

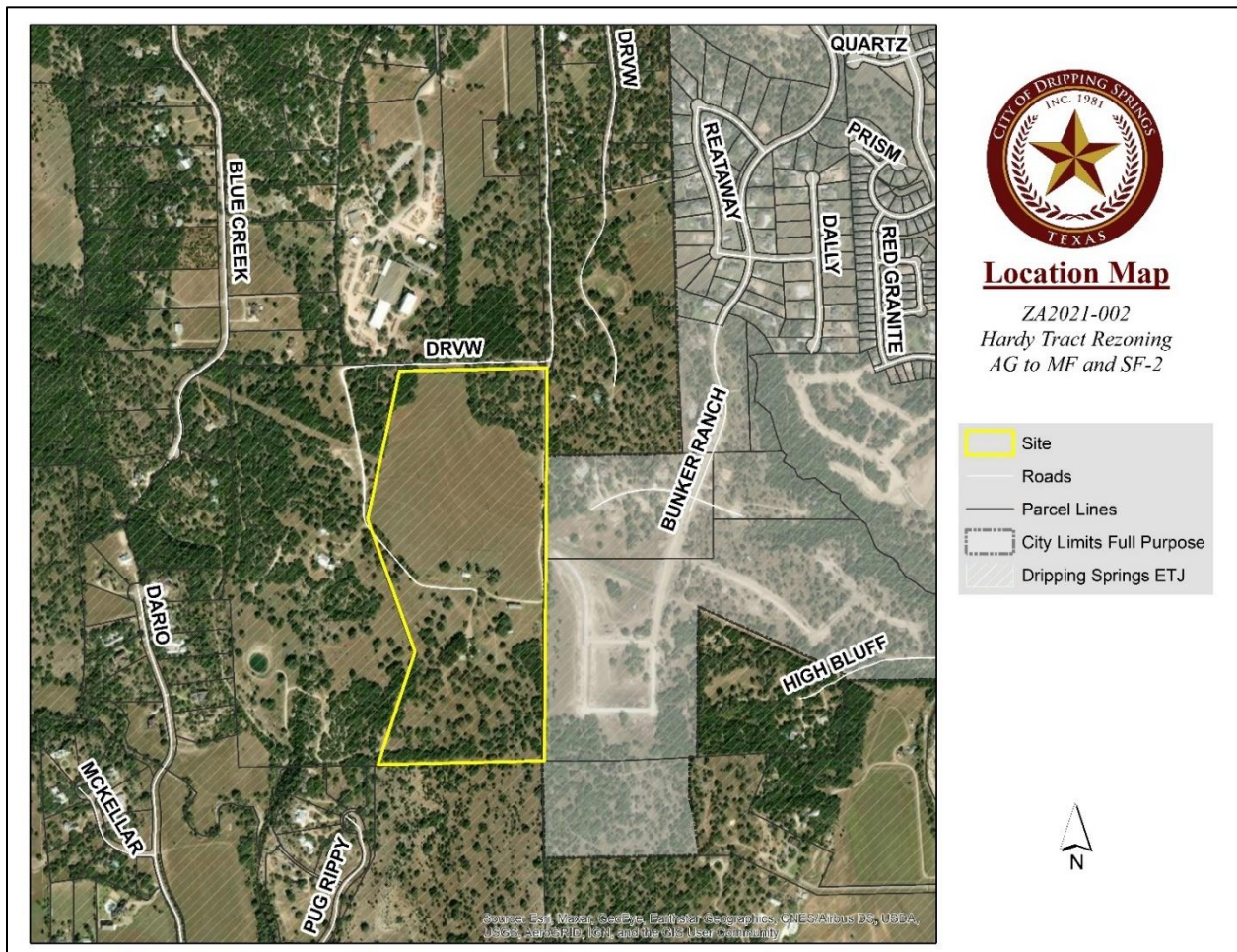


City Council Planning Department Staff Report

City Council Meeting: July 20, 2021
Project No: ZA2021-0002
Project Planner: Robyn Miga, Consulting Planner

Item Details

Project Name: Hardy Tract
Property Location: 2901 W US Highway 290, Dripping Springs, Texas 78620 (R15103)
Legal Description: Approximately 79.61 acres, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222
Applicant: Steve Harren c/o Brian Estes, P.E.
Property Owners: P & H Family Limited Partnership No. 1
Request: The applicant is requesting that this item be postponed to the August 17, 2021 meeting. Zoning cannot be considered without annexation.
Staff Recommendation: Staff is recommending that the item be postponed to the August 17, 2021 City Council meeting.



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Overview

The applicant submitted a petition for voluntary annexation of the approximately 78.021 acres, but has since requested that the annexation be postponed to the August 17, 2021 City Council meeting in an effort to provide more time to work through an issue the site has with fire access. Should City Council allow the annexation to be postponed, then the zoning cannot be considered until such time as the annexation.

The applicant would like to request the zoning designation of SF-2, Moderate Density Residential. The applicant's intention for development of the 78.021-acre tract is a similar build to the property east of this tract, Bunker Ranch Phase 3. The applicant had previously requested SF-2 for the northern portion and MF for the southern portion of the tract but has since removed the MF zoning.

Site Information

Location:

The subject property is located south of US Highway 290, along the western boundary of Bunker Ranch Phase 3 and north of Creek Road.

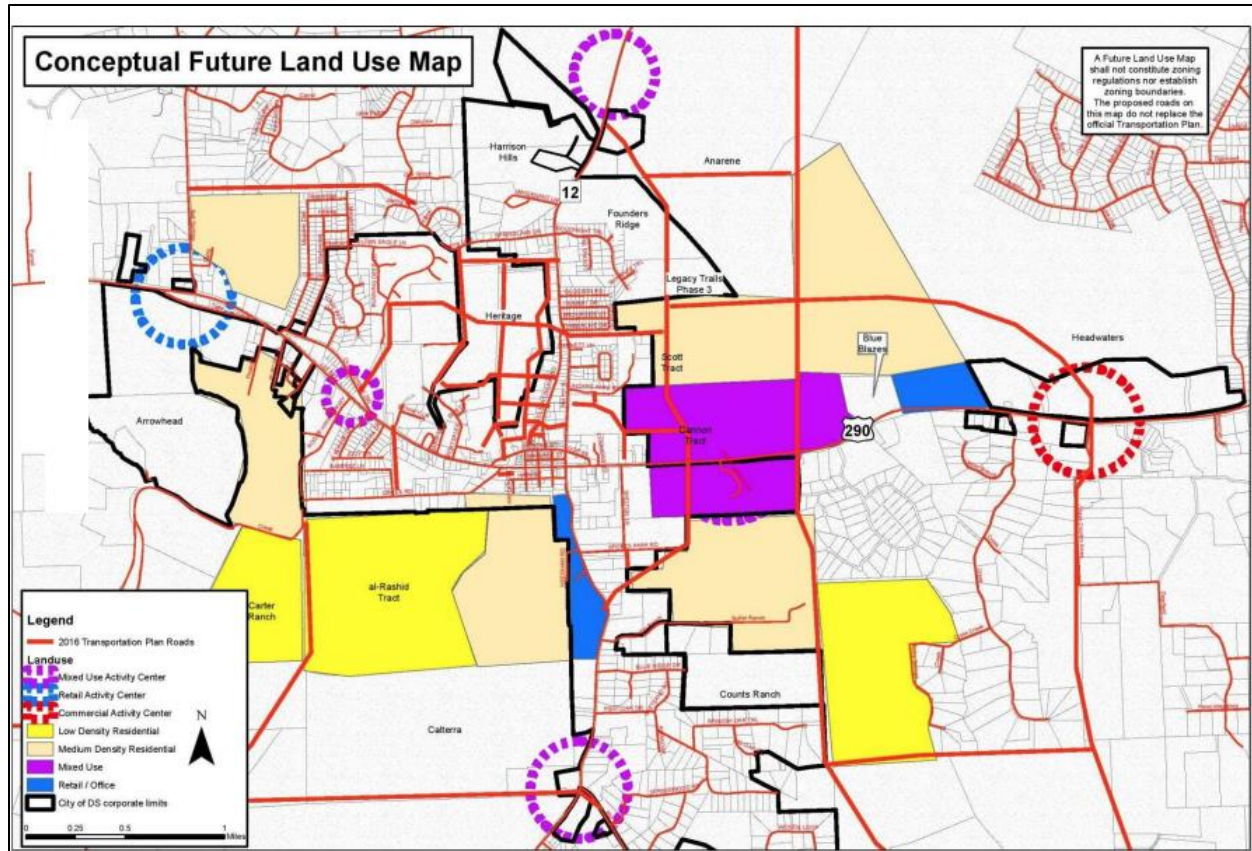
Physical and Natural Features:

The subject property is open in the northern portion and heavily treed in the southern portion. The property has a residential home that will be removed for development with a 60-foot access easement that extends out to US Highway 290.

Future Land Use and Zoning Designations:

The subject property is not indicated on the Future Land Use Map. There is currently no zoning designation on the property because at the time of application the property was within the City's Extraterritorial Jurisdiction.

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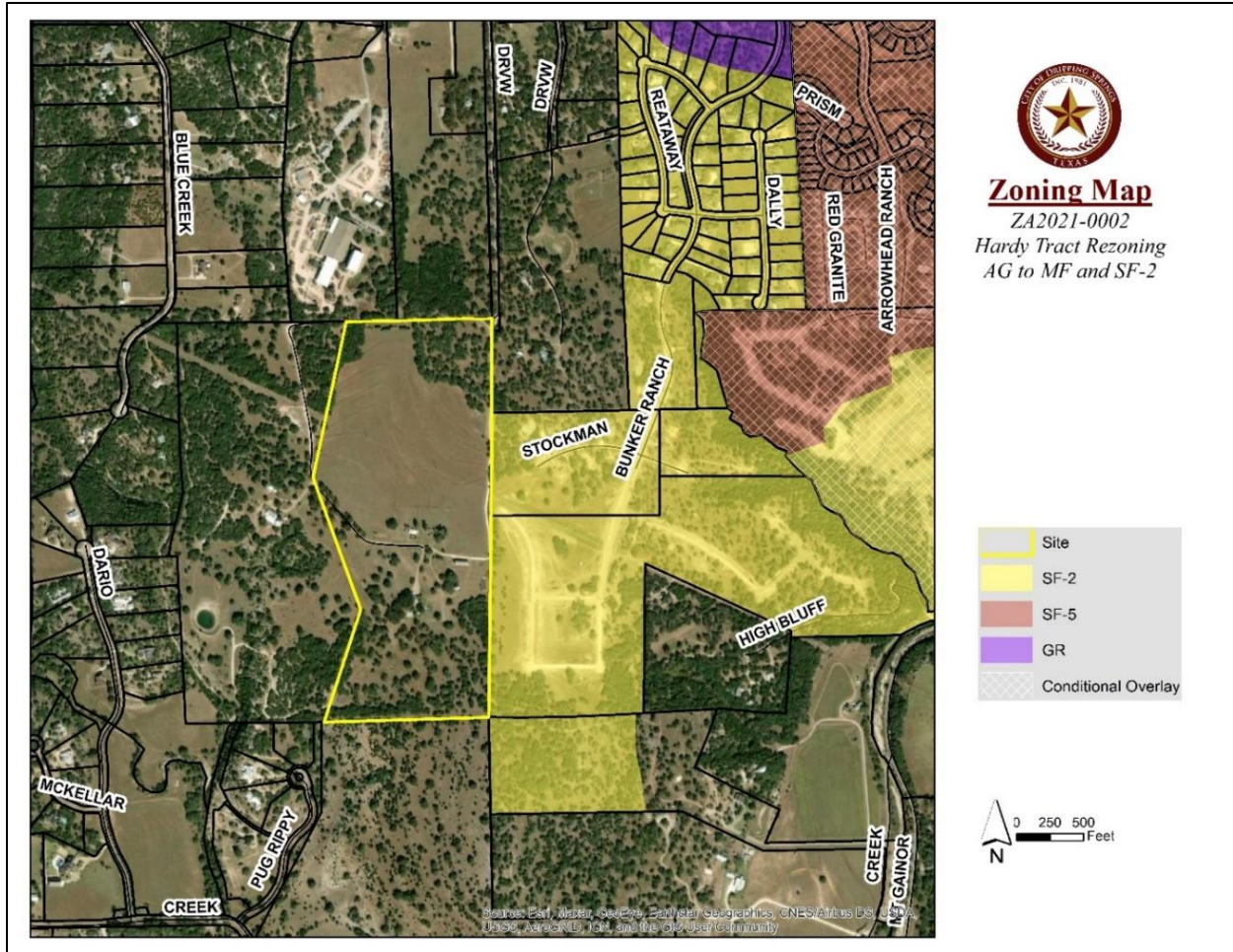
Surrounding Properties:

The Subject property is just west of the City Limits. The surrounding lots had originally been large tract residential but in recent years the adjacent City Limit tracts have become zoned SF-2, which allows for tracts greater than a 1/2 acre. The tracts to the north, west, and south are within the ETJ and are larger than 1 acre.

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 | ETJ | Residential | The properties are not within in the Comprehensive Plan or Future Land Use Map. |
| East | SF-2, Moderate Density Residential | Residential (Bunker Ranch Subdivision) | |
| South | ETJ | Residential | |
| West | ETJ | Residential | |

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Property History:

The applicant went before the commission on April 27, 2021 for a zoning map amendment to zone the property to SF-2 and MF with a conditional overlay. The Planning and Zoning Commission unanimously voted to postpone the zoning amendment. The applicant met with staff and submitted a new application which is being presented today, proposing only SF-2 for the site.

Utilities

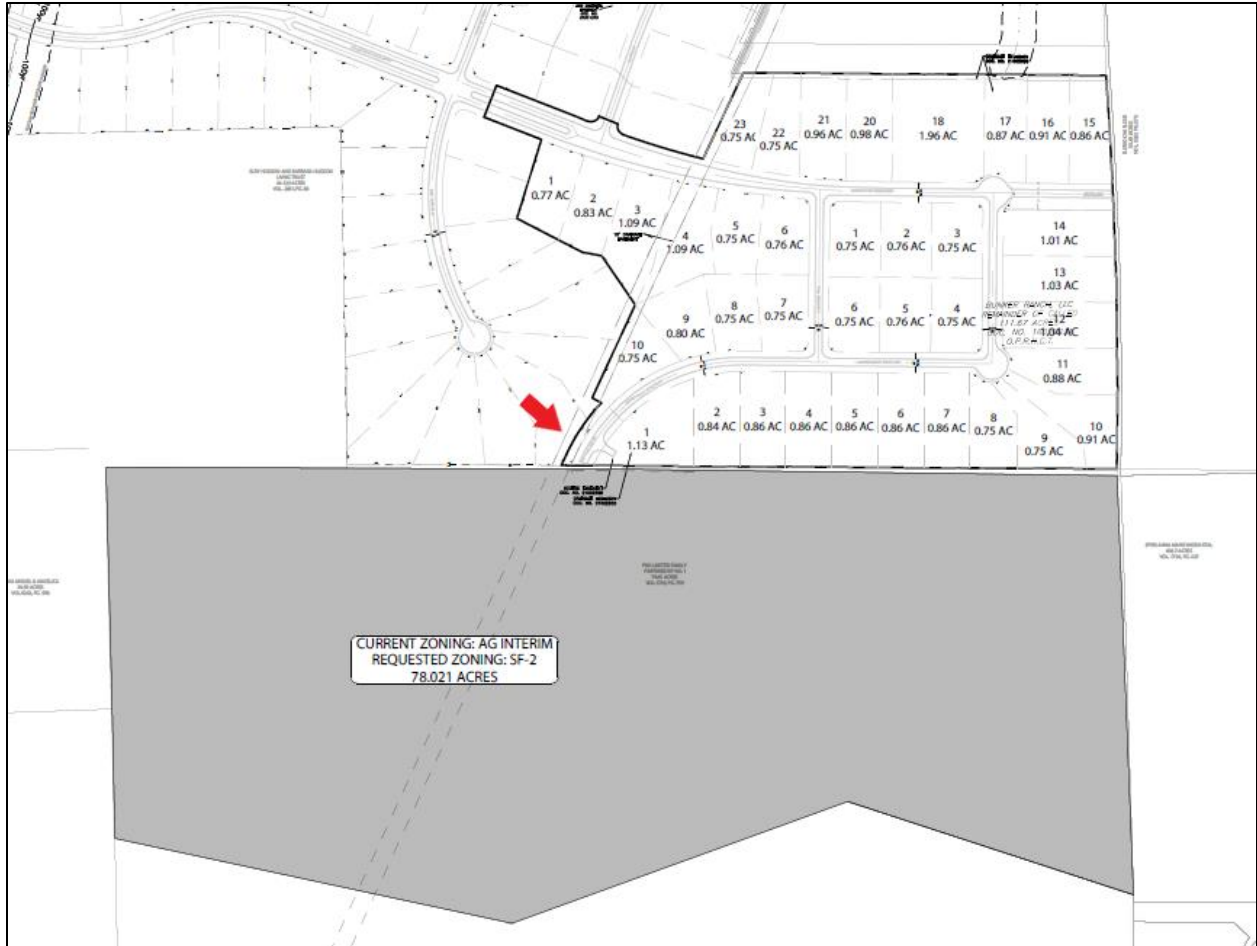
The subject property is located within the Dripping Springs Water Supply Corporation service area for Water, Pedernales Electric Cooperative (PEC) service area for electricity and will be utilizing on-site septic facilities for wastewater.

Transportation

The subject property will have ingress and egress through Phase 3 of the Bunker Ranch Development. The access would be through local streets which provide primary land access and connectivity between land parcels and other streets and collectors.

A Traffic Impact Analysis is currently being reviewed by the City's Transportation Engineer.

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Proposed Zoning District

Single-family residential district—Moderate density (SF-2)

The Single-family residential district – moderate density (SF-2) is intended to provide for development of primarily moderate-density detached, single-family residences on lots of at least ½ acre in size.

Permitted uses: Those uses listed for the SF-2 district or any less intense residential district in appendix C [appendix E] (Use Charts) as "P" or "C" are authorized uses permitted by right or conditionally permitted uses, respectively.

| Development Standards for SF-2 | |
|--------------------------------|---------|
| Size of Lots | |
| Minimum Lot area | ½ acre |
| Setback Requirements | |
| Minimum Front Yard | 25 feet |
| Minimum Side Yard | 15 feet |
| Minimum Rear Yard | 25 feet |

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| Height Regulations | |
| Main Building | 2 ½ stories, or 40', whichever is less, for the main buildings |
| Accessory Building | 25' |
| Other Development Standards | |
| Impervious Cover | 40% total, including main buildings and accessory buildings |

Special requirements:

- a) On-site dwellings: Recreational vehicles, manufactured homes, travel trailers or motor homes may not be used for on-site dwelling purposes.
- b) Open storage: Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc.).
- c) Side-entry garages: Single-family homes with side-entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.
- d) Swimming pools: Swimming pools shall be constructed and enclosed in accordance with the city building code.
- e) Nonresidential uses: Site plan approval shall be required for any nonresidential use (such as a school, church, child-care center, private recreation facility, etc.) in the SF-2 district. Any nonresidential land use that may be permitted in this district shall conform to the local retail district standards.
- f) Temporary facilities: There shall be no permanent use of temporary facilities or buildings.
- g) Other regulations: Refer to section 5, Development Standards and Use Regulations.
- h) OSSFs: On-site sewage facilities (OSSFs) are prohibited in this district on lots of less than three-quarters of an acre.

Criteria

Staff has reviewed the proposed rezoning request based on the criteria outlined in Chapter 30 Zoning Exhibit A Zoning Ordinance Section 2.28.2, see below:

| Zoning Map Amendment Criteria |
|--|
| 1. Whether the proposed change will be appropriate in the immediate area concerned; |
| <p>The applicant is proposing to zone the subject property to SF-2. The SF-2 Zoning district is consistent with the surrounding areas, and due to the proximity to the ETJ and the surrounding properties, it would serve as a transition to more rural parts of the city's ETJ. The lots to the east are single-family lots that are equal to or greater to 0.75 acre lots and have the same designation as the zoning requested for the subject property. To the north, south, and west are residential large lots that are over 30 acres and are within the City's ETJ.</p> <p>SF-2 zoning requires that lots be a minimum of ½ acre and if the wastewater is being provided via an OSSF the lots are required to be a minimum of ¾ acres.</p> <p>Based on the proposed zoning, adjacent City Limits zoning, and the ETJ lots the proposed zoning is appropriate in the area.</p> |
| 2. Their relationship to the general area and the City as a whole; |

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| <p>The SF-2 zoning uses proposed will fit in with the surrounding areas zoning districts and will be compatible with the ETJ properties.</p> <p>Though this property is not within the City’s Conceptual Future Land Use Map, the current map shows low density and moderate density on the outer edges of the City Limits, which shows that low density should occur away from the city center.</p> |
| <p>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;</p> |
| <p>The subject property is not shown on any existing or proposed plans for public schools, streets, water supply, sanitary sewers, and other utilities to the area.</p> |
| <p>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;</p> |
| <p>The City is seeing an increase in residential development within the city limits and the extraterritorial jurisdiction. Within the vicinity of the subject property to the east are tracts zoned SF-2 the land is currently being developed. Rezoning the subject property to SF-2 is appropriate and will not affect any similar zoned lots within the vicinity. The City has not seen any issues with undeveloped land for properties rezoned to SF-2.</p> |
| <p>5. The recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;</p> |
| <p>As stated above the adjacent lot to the east is currently being developed for SF-2 zoning. The rate of land being developed in this area has increased within the last few years.</p> |
| <p>6. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;</p> |
| <p>Based on the area, the proposed rezone to SF-2 will not affect the surrounding area and will complement the adjacent lots.</p> |
| <p>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</p> |
| <p>This property is being treated similarly to other similarly situated parcels within the City Limits.</p> |
| <p>8. Any other factors which will substantially affect the public health, safety, morals, or general welfare.</p> |
| <p>Staff does not see this zoning change affecting the public health, safety, morals, or general welfare.</p> |

Based on the Criteria listed above, staff finds that the requested zoning amendment is a compatible use that will ensure conformity with the character of the area and will promote the orderly development of the city.

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Meetings

June 22, 2021- Planning and Zoning Commission (Zoning)

July 20, 2021- City Council (Annexation and Zoning) (requesting postponement)

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

Attachment 1: Rezoning Application

Attachment 2: Zoning Use Chart

Attachment 3: Site Exhibit

Attachment 4: Deed

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|--------------------------|---|
| Recommended Action: | Recommend approval of the Single-Family residential district – Moderate Density (SF-2) Zoning district. |
| Alternatives/Options: | Recommend denial of the Single-Family residential district – Moderate Density (SF-2) Zoning district. |
| Budget/Financial Impact: | None calculated at this time. |
| Public Comments: | No public comment was received for this request. |
| Enforcement Issues: | N/A |