

# Minutes of Planning & Zoning Commission Meeting

## City of Dripping Springs

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A Planning & Zoning Commission Meeting of the City of Dripping Springs was held Tuesday, March 25, 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 7:00 p.m. All present except City Attorney Alan Bojorquez. Also present Administrative Assistant Stephanie Hansmann.

### 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).*

### III. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance – Commissioner McClung 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.*

No one speaks.

### V. MINUTES

A. Approval of Regular Meeting Minutes, January 28, 2014 – Commissioner James

motions to approve January and February minutes. Commissioner Martin seconds. Motion passes, 7-0.

- B. Approval of Regular Meeting Minutes, February 25, 2014 – Commissioner James motions to approve January and February minutes. Commissioner Martin seconds. Motion passes, 7-0.

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

***Consideration and Possible Action On:***

- A. Special Exception, 23455 FM 150, Special Exception from the Dripping Springs Code of Ordinances, Chapter 30 “Zoning,” Exhibit A “Zoning Ordinance,” Section 3.14 .7(c) to Allow for the Permanent Use of an Airstream Travel Trailer as a Serving Station and Occasional Office, (*Twisted X Brewery*) *Ted Stewart, Applicant*

*Commissioner James Martin recuses himself.*

1. Presentation – Shane Bordeaux present and available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval with conditions listed in report.
  3. Public Hearing – Robert Blackwell, 102 Springwood Road, states Twisted X has been a good neighbor. Mr. Blackwell states concern for “food trailer” developing and states preference for it to only be used for special events and to be stored out of site from the road. Reiterates that Twisted X has been a good neighbor.
  4. Special Exception – Commissioner Josef Martin motions to approve with conditions recommended by staff. Commissioner Burgeson seconds. Commissioner McClung states concern for need for additional space and why it wasn't included in original site plan. Commissioner Burgeson states concern for placement. Commissioner Smith states support for the use. Commissioner James states concern for change in site plan and what precedent may be set. Commissioner Josef Martin states the public comment is from neighbors who cannot see the trailer. Commission discusses placement. Motion passes, 5-1-1. Commissioner Burgeson opposed. Commissioner James Martin abstains.
- B. Conditional Use Permit, 275 Old Highway 290, to Allow for the Open/outdoor Storage of Construction Equipment, *Chris Staff, Applicant*
1. Presentation – Frank Raymond is present and available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of conditional use permit and special exception (item C) with conditions listed in report.
  3. Public Hearing – No one speaks.

4. Conditional Use Permit – Commissioner James motions to approve Conditional Use Permit and Special Exception with staff recommendations. Commissioner Burgeson seconds. Commissioner James Martin offers friendly amendment that if natural shield of grove of trees is removed that fencing be erected. Commissioner James and Burgeson accept. Motion passes, 7-0.
- C. Special Exception, 275 Old Highway 290, Special Exception from the Dripping Springs Code of Ordinances, Chapter 30 “Zoning,” Exhibit A “Zoning Ordinance,” Section 3.12.5.(b) to Allow for a mobile office to be used as an office, *Chris Staff, Applicant*
1. Presentation – Frank Raymond is present and available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval with conditions listed in report.
  3. Public Hearing – No one speaks.
  4. Special Exception – Commissioner James motions to approve Conditional Use Permit and Special Exception with staff recommendations. Commissioner Burgeson seconds. Commissioner James Martin offers friendly amendment that if natural shield of grove of trees is removed that fencing be erected. Commissioner James and Burgeson accept. Motion passes, 7-0.
- D. Conditional Use Permit, 211 Mercer Street, to Allow for the Operation of a Wine Bar, *John McIntosh, Applicant*
1. Presentation – John McIntosh, owner states request and is available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
  3. Public Hearing – No one speaks.
  4. Conditional Use Permit – Commissioner Burgeson motions to approve staff recommendations. Commissioner Smith seconds. Motion passes, 7-0.
- E. Ordinance No. 1220.92 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the Following Property Located Within the City of Dripping Springs Corporate City Limits: 102.5 acres of the P.A. Smith Survey located in the 29000 block of Ranch Road 12, approximately 1500 feet north of the intersection of RR12 and Goodnight Trail, from Single-Family Moderate Density (SF-2) with Conditional Overlay to Single-Family Attached Residential District (SF-5) Garden Home with Conditional Overlay, *John Doucet, PE, Doucet & Associates, Applicant, for Monte Lynn Glosson, Trustee for Johnny Franklin Glosson Estate*

*Commissioner McClung recuses himself. Commissioner Burgeson recuses*

*himself. Commissioner Mim James chairs meeting.*

1. Presentation – John Doucet, presents boards and project and is available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of SF-5 with conditions listed in the report.
3. Public Hearing – No one speaks.
4. Ordinance No. 1220.92 – Commissioner Josef Martin motions to consider. Commissioner Smith seconds. Commissioner Josef Martin inquires why the hike and bike trails are not shown on the plan. Mr. Doucet clarifies placement is on RR 12 and not the buffer of Legacy Trails. Commissioner Smith motions to approve staff recommendations. Commissioner Hubbard seconds. Motion passes, 5-0-2. Commissioner McClung and Commissioner Burgeson abstain.

F. Special Exception, 400 Old Fitzhugh Road - Special Exception from the Dripping Springs Code of Ordinances, Chapter 30 "Zoning", Exhibit A "Zoning Ordinance", Section 3.12 .5(d) for the permanent use of two portable buildings for retail service business purposes, *(Goodie Two Shoes) Christine Ann, Applicant*

1. Presentation – Christine Ann, present and states request. Christine states the buildings will be landscaped and be made to look less like storage and more permanent. Christine states one building will be used for massage and the other is not finite at this time, but may be food related.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval with conditions listed in report.
3. Public Hearing – No one speaks.
4. Special Exception – Commissioner Mim James motions to approve staff recommendations. Commissioner Josef Martin seconds. Commission discusses RV stored on property. Motion passes, 7-0.

G. Ordinance No. 1220.93 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the Following Properties Located Within the City of Dripping Springs Corporate City Limits: Lots 1, 2, and 3 of the Burrows Subdivision, located at the end of EMS Drive approximately 300 feet northeast of the intersection of Sportsplex Drive and EMS Drive, from Single-Family Two-Family (SF-4) to Multi-Family Residential (MF), *Dirk Gosda, Sunrise Company, on behalf of Carter Breed, The Burrows @ Dripping Springs, L.P.*

1. Presentation - Jed Wellman, present and available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – No one speaks.

4. Ordinance No. 1220.93 – Commissioner McClung motions to approve. Commissioner Hubbard seconds. Motion passes. 7-0.
- H. Vacation of Lots 1, 2, and 3 of the Burrows Subdivision, the Condominium Subdivision Plat and Construction Plans for The Burrows Condominiums, *Carter Breed, The Burrows @ Dripping Springs, L.P.*
1. Presentation – Jed Wellman, present and available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file.
  3. Public Hearing – No one speaks.
  4. Vacation of Burrows Subdivision, Lots 1-3 – Commissioner James motions to approve. Commissioner Burgeson seconds. Motion passes. 7-0.
- I. Condominium (Final) Plat and Construction Plans - Lots 1, 2, and 3 of the Burrows, *Dirk Gosda, Sunrise Company, Applicant*
1. Presentation - Jed Wellman, present and available for questions.
  2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval with conditions listed.
  3. Public Hearing – No one speaks.
  4. Construction Plans – Commissioner McClung motions to approve Construction plans and subdivision plat with staff recommendations. Commissioner Burgeson seconds. Motion passes, 7-0.
  5. Condominium Subdivision Plat – Commissioner McClung motions to approve Construction plans and subdivision plat with staff recommendations. Commissioner Burgeson seconds. Motion passes, 7-0.
- J. Sign Variance Requests to Allow a Projecting Sign to Exceed the Maximum Height of 54 inches and to Allow an alternative Lighting Standard, *Rockstar Performance Shop, LLC, 1016 Pier Branch Rd., Derek C. Robinson, Applicant*
1. Presentation – Derek Robinson, applicant states request and history of sign and visibility.
  2. Sign Administrator's Report – Staff recommends approval with conditions listed in report.
  3. Public Hearing – No one speaks.
  4. Sign Variance Request to Allow a Projecting Sign to Exceed the Maximum Height of 54 inches – Commissioner McClung motions to approve both requests with staff recommendations. Commissioner Mim James seconds. Motion passes, 7-0.
  5. Sign Variance Request to Allow an Alternative Lighting Standard – Commissioner McClung motions to approve both requests with staff recommendations. Commissioner Mim James seconds. Motion passes, 7-0.

K. Sign Variance Request to Allow a Monument Sign to Exceed 6 feet in Height, Well Yeah Cakes, 28109 Ranch Road 12, *Krystal DeVazier, Applicant*

1. Presentation – Krystal DeVazier, applicant, states request and shows sign.
2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Ms. Fischer states options of removing a section of the fence or move the sign closer to the setback.
3. Public Hearing – No one speaks.
4. Sign Variance Request – Commissioner McClung motions to consider. Commissioner James Martin seconds. Commission discusses fencing and setback. Commissioner McClung motions to approve sign and structure with landscaping not to exceed 8 feet and approval of allowance out of setback to move sign closer to telephone pole.

VII. **ADJOURN** – Commissioner Hubbard motions to adjourn. Commissioner Josef Martin seconds. Motion passes, 7-0. Meeting adjourned at 8:50 p.m.