

Planning & Zoning Commission

Regular Meeting Minutes January 22, 2019 at 6:30 p.m.

A Regular Meeting of the Planning & Zoning Commission was held Monday, January 22, 2019 beginning at 6:30 p.m. in the City Hall Council Chambers located at 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

Commission Members present were:

Mim James, Chair
James Martin, Vice Chair
Martin Garza
Kim Hubbard
Michael Lavengco
John McIntosh
Evelyn Strong (arrived at 6:33 p.m.)

City Staff/Appointed Officials present were:

Michelle Fischer, City Administrator
Jason Lutz, Planning Director
Amanda Padilla, City Planner II
Chad Gilpin, City Engineer
Laura Mueller, City Attorney

With a quorum of the Commission present, Chair James called the meeting to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE

Commissioner McIntosh led the Pledge of Allegiance to the Flag.

III. 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 spoke during Presentation of Citizens.

IV. MINUTES

A. Discuss and consider action regarding the Planning & Zoning Commission Regular Meeting Minutes of December 17, 2018.

A motion was made by Vice Chair Martin to approve the December 18th, 2018 Regular Planning and Zoning Commission Minutes. Commissioner Hubbard seconded the motion which carried 6 – 0 – 1, with Commissioner Garza abstaining.

V. BUSINESS

A. Discuss and consider recommended action regarding SUB2018-0040: a preliminary plat application establishing Caliterra Phase 3, Section 9, and Phase 4, Section 11, located at FM 150 and Ranch Road 12 (Legal Description: ABS. 415 Phillip A. Smith Survey 22) for 190 residential lots.

Applicant: Bill Couch

1. Presentation

Bill Couch was available for questions and informed the commission that the preliminary plat was for 195 total lots and not 190 lots, with 185 being Single-family lots and 10 being Open Space/Drainage/PUE/WQ Lots.

2. Staff Report

Chad Gilpin presented the staff report which is on file. Staff has reviewed the preliminary plat and determined that it meets the requirements of applicable City Ordinances as well as the Caliterra Development Agreement. Staff recommends approval of the preliminary plat.

3. Public Hearing

No one spoke during the Public Hearing.

4. SUB2018-0040: Preliminary Plat

Commissioner Garza asked City staff if the impervious coverage limitation affected the development. Staff confirmed that it did not affect the development because the development is proposing to use 30% impervious coverage which is less than allowed.

A motion was made by Vice Chair Martin to recommend City Council approval of SUB2018-0040: a preliminary plat application establishing Caliterra Phase 3, Section 9, and Phase 4, Section 11, located at FM 150 and Ranch Road 12 (Legal Description: ABS. 415 Phillip A. Smith Survey 22) for 195 lots. Commissioner Lavengco seconded the motion which carried unanimously 7 to 0.

B. Discuss and consider recommended action regarding SUB2018-0063: a preliminary plat application establishing the Esperanza Subdivision, located in the City of Dripping Springs, along Bell Springs Rd and south of Harmon Hills Rd/FM 348 (Legal Description: Indian Point, Lot 2A, acres 107.80) for the construction of 104 residential lots at 0.75 acres each.

Applicant: Marc Dickey

1. Presentation – no presentation given

2. Staff Report

Chad Gilpin presented the staff report which is on file. The Esperanza Subdivision preliminary plat was originally approved in April 2017. That plat has since expired, and the

Applicant has re-submitted the preliminary plat. The Applicant is not proposing any changes to the preliminary plat. Staff recommends approval of the preliminary plat.

3. Public Hearing

Elise Wood, property owner south of the development, is concerned about the drainage from the development on to her property.

Kathy Boydston would like to see a copy of the preliminary plat. She and her neighbors have concerns about traffic and Wastewater.

4. SUB2018-0040: Esperanza Preliminary Plat

Chair James explained that citizens could come into City hall to see the Plat and any associated documents before the February 12, 2019 City Council meeting.

Vice Chair Martin asked City Staff if the Springs Lane improvements need to be completed in one year. Chad Gilpin confirmed improvements will need to be completed within a year and clarified that the Esperanza subdivision will be taking access off Bell Springs Road, and not Springs Lane.

Erin Needham, the applicant and owner, stated that the Springs Lane Agreement resulted from the lot being annexed into the City Limits. They plan to improve springs lane while they begin construction on the subdivision.

Chair James asked if the plat had any differences from the plat previously approved. Chad Gilpin confirmed it is the same exact plat previously approved.

A motion was made by Vice Chair Martin to recommend City Council approval of SUB2018-0063: a preliminary plat application establishing the Esperanza Subdivision, located in the City of Dripping Springs, along Bell Springs Rd and south of Harmon Hills Rd/FM 348 (Legal Description: Indian Point, Lot 2A, acres 107.80) for the construction of 104 residential lots at 0.75 acres each. Commissioner Garza seconded the motion which carried unanimously 7 to 0.

- C. Discuss and consider recommended action regarding SUB2018-0065: Ragland Replat, located northeast of Roger Hanks Parkway and in between Highway 290 and Old Highway 290 (Legal Description: R J Ragland - Dripping Springs LOT 1 and Approximately 0.752 acres out of A0415 Philip A Smith Survey, and a Vacated Pt of US HWY 290).**
Applicant: City of Dripping Springs

1. Presentation – no presentation given.

2. Staff Report

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the replat contingent on the Applicant clearing the remaining Staff comments.

3. Public Hearing

No one spoke during the Public Hearing.

4. SUB2018-0065: Ragland Replat

Vice Chair Martin asked City Staff if this replat will solve the transportation issues at that intersection. Chad Gilpin stated he did not believe the replat would resolve transportation which will need to be resolved another way.

Chair James asked Chad Gilpin if the remaining unaddressed staff comments will be an issue. Chad Gilpin confirmed they are not an issue, and simple in nature.

A motion was made by Vice Chair Martin to recommend City Council approval of SUB2018-0065: Ragland Replat, located northeast of Roger Hanks Parkway and in between Highway 290 and Old Highway 290 (Legal Description: R J Ragland - Dripping Springs LOT 1 and Approximately 0.752 acres out of A0415 Philip A Smith Survey, and a Vacated Pt of US HWY 290) with staff comments being addressed prior to the Mayors signature. Commissioner Lavengco seconded the motion which carried unanimously 7 to 0.

D. Discuss and consider recommended action regarding Sign Variance Requests from the Master Sign Plan for Belterra Commercial for IHOP, located at 165 Hargraves Ave., Austin, TX 78737

Applicant: Extreme Signs & Lighting

1. Presentation

Karena Martinez, Applicant, stated that IHOP wants to place 2 signs facing HWY 290 and the signs will have white bulbs that will be painted red, so the signs will be back lit red.

2. Sign Administrator's Report

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the variance request to allow two projecting signs to be located on the same side of the building where the entrance is located, with the condition that no other projecting signs be allowed on the building.

Staff recommends denial of the variance request to allow the use of red on the face of the signs facing US Highway 290.

3. Public Hearing

No one spoke during the Public Hearing.

4. Variance Request to allow two signs on the same side of the building

Vice Chair Martin asked staff if the applicants were subject to the Belterra Master Sign plan that they had worked on for quite some time. Michelle Fischer confirmed IHOP has to comply with the Belterra Master Sign Plan and that is the reason for the Variance Request.

Chair James asked how many businesses in Belterra have multiple signs on one side of their building. Michelle Fischer stated that there are a few businesses that received a variance for an additional sign because they had drive-thrus.

Commissioner Strong stated that businesses in the Belterra Subdivision have a different topography they are dealing with. IHOP is asking for two signs facing IHOP and no additional signs.

A motion was made by Vice Chair Martin to recommend City Council approval of the Sign Variance Request from the Master Sign Plan for Belterra Commercial for IHOP, located at 165 Hargraves Ave., Austin, TX 78737 and to allow two signs on the same side of the building. Commissioner Garza seconded the motion which carried unanimously 7 to 0.

5. Variance Request to allow the color red on the face of two signs facing US Highway 290

Commissioner Lavengco asked if this will be the only sign at the Belterra subdivision that will have color. Michelle Fischer confirmed that only the Sprint Store has color but during the night the sign in white.

A motion was made by Vice Chair Martin to recommend City Council denial of the Sign Variance Request from the Master Sign Plan for Belterra Commercial for IHOP, located at 165 Hargraves Ave., Austin, TX 78737 to allow the color red on the face of two signs facing US Highway 290. Commissioner Lavengco seconded the motion which carried unanimously 7 to 0.

A motion was made by Chair James to recess into Executive Session under Texas Government Code Section 551.071 (Consultation with Attorney), and regarding Executive Session Agenda Item A. Vice Chair Martin seconded the motion which carried unanimously 7-0.

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). The Planning and Zoning Commission for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action

A. Consultation with City Attorney regarding legal issues related to Sign Ordinance Amendments

Consultation with Attorney, Section 551.071

The Commission met in Executive Session from 7:12 p.m. – 7:34 p.m. No vote or action was taken during Executive Session.

Chair James returned the meeting to Open Session at 7:34 p.m. and continued with Business Agenda.

BUSINESS AGENDA, CONTINUED

E. Discuss and consider a recommendation regarding the approval of an Ordinance Replacing Chapter 26 of the Dripping Springs Code of Ordinances; Amending Allowed Signs, Policies, and Procedures for Signs in the City Limits and the Extraterritorial Jurisdiction.

1. Staff Report

Laura Mueller presented the staff report which is on file. This sign ordinance is very similar to the one that they saw at the December 18, 2018 Planning and Zoning Commission meeting with some minor changes to Temporary signs.

2. Public Hearing

No one spoke during the public hearing.

3. Chapter 26 Ordinance

A motion was made by Vice Chair Martin to recommend City Council approval of an Ordinance Replacing Chapter 26 of the Dripping Springs Code of Ordinances; Amending Allowed Signs, Policies, and Procedures for Signs in the City Limits and the Extraterritorial Jurisdiction with the original wording of 26.04.008 Temporary Signs and no additional changes. Commissioner Lavengco seconded the motion which carried 6 to 1, with Chair James opposed.

VI. REPORTS OF STAFF AND AGENCIES

No action to be taken.

A. Planning Department Report

The Planning Department Report is on file and available for review upon request.

VII. 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). The Planning and Zoning Commission for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

- A. Consultation with City Attorney regarding legal issues related to Sign Ordinance Amendments**
Consultation with Attorney, Section 551.071

The Planning & Zoning Commissioner met in Executive Session earlier in the agenda.

VIII. UPCOMING MEETINGS

- A. Planning & Zoning Commission:**
February 18, 2019 - 6:30 p.m. Regular Meeting
March 26, 2019 - 6:30 p.m. Regular Meeting
- B. City Council & Board of Adjustment Regular Meetings:**
February 12, 2019 - 5:30 p.m. Workshop, 6:30 p.m. Regular Meeting
February 19, 2019 - 6:00 p.m. Regular Meeting
March 12, 2019 - 5:30 p.m. Workshop, 6:30 p.m. Regular Meeting

IX. ADJOURN

A motion was made by Vice Chair Martin to adjourn the meeting. Commissioner Lavengco seconded the motion which carried unanimously 7 to 0.

This regular meeting adjourned at 8:05 p.m.