

**CITY OF DRIPPING SPRINGS, TEXAS**  
**MINUTES OF THE PLANNING AND ZONING MEETING**  
**August 22, 2017**

A meeting of the Planning and Zoning Commission of the City of Dripping Springs, Texas, was held on Tuesday, August 22, 2017 at 6:30 P.M. at City Hall, 511 Mercer Street, Dripping Springs, Texas.

Present:	<u>Commission Members</u>	<u>City Staff/Appointed Officials</u>
	Mim James – Chair	Michelle Fischer – City Administrator
	James Martin – Vice Chair	Dottie Palumbo – Assistant City Attorney
	Erich Oswald	Katie Jordan – Planning Assistant
	Michael Lavengco	Megan Will – City Planner
	Evelyn Strong	

**I. CALL TO ORDER AND ROLL CALL at 6:30 p.m.**

With a quorum of the commission members present, Chairman Mim James called the Regular Meeting to order at 6:30p.m. followed by the pledge of allegiance led by Evelyn Strong. It is noted that Commissioners Kim Hubbard and John McIntosh were absent for this meeting.

**II. Pledge of Allegiance.**

**III. PRESENTATION OF CITIZENS**

There were no comments received from the public.

**IV. MINUTES**

*Consideration and Possible Action On:*

A. Approval of Minutes for July 25<sup>th</sup> Regular Commission Meeting.

James Martin made a motion to approve the July 25<sup>th</sup> P&Z Minutes as published. Michael Lavengco seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the minutes.

**V. BUSINESS**

*Consideration and Possible Action on:*

A. **Burba Ranch Subdivision - Preliminary Plat for approximately 103.85 acres located at 16055 Sawyer Ranch Road, Dripping Springs, Tx 78620.** Applicant John A. Clark on behalf of LJA Engineering Inc.

1. Presentation (John Clark, P.E./Dan Ryan) Dan Ryan announced that his team is working on clearing final comments with Hays County. Final approval pending.

2. **Staff Report (Rick Coneway/Megan Will)** Megan Will presented Rick Coneway's staff report in his absence which is on file. Staff recommends the approval of waiving the requirement for the minimum lot size and the approval of the preliminary plat.

Michelle Fischer touched on a few highlights concerning Brent Luck's review of the Parkland Dedication Plan: with the 73 proposed LUE's, the required amount of parkland per ordinance is 2.92 acres. The proposed amount of parkland dedication is 5.10 acres which exceeds the requirement by 74%. The revised narrative associated with the park plan indicates the parkland will be maintained by the HOA. Mr. Luck would like to add that the eastern open field space be mowed and maintained at frequency and level of upkeep that will support sports activities at the park site. Mr. Luck recommends that the Parkland Dedication Plan be discussed with consideration of the items outlined in his report and recommend approval of the Parkland Dedication Plan. Michelle made a recommendation to approve the Parkland Dedication Plan with the condition that they revise the narrative for it to reflect the conditions made by the Parks & Recreation Commission that are in Mr. Luck's report.

3. **Public Hearing**

Giles Andrews: Can the entrance/exit be moved further down? He is concerned about light and noise pollution affecting his brothers' property next to the entrance. Will there be any visual barriers?

Jeanine Hoffman: Will there be any easy access lane into the entrance area? Because the proposed entrance is approximately one mile before hitting the 50 mph acceleration zone, which could potentially pose safety risks to residents entering or exiting the subdivision.

Mim James made a motion to consider, Michael Lavengco seconded the motion. Offsite improvements such as a deceleration lane or a TIA are not addressed until construction plan phase. Since this project is proposing less than 100 lots, a TIA is not required at this time, unless TXDOT deems it necessary. This will be determined later.

4. **Variance Request from the Dripping Springs Code of Ordinance, Chapter 28, Section 14.6 - Minimum Lot Sizes in ETJ to allow proposed minimum lot size of 1 acre for a lot with surface water supply and private septic.** James Martin made a motion to approve the variance request to allow the proposed minimum lot size of 1 acre with surface water supply and private septic with the condition of adhering to the Landscape and Outdoor Lighting Ordinance. Evelyn Strong seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the Variance.
5. **Parkland Dedication** James Martin made a motion to approve the Parkland Dedication Plan narrative as expressed in Brent Luck's report. Michael Lavengco seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the Parkland Dedication Plan.

6. Preliminary Plat James made a motion to approve the Preliminary Plat, subject to Hays County approval. Evelyn Strong seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the Preliminary Plat.

**B. A request for a variance from Dripping Springs Code of Ordinance, Chapter 30, Sections 5.7.6 and 5.7.7 to allow reduction of required parking for a mixed-use structure containing place of worship and commercial/retail uses for H.O.M.E. Church, Located at 145 Broken Lance Lane, Dripping Springs, Tx 78620**

*Applicant: Lynn Alderson on behalf of Alderson Group, Inc.*

1. **Presentation (Lynn Alderson, P.E.)** Lynn Alderson presented the proposal for the H.O.M.E Church site development project which will assign mixed-use for a place of worship and for commercial/retail uses. The request for a variance from the Dripping Springs Code of Ordinance, Chapter 30, Sections 5.7.6 and 5.7.7 are to allow reduction of required parking for a mixed-use structure to share parking, and for the required parking to be provided in an amount based on what is required for the uses individually, and for a reduction in the amount required parking from 73 to 71 spaces.
2. **Staff Report (Megan Will)** Megan Will presented the staff report which is on file. Two written public comments have been received; one from a resident within the 300' property buffer and another from a resident of the Hidden Springs Ranch subdivision, but outside of the 300' buffer. Staff recommends approval of the variance with the two conditions stated in the staff report.
3. **Public Hearing**  
Frank Raymond: Concerned about water run-off, water quality, ingress/egress off of Broken Lance Drive, and spillover of parking.
4. **Variance to allow reduction of required parking for a mixed use structure containing place of worship and retail spaces** James Martin made a motion to consider, Mim James seconded the motion. The owner is aware that if the use of the building changes then the required amount of parking spaces has to be compatible with City's code under the zoning chart. Lynn addressed the concern about the access off of Broken Lance Drive, stating that it serves two purposes. Reason number one being they needed the extra parking spaces to get there, and reason number two is to allow people coming out of the subdivision to not have to go out to Old Hwy 290 to enter the site. The main entrance is off of Old Hwy 290. Water quality and detention control will be addressed in the City Engineer's review of the site plan.

James Martin made a motion to approve the variance request to allow the reduction in parking requirements for a mixed-use structure to share parking for and for the required parking to be provided in an amount based on what is required for the uses individually, and for a reduction in the amount required parking from 73 to 71 spaces, but with the condition of written acknowledgment by the owner that the requirements of Ordinance, Section 5.7.5 and the understanding that any future expansion or reconfiguration of uses on the subject property may require approval of additional variances and/or shared parking arrangements, and that the hours of the church and commercial uses be mutually exclusive with the exception of the regular activities of church office staff.

Mim James seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the Variance.

**C. First Amendment to the Westwood Amended and Restated Development Agreement between the City of Dripping Springs and Scenic Land Holdings, LLC Entered into on or about March 1, 2017 to Dedicate Approximately 2 Acres out of the 17 Acre Civic Site Dedicated to the City to the Veterans of Foreign Wars Post 2933.**

*Applicant: Scenic Land Holdings, LLC*

1. Presentation Kathryn Chandler gave a presentation on behalf of the Dripping Springs VFW Post 2933. Their goal is to find a permanent home for present and future Dripping Springs veterans. The concept for the new veteran's hall will complement its surroundings and blend in with the new Westwood community. Space allowing, they would also like to move the present Veteran's Memorial Park to this new location and create a landscaped memorial walk. This relocation would also free up the triangle for the City's future plans. They're waiting to begin fundraising until they have a definite location.
2. Staff Report Dottie Palumbo presented the staff report which is on file. Staff recommends to approve the 1<sup>st</sup> Amendment to Westwood Amended and Restated Development Agreement dedication approximately 2 acres of the Civic Site to the Veterans of Foreign Wars Post 2933.
3. Public Hearing

Don Pringle: Concerned about the easement which leads into the property since it may not be wide enough to fit a fire rescue/ emergency vehicles; will there be another entrance other than that one? Mim James stated that those concerns will be addressed at the time Construction Plan is being reviewed.

4. First Amendment to Amended & Restated Development Agreement Mim James made a motion to approve the First Amendment to Westwood Amended and Restated Development Agreement to allow the dedication 2 acres of the Civic Site to the VFW Post 2933. James Martin seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the Variance.

**D. Ordinance No. 1251.06: An Ordinance of the City of Dripping Springs Amending Chapter 26, Appendix "B", of the Dripping Springs Code of Ordinances; Amending Regulations for the Master Sign Plan for The Commons; Providing for the Following: Rules; Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement Including Criminal Penalties Including Criminal Fines Not to Exceed \$500.00 and Civil Fines of up to \$100.00. Applicant MP Commons**

1. Presentation Paul Hudson presented on behalf of the owners of The Commons shopping center. The property owner and manager are requesting to add an additional panel to the monument sign at the front of the property. The additional panel would allow businesses that do not have frontage at the front of the property to have signage in the front of the property. This could be accomplished by

increasing the height of the sign or placing writing on the base of the sign. The property owner has provided multiple designs to choose from (Option A, as their first request).

2. **Staff Report** Laura Mueller's staff report is on file. Michelle Fischer included that staff did review this and they find it acceptable to reuse the top panel for tenant signage, as long as it's used by tenants located towards the rear of the property. Staff recommends the Amendment to the Master Sign Plan for the Commons as Option "B" which is included in the attachments, it does not increase the height of the sign. Planning and Zoning Commission will need to make a recommendation to City Council as to which option they vote on.

3. **Public Hearing**

Thomas Nevill (Owner of the workplace): Has a distinct interest in amending the Master Sign Plan since he will be one of the tenants benefiting from this.

4. **Ordinance No. 1251.06** James Martin made a motion to approve staff's recommendation for Option "B". Michael Lavengco seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving the Amendment to the Master Sign Plan for The Commons.

**E. Ordinance No. 1251.07: An Ordinance of the City of Dripping Springs Amending Chapter 26, Appendix "D", of the Dripping Springs Code of Ordinances; Amending Regulations for the Master Sign Plan for a Portion of the Sawyer Ranch Subdivision; Providing for the Following: Rules; Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement Including Criminal Penalties Including Criminal Fines Not to Exceed \$500.00 and Civil Fines of up to \$100.00.**

1. **Presentation** Jacob Dotson on behalf of Executive Signs explained their request to increase the number of signs and to allow change of tenants without rewriting or modifying the Master Sign Plan Ordinance. Sawyer Ranch commercial has changed some tenants. Adopting this amendment would be able to accommodate new tenants much easier.
2. **Staff Report** Laura Mueller's staff report is on file. Michelle Fischer presented the staff report in Laura's absence. Staff recommends approval of the proposed Master Sign Plan Ordinance for Sawyer Ranch.
3. **Public Hearing** No Comments were made.
4. **Ordinance No. 1251.07** Michael Lavengco made a motion to approve Ordinance No. 1251.07 per staff's recommendation. Erich Oswald seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving Ordinance No. 1251.07.

**F. Ordinance No. 1251.08: An Ordinance Enacting Appendix “E” Chapter 26 of the Dripping Springs Code of Ordinances; Establishing Regulations for a Master Sign Plan for the Founders Ridge Subdivision; Providing for the Following: Rules: Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement Including Criminal Penalties Including Criminal Fines Not to Exceed \$500.00 and Civil Fines of up to \$100.00.**

1. Presentation Kristen France on behalf of Taylor Morrison was present for any questions.
2. Staff Report Laura Mueller’s staff report is on file. Michelle Fischer gave an overview of the staff report. Founders Ridge has requested additional non-permitted signs to be in a Master Sign Plan. Those signs include: model home signs (temporary); selling point signs (temporary); and trail signs (permanent). The draft ordinance allows the temporary signs to be moved within the subdivision as needed, but also requires that they be removed once all homes are sold. The permanent trail marking signs will not be removed, but will be small and be used solely to mark the trail.
3. Public Hearing No comments were made.
4. Ordinance No. 1251.08 Evelyn Strong made a motion to approve Ordinance 1251.08 to establish to regulations of the Master Sign Plan for Founders Ridge Subdivision. Erich Oswald seconded the motion. The motion carried unanimously with a vote of 5 Ayes and 0 Nays, approving Ordinance 1251.08.

**VI. 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).*

**XI. Announcements.**

- A. Regular City Council Meeting, September 12, 2017, at 5:30 p.m. Workshop/ 6:30 p.m.
- B. Next Regular Planning and Zoning Meeting, September 26, 2017 at 6:30 p.m.

**XII. Adjourn.**

**Adjourn Open Meeting**

A motion was made by Vice Chairman James Martin with a second by Michael Lavengco to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:45p.m.

Respectfully submitted,

Katie Jordan  
Planning Assistant

These minutes were approved on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.