

# 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, May 27, 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 Administrator Michelle Fischer and 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).*

### III. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance – Commissioner Joseph Martin 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

*Consideration and Possible Action On:*

- A. Approval of Regular Meeting Minutes, March 25, 2014
- B. Approval of Regular Meeting Minutes, April 29, 2014

Commissioner James motions to approve with addition of vote on March 25, 2014 minutes, item VI.K. Commissioner Burgeson 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. Final Plat & Construction Plans - Reunion Ranch, Phase 2, Section 1, *Brett Pasquarella, PE, Carlson, Brigance & Doering, Applicant*
  - 1. Presentation – Brett Pasquarella states request and reviews plans 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. Final Plat & Construction Plans – Commissioner Burgeson motions to approve staff recommendations. Commissioner Josef Martin seconds. Motion passes, 7-0.
  
- B. Ordinance No. 1220.94 - An Ordinance of the City of Dripping Springs Changing the Zoning Classification of Sawyer Ranch 33, Tract Two, Located Within the City Limits South of the Valero convenience store at the intersection of US 290 and Sawyer Ranch Road, from Agricultural (AG) to General Retail (GR), *David Price, P.E., Austex Development, Applicant*
  - 1. Presentation – David Price, P.E., representative. States request and is available for questions.
  - 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends Office.
  - 3. Public Hearing – Helen Darling, resident on Rugged Earth Drive, representing self and neighbors on street. Ms. Darling states there are existing draining issues on Rugged Earth and the neighbors have reached out to Commissioner Whisenant and the Hays County engineers, but have not had any resolutions. Ms. Darling asks the Commission to partner with the residents of Rugged Earth to address drainage and deny further permits for impervious cover that would cause further drainage problems.

Mr. Dan Wattles, resident on Rugged Earth, submits photos of Rugged Earth Drive. Mr. Wattles states the history of the County's work on Sawyer Ranch and past studies and speaks to the increase in drainage issues. Mr. Wattles

asks City to partner with residents to seek further help from Hays County.

Richard Bergfield, resident on Rugged Earth Drive. Mr. Bergfield concurs with previous statements. Mr. Bergfield also states opposition to special exception request to exceed allowance for height and story.

John, resident of Belterra, states he is buying property to build a home on Rugged Earth. Asks Commission to work with County to fix drainage issues and to require developer to retain water on the development.

Jerry Ybarra, neighbor of proposed development, states concern for height of building. Ms. Ybarra states she has submitted comments via email.

4. Ordinance No. 1220.94 –Commissioner Smith motions to approve with staff recommendations. Commissioner Hubbard seconds. Commissioner McClung inquires of Planning Director Jon Thompson how much land this would zone. Planning Director Jon Thompson states it is the entire tract/12 acres. Commissioner Josef Martin inquires of applicant if a detention pond is planned. Mr. Price states while a site plan is not being submitted, the drainage will be directed under 290 and not to Rugged Earth. Motion passes, 7-0.

C. Special Exception - Sawyer Ranch 33, Tract Two, Located South of the Valero convenience store at the intersection of US 290 and Sawyer Ranch Road, to Exceed the Maximum Height of 40 Feet and the Maximum of Two Stories Allowed, *Luis Duron, Schneider Halls, Applicant*

1. Presentation – Luis Duron, representative for medical office building. States request for three stories and 55 foot height and is available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – Dan Wattles, resident on Rugged Earth Drive. States he would like to see driveway cut as traffic increase on Sawyer Ranch is concerning.

Richard Bergfeld, resident on Rugged Earth Drive, inquires of height requested.

4. Special Exception – Commissioner James motions to consider. Commissioner Burgeson seconds. Commissioner McClung clarifies the process of annexation, zoning, and special exception requests. Planning Director Jon Thompson states the site plan would be next and would address drainage, driveways, etc. Commission discusses topography and impact on neighboring lots. Planning Director Jon Thompson adds third condition to staff recommendations that site plan addresses height and topography related

to cut and fill and the base of the structure not be allowed any higher than current average grade of topography. Planning Director Jon Thompson adds fourth condition that site plan not be approved administratively and be required to come back to Planning & Zoning Commission and City Council for approval. Commissioner James motions to approve staff recommendations in report as well as added third and fourth conditions. Commissioner Burgeson seconds. Motion passes, 7-0.

- D. Ordinance No. 1220.95 - An Ordinance of the City of Dripping Springs Amending the City Code of Ordinances Chapter 30, Exhibit A, Sections 3.9.1, 3.9.2, 3.10.2, 3.11.2, And 3.12.2 Protecting Traditional Residential Zoning Districts and Maintaining Integrity of Non-Residential Zoning Districts; and Providing for the Following: Findings of Fact; Enactment; Repealer; Severability; Codification; Effective Date; and Proper Notice and Meeting
1. Staff Report – Report on file from Sallie Burchett of the Bojorquez Law Firm.
  2. Public Hearing – No one speaks.
  3. Ordinance No. 1220.95 - Commissioner James motions to consider. Commissioner Burgeson seconds. Commission discusses proposed changes. Commissioner James recommends approval as drafted if words match the chart. Commissioner McClung seconds. Motion passes, 5-2. Commissioners Josef Martin and Kim Hubbard opposed.

VII. **ADJOURN** – Commissioner McClung motions to adjourn. Commissioner Josef Martin seconds. Motion passes, 7-0. Meeting adjourned at 8:37 p.m.