

# Minutes of Planning & Zoning Commission Meeting

## City of Dripping Springs

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A Planning & Zoning Commission Meeting of City of Dripping Springs was held Tuesday, January 28, 2014, beginning at 7:00 PM in the 511 Mercer Street, Dripping Springs, Texas.

### I. CALL TO ORDER AND ROLL CALL

#### Commission Members

Larry McClung - Chair  
Kim Hubbard  
James Martin

Mim James – Vice Chair  
Erik Burgeson

Josef Martin  
Whit Smith

#### City Staff/Appointed Officials

City Administrator Michelle Fischer  
Planning Director Jon Thompson  
City Secretary Jo Ann Touchstone  
City Attorney Alan Bojorquez

Commissioner McClung calls the meeting to order at 7:05 p.m. All present except Commissioner Burgeson, Commissioner Josef Martin and City Attorney Alan Bojorquez.

### II. EXECUTIVE SESSION

*The Planning and Zoning Commission for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).*

Convened to Executive Session at 7:17 p.m. Those present: Commissioner McClung, Commissioner Smith, Commissioner James, Commissioner Hubbard, Commissioner James Martin, City Administrator Michelle Fischer, Planning Director Jon Thompson and City Attorney Alan Bojorquez via telephone.  
Reconvened to Regular Session at 7:33 p.m.

#### Items Discussed:

Ordinance No. 1220.90 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the Subdivision Known as Poundhouse Hills III, from Agriculture (AG) to Single-Family-Moderate Density (SF-2), *Steve Smith, Applicant*

Land Use: Enactment of procedures and criteria for the modification, relocation or vacation of certain platted building lines and/or public easements, amendment to Subdivision Ordinance, Chapter 28, Exhibit A of Code of Ordinances.

### III. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance – Jo Ann Touchstone leads the pledge.

### IV. PRESENTATION OF CITIZENS

*Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Chair. The Chair may establish a time limit as necessary.*

Victor Kopponen states he spoke to the City Council at their January meeting regarding the proposed Transportation Plan. Mr. Kopponen states there is not sufficient data to support the plan, the Comprehensive Plan is not consistent with the Transportation Plan, and the lines proposed have not been moved since his statements to the Council.

Ben Sorrell – Mr. Sorrell states he served on the Transportation Plan Committee and would like to respectfully state these lines are not going to go through a property without the consent of the property owner and no plans exist to put roads as there is no funding. Mr. Sorrell states these are suggestions to design transportation for the future to manage growth.

Mara Cardwell – resident, states a line on the Transportation Plan is drawn through her property. Ms. Caldwell states concern for the proposed road devaluing her property or hindering the future sale of her property.

### V. MINUTES

- A. Approval of Regular Meeting Minutes, December 17, 2013
- B. Approval of Special Meeting Minutes, January 7, 2014

Commissioner James motions to approve. Commissioner James Martin seconds. Motion passes, 4-0-1. Commissioner Hubbard abstains.

### VI. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/ALTERNATE STANDARDS/DEVELOPMENT AGREEMENTS

*Consideration and Possible Action On:*

- A. Ordinance No. 1220.90 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the Subdivision Known as Poundhouse Hills III, from Agriculture (AG) to Single-Family-Moderate Density (SF-2), *Steve Smith, Applicant*

1. Presentation – None.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – Beth Barham, resident on Goodnight Trail. Ms. Barham states concern for traffic feeding out onto Goodnight Trail.

Helen Arista-Dry – states concern regarding the acreage ratio relating to sewage.

Chris Westefeld – states concern for traffic on Goodnight Trail, and visibility on the street as it is curved.

Peggy McLauren – resident on Goodnight Trail, states concern for traffic on Goodnight Trail and also for Ranch Road 12, emergency vehicle access and safety.

Ed Knight – resident at 250 Goodnight Trail. Mr. Knight states concern for traffic safety at the intersection of Goodnight Trail and Ranch Road 12. Mr. Knight states concern for accidents and states a traffic light will be needed at this intersection.

4. Ordinance No. 1220.90 – Commissioner James motions to consider. Commissioner McClung seconds. Commissioner James inquires of history of development. Commissioner James motions to approve staff recommendations. Commissioner James Martin seconds. Motion passes, 4-0-1. Commissioner McClung abstains.

B. Ordinance No.1220.91 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the Property Located at 103 Creek Road from Two-Family Duplex (SF-4) to Local Retail (LR), *Sarah D'Angelo, Applicant*

1. Presentation – None.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of changing the zoning classification change from SF-4 to Local Retail.
3. Public Hearing – No one speaks.
4. Ordinance No. 1220.91 – Commissioner James motions to consider. Commissioner McClung seconds. Commissioner James inquires of Planning Director Jon Thompson what licensing is required for each proposed business. Commissioner James motions to approve with staff recommendations. Commissioner Smith seconds. Motion passes, 5-0.

C. Ordinance No. 1220.92 - An Ordinance of the City of Dripping Springs

Changing the Zoning Classification of the Properties Located on Grand Prairie Circle described as 3.465 acres and 1.72 acres out of the A0415 Philip A Smith Survey, Hays County, Texas (R17944 and R18128), from Commercial Services (CS) to General Retail (GR) for the 1.72 acre tract, and leaving the 3.465 acre tract as Commercial Services (CS), *City of Dripping Springs, Petitioner*

1. Planning Director's Report – Planning Director Jon Thompson, report on file.
2. Public Hearing –

Art Juarez, resident at 801 Grand Prairie Circle. Concerns with traffic, adjacent land uses being compatible.

Sharon Easton- resident at 301 Grand Prairie Circle—preference of 8-5 business, not something into the night and that impacts quiet, concerns about lighting trespass and glare; concerns with traffic coming in on Grand Prairie. Concern with crime due to retail business, people wondering around neighborhood; request to be respected but also appreciate Garrett’s decision.

3. Ordinance No. 1220.92 – Commissioner McClung motions to approve for discussion purposes, seconded by Commissioner James. Commissioner McClung states zoning is one of most important things we do because they have a lasting effect. Commissioner McClung inquires of Planning Director Jon Thompson about Billy Carrol Garnett saying his desire to leave as is. Jon states that, yes, they can state request, but neighborhood request to change and he is trying to find something in the middle that respects both. Commissioner McClung states he is struggling with this one because property owner does not want change but at same time property zoned commercial would have primary entrance off a residential street. Commission discusses impact on neighborhood and land owners of proposed tract. Commissioner James inquires if residents knew the tract was zoned commercial when they purchased their property. Commissioner James motions to deny and leave classification as is (Commercial Services). Commissioner Hubbard seconds. Motion passes, 5-0.

D. Preliminary Plat - Caliterra, Phase 1 located at 26465 Ranch Road 12 (aka 210.330 acres +/- out of the Philip A. Smith Survey, Abstract 0415, Hays County, Texas, approximately 1.3 miles south of the US 290/RR12 intersection), *Felix Manka, P.E., CMA Engineering*

1. Presentation – Felix Manka, states request and reviews project and is available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file.
3. Public Hearing – No one speaks.
4. Preliminary Plat – Commissioner James motions to approve subject to review of Parks and Recreation Commission. Commissioner Smith seconds. Motion passes, 5-0.

E. Sign Variance Request to Allow a Monument Sign Less than 8 Feet Back from the Street Right-of-Way for CST #1318 (Valero Energy Corporation Corner Store #1318), located at 13810 Sawyer Ranch Road, *Cindy Housos, Comet Signs, Applicant's Representative*

1. Presentation – None.
2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file.
3. Public Hearing – No one speaks.
4. Variance Request – Commissioner James motions to approve staff recommendations. Commissioner Smith seconds. Motion passes, 5-0.

Item F - Request withdrawn by applicant.

F. Sign Variance Request to Allow a Monument Sign for a Multi-Unit Complex to Exceed 6 Feet in Height for Arbor Center, located at 800 Highway 290 West, *Mark Lander, Representative of Arbor Center Condominium Owners Association*

1. Presentation -
2. Sign Administrator's Report -
3. Public Hearing -
4. Variance Request –

G. Sign Variance Requests to Allow a Menu Board and to Exceed the Maximum Number of Projecting Signs Allowed for a Single Business for Chicken Express, located at 230 East Highway 290, *Terry Hamilton, Applicant*

1. Presentation – None.
2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file.
3. Public Hearing – No one speaks.
4. Variance Request to Allow a Menu Board - Commissioner James motions to approve staff recommendations. Commissioner McClung seconds. Motion passes, 5-0.
5. Variance Request to Exceed the Maximum Number of Projecting Signs Allowed for a Single Business – Commissioner James motions to approve staff recommendations. Commissioner McClung seconds. Motion passes, 5-0.

H. Land Use: Enactment of procedures and criteria for the modification, relocation or vacation of certain platted building lines and/or public easements, amendment to Subdivision Ordinance, Chapter 28, Exhibit A of Code of Ordinances.

1. Staff Report – Planning Director Jon Thompson, report on file.

2. Public Hearing – No one speaks.
  3. Ordinance – Commissioner McClung motions to approve ordinance. Commissioner James seconds. Motion passes, 5-0.
- I. Land Use: Application from Mr. Bob Wilson for modification or relocation of certain platted building lines located at Lot 4, Sportsplex Subdivision No. 3, Hays County, Texas (also known as 391 Sportsplex Drive)
1. Presentation – Erin Banks, P.E., states request and is available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file.
  3. Public Hearing – No one speaks.
  4. Application – Commissioner James Martin motions to open for discussion. Commissioner McClung seconds. Commissioner James Martin states motion to approve. Commissioner James seconds. Motion passes, 5-0.

## VII. **REPORTS**

### *Consideration and Possible Action On:*

- A. Update on Transportation Plan – Planning Director Jon Thompson reports the plan will be posted for action at the February 11<sup>th</sup> City Council meeting.

- VIII. **ADJOURN** – Commissioner James motions to adjourn. Commissioner McClung seconds. Motion passes, 5-0. Meeting adjourned at 9:07 p.m.