

Minutes of Planning and Zoning Commission Regular Meeting

A Regular Meeting of the City of Dripping Springs Planning and Zoning Commission was held Wednesday, March 24, 2015, beginning at 7:00 PM at City Hall, 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 Kerri Craig
City Attorney Alan Bojorquez

Commission Chair Larry McClung called the meeting to order at 7:01pm. All members present except Commissioner Josef Martin, Commissioner Kim Hubbard, Commissioner Whit Smith, 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). - None

III. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance - Commissioner James Martin leads the Pledge of Allegiance.

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. – No one speaks.

The following citizens contacted the City Administrator Michelle Fischer to express opposition to the Up-Lighted Sign Variance Request included in the Planned Development District #4 Agreement: Joan Mihal, John Cassidy, Cindy Luongo Cassidy, and Laurel Robertson.

V. MINUTES

Consideration and Possible Action On:

A. Approval of Regular Meeting Minutes, February 24, 2015 – Commission Vice Chair Mim James motions to approve the minutes with one correction to his title. Commissioner James Martin seconds. VOTE: 3-0 in favor, Commissioner Erik Burgeson abstains, motion passes.

VI. ZONING AND PLANNED DEVELOPMENT DISTRICT AGREEMENTS

Consideration and Possible Action On:

- A. Planned Development District Agreement between the City of Dripping Springs and Robert T. and Jill K. McAlister for Planned Development District No. 4: Texas Heritage Village Residential Subdivision (Approximately 29.8 Acres Located Within the City Limits of Dripping Springs, in Hays County, Texas, as Described in A0415 Philip A. Smith Survey)
1. Presentation – James McCann - Pape-Dawson Engineering; Rex Baker – Applicant’s Attorney
 2. Staff Report – Planning Director Jon Thompson, Exterior Design, Architectural, and Land Planning Consultant Keenan Smith, and City Administrator Michelle Fischer, reports on file.
 3. Public Hearing – No one speaks.
Commission Chair Larry McClung makes a motion to discuss. Commission Vice Chair Mim James seconds. Commission discusses housing in Dripping Springs, impervious cover, traffic and parking issues, road improvements, zoning in this and surrounding areas, HOAs, and the review and approval process for the PDD.
 4. Parkland Dedication – Commission Chair Larry McClung motions to approve the Parkland Dedication subject to the approval of the PDD. Commission Vice Chair Mim James seconds. VOTE: 4-0 in favor, motion passes.
 5. Sign Variance Request to Allow Monument Signs for a Subdivision to Exceed the Maximum Height Allowed
 6. Sign Variance Request to Allow Monument Signs for a Subdivision to Exceed the Maximum Area Allowed
 7. Sign Variance Request to Allow a Monument Sign for a Model Home to Exceed the Maximum Height Allowed
 8. Sign Variance Request to Allow a Monument Sign for a Model Home to Exceed the Maximum Area Allowed
 9. Sign Variance Request to Allow Monument Signs to be Located Off Premise
 10. Sign Variance Request to Allow Monument Signs to be Up-Lighted
 11. Sign Variance Request to Allow an Alternative Definition for “Signable Area”
Commissioner Erik Burgeson motions to remove all references to signage from the Planned Development District Agreement and table items 5-11, subject to future consideration of a master signage plan. Commissioner James Martin seconds. VOTE: 4-0 in favor, motion passes.
 12. Zoning Alternative Standards to Include, but Not Limited To, Building Setback Lines, Minimum Area of the Lot, Minimum Lot Width, Maximum Height of Main Buildings and Accessory Buildings – Commission Vice Chair Mim James motions to approve staff’s recommendations. Commission Chair Larry McClung seconds. VOTE: 3-1, Commissioner Erik Burgeson votes Nay, motion passes.
 13. Alternative Design Standards for Street Design to include, but Not Limited To, Residential Collector Streets and Dead End Streets – Commission Vice Chair Mim James motions to approve. Commissioner James Martin seconds. VOTE: 3-1 in favor, Commissioner Erik Burgeson votes Nay, motion passes.

14. Planned Development District Agreement – Commission Vice Chair Mim James motions to approve the agreement as currently drafted with the exclusion of all references to signage, subject to future consideration of a master signage plan, and correct the GR reference in the PDD Agreement to correspond with the PDD Ordinance. Commissioner James Martin seconds. Commission discusses the agreement, existing zoning in this area, the review process for Planned Development Districts which involve a change in zoning and do not currently include input from the Planning and Zoning Commission during the development of the agreement, the increase in traffic from the proposed residential population, the traffic analysis of this area, and the use of Mixed Use zoning in this development. VOTE: 3-1 in favor, Commissioner Erik Burgeson votes Nay, motion passes.

Commission directs staff to evaluate the review process for Planned Development Districts in the future, and schedule a meeting between staff and the Commission Chair and Vice Chair to discuss options and possible changes to the review process.

B. Ordinance No. 1220.106: An Ordinance Enacted In Compliance With Article 30.03 Of The Dripping Springs Code Of Ordinances; Creating Planned Development District Number Four, Which Shall Encompass The Boundary Of The Property, And Further Establish Regulations And Guidelines For The Development And Construction Of A High-Density, Detached Residential Project And Other Off-Site Roadway And Utility Infrastructure Improvements Including The Incorporation And Operation Of A Homeowners Association And Its Related Functions And Facilities; And Provide For The Following: Rules; Standards; Procedures; Criminal Penalties; And, Severability (Approximately 29.8 Acres Located Within the City Limits of Dripping Springs, in Hays County, Texas, as Described in A0415 Philip A. Smith Survey)

1. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
2. Public Hearing – No one speaks.
3. Ordinance No. 1220.106 – Commission Vice Chair Mim James motions to approve Ordinance 1220.106 subject to the deletion of the signage language in Appendix E of the Ordinance. Commissioner James Martin seconds. VOTE: 3-1 in favor, Commissioner Erik Burgeson votes Nay, motion passes.

C. Ordinance No. 1220.110: An Ordinance of the City of Dripping Springs Amending the Zoning Classification of 220 Retha Drive (Lots 7 and 8, Block B, Dripping Springs Heights) from Low Density Single Family Residential (SF-1) to Moderate Density Single Family Residential (SF-2), *Darren Rainwater, Owner*

1. Presentation - None
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval as submitted.
3. Public Hearing – No one speaks.
4. Ordinance No. 1220.110 – Commission Vice Chair Mim James motions to approve Ordinance 1220.110. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes.

VII. SITE DEVELOPMENT

- A. Dripping Springs Independent School District Elementary School # 4 / Middle School # 2, Legal Description: 49.10 acres out of the James Bracken Survey, A0062, located on Sawyer Ranch Road adjacent to Highpointe Subdivision on the north boundary line, *Sean Friend, PE, Cunningham-Allen Engineering*
1. Presentation – Sean Friend, PE, Cunningham-Allen Engineering
 2. City Engineer's Report – City Engineer Rick Coneway (absent), report on file. Staff recommends approval.
 3. Public Hearing – No one speaks.
 4. Site Plan - Commissioner Erik Burgeson motions to approve the Site Plan according to staff recommendation. Commissioner James Martin seconds. VOTE: 4-0 in favor, motion passes.

VIII. SIGNS

- A. Sign Variance Requests for Directional Sign for Bell Springs Winery Sidecar Tasting Room and Pink West, located at 501 Old Fitzhugh Rd., *Nate Pruitt, Applicant/Owner*
1. Presentation – None
 2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval.
 3. Public Hearing – No one speaks.
 4. Variance Request to Allow an Off Premise Directional Sign
 5. Variance Request to Allow a Directional Sign to Exceed the Maximum Signable Area Allowed - Commission Chair Larry McClung motions to approve both variance requests according to staff's recommendation. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes.
- B. Sign Variance Requests for 5 Star ER, located at 333 E. Highway 290, *Sandy Ellis, APCO Signs and Sam Roberts, 5 Star ER*
1. Presentation – None
 2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval of Sign B “24 Hour Emergency”, approval of Sign C “Ambulance” with the condition that it be limited to 12 inches in height, approval of Sign D “24 Hour Emergency” if Sign E “Five Star ER” is eliminated, approval of Sign E “Five Star ER” if Sign D “24 Hour Emergency” is eliminated, denial of Sign F “+”, and denial of Sign G “24 Hour Emergency”.
 3. Public Hearing – No one speaks.
 4. Variance Request to Exceed the Maximum Number of Signs Allowed per Business
 5. Variance Request to Exceed the Maximum Height Allowed for a Projecting Sign
 6. Variance Request to Allow the Use of White Lettering for More than 1/3 of the Area of Illuminated Monument Sign – Commissioner James Martin motions to approve staff's recommendations with the exception that Sign F “+” is approved. Commission Chair Larry McClung seconds. VOTE: 4-0 in favor, motion passes.

IX. ANNOUNCEMENTS

A. Regular Historic Preservation Commission Meeting, April 6, 2015 at 5:30 p.m.

B. Regular Parks & Recreation Commission Meeting, April 13, 2015, at 6:00 p.m.

C. Regular City Council Meeting, April 14, 2015 at 5:30 p.m.

D. Regular Planning and Zoning Commission Meeting, April 28, 2015 at 7:00 p.m.

X. **ADJOURN** – Commission Chair Larry McClung motions to adjourn the meeting. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes. Meeting adjourns at 8:46pm.

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