



Planning & Zoning Commission Planning Department Staff Report

Planning & Zoning Commission Meeting: January 28, 2024
Project No: ZA2024-007
Project Planner: Tory Carpenter, AICP – Planning Director

Item Details

Project Name: HEB
Property Location: 598 E US 290, Dripping Springs, TX
Legal Description: Dripping Springs Retail Center, Block B, Lot 1
Applicant: Zachary D. Morgan, Quiddity
Property Owners: H-E-B, LP
Request: Zoning Amendment from PDD 1 to Commercial Services (CS).
Recommendation: Staff recommends approval of the zoning amendment.



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Overview

The applicant is requesting approval of a zoning map amendment to rezone the existing HEB site from Planned Development District 1 (PDD 1), to Commercial Services (CS). The subject property includes both the current HEB site and an 11.73-acre tract of land to the east, recently acquired by HEB.

The applicant has combined these properties into a single parcel and intends to construct a new HEB store on the eastern portion of the site. The existing store will be demolished and replaced by parking for the new facility.

This zoning amendment would remove the existing HEB site from PDD 1, creating a consistent Commercial Services zoning designation across the entire combined property. Additionally, there is a separate variance request on the agenda to allow construction of a building exceeding 50,000 square feet in size.

Approval of this zoning amendment request is an essential step toward facilitating the proposed redevelopment of the site.
Per Ch. 30 Exhibit A

The applicant is requesting a zoning amendment to “CS”

- **CS – Commercial Services:** *The commercial services (CS) district is intended to provide a location for commercial and service-related establishments, such as wholesale product sales, welding and contractors shops, plumbing shops, automotive repair or painting services, upholstery shops, and other similar commercial uses. Uses in this district may utilize open storage areas that are screened from public view. The uses envisioned for the district will typically utilize small sites and have operational characteristics that are generally not compatible with residential uses and most other types of nonresidential uses within the city.*

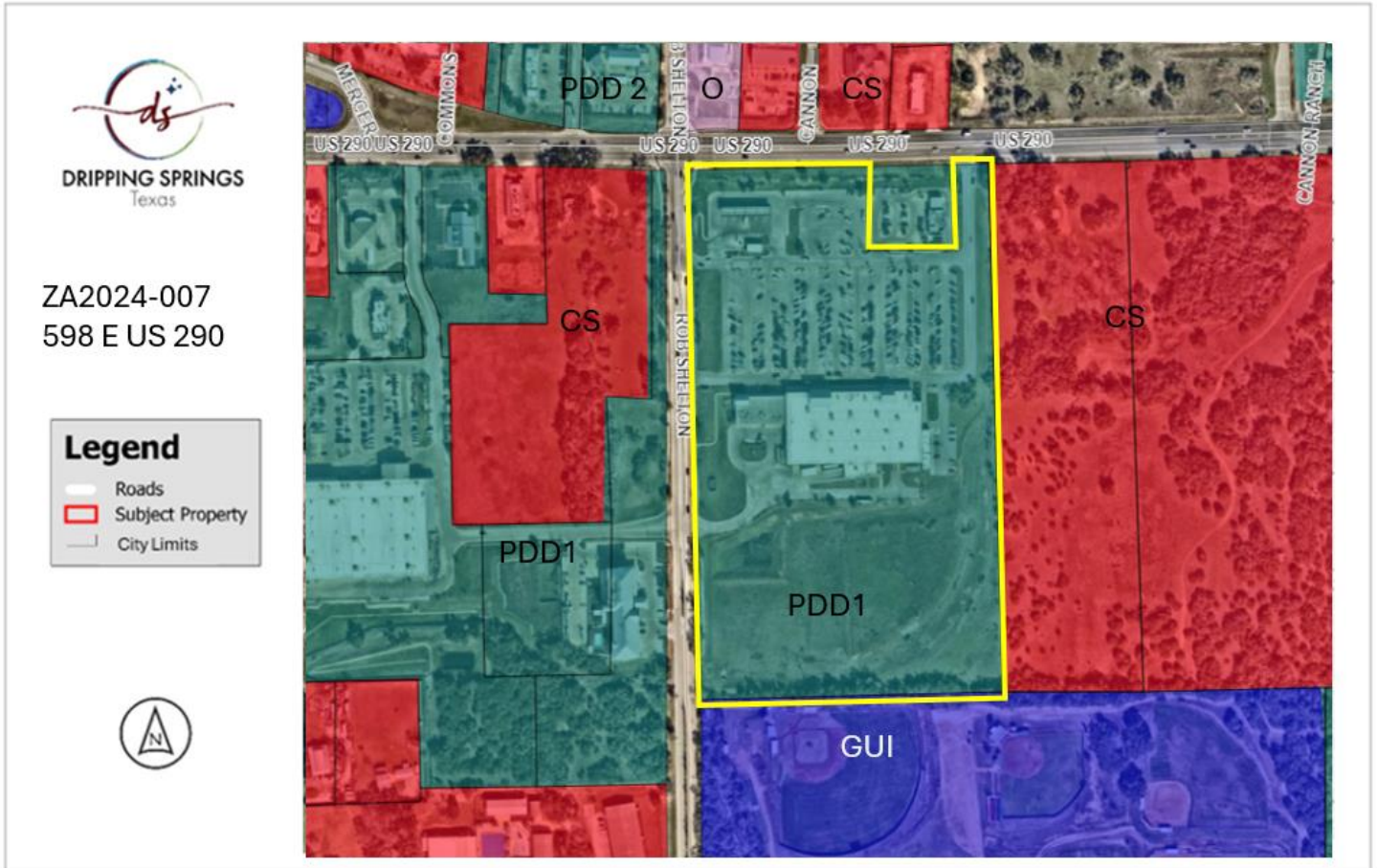
Analysis

	PDD 1	CS	Differences between PDD 1 & CS
Max Height	*45 feet	2 stories / 40 feet	5 feet less
Min. Lot Size	Unregulated	8,000 square feet	8,000 square feet
Min. Lot Width	Unregulated	80 feet	80 feet more
Min. Lot Depth	Unregulated	100 feet	100 feet more
Impervious Cover	60%	70%	10% more

*For buildings over 50,000 sqft

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Surrounding Properties



Direction	Zoning District	Existing Use	Future Land Use
North	CS, O	Office / Retail	N/A
East	CS	Vacant	
South	GUI	Sports & Rec Park	
West	PDD 1	Hotel	

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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;	The proposed zoning amendment is appropriate for the area, given the existing commercial character of the site and its surrounding uses. The transition to Commercial Services (CS) will create a consistent zoning designation across the entire property, aligning with the intended commercial use.
2. their relationship to the general area and the City as a whole;	The change supports the city's goals for orderly commercial growth, enhancing the area's economic viability and providing a modernized grocery store that will serve the broader community.
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;	No major infrastructure modifications are anticipated.
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 zoning amendment would not make any other land undevelopable.
5. the recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	This zoning request aligns with the growth the City has experienced in the last several years.
6. how other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	Approving this amendment will not negatively impact other areas designated for commercial development. Instead, it enhances the viability of the existing commercial corridor and may attract additional investment to the area.
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 proposed change supports public welfare by enhancing access to goods and services, promoting economic development, and improving the overall function of the site. It also ensures compatibility with surrounding uses, minimizing any adverse impacts on adjacent properties.

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Additional Staff Analysis

Planned Development District 1 (PDD 1) was approved in 2006, prior to the adoption of many of the City's current development ordinances. As a result, much of the development within the existing PDD is vested under older standards, which do not meet the City's current requirements for sidewalks, landscaping, tree preservation, or architectural design.

Rezoning the property to Commercial Services (CS) ensures that future redevelopment of the site will comply with the City's current development regulations. This includes enhanced requirements for pedestrian connectivity, landscaping, tree preservation, and updated architectural standards, resulting in a development that better aligns with the community's vision and expectations. The proposed zoning change provides an opportunity to improve the functionality and aesthetics of the site while addressing existing deficiencies in development standards.

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.

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:	Recommend approval of the requested Zoning Amendment
Alternatives/Options:	Recommend 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