



Planning and Zoning Commission Planning Department Staff Report

Planning and Zoning Commission Meeting: April 27, 2021
Project No: ZA2021-0002
Project Planner: Amanda Padilla, Senior 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: Rezoning request from AG, Agricultural, to SF-2, Moderate Density Residential and Multiple-Family Residential District (MF)
Staff Recommendation: Staff is recommending approval of the SF-2 Zoning district and denial of the MF zoning with a conditional use overlay district.

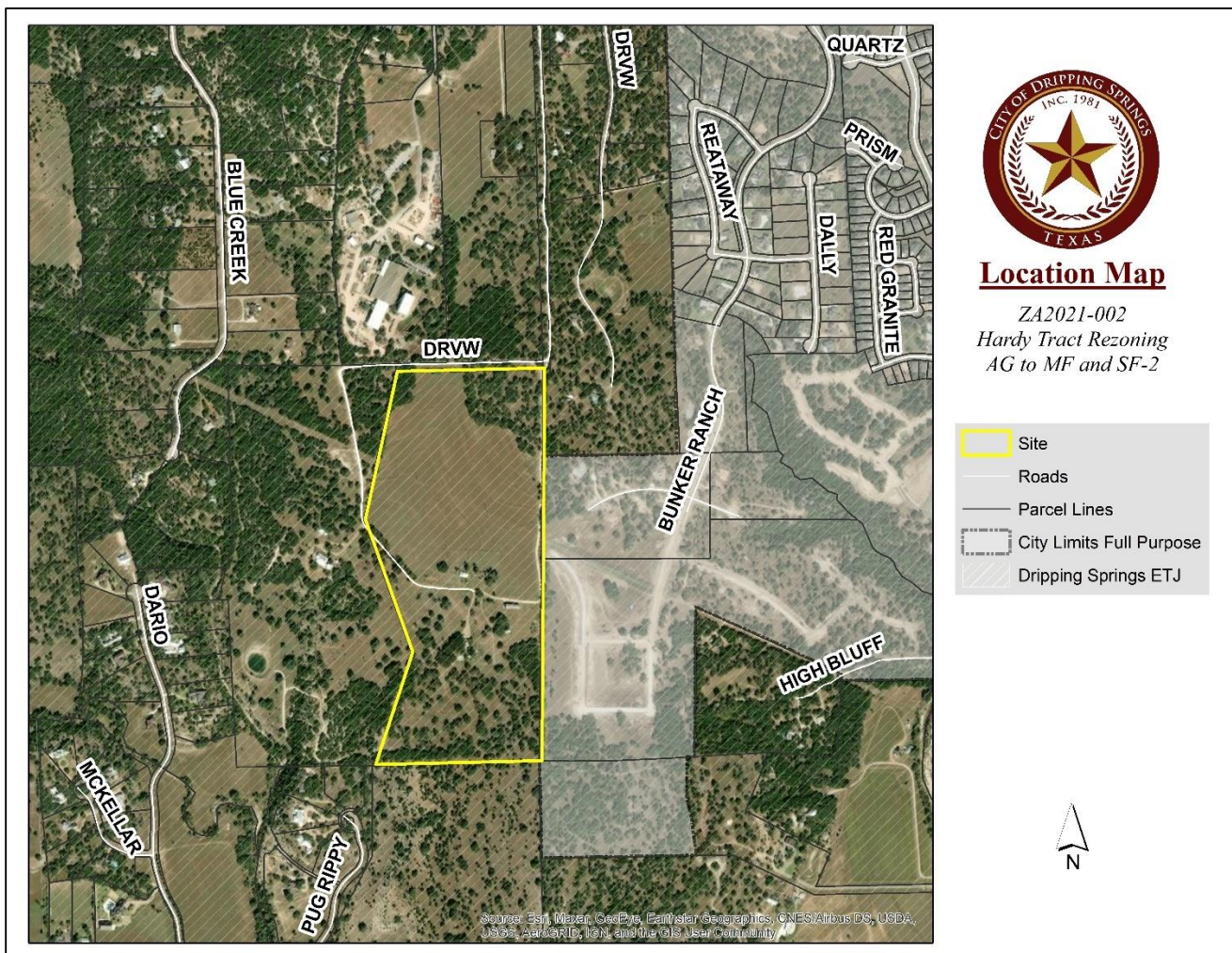


Figure 1. Location Map

Planning Department Staff Report

Overview

The applicant submitted a petition for voluntary annexation of the approximately 78.021 acres, therefore should the annexation be approved by City Council, the applicant would like to request the zoning designation of SF-2, Moderate Density Residential and Multiple-Family Residential District (MF) with a Conditional Use Overlay.

This property today has a residential home that will be removed for development and the approximately 78.021 acres is proposed to be a component of the Bunker Ranch Subdivision.

The applicant is proposing that 50.779 acres (north on the Hardy Tract) be developed under the SF-2 Zoning regulations, the applicant stated that this portion would look similar to the development to the east in Bunker Ranch similarly zoned.

The 27.242 acres (south on the Hardy Tract) is proposed to be developed to Multi-family regulations with a conditional use overlay. The Conditional Use Overlay (CO) would restrict the development to a density of 4 units per acre and restrict traditional apartments. The intention of the rezoning is to have multiple units on one lot. It is intended to be built under a condominium declaration, which would allow for the property to be subdivided by units on the property. The City treats condominium developments as multi-family because it allows for the property to be developed with multiple dwelling units on one property. Although the applicant has submitted a proposed concept plan with detached single-family dwellings, the applicant would be able to develop the site with any of the proposed uses that are allowed by right on the zoning use chart for Multi-Family (as attached). With the conditional use overlay being placed on the property it would ensure a less dense development than what is allowed by MF zoning (24 units per acre) and restrict development of a traditional apartment building. The image to the left is a concept plan submitted.



Figure 2. Overall Concept Plan

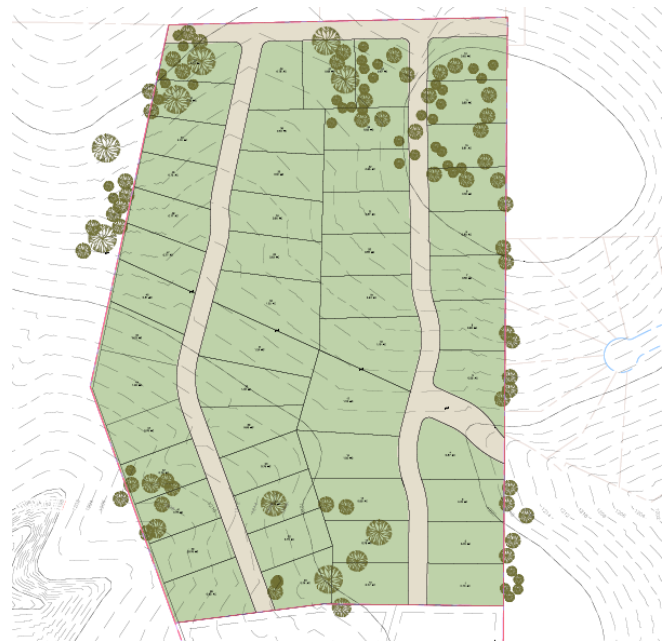


Figure 3. North portion to be rezoned to SF-2

Planning Department Staff Report

Furthermore, under Section 3.8.6(h), Special Requirements, single-family units are allowed to be constructed in the MF district and “shall conform to the regulations that correlate with the appropriate residential category that is proposed to be used on the property.” The applicant stated that this portion of the development would be a similar build to the condominium regime located within Bunker Ranch development located along US Highway 290. Based on the applicant’s request, this applicant would follow the development standards associated with SF-3 as an allowed use in MF.



Figure 4. South portion to be rezoned to MF

Surrounding Properties

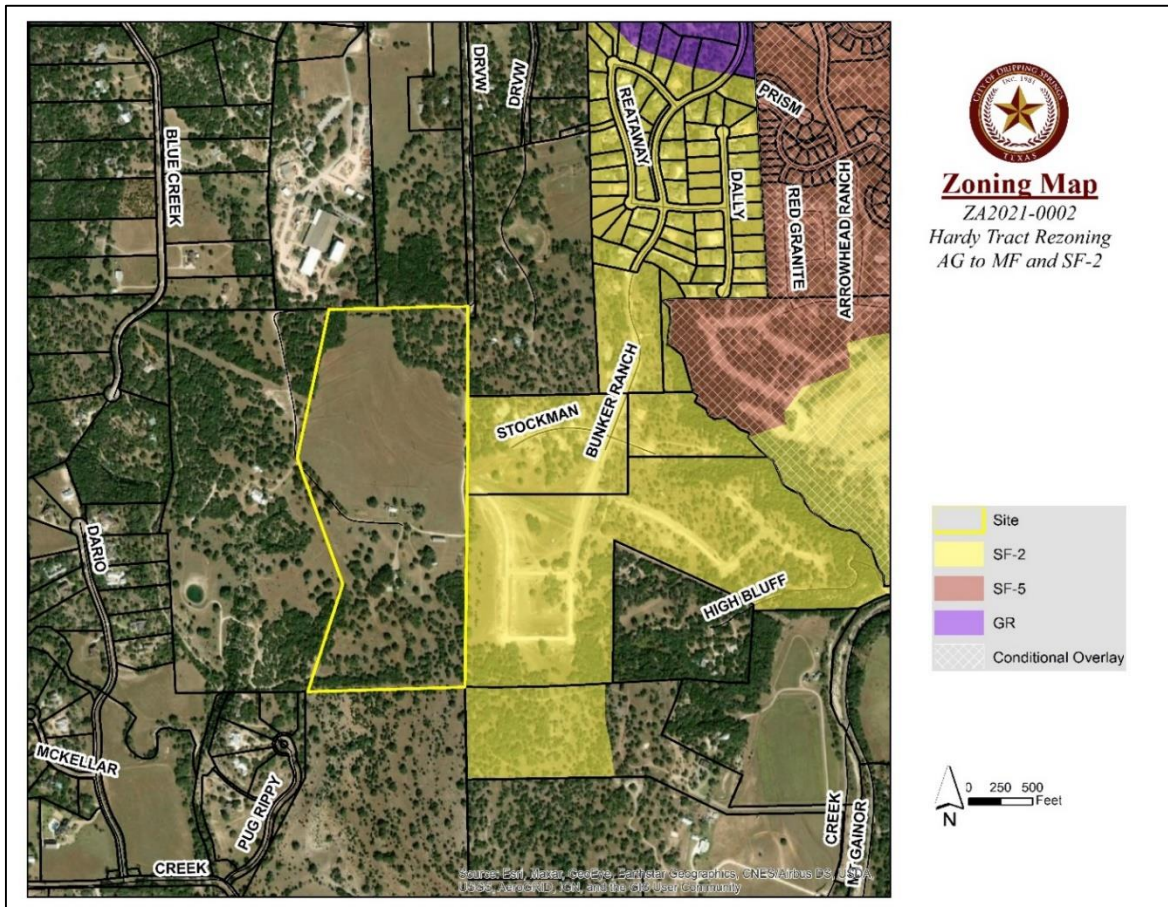


Figure 5. Zoning Map

Planning Department Staff Report

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	None of these properties are called out in the comprehensive plan
East	SF-2, Moderate Density Residential	Residential (Bunker Ranch Subdivision)	
South	ETJ	Residential	
West	ETJ	Residential	

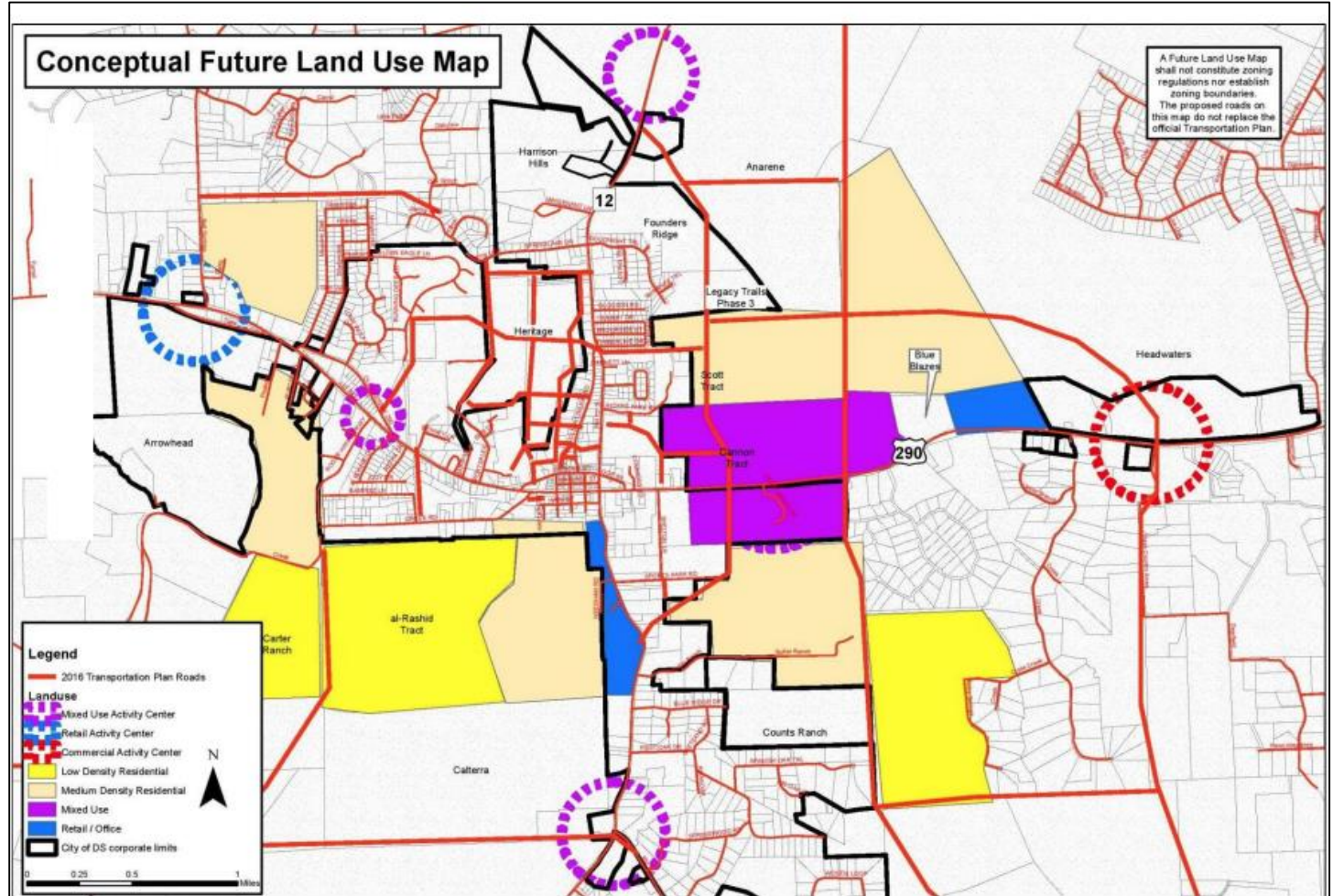


Figure 6. Conceptual Future Land Use Map

Development Standards

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

Planning Department Staff Report

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

Development Standards for Multi-family	
Size of Lots	
Minimum Lot area	1,815 square ft./dwelling unit
Minimum Lot Width	60'
Minimum Lot Depth	150'
Setback Requirements	
Minimum Front Yard	30'
Minimum Side Yard	15', 45' when building is in excess of one story in height and adjacent to single-family zoning district.
Minimum Rear Yard	25', 45' when the building is in excess of one story and adjacent to SF zoning district.
Height Regulations	
Main Building	2 stories, or 40', whichever is less, for the main buildings
Accessory Building	25'
Other Development Standards	
Impervious Cover	60% total, including main buildings and accessory buildings
Min. Building Separation	20' for buildings with or without openings

As previously mentioned, while the site is proposed to be zoned to MF with a CO because of the condominium form of development, the property would follow the zoning regulations for the SF-3 District (if constructing units similar to those located along 290 in the bunker Ranch Subdivision), as allowed by the City's Code. Those regulations are as follows:

Development Standards for SF-3	
Size of Lots	
Minimum Lot area	3,500 sq. ft.
Minimum Lot Width	35'
Minimum Lot Depth	150'
Setback Requirements	
Minimum Front Yard	10'
Minimum Side Yard	5'; corner lots – 7.5 from street ROW
Minimum Rear Yard	10'
Minimum Setback for Garage Door from Alley	10'
Minimum Setback for Garage Door from Front Curb or sidewalk	25'
Height Regulations	
Main Building	2 ½ stories, or 40', whichever is less, for the main structures

Planning Department Staff Report

Accessory Building	15'
Other Development Standards	
Impervious Cover	65% total, including main buildings and accessory buildings
Min. Building Separation	20' for buildings with or without openings
Min. Width of Residential Building	25'
Max. Height Fence within Street Yard	3'
Max. Height of Fence outside of Street Yard	6'

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;	<p>The applicant is proposing two zoning districts SF-2 and MF with a CO, the SF-2 Zoning district is consistent with the area, 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.</p> <p>As for the MF with a CO zoning district, this zoning category is not appropriate for the location and the surrounding properties. The 27.242 acres is proposed to develop at 4 units per acre, where the majority of lots surrounding it are averaging 0.75 acres a lot. This density is much higher than the surrounding lots.</p>
2. Their relationship to the general area and the City as a whole;	<p>The SF-2 zoning uses proposed will fit in with the general areas zoning districts and will be compatible with the ETJ properties.</p> <p>The MF with a CO zoning district is not located in an appropriate area for density. 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, as seen in the above image labeled figure 6.</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>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.</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	<p>The City is seeing an increase in residential development and the rezoning of the property to SF-2 is appropriate. The City has not seen any issues with undeveloped land for properties rezoned to SF-2. There are multiple properties within the City Limits</p>

Planning Department Staff Report

development;	zoned MF that have been undeveloped for some time.
5. The recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	The rate of land being developed in this area has increased within the last few years. SF-2 zoning is an appropriate zoning category for the vicinity. As stated, above MF is developing at a slower rate than single-family.
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 to SF-2 will not affect the surrounding area and will complement the adjacent lots. The proposed rezoning to MF with a CO could affect the future development of adjacent lots.
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.

Attachments

Exhibit 1: Rezoning Application

Exhibit 2: Zoning Use Chart

Exhibit 3: Concept Plan

Exhibit 4: Survey for the SF-2 and MF

Recommended Action:	Staff is recommending approval of the SF-2 Zoning district and denial of the Multi-family zoning with a Conditional Use Overlay district.
Alternatives/Options:	Recommend denial of the rezoning application.
Budget/Financial Impact:	None calculated at this time.
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A