

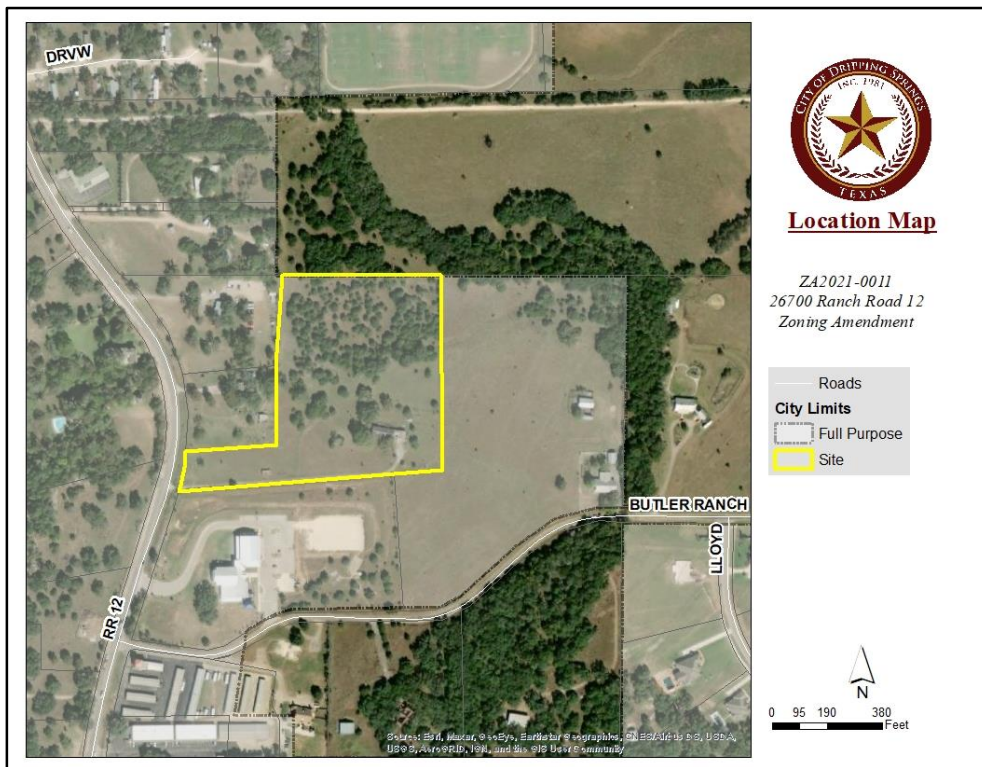


Planning & Zoning Commission Planning Department Staff Report

Planning & Zoning Commission: December 28, 2021
Project No: ZA2021-0011
Project Planner: Tory Carpenter, Senior Planner

Item Details

Project Name: Burke Zoning Amendment
Property Location: 26700 Ranch Road 12.
Legal Description: 10 acres out of the Philip A Smith Survey
Applicant: Jon Thompson
Property Owner: Burke Family Revocable Trust
Request: Zoning amendment from Manufactured Home “SF-1” to General Retail “GR”
Staff Recommendation: Disapproval



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Background

The property is currently zoned SF-1, single-family low density

Per Ch. 30 Exhibit A, §3.3

- **SF-1 – Single-family residential district – Low Density:** *The SF-1, single-family residential district is intended to provide for development of low-density, detached, single-family residences on lots of at least one acre in size.*

The applicant is requesting a zoning amendment to GR; General Retail

- **GR – General Retail:** *The GR, general retail district is established to provide areas for retail facilities that are larger than those generally located in the local retail district, such as large grocery stores, book stores, and the like. Areas zoned for general retail should have convenient regional access via major thoroughfares, such as U.S. Highway 290 or Ranch Road 12, and major collector streets are primary locational considerations. Hotel/motel uses, community scale retail, and bed-and-breakfasts are permitted within general retail districts. Office uses, commercial services, and industrial uses shall not be permitted.*

Analysis

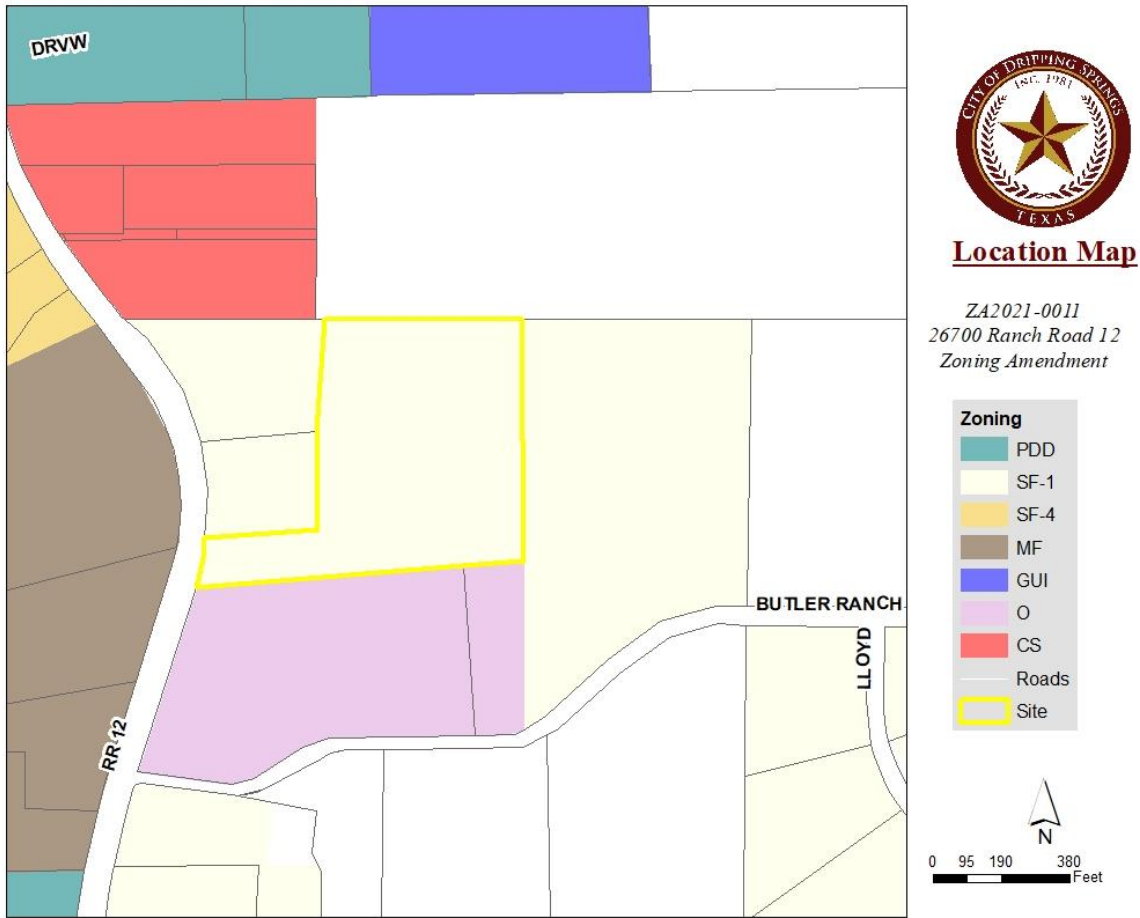
Based on the adjacent zoning category and land uses, staff finds that the proposed zoning is not consistent with the surrounding area given the allowable uses in the “GR” zoning district. Additionally, the future land use map of the comprehensive plan does not provide guidance on envisioned uses and development patterns in this area.

The following are the development regulations for the current and proposed zoning districts for the site.

	SF-1	GR	Differences between MH to GR
Max Height	1.5 Story / 40 feet.	2 stories / 40 feet	One Story / 20 feet.
Min. Lot Size	43560-sq-ft	20,000-sq-ft	23,560-sq-ft less
Min. Lot Width	N/A	100 feet	100 feet more
Min. Lot Depth	100 feet	150 feet	50 feet
Min. Front/Side/Rear Yard Setbacks	25 feet / 15 feet / 25 feet	25 feet / 25 feet / 25 feet*	0 feet / 10 feet more / 1 feet *
Impervious Cover	30%	60%	30% more

*Adjacent to a single-family district: Any retail use that is located adjacent to (and not across a right-of-way from) any single-family zoning district shall be set back from the applicable residential district property line by 40 feet.

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	Agricultural	Not Shown on the Future Land Use Map
East	SF-1	Single-Family Residence	
South	O	Presbyterian Church	
West	SF-1 / MF	Single Family / Vacant	

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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;	Staff has concerns regarding potential adverse impacts of a variety of uses allowed in this zoning district. This concerns stem particularly from adjacent single-family residences.
2. their relationship to the general area and the City as a whole;	This property has significant frontage on Ranch Road 12. This major road has a number of commercial use in the immediate vicinity
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 property is 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 request would not make other land unavailable for development.
5. the recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	While there has been limited commercial development in the immediate vicinity, there has been significant growth within the City as a whole.
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 would 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	There have not been recent similarly situated properties that have received a zoning amendment to GR.
8. any other factors which will substantially affect the public health, safety, morals, or general welfare.	The unusual configuration of the lot could cause issues when developing the property.

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Staff Recommendation

Staff recommends **disapproval** of the zoning amendment as presented.

Planning and Zoning action:

2.34.1 *The P&Z shall hold a public hearing on a zoning an amendment to the Zoning Ordinance. After all public input has been received and the public hearing closed, the P&Z shall make its recommendations on the proposed zoning request and concept plan, if submitted, stating its findings, its overall evaluation of the request, and its assessment regarding how the request relates to the City's Comprehensive Plan. The P&Z may, on its own motion or at the applicant's request, defer its decision recommendations until it has had an opportunity to consider other information or proposed modifications to the request which may have a direct bearing thereon. If the P&Z elects to postpone or defer its hearing on the request, such action shall specifically state the time period of the postponement by citing the meeting date whereon the request will reappear on the P&Z's agenda.*

2.34.2 *When the P&Z is ready to act upon the zoning request, it may recommend:*

- (a) approval of the request as it was submitted by the applicant;*
- (b) approval of the request subject to certain conditions as in the case of a Planned Development District (PDD) or a Conditional Use Permit (CUP); or*
- (c) disapproval of the request.*

2.34.3 *The P&Z's recommendation will be automatically forwarded to the City Council for a second public hearing thereon.*

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 Amendment Application

Exhibit 2 – Use Chart

Recommended Action:	Recommend disapproval of the requested Zoning Amendment
Alternatives/Options:	Recommend denial of the zoning map amendment.
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A