



# City Council Planning Department Staff Report

**Planning & Zoning Commission Meeting:** March 28, 2023  
**Project No:** CUP2023-0001  
**Project Planner:** Tory Carpenter, AICP – Senior Planner

## Item Details

**Project Name:** WHIM Warehouse/Office  
**Property Location:** 27950 Ranch Road 12  
**Legal Description:** Grand Prairie Subdivision Lot 1  
**Applicant:** Jon Thompson  
**Property Owner:** Lucy Hanks Properties  
**Request:** Conditional Use Permit (CUP) for a warehouse/office

**Staff Recommendation:** Approval with the following conditions:  
1. Locations of buildings and parking areas shall generally be consistent with the site plan provided with this request.  
2. Delivery and pickups shall only be allowed between the hours of 7 a.m. and 7 p.m.



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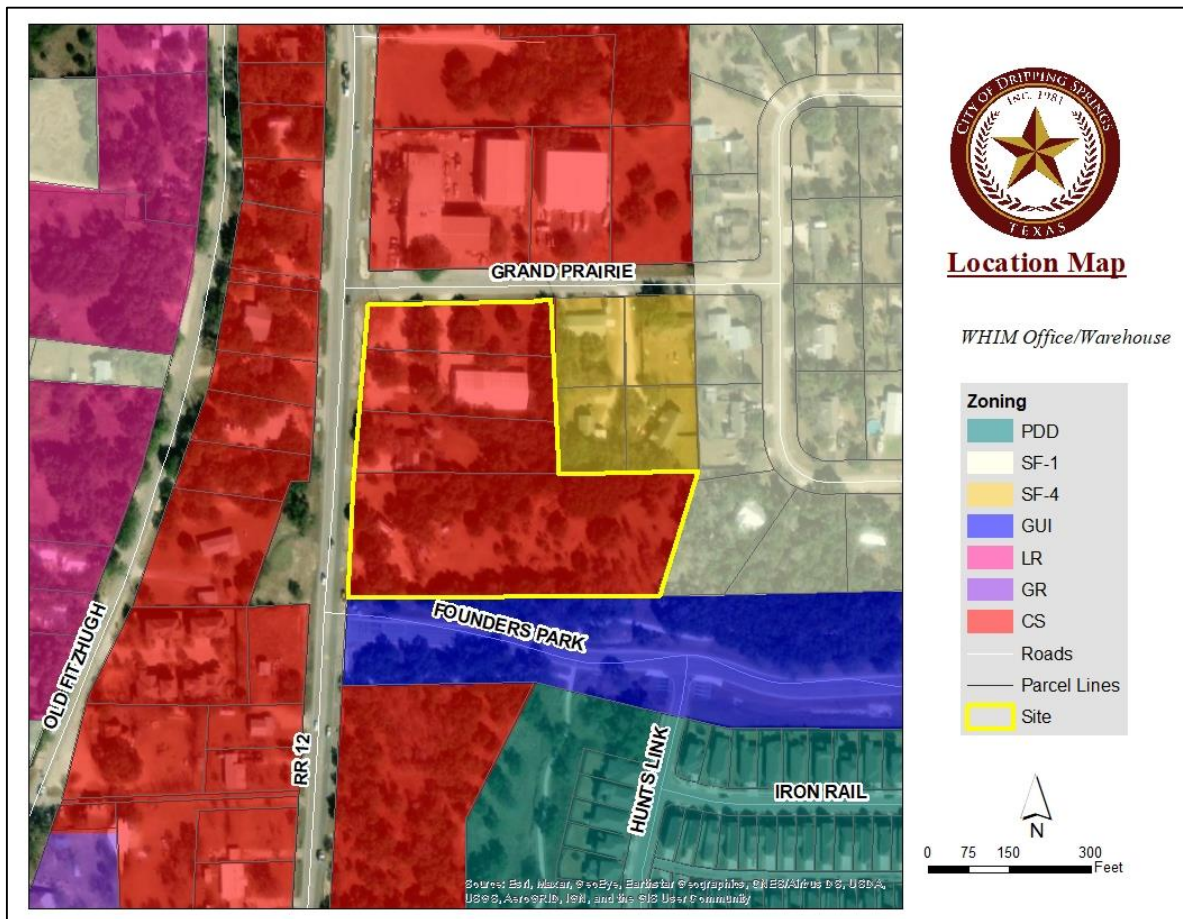
## Overview

The applicant is requesting a conditional use permit (CUP) to allow the use of warehouse/office on a property zoned commercial services. The plan consists of 4 buildings to be used as warehouse, offices, and a show room for WHIM hospitality.

The property currently houses a tent being used for the company's storage needs. This tent was approved by a CUP which is set to expire on July 14, 2024.

Direction	Setback Code requirement
Front	Ten Feet (25')
Rear	Ten Feet (25')
Side	Five feet (15')

## 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	Comprehensive Plan
North	Commercial Services (CS)	Whim Warehouse	Not Shown
East	Single-Family SF-4	Single Family	
South	PDD	Texas Heritage Village	
West	Commercial Services (CS)	Commercial	

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## Approval Criteria for Conditional Use Permit Review (3.17.6-Zoning Ordinance)

Approval Criteria	Staff Comments
1. The proposed use at the specified location is consistent with the policies embodied in the Comprehensive Plan;	<p>The following comprehensive goals support this request:</p> <p>1. Support expansion of business and professional services and</p> <p>2. Support tourist / Wedding related businesses</p>
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;	The zoning district is Commercial Services (CS), which permits commercial and retail uses. Warehouse/office is permitted in the CS zoning district with the approval of a Conditional Use Permit (CUP).
3. The proposed use meets all supplemental standards specifically applicable to the use, as established in the Development Standards, Section 5;	The applicant will need to meet all development standards.
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods, and (as required by the particular circumstances) includes improvements or modifications (either on-site or within the public rights-of-way) to mitigate development-related adverse impacts, including but not limited to the following:	While the property is adjacent to nearby residences, all buildings are at least 85' from the nearest residential property line.
a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;	Sidewalks are required along streets and adequate vehicular ingress and egress are shown on the plans.
b. Off-street parking areas, loading areas, and pavement type;	The applicant is meeting all parking requirements.
c. Refuse and service areas;	Dumper locations are shown on the plans.
d. Utilities with reference to location, availability, and compatibility;	Utility availability is adequate.
e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;	The existing landscaped buffer will remain between this property and nearby residences.
f. Control of signs, if any;	Signage will be done with a separate permit and will need to comply with the current sign ordinance in effect. Any variances will require approval.
g. Control of exterior lighting with reference to glare, traffic safety,	The owner shall comply with the lighting ordinance.

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economic effect, and compatibility and harmony with properties in the district;	
h. Required yards and open space;	Not applicable.
i. Height and bulk of structures;	The buildings must meet the architectural standards.
j. Hours of operation;	Staff is recommending only allowing deliveries and pickups between the hours of 7:00 am and 7:00 pm.
k. Exterior construction material, building design, and building facade treatment;	The buildings must meet the architectural standards.
l. Roadway adjustments, traffic-control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets; and	Not applicable.
m. Provision for pedestrian access/amenities/areas;	Sidewalks are required along all streets.
5. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity; and,	Staff finds that the proposed office/warehouse use will not be detrimental or damaging to the surrounding properties, these properties being similarly commercially zoned.
6. Noise;	Staff is recommending conditions to limit hours of deliveries to limit disruption to nearby residences.
7. Odors; and	No concerns noted.
8. Dust.	No concerns noted.

### P&Z Action

The below excerpt of the Code are the procedures that P&Z should take for CUPS.

Chapter 30 Exhibit A Zoning Ordinance Sec 3.17.5 Procedures for CUPS:

- (a) P&Z Recommendation: Following the public hearing, the P&Z shall recommend approval, approval subject to modification, or denial of the proposal to the City Council. If the appropriateness of the use cannot be assured at the location, the P&Z shall recommend denial of the application as being incompatible with existing uses or with other uses permitted by right in the district.

### 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 Conditional Use Permit request. At the time of this report, staff has not received any public comments for this request.

### Meetings Schedule

March 28, 2023 – Planning and Zoning Commission

April 4, 2023 - City Council Meeting

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## Attachments

Attachment 1 - Conditional Use Permit Application

Attachment 2 – Site Plan

Recommended Action:	Recommend approval of the request with the following conditions: 1. Locations of buildings and parking areas shall generally be consistent with the site plan provided with this request. 2. Delivery and pickups shall only be allowed between the hours of 7 a.m. and 7 p.m.
Alternatives/Options:	Recommend denial of the Conditional Use Permit; recommend approval of the Conditional Use Permit with no or alternate conditions.
Budget/Financial Impact:	None calculated at this time, but the City would receive additional sales tax revenue.
Public Comments:	Staff has not received any public comments at this time.
Enforcement Issues:	N/A
Comprehensive Plan Element:	Support the expansion of business and professional services Support Tourism related businesses