

Minutes of Planning and Zoning Commission Regular Meeting

A Regular Meeting of the City of Dripping Springs Planning and Zoning Commission was held Wednesday, December 17, 2014, 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 7:03pm. All members present except Commission Vice Chair Mim James and City Attorney Alan Bojorquez. Also present was Natasha Martin, Assistant City Attorney.

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

City Secretary Kerri Craig 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.

V. MINUTES

Consideration and Possible Action On:

- A. Approval of Regular Meeting Minutes, November 18, 2014

Commissioner Erik Burgeson motions to approve. Commissioner James Martin seconds. VOTE: 6-0 in favor, motion passes.

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

Consideration and Possible Action On:

- A. Amended and Restated Development Agreement between the City of Dripping Springs and Anarene Investments Ltd., Legal Description: 1647.83 acres total as further described in Exhibit A of the posted exhibits, *Paul Linehan, Land Strategies, Applicant*

- 1. Presentation – Paul Linehan, Applicant
- 2. City Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
- 3. Public Hearing:

Andy Scott –Concerned about height restrictions, buffer zones regarding access to Barton Creek, plans for the green belt to the trails, population density, tree clearing, effect on dark sky ordinance, noise from the proposed community center.

David Bailey – Owns land here on Shelton Ranch Road. Concerned about the business and employment center proposed to go in behind him.

Vicki Lewis – Are you recording this and will you take these comments into consideration?

- 4. Requests for Variances and Alternative Standards
 - a. Maximum Impervious Cover
 - b. Lot Widths and Depths
 - c. Minimum Lot Sizes
 - d. Residential Block Lengths
 - e. Minimum Centerline Radius
 - f. Minimum Tangent Length
 - g. Construction and Installation of Required Public Improvements and Utilities
- 5. Amendment to Development Agreement

Commissioner Erik Burgeson motions to approve staff recommendations. Commissioner Josef Martin seconds. Determination was made that the variances should be voted on separately from the agreement. Commissioner Josef Martin withdraws his second, and

Commissioner Erik Burgeson withdraws his motion.

Commissioner Erik Burgeson motions to approve the agreement alone. Commissioner Josef Martin seconds. Commission discusses the variances with staff and the applicant. VOTE: 6-0 in favor, motion passes.

Commissioner Josef Martin motions to approve the seven variances. Commissioner Whit Smith seconds. VOTE: 6-0 in favor, motion passes.

B. Dripping Springs Medical Office Building Alternative Design for Exterior Design, Located at Sawyer 33, Tract Two, Lot 2A (approximately 660 feet south of the intersection of US 290 and Sawyer Ranch Road on the southwest side of the intersection), *Luis Duron, AIA, Applicant*

1. Presentation – Luis Duron, Applicant
2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – No one speaks
4. Alternative Standard for Exterior Design

Commissioner Whit Smith motions to consider. Commission Chair Larry McClung seconds. VOTE: 6-0 in favor, motion passes.

Commission, staff and applicant discuss differences in the design from the version they saw in May 2014.

Commissioner James Martin motions to table the item until the architect can be present to address changes and other questions. Commissioner Josef Martin seconds. VOTE: 6-0 in favor, motion passes.

C. Conditional Use Permit Application for Bell Springs Winery, Located at 501 Old Fitzhugh Road, *Nate Pruitt, Bell Springs Winery, Applicant*

1. Presentation – None
2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – No one speaks
4. Conditional Use Permit

Commission discusses the noise issue, consulting with staff and Assistant City Attorney Natasha Martin.

Commissioner Erik Burgeson motions to approve. Commissioner Josef Martin seconds. Vote: 6-0 in favor, motion passes.

Commission Member James Martin leaves the room at 8:22pm because he has a potential conflict of interest concerning the next agenda item (affidavit on file).

D. Ordinance No. 1220.103: An Ordinance Amending the Conditional Overlay Zoning for Twisted X Brewing Company, Located at 23455 FM 150, *Ted Stewart, Twisted X Brewery, Applicant*

1. Presentation – Steven Oliver, Applicant

2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.

3. Public Hearing –

Robert Blackwell – Opposes allowing the airstream trailer.

Benny Metcalf – Opposes allowing the airstream trailer.

Carol Sassmanshausen – Opposes allowing the airstream trailer.

Vicki Lewis – Supports allowing the airstream trailer.

Jimmy Skipton – Supports allowing the airstream trailer.

Ted Stewart, Applicant – The airstream trailer was approved in our original site plan and landscape plan. It was approved by P&Z, but not City Council because not all applicants were able to make the meeting when it was presented. We are asking for approval again.

Nancy Cantrell – Opposes allowing the airstream trailer.

Lisa Linkman – Opposes allowing the airstream trailer.

4. Ordinance No. 1220.103

Commissioner Burgeson motions to amend the conditional overlay to approve the use of the airstream trailer by Twisted X in accordance with proposed use, then withdrew his motion.

Commissioner Whit Smith motions to discuss. Commissioner Josef Martin seconds. VOTE: 5-0 in favor, motion passes.

Commission discusses the use of the airstream trailer and special events.

Commissioner Whit Smith motions to table the item. Commissioner Erik Burgeson seconds. VOTE: 5-0 in favor, motion passes.

Commissioner James Martin returns to the meeting at 9:00pm.

E. Replat of Lanier Ranch, Tract 1E-2r and Tract 1H-1, Located at 1451 Darden Hill Road and 201 North Creekwood Drive, *Mark Rutledge and Trisha Slack, Property Owners*

1. Presentation – None
2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing –
James Cane – Would like more information on the replat and what will be done to the property.
4. Replat
The meeting was paused at 9:00pm due to a medical emergency. Meeting reconvened at 9:17pm.

Commissioner James Martin motions to approve. Commission Chair Larry McClung seconds.
VOTE: 6-0 in favor, motion passes.

F. Replat of A. Benney Subdivision, Lot 6, Located at 150 Benney Lane, *Mark Lander, TMG Commercial, Applicant, on behalf of Reba Byrd, Owner*

1. Presentation – Mark Lander is present and available for questions.
2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – No one speaks
4. Replat
Commissioner Erik Burgeson motions to approve. Commissioner Kim Hubbard seconds.
VOTE: 6-0 in favor, motion passes.

G. Ordinance No. 1803.75: An Ordinance Amending the Zoning Classification of 6.891 acres out of the Benjamin F. Hanna Survey, A0222 & Philip A. Smith Survey, A0415, (also known as "26 Doors") from Commercial Services (CS) to Two Family Residential – Duplex (SF-4), *Mark Lander, TMG Commercial, Applicant, on behalf of the Dripping Springs Lions Club, Owner*

1. Presentation – Mark Lander provides a summary and is available for questions.
2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – No one speaks
4. Ordinance No. 1803.75
Commissioner Josef Martin motions to approve. Commissioner Erik Burgeson seconds.
VOTE: 6-0 in favor, motion passes.

H. Request for Special Exception from Side Yard Setback for Clock Tower Square, Located at 1025 Cannon Dr., *James McCann, PE, Pape Dawson Engineering, Applicant, on behalf of Steve*

McCoy, Owner

1. Presentation – None
2. Staff Report – Planning Director Jon Thompson, report on file. Staff recommends approval.
3. Public Hearing – No one speaks
4. Special Exception –
Commissioner Erik Burgeson motions to approve. Commission Chair Larry McClung seconds. VOTE: 6-0 in favor, motion passes.

VII. ANNOUNCEMENTS

- A. Regular Historic Preservation Commission Meeting, January 5, 2015 at 5:30 p.m.
- B. Regular Parks & Recreation Commission Meeting, January 12, 2015 at 6:00 p.m.
- C. Regular Farmers Market Association Board Meeting, January 13, 2015 at 10:00 a.m.
- D. Regular City Council Meeting, January 13, 2015, at 5:30 p.m.
- E. Regular Founders Day Commission Meeting, January 14, 2014 at 6:30 p.m.
- F. Regular Planning & Zoning Commission Meeting, January 27, 2015 at 7:00 p.m.

VIII. ADJOURN

Commission Chair Larry McClung motions to adjourn the meeting. Commissioner Kim Hubbard seconds. VOTE: 6-0 in favor, motion passes. Meeting adjourned at 9:27p.m.