



City Council Planning Department Staff Report

City Council Meeting: February 9, 2021
Project No: ZA2020-0011
Project Planner: Robyn Miga, Consulting Planner

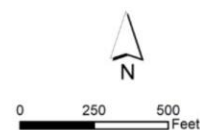
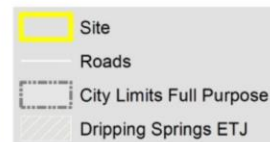
Item Details

Project Name: 210 Creek Road Rezoning
Property Location: 210 Creek Road, south of Highway 290, north of Creek Road
Legal Description: Approximately 4.003 acres, situated in the P.A. Smith Survey, No. 26, Abstract No. 415
Applicant: J Thompson Professional Consulting, LLC c/o Jon Thompson
Property Owners: Koinis Ventures LLC c/o Anthony Koinis
Request: Rezoning request from Two-Family Residential, Duplex (SF-4) to Multi-Family (MF), with a Conditional Use Overlay restricting the site to not be able to build Multi-Family Dwelling.



Location Map

ZA2020-0011
210 Creek Road



Planning Department Staff Report

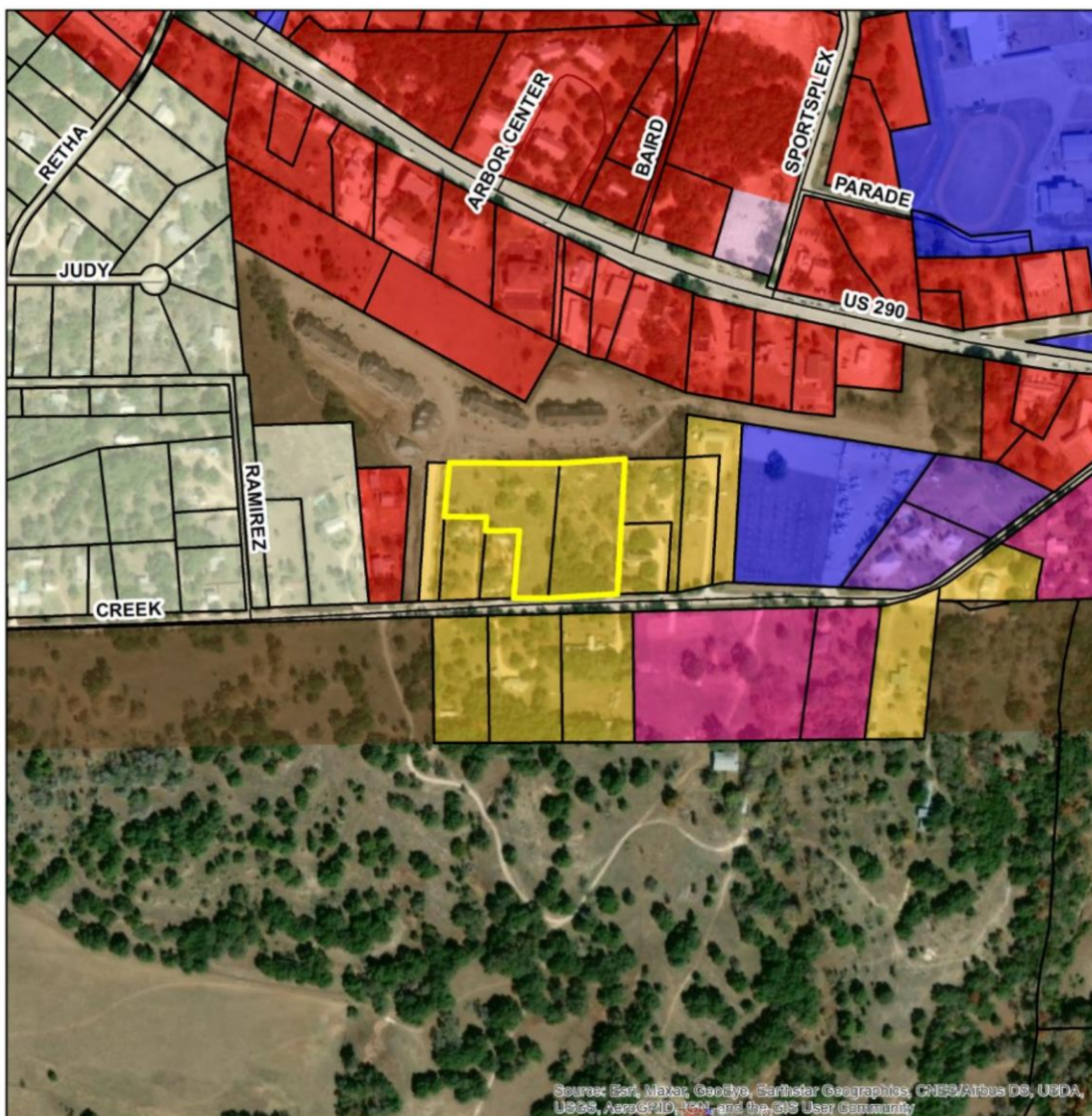
Overview

The applicant is requesting to rezone the property from Two-Family Residential, Duplex (SF-4) to Multifamily (MF).

The applicant is proposing 18 detached single-family units, to be built under a condominium declaration, which would allow for the property to be subdivided by units instead of lots. The City treats condominium developments as multi-family, because it allows for the property to be developed with multiple dwelling units on one property. While subdivision is separate from zoning, and zoning is the first step in the process of development prior to platting, it is noteworthy for the proposed zoning case, because the City is proposing that there be a Conditional Use Overlay restricting the site from constructing Multi-Family Dwellings. Although the applicant has submitted a proposed concept plan with detached single-family dwellings, without the Conditional Use Overlay, the applicant would be able to develop the site with any of the proposed uses that are allowed by right on the zoning use chart for Multi-Family (as attached).

Furthermore, under Section 3.8.6(h), Special Requirements, single-family units are allowed to be constructed in the MF district and “shall conform to the regulations that correlate with the appropriate residential category that is proposed to be used on the property.” Based on the number of units proposed in the applicant’s request, this applicant would follow the development standards associated with SF-3 as an allowed use in MF.

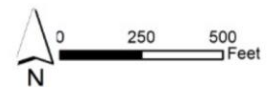
Surrounding Properties



Zoning Map

ZA2020-0011
210 Creek Rd

Light Yellow	SF-1
Yellow	SF-2
Orange	SF-4
Brown	MF
Blue	GUI
Pink	O
Magenta	LR
Purple	GR
Red	CS
Yellow (with black outline)	Site



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Planning Department Staff Report

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	Comprehensive Plan
North	Multifamily (MF)	Apartment Complex (Western Springs)	None of these properties are called out in the comprehensive plan
East	SF-4, Two-Family Residential	Residential	
South	SF-4, Two-Family Residential	Residential	
West	SF-4, Two-Family Residential, Commercial Services	Residential	

Development Standards

Development Standards for Multi-family	
Size of Lots	
Minimum Lot area	1,815 square ft./dwelling unit
Minimum Lot Width	60'
Minimum Lot Depth	150'
Setback Requirements	
Minimum Front Yard	30'
Minimum Side Yard	15', 45' when building is in excess of one story in height and adjacent to single-family zoning district.
Minimum Rear Yard	25', 45' when the building is in excess of one story and adjacent to SF zoning district.
Height Regulations	
Main Building	2 stories, or 40', whichever is less, for the main buildings
Accessory Building	25'
Other Development Standards	
Impervious Cover	60% total, including main buildings and accessory buildings
Min. Building Separation	20' for buildings with or without openings

As previously mentioned, while the site is proposed to be zoned to MF because of the condominium form of development, the property would follow the zoning regulations for the SF-3 District (if constructing units similar to those proposed on the concept plan), as allowed by the City's Code. Those regulations are as follows:

Development Standards for SF-3	
Size of Lots	
Minimum Lot area	3,500 sq. ft.
Minimum Lot Width	35'
Minimum Lot Depth	150'
Setback Requirements	
Minimum Front Yard	10'

Planning Department Staff Report

Minimum Side Yard	5'; corner lots – 7.5 from street ROW
Minimum Rear Yard	10'
Minimum Setback for Garage Door from Alley	10'
Minimum Setback for Garage Door from Front Curb or sidewalk	25'
Height Regulations	
Main Building	2 ½ stories, or 40', whichever is less, for the main structures
Accessory Building	15'
Other Development Standards	
Impervious Cover	65% total, including main buildings and accessory buildings
Min. Building Separation	20' for buildings with or without openings
Min. Width of Residential Building	25'
Max. Height Fence within Street Yard	3'
Max. Height of Fence outside of Street Yard	6'

Summary

2.28.2 In making a determination regarding a requested zoning change, the P&Z 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;	This area is near the core of the city, having direct access to Highway 290 by way of Creek Road. The area is zoned for a mix of uses today, including duplexes, multi-family, and commercial services. However, it is noteworthy that while the uses in the area are supportive of the proposed change, Creek Road is only approximately 20' of pavement (80' ROW) in width and should be considered when placing more intense uses along such a small road.
2. Their relationship to the general area and the City as a whole;	The use proposed will fit in with the surrounding area in regard to zoning districts in the area, however, there are several properties in the area that have not developed despite being zoned for more intense uses.
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;	This property is not shown on any existing or proposed plans for public schools, streets, water supply, sanitary sewers, and other utilities to the area.
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 property would not be affected by any proposed zoning districts that are similar.
5. The recent rate at which land is being developed in the same zoning classification, particularly in	This area will not be affected by this proposed rezoning.

Planning Department Staff Report

the vicinity of the proposed change;	
6. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	Based on the area, the proposed rezone of this lot will not affect the surrounding area, or similar developments.
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	This property is being treated similarly to other Zoning changes.
8. Any other factors which will substantially affect the public health, safety, morals, or general welfare.	Staff does not see this Zoning Change affecting the public health, safety, morals or general welfare.

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: Rezoning Application

Exhibit 2: Zoning Use Chart

Exhibit 3: Concept Plan

Recommended Action:	The Planning & Zoning Commission recommended approval of the request with the proposed Conditional use Overlay restricting the site from Multi-Family Dwelling. Staff is recommending approval of the requested rezoning request with the Conditional Use Overlay restricting the site from Multifamily Dwelling.
Alternatives/Options:	Recommend denial of the rezoning application.
Budget/Financial Impact:	None calculated at this time.
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A