

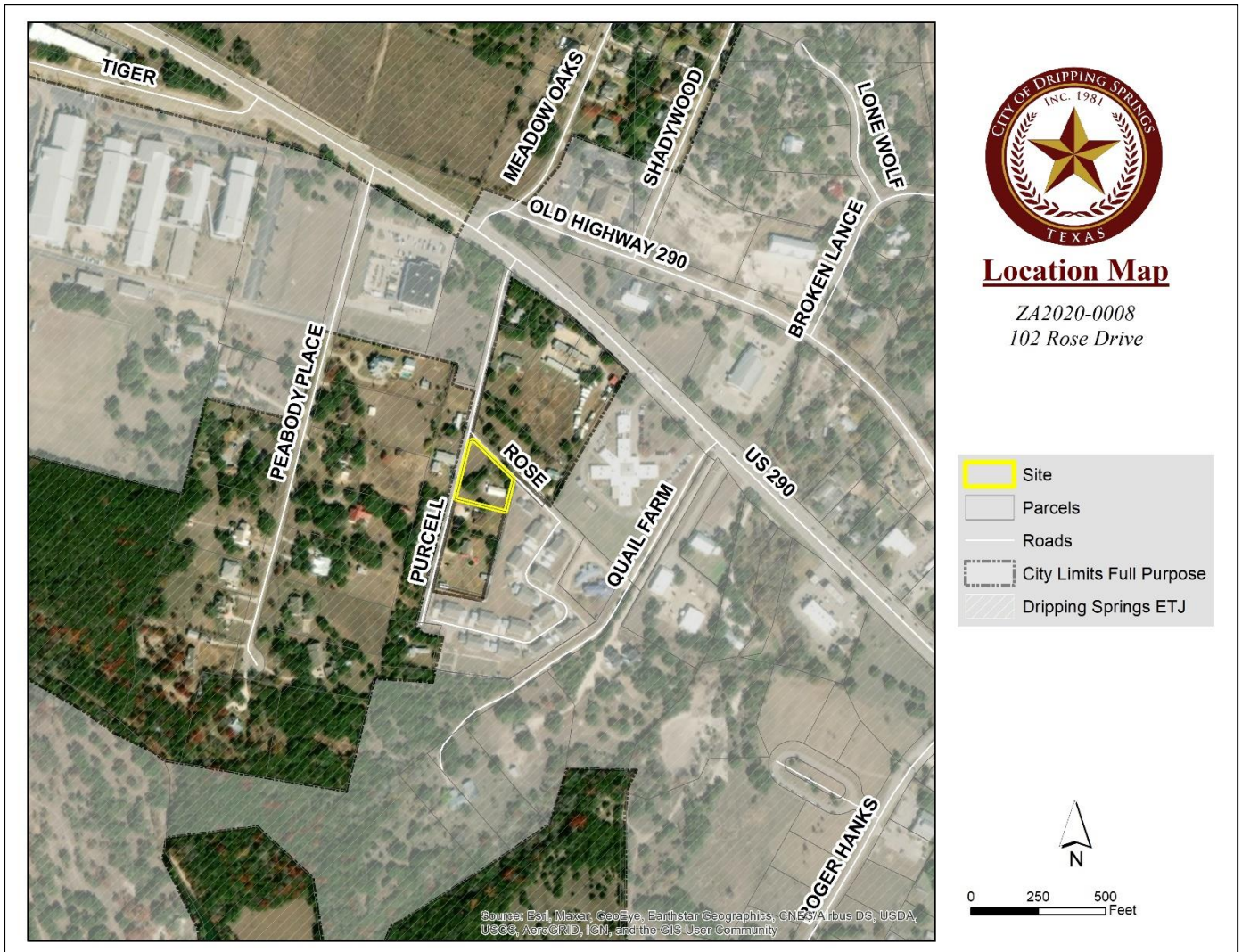


# City Council Planning Department Staff Report

**City Council Meeting:** December 8, 2020  
**Project No:** ZA2020-0008  
**Project Planner:** Robyn Miga, Consulting Planner

## Item Details

**Project Name:** Van Merkel Duplex  
**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:** Rezoning request from AG, Agricultural, to Two-Family Residential, Duplex, SF-4



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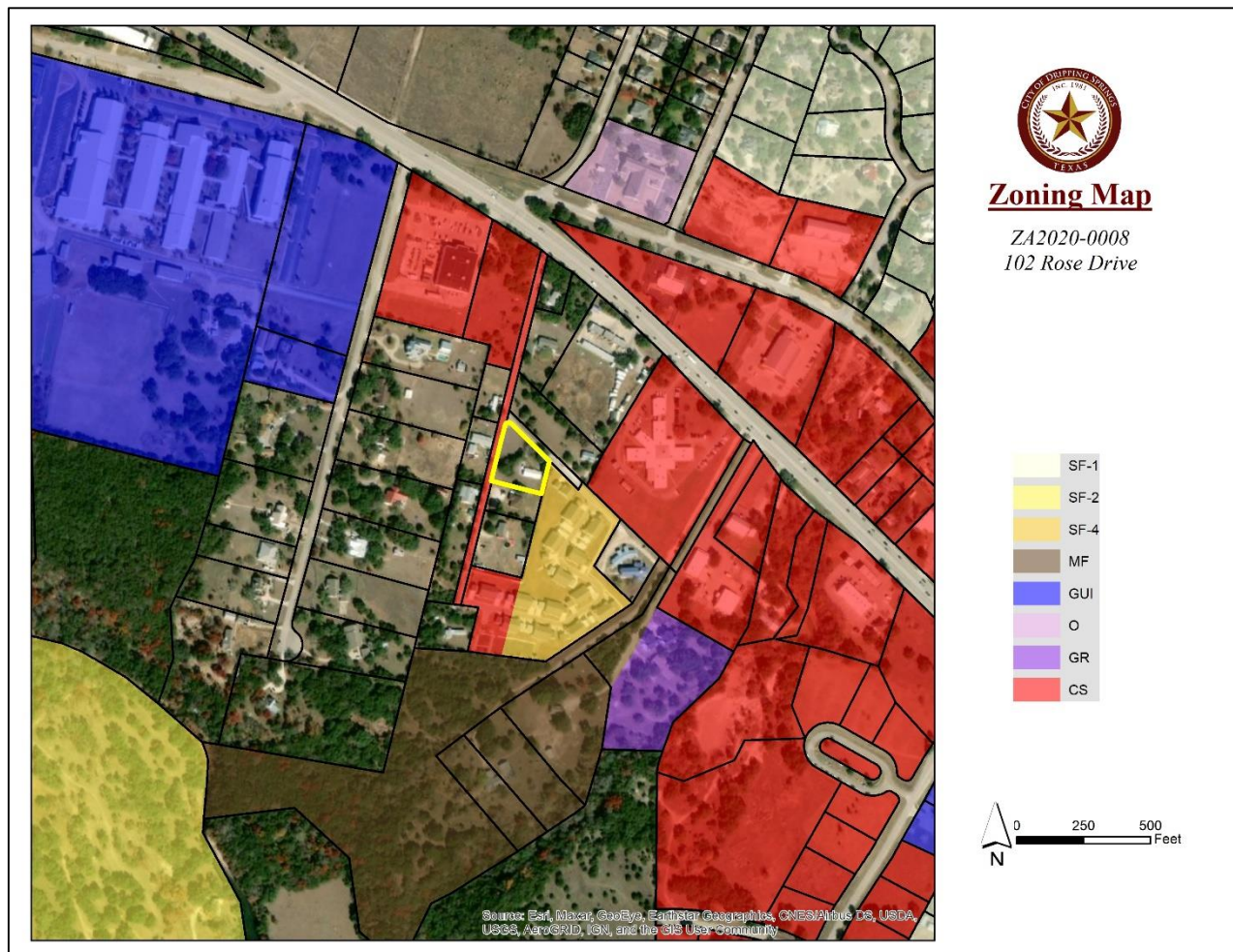
## Overview

The applicant submitted a petition for annexation of this property, which will be acted on by City Council prior to considering the zoning amendment. City Council moved at their November 10, 2020 meeting to proceed with negotiating the service plan for the proposed annexation, and the public hearing is scheduled for the annexation at their December 8, 2020 meeting.

When a property is annexed into the city, it is designated as Agricultural until the applicant submits a rezoning request. For this property, the applicant submitted the two applications at the same time to move forward with zoning concurrently.

The applicant is proposing to construct two duplexes or four total units on the site if the zoning is approved. The applicant will also be required to coordinate with the owners of the private drive, because both Rose Drive, as well as Purcell Place are private driveways not owned or maintained by the city. The applicant will also be required to plat the property to construct the lots.

## 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	Extraterritorial Jurisdiction (ETJ)	Low Density Residential, and commercial along U.S. 290	Not referenced

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East	Two-Family Residential (SF-4)	Condo development of two-family residential structures	Medium Density Residential
South	Extraterritorial Jurisdiction (ETJ), and Commercial Services (CS)	Residential	Medium Density Residential
West	Extraterritorial Jurisdiction (ETJ)	Low-density residential, and retail	Medium Density Residential

The majority of this area is residential in nature, including a condo lot immediately to the east, which is known as the 26 Doors Subdivision. This lot is developed with 13 two-family structures, or 26 units.

Two-Family Residential – Duplex (SF-4) is intended to provide for development of detached, two-family residence structures on moderate size lots of at least 10,000 square feet in size.

## Development Standards

Development Standards for Two-Family Residential (SF-4)	
<b>Size of Lots</b>	
Minimum Lot area	Five thousand (10,000) square feet
Minimum Lot Width	Fifty feet (70').
Minimum Lot Depth	One hundred feet (100').
<b>Setback Requirements</b>	
Minimum Front Yard	20'
Minimum Side Yard	10'; 15' from a street ROW for a corner lot
Minimum Rear Yard	20'
<b>Height Regulations</b>	
Main Building	2 ½ stories, or 40', whichever is less, for the main building
Accessory Building	25'

Uses that are permitted within the SF-4 zoning district include single-family residential, duplexes, churches, and parks. Should the property be rezoned, the applicant will be required to plat the subdivision to accommodate more than one set of duplexes on the lot.

## Summary

2.28.2 In making a determination regarding a requested zoning change, the P&Z 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 area of the city is still a little in transition from being more rural, to seeing newer developments within this area. While there is a subdivision immediately to the east of this parcel that is zoned and developed with duplexes, the area immediately west of the property is not as dense as the area to the east. However, with that said, this parcel is less than an acre and would not be able to develop more than three structures based on the square footage

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	requirements for a lot zoned SF-4, as well as the constraints of adding septic.
2. Their relationship to the general area and the City as a whole;	The use proposed will fit in with the surrounding area for the most part, with the exception of the area west of the parcel with is mostly low-density residential lots.
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;	This property is not shown on any existing or proposed plans for public schools, streets, water supply, sanitary sewers, and other utilities to the area. The streets adjacent to this lot are all private.
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 property will have no negative effect on other SF-4 zoning districts.
5. The recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	There is a development immediately to the east that is developed under the SF-4 zoning district, which has 26 units on an approximate 5.7-acre lot.
6. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	Based on the area, the proposed rezone of this lot will not affect the surrounding area, or similar developments, as this site is less than an acre.
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	This property is being treated similarly to other Zoning changes.
8. Any other factors which will substantially affect the public health, safety, morals, or general welfare.	Staff does not see this Zoning Change affecting the public health, safety, morals or general welfare.

### 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.

### Meetings Schedule

November 18, 2020 – Planning and Zoning Commission

December 8, 2020 - City Council Meeting

### Attachments

Exhibit 1: Rezoning Application

Exhibit 2: Concept Plan

Exhibit 3: Draft Zoning Ordinance and Survey

Recommended Action:	The Planning & Zoning Commission unanimously recommended approval at their November 18, 2020 meeting. Staff is recommending approval of the requested rezoning request.
Alternatives/Options:	Recommend denial of the rezoning application.

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Budget/Financial Impact:	None calculated at this time.
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A
Comprehensive Plan Element:	Support the development of affordable housing. Support varying housing types.