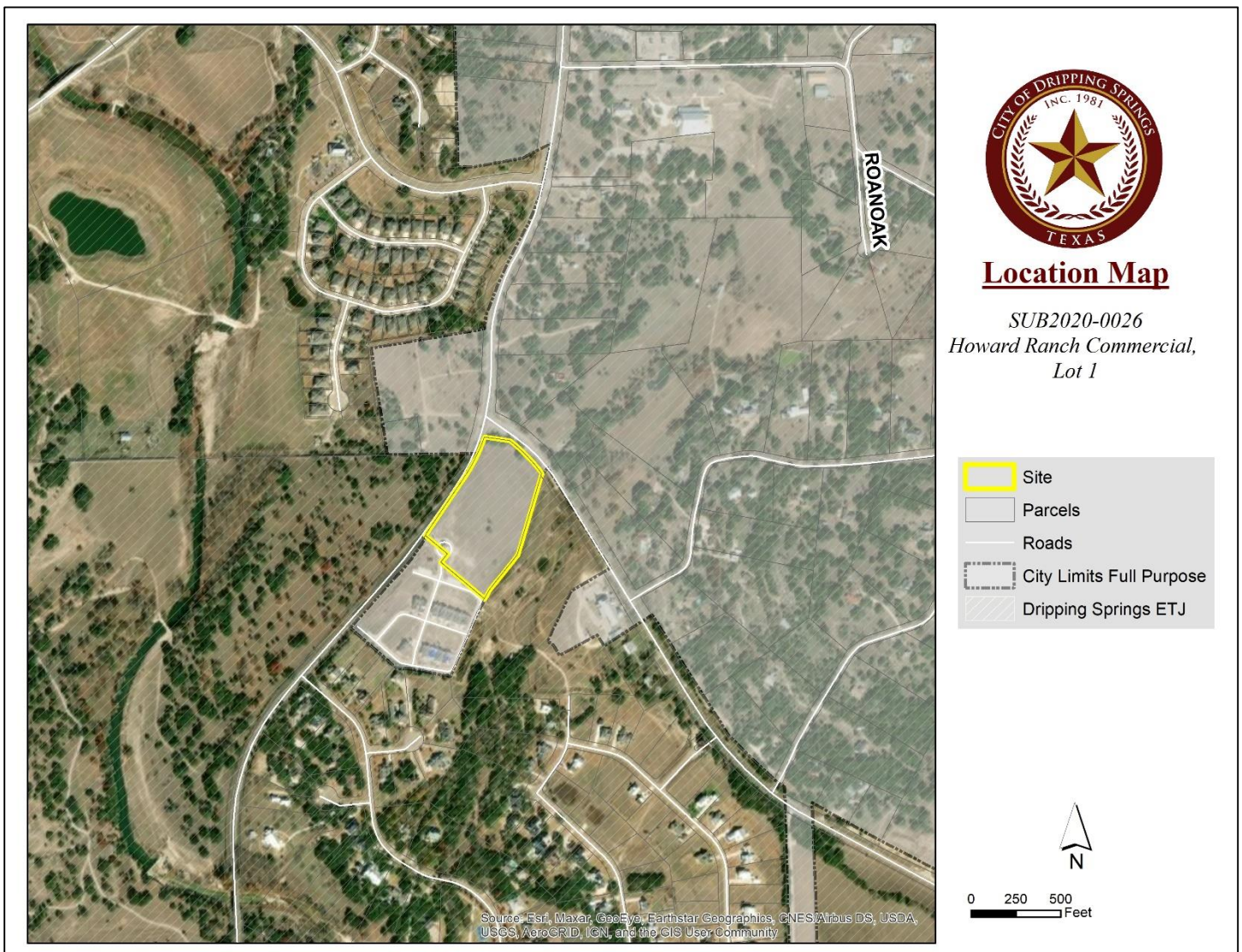
Planning and Zoning Commission Meeting: November 18, 2020
Project Number: SUB2020-0026
Project Planner: Amanda Padilla, Senior Planner

Item Details

Project Name: Howard Ranch Commercial Replat with Vacation
Property Location: South of the intersection of Ranch Road 12 and Farm-to-Market 150
Legal Description: Howard Ranch Commercial Lot 1, Acres 7.5
Applicant: Bill Couch, CBD, INC
Property Owner: Howard Land and Cattle Company
Request: Applicant is asking to Replat with a vacation the subdivision Howard Ranch Commercial.

Staff Recommendation

Staff Recommends denial of the replat with a vacation of the Howard Ranch Commercial Subdivision



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Overview

The applicant is requesting to Replat with a Vacation the Howard Ranch Commercial Subdivision, Lot 1. The applicant is vacating a Plat note and a plat restriction. The subdivision is a single lot subdivision that had previously been administratively approved as a minor plat in 2018.

The subject property was annexed into the City Limits at the July 9, 2013 City Council Meeting (Ord No.1803.72). The property was rezoned to Commercial Services in May 2020. The lot currently has a site development permit for a Convenience Store with gas sales, retail structures, and live/work structures. The site development plan is requesting a driveway to be located on Farm-to-Market 150. The Current plat for Howard Ranch Commercial contains a plat note that restricts any additional driveways.

The purpose for the plat vacation is to remove a note and a restriction. The plat note that the applicant is vacating is note # 20 of the original plat that states:

“No other driveway access is allowed from state roads except as allowed in the access easement on the face of the plat.”

The second restriction is for a 35-foot Building line setback located adjacent to FM 150, at the northern property line.

Property History:

The project was vested under August 1, 2003 City Code of Ordinances and the project was granted a grandfather determination status in 2016.

In 2007, the City of Dripping Springs entered into a Wastewater Agreement with the Property that granted the subject lot and adjacent lots wastewater service. The Wastewater agreement went through two (2) amendments in 2008 to extend the time to connect and pay fees for wastewater. The Second amendment to the Wastewater Agreement added Annexation requirements, proposed land uses and Architectural Standards for the Commercial Tracts.

In 2017, the City entered into an agreement regarding development matters related to future permitting and development of the Howard Commercial Tract and the 150 Commercial Tract. The agreement established a building line along FM 150. The agreement did not provide Right-of-way. The agreement stated that any acquisition of any right of way from the Owner for the widening or realignment of FM 150 must proceed according to the requirements of applicable law.

The agreement also required certain drainage improvements and allowed for reduction of the Water Quality Buffer Zone. Hays County and the City both identified FM 150 and Ranch Road 12 as a key component on their Master Transportation Thoroughfare plans for future connections. Hays County has informed the City that it is actively pursuing right of way on this property.

Site Information

Location:

The Subject property is located the corner of Ranch Road 12 and Farm-to Market 150.

Current Condition of Lot:

The land is currently undeveloped, but the applicant has a site development plan on hold due to the replat with vacation.

Summary, Recommendation, and Required Action

Staff recommends denial of the replat with a vacation of the Howard Ranch Commercial Plat due to the Outstanding comments (Exhibit 6) attached in the staff report.

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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 request.

Attachments

- Exhibit 1 – Subdivision Application
- Exhibit 2 – Howard Ranch Commercial Recorded Plat
- Exhibit 3 – Howard Ranch Commercial Proposed Plat
- Exhibit 4 – Howard Ranch Plat Vacation Document
- Exhibit 5 – Engineer Summary Letter
- Exhibit 6 – Outstanding Comments

Recommended Action:	Deny the replat with a vacation, with outstanding comments
Alternatives/Options:	N/A
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A