

**City of Dripping Springs
City Council**

**Special Meeting Minutes
Tuesday, September 22, 2009
5:30 p.m.**

511 Mercer Street, Dripping Springs, Texas

I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members

Mayor Todd Purcell
Council Member Santos Alba
Council Member Joe Volpe

Mayor Pro Tem Bill Foulds
Council Member Doug Phillip
Council Member H.A. "Spider" Williams

City Staff/Appointed Officials

City Administrator Michelle Fischer
City Attorney Alan Bojorquez
Development Coordinator Jon Thompson

City Secretary Jo Ann Touchstone
Special Counsel Susan Zachos

Mayor Purcell calls the meeting to order at 5:40 p.m. All present except Councilman Volpe, Susan Zachos, and Jon Thompson.

II. BUSINESS

Consideration and Possible Action On:

- A. Wastewater Service Impact Agreement between the City of Dripping Springs and Dripping Springs Independent School District – No action taken.
- B. Letter of Agreement between the City of Dripping Springs, Glenn T. Goode, Anne T. Davison and Aus S. T. Kyle, Ltd. for the acquisition of approximately 2.07 acres out of the ABS 289, G. Lindsey Survey owned by Glenn T. Goode and Anne T. Davison – Mayor Pro Tem Foulds motions to approve with understanding it is a non-binding agreement. Councilman Phillip seconds. Motion passes, 4-0. Mayor Pro Tem Foulds motions the letter by finalized by November 9th at 3:00 p.m. Councilman Phillip seconds. Motion passes, 4-0.
- C. Commercial Hall Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd, 17.5870 acres, situated in the George W. Lindsay Survey No. 138, Abstract No. 289, and the Edward W. Brown Survey No. 136, Abstract No. 44, both in Hays County Texas, Volume 2724, Page 103), *John Lloyd, Owner*
 - 1. Staff Report – Alan Bojorquez provides latest draft.
 - 2. Public Hearing – No one speaks.
 - 3. Commercial Hall Tract Development Agreement – Councilman Phillip motions to approve. Councilman Alba seconds.

Jon Thompson enters meeting at 5:45 p.m.

Discussion regarding incorporating an expiration date, location of roads, safety. Councilman Phillip accepts friendly amendment to include petition for annexation as an exhibit to the agreement. Rex Baker states he has not reviewed

latest draft prior to meeting and would like more specificity to the size of the road. Mr. Bojorquez states Section 2.8.2, offers friendly amendment to be not less than 60,000, strike section 2.8.6. Councilman Phillip accepts friendly amendment. City Administrator Michelle Fischer states 2.6.8, 2.6.9, and 2.7 to be added from residential to commercial agreement. Councilman Phillip accepts amendment. Motion passes, 4-0.

D. Residential Hall Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd, 132.6017 acres, situated in the George W. Lindsay Survey No. 138, Abstract No. 289, the Edward W. Brown Survey No. 136, Abstract No. 44 and the Philip A. Smith Survey No. 26, Abstract No. 415, all in Hays County, Texas, Volume 2724, Page 103, *John Lloyd, Owner*

1. Staff Report – Mayor Purcell requests any amendments from staff. City Administrator Michelle Fischer states 2.6.9 needs to specify width. 2.6.2 needs to add the \$60,000. Mayor Pro Tem Foulds does not like the language of 2.6.6. , specifically “adjacent”. Mayor Pro Tem Foulds recommends striking 2.6.6. Mayor Pro Tem Foulds motions to strike 2.8.6 from Commercial agreement. Councilman Phillip seconds. Motion passes, 4-0.
2. Public Hearing – Rex Baker speaks regarding sign language.
3. Variance from Subdivision Ordinance No. 1230.6, Section 11.3.4— Approach Roads and Access: Variance to allow a single point for vehicular access for a subdivision with more than 50 lots.
4. Variance from Subdivision Ordinance No. 1230.6, Section 11.3.4(b) and Section 14.2—Lot Frontage: Variance to allow a minimum lot frontage of 20 feet for flag lots.
5. Variance from Subdivision Ordinance No. 1230.6, Section 14.3—Irregular Shaped Lots: Variance to allow irregular shaped lots and/or flag lots.
6. Variance from Subdivision Ordinance No. 1230.6, Section 11.21.1—Maximum Block Length (Urban Subdivision): Variance to allow residential blocks in an urban subdivision to exceed one thousand two hundred (1,200) feet between the center lines of intersections.
7. Variance from Subdivision Ordinance No. 1230.6 , Section 11.22—Cul-de-Sac: Variance to Allow a Cul-de-Sac Street length in excess of 2,000 feet.
8. Variance from Zoning Ordinance No. 1220.01, Section 3.4.4—Minimum Lot Setback Requirements: Variance to allow a minimum of 10 foot side yard and 15 foot rear yard setbacks.
9. Variance from Zoning Ordinance No. 1220.01, Section 3.4.4—Area Regulations: Variance to Allow up to 50% Impervious Cover on a Lot.
10. Variance from Zoning Ordinance No. 1220.01, Section 5.23—Flag Lots: Variance to Allow Flag Lots in Excess of ten percent (10%) of the entire Subdivision.

Mayor Pro Tem Foulds motions to approve items 3 – 10. Councilman Phillip seconds. Motion passes, 4-0.

11. Residential Hall Tract Development Agreement – Councilman Phillip motions to approve with staff recommendations, 2.6.9 language changed to “with a width acceptable to the City’s Engineer and Developers Engineer.” Councilman Alba seconds. Motion passes, 4-0.

Councilman Phillip motions to revisit item B. Councilman Alba seconds. Motion passes, 4-0.

III. EXECUTIVE SESSION

Mayor Pro Tem Foulds motions to adjourn to Executive Session. Councilman Phillip seconds. Motion passes, 4-0. Adjourned to Executive Session at 6:05 p.m. Those present: Michelle Fischer, Mayor Purcell, Mayor Pro Tem Foulds, Councilman Alba, Councilman Phillip, Councilman Williams, and Alan Bojorquez. Reconvened to Regular Session at 6:30 p.m.

The City Council 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).

IV. ANNOUNCEMENTS

- A. Regular City Council Meeting, October 13, 2009
- B. Regular Parks & Recreation Meeting, October 12, 2009
- C. Regular Planning & Zoning Commission Meeting, October 27, 2009
- D. Regular Historic Preservation Commission Meeting, October 5, 2009
- E. Regular Founders Day Commission Meeting, September 23, 2009

V. ADJOURN

Councilman Alba motions to approve. Councilman Phillip seconds. Meeting adjourned at 6:45 p.m.