

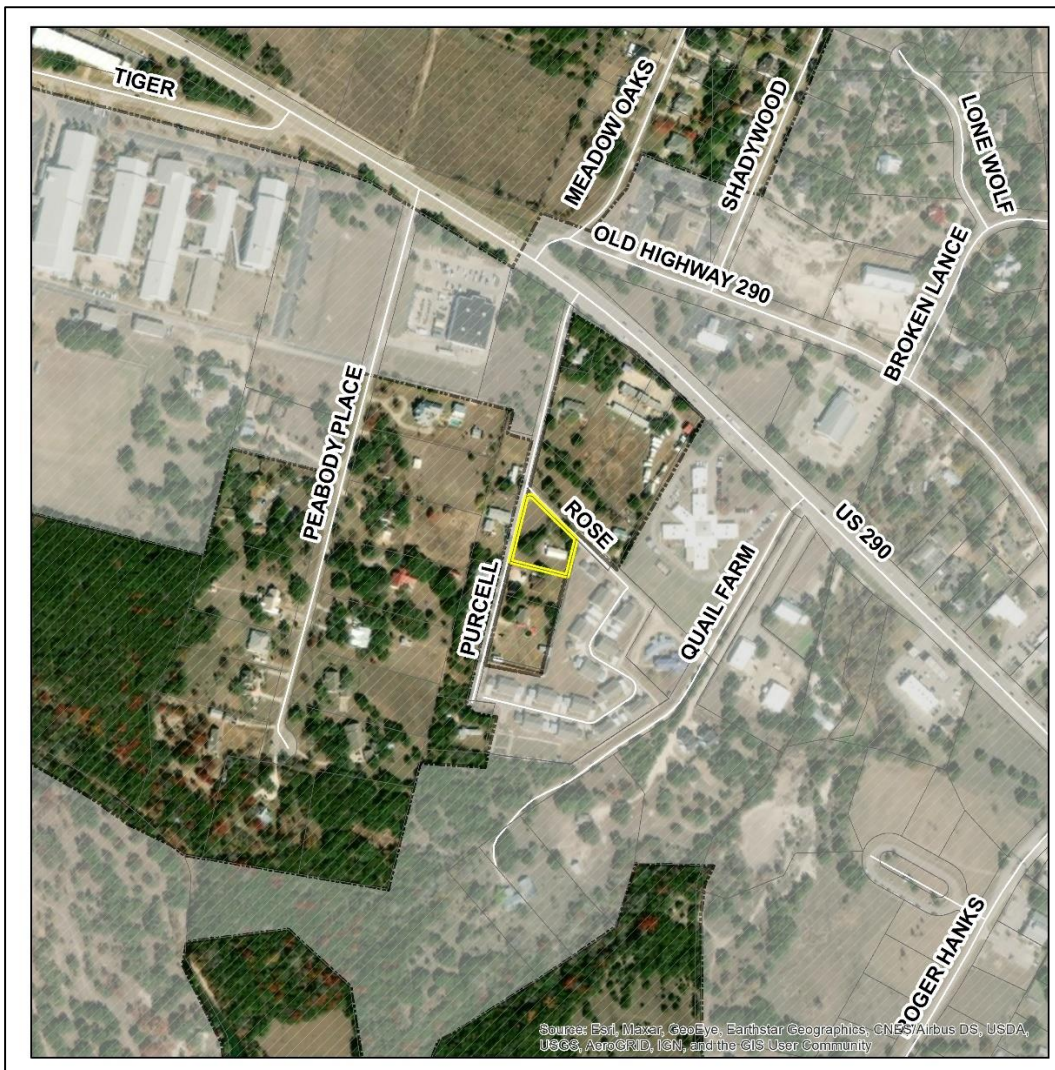


# City Council Planning Department Staff Report

**City Council Meeting:** December 8, 2020  
**Project No:** ANNEX2020-0004  
**Project Planner:** Robyn Miga, Consulting Planner

## Item Details

**Project Name:** Van Merkel Duplex Annexation  
**Property Location:** 102 Rose Drive  
**Legal Description:** Approximately .748 acres situated in the B.F. Hanna Survey No. 428, Hays County, Texas  
**Applicant:** Dave Merkel and Fred Van Cura  
**Property Owner:** Van Merkel, LLC  
**Request:** Conduct a public hearing and consider action on an annexation request.



# Planning Department Staff Report

## Overview

The applicant submitted a petition for annexation of this property. At the November 10, 2020 City Council meeting, Council moved to proceed with negotiating the service plan for the proposed annexation. The service agreement contains the same language as what the City uses for its service plans, with the exception of ensuring it was clear that this property is not located along public streets, therefore will not have road maintenance from the city, nor would the city be obligated to installing or maintaining street lights on the private streets.

The applicant has requested the Two Family Residential – Duplex (SF-4) Zoning for the site, which was unanimously recommended at the Planning & Zoning Commission on November 18, 2020, and is also an item for consideration next on the City Council agenda.

The following is the development process for the property:

### Step 1. Annexation

The first step for development within the City Limits. Annexation does not guarantee a specific zoning district, or subdivision, site plan, and building permit approval. It does guarantee that most existing uses will be allowed to remain even if nonconforming if they were legal when implemented.

### Step 2. Zoning

The applicant is proposing to add additional housing units to the property and will be proposing Two Family Residential – Duplex (SF-4). This requires a rezoning application which will be reviewed by P&Z and City Council for whether that zoning district is compatible with surrounding uses and the comprehensive plan.

### Step 3. Subdivision

Subdivision (platting) of the land would be necessary if the applicant is proposing more than one structure. If the applicant intends the units to be on one lot, the applicant would need to rezone the property to allow for a multi-family use.

### Step 4. Site Development

If the property contains more than one duplex residential house a site plan will be required for the lot. Site Plan does not guarantee building permit approvals, such as Septic (OSSF) approvals.

### Step 5. Building permits

The applicant will need to apply for building permits and will need to contact the Building Department once all other approvals are met, if any.

## Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News.

## Meetings Schedule

November 10, 2020 – City Council moved forward with initiating the annexation

November 18, 2020 – Planning and Zoning Commission recommended approval of the rezoning request

December 8, 2020 - City Council Meeting, conduct a public hearing regarding the proposed annexation, and conduct a public hearing and consider action regarding the rezoning request.

## Attachments

Exhibit 1: Annexation Petition

Exhibit 2: Service Agreement