



## Planning & Zoning Commission Planning Department Staff Report

**City Council Meeting:** April 23, 2024  
**Project No:** ZA2024-002  
**Project Planner:** Tory Carpenter, AICP – Planning Director

### Item Details

**Project Name:** St. Martin de Porres Catholic Church  
**Property Location:** 26260 Ranch Road 12  
**Legal Description:** 18.1 acres being a portion of lots 1 & 2 in the St. Martin's Subdivision.  
**Applicant:** Jon Thompson  
**Property Owners:** Diocese of Austin  
**Request:** Zoning Amendment from Agriculture (AG) to Government/Utility/Institutional (GUI)  
**Recommendation:** Staff recommends acceptance of the zoning amendment.



An2024-0001  
St. Martin De Porres

### Legend

- Roads
- Subject Property
- City Limits



# Planning Department Staff Report

## Overview

On February 6, 2024 the Board of Adjustments considered a height variance for a new chapel building on the property. The Board ultimately approved the variance with the condition that this portion of the property be annexed into the City Limits. The applicant has applied for the annexation request to comply with this condition.

The default zoning district if it is annexed is Agriculture “AG”

*Per Ch. 30 Exhibit A, §3.5-3.6*

- **AG – Agriculture:** *The AG, agriculture district is designed to permit the use of land for the ranching, propagation and cultivation of crops, small-scale horticultural enterprises, and similar uses. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the city is initially zoned agriculture. It is anticipated that some portion of agriculturally zoned land may eventually be rezoned to another zoning classification in the future.*

The applicant is requesting a zoning amendment to “GUI”

- **GUI – Government/utility/institutional:** *The GUI, government/utility/institutional district is intended to provide for the siting of government buildings of the state, county, city or federal governments. It is also intended to provide classification for public utility installations, EMS stations, fire stations, health care facilities, schools and churches, without regard to public or private ownership. This zoning classification may, with city council approval, be applied to properties situated anywhere within the city limits.*

## Analysis

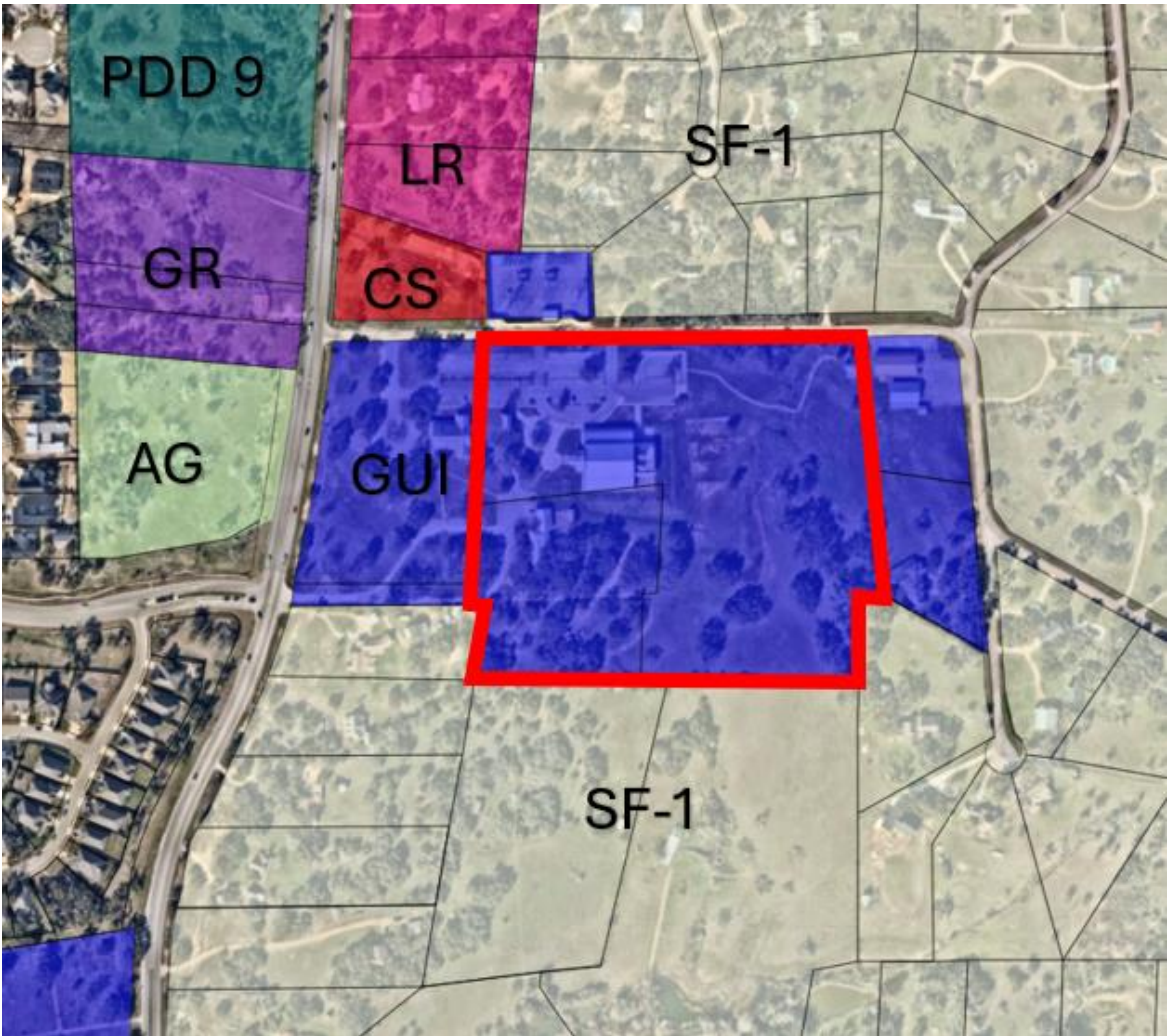
Since the property is currently in the ETJ, staff finds it appropriate to compare ETJ standards with the requested zoning district.

	ETJ	GUI	Differences between ETJ & GUI
<b>Max Height</b>	Not regulated	2.5 stories / 40 feet*	Restricted 2.5 stories / 40 feet
<b>Min. Lot Size</b>	.75 acres	7,000 square feet	0.57 acres less
<b>Min. Lot Width</b>	30 feet	70 feet	50 feet more
<b>Min. Lot Depth</b>	unregulated	100 feet	100 feet
<b>Min. Front/Side/Rear Yard Setbacks</b>	10 feet / 5 feet / 5 feet	20 feet / 10 feet / 10 feet	10 feet / 5 feet / 5 feet more
<b>Impervious Cover</b>	35%	50%	15% more

\*As noted above, a variance to increase the height has been approved for the property.

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## Surrounding Properties



Direction	Zoning District	Existing Use	Future Land Use
North	SF-1 / GUI	Single Family / Transformer Station	N/A
East	GUI / SF-1	Church Property / Single Family	
South	SF-1	Single Family	
West	GUI	Church Property	

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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;	This zoning change is consistent with existing development in the area.
2. their relationship to the general area and the City as a whole;	The zoning would allow for various governmental and institutional uses and is consistent with the remainder of the church property.
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;	There have not been recent requests for GUI in this area.
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 GUI 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 request is consistent with the zoning of the other property owned by the church.
8. any other factors which will substantially affect the public health, safety, morals, or general welfare.	The rezoning does not negatively affect the public health, safety, morals, or general welfare.

### Staff Recommendation

Staff recommends approval 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.

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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 zoning map amendment. To date, no letters for or against the request have been received.

## Attachments

Exhibit 1 – Zoning Amendment Application

Recommended Action:	Recommend approval 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 as of the date of this report.
Enforcement Issues:	N/A