



City Council Planning Department Staff Report

City Council Meeting: May 7, 2024
Project No: ZA2024-001
Project Planner: Tory Carpenter, AICP – Planning Director

Item Details

Project Name: 575 Old Fitzhugh Rd
Property Location: 575 Old Fitzhugh Rd
Legal Description: 0.483 acres out of the Philip A Smith Survey
Applicant: McKena Strobel
Property Owners: 575 Old Fitzhugh LLC
Request: Zoning Amendment from Single Family (SF-1) to Local Retail (LR)
Recommendation: Staff recommends acceptance of the zoning amendment.



ZA2024-001
575 Old Fitzhugh Rd

Legend

- Roads
- Subject Property
- City Limits



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Overview

On April 4, 2024 the Historic Preservation Commission approved alterations to the existing structure which includes a covered entrance, ADA ramp, rear patio, and on-site parking.

At their regularly scheduled meeting on April 23, the Planning & Zoning Commission voted unanimously to recommend approval of this zoning amendment request.

The applicant is requesting a zoning amendment from SF-1 to LR to allow for various office and retail uses.

Per Ch. 30 Exhibit A, §3.5-3.6

- **SF-1 – Single-family residential district—Low density:** *The AG, agriculture district is designed to permit the use of land for the ranching, propagation and cultivation of crops, small-scale horticultural enterprises, and similar uses. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the city is initially zoned agriculture. It is anticipated that some portion of agriculturally zoned land may eventually be rezoned to another zoning classification in the future.*

The applicant is requesting a zoning amendment to “LR”

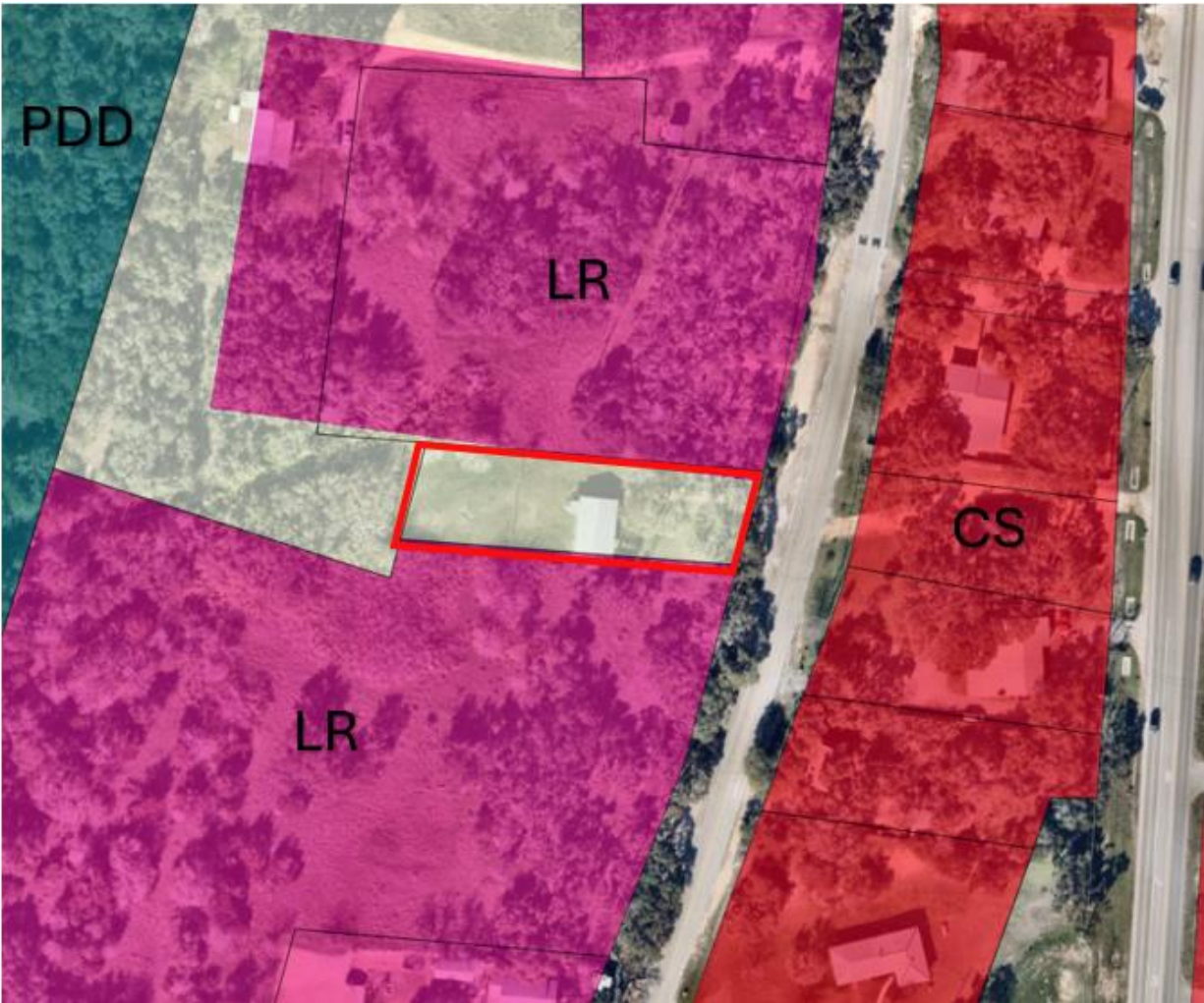
- **LR – Local Retail:** *The LR, local retail district is established to provide areas for low intensity, specialized retail sales that are intended to service local neighborhoods, citizens, and visitors of the city. Bed-and-breakfasts are permitted within local retail districts. General, office, regional commercial, or commercial services uses should not be permitted.*

Analysis

| | SF-1 | LR | Differences between SF-1 & LR |
|---|-----------------------------|-----------------------------|--------------------------------|
| Max Height | 2.5 stories / 40 feet | 2 stories / 40 feet | None |
| Min. Lot Size | 1 acre | 5,000 square feet | 0.89 acres less |
| Min. Lot Width | Unregulated | 50 feet | 50 feet more |
| Min. Lot Depth | Unregulated | 100 feet | 100 feet |
| Min. Front/Side/Rear Yard Setbacks | 25 feet / 15 feet / 25 feet | 15 feet / 10 feet / 10 feet | 10 feet / 5 feet / 5 feet less |
| Impervious Cover | 30% | 60% | 30% more |

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Surrounding Properties



| Direction | Zoning District | Existing Use | Future Land Use |
|-----------|-----------------|----------------------------------|-----------------|
| North | LR | Single Family | N/A |
| East | CS | Child Care / Salon | |
| South | LR | Vacant / Sidecar Tasting Room | |
| West | SF-1 | Vacant / Single Family | |

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Approval Criteria for Zoning Amendment (Chapter 30 Zoning, Exhibit A, Sec 2.28.1 and 2.28.2)

2.28.2 The Planning & Zoning Commission 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 zoning change is consistent with existing development in the area, particularly with other properties on the west side of Old Fitzhugh Rd. |
| 2. their relationship to the general area and the City as a whole; | The zoning district would allow for various office and light retail uses. |
| 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; | There are plans to improve old Fitzhugh Road to improve pedestrian amenities. Retail uses are consistent with this plan. |
| 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 request would not make other land unavailable for development. |
| 5. the recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change; | There have not been recent requests for Local Retail in this area. |
| 6. how other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved; | No areas designated for Local Retail will be affected by this proposed amendment. |
| 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 | Approval of this request would not treat the subject parcel differently from other similarly situation parcels. |
| 8. any other factors which will substantially affect the public health, safety, morals, or general welfare. | The rezoning does not negatively affect the public health, safety, morals, or general welfare. |

Staff Recommendation

Staff recommends **approval** of the zoning amendment as presented.

Planning and Zoning action:

2.34.1 *The P&Z shall hold a public hearing on a zoning an amendment to the Zoning Ordinance. After all public input has been received and the public hearing closed, the P&Z shall make its recommendations on the proposed zoning request and concept plan, if submitted, stating its findings, its overall evaluation of the request, and its assessment regarding how the request relates to the City's Comprehensive Plan. The P&Z may, on its own motion or at the applicant's request, defer its decision recommendations until it has had an opportunity to consider other information or proposed modifications to the request which may have a direct bearing thereon. If the P&Z elects to postpone or defer its hearing on the request, such action shall specifically state the time period of the postponement by citing the meeting date whereon the request will reappear on the P&Z's agenda.*

2.34.2 *When the P&Z is ready to act upon the zoning request, it may recommend:*

- (a) *approval of the request as it was submitted by the applicant;*
- (b) *approval of the request subject to certain conditions as in the case of a Planned Development District (PDD) or a Conditional Use Permit (CUP); or*
- (c) *disapproval of the request.*

2.34.3 *The P&Z's recommendation will be automatically forwarded to the City Council for a second public hearing thereon.*

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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 zoning map amendment. To date, no letters for or against the request have been received.

Attachments

Exhibit 1 – Zoning Amendment Application

| | |
|--------------------------|--|
| Recommended Action: | Approval of the requested Zoning Amendment |
| Alternatives/Options: | Denial of the zoning map amendment. |
| Budget/Financial Impact: | All fees have been paid. |
| Public Comments: | None as of the date of this report. |
| Enforcement Issues: | N/A |