

Minutes of the Planning and Zoning Commission Regular Meeting

A Regular Meeting of the City of Dripping Springs Planning and Zoning Commission was held Tuesday, July 28, 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

VACANT

Mim James – Vice Chair

Erik Burgeson

James Martin

Whit Smith

City Staff/Appointed Officials

City Administrator Michelle Fischer

Planning Director Jon Thompson

City Secretary Kerri Craig

Commission Chair Larry McClung calls the meeting to order at 7:00pm. All members present except Commissioners James Martin and Whit Smith. Also present is Planning Administrative Assistant Laurie Whipple.

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 - Commissioner Erik Burgeson 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.

Commission Chair Larry McClung recognizes and thanks former Commissioner Josef Martin for his four years of service on the Planning and Zoning Commission.

V. MINUTES

Consideration and Possible Action On:

A. Approval of Regular Meeting Minutes, June 23, 2015 – Commission Vice Chair Mim James motions to approve the minutes. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes.

VI. SIGNS

A. Requests for Waiver and Variances Regarding Exterior Design & Architectural Standards, Lighting, and Signage for Schlotzsky's, Located at 1025 Cannon Drive, Suite 101, *Aetna Sign Group, Applicant on behalf of Schlotzsky's*

1. Presentation – Larry Gottsman, Aetna Sign Group
2. Sign Administrator's Report – City Administrator Michelle Fischer, staff's recommendation and report on file.
3. Public Hearing – No one speaks.
4. Waiver and Variance Requests
 - a. Variance Request to Exceed the Maximum Number of Signs Allowed for a Business in a Multi-Unit Property
 - b. Waiver Request from Exterior Design & Architectural Standards Ordinance for Drive-Thru Window Awning
 - c. Variance Request to Allow a Menu Board
 - d. Variance Request to Allow the Use of White in Internally Illuminated Menu Board and Directional Signs that is not a Logo

Commission Vice Chair Mim James motions to consider. Commissioner Erik Burgeson seconds. Commission discusses the waiver and variance requests including the awning, number of signs, lighting ordinance, location of signs and color. Commission Chair Larry McClung motions to approve staff's recommendations as related to signage including denial of the sign on the side of the building, and approves the awning as designed with the condition that the coloring be compatible with the rest of the building and the final design is approved by the City's Sign Administrator. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes.

B. Sign Variance Requests for the Founders Ridge Subdivision Entrance Sign, located at 29220 Ranch Road 12, *SEC Planning, Applicant on behalf of Taylor Morrison Homes*

1. Presentation – Cynthia McCalmont is available for questions.
2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval of both variance requests.
3. Public Hearing – No one speaks.
4. Variance Request to Allow a Subdivision Entrance Sign to be Located in the Right Of Way
5. Variance Request to Allow a Subdivision Entrance Sign to Exceed the Maximum Area Allowed

Commission Vice Chair Mim James motions to approve according to staff's recommendation. Commission Chair Larry McClung seconds. VOTE: 4-0 in favor, motion passes. Commissioner Erik Burgeson makes a friendly amendment to Commission Vice Chair James' motion that states staff will add a requirement to the license agreement that in the event that the sign is damaged, the party responsible for maintaining it will initiate repairs in a timely period as determined by staff in the agreement, and that the cost will be borne by the party responsible for maintaining the sign at the time the damage occurs. Commission Chair

McClung seconds. VOTE: 4-0 in favor, motion passes.

VII. PARKLAND DEDICATION PLANS

A. Master Open Space and Parkland Dedication Plan for Caliterra Subdivision, Located at 26025 Ranch Road 12, *Development Solutions CAT LLC, Applicant*

1. Presentation – Peter Dufrene, Applicant’s Representative
2. Staff Report – Planning Director Jon Thompson states that the staff report was prepared by Brent Luck, the City’s Parks and Recreation Consultant, and it includes his recommendations (report on file).
3. Parks & Recreation Commission Report – City Administrator Michelle Fischer describes the deliberation regarding this item at the Parks and Recreation Commission meeting, and that the Commission voted to approve the plan.
4. Public Hearing – No one speaks.
5. Master Open Space & Parkland Dedication Plan – Commission Vice Chair Mim James motions to approve as presented by staff. Commissioner Erik Burgeson seconds. Commission discusses the location of the trail, the easement and connection. Commission Vice Chair Mim James amends his motion to approve as presented by staff and that the easement must be specified on the preliminary and final plats and that the City is not prohibited from proceeding with the trail. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes.

VIII. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/VARIANCES/WAIVERS/ALTERNATE STANDARDS/DEVELOPMENT AGREEMENTS *Consideration and Possible Action On:*

A. Ordinance No. 1220.115: An Ordinance of the City of Dripping Springs Amending the Zoning Classification of 401 US Hwy 290 East (Lone Star Capital Bank) from Commercial Services (CS) to Office (O), *Danny Buck, President, Applicant*

1. Presentation – Chad Pearce, Seaux Pearce Architects
2. Planning Director’s Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the zoning amendment.
3. Public Hearing – No one speaks.
4. Ordinance No. 1220.115 – Commission Chair Larry McClung motions to approve Ordinance 1220.115 according to staff’s recommendation with the condition that staff verify that banks are allowed in Office zoning. Commission Vice Chair Mim James seconds. VOTE: 4-0 in favor, motion passes.

B. Ordinance No. 1220.116: An Ordinance of the City of Dripping Springs Amending the Zoning Classification of 500 Mercer Street (Homestead at the Dripping Springs) from Single Family Low Density (SF-1) to Local Retail (LR), *Charles W. Haydon, Applicant/Owner*

1. Presentation – Charles Haydon, Applicant, is available for questions.
2. Planning Director’s Report - Planning Director Jon Thompson, report on file. Staff recommends approval of the zoning amendment with the condition that the existing lighting be brought into compliance if needed.

3. Public Hearing – No one speaks.
4. Ordinance No. 1220.116 – Commission Vice Chair Mim James motions to approve Ordinance 1220.115. Commissioner Erik Burgeson seconds. VOTE: 4-0 in favor, motion passes.

C. Discussion on Resubmittal of Conditional Use Permit Application to Allow for a Mobile Food Vendor Court and Associated Improvements at 310 Old Fitzhugh Road, *Tasha Nikora and Alysia Ferrer, Applicants (no action to be taken)* – Commission discusses the various reasons why the Conditional Use Permit Application was denied by City Council on July 14, 2015, and suggests to Mrs. Nikora (present) that if she decides to pursue this project again, that she provide a complete, final plan for the project when she applies as opposed to potential ideas and plans that have not been finalized.

IX. ANNOUNCEMENTS

- A. Regular Historic Preservation Commission Meeting, August 3, 2015 at 5:30 p.m.
- B. Regular Parks & Recreation Commission Meeting, August 10, 2015, at 6:00 p.m.
- C. Regular City Council Meeting, August 11, 2015 at 7:00 p.m.
- D. Regular Planning and Zoning Commission Meeting, August 25, 2015 at 7:00 p.m.

X. **ADJOURN** – Commission Vice Chair Mim James motions to adjourn the meeting. Commission Chair Larry McClung seconds. VOTE: 4-0 in favor, motion passes. Meeting adjourns at 8:20pm.