

# **Minutes of the Planning and Zoning Commission Regular Meeting**

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A Regular Meeting of the City of Dripping Springs Planning and Zoning Commission was held Tuesday, April 26, 2016, beginning at 7:00 PM at City Hall, 511 Mercer Street, Dripping Springs, Texas.

## **I. CALL TO ORDER AND ROLL CALL**

### Commission Members

Mim James - Chair	James Martin – Vice Chair	Whit Smith
Kim Hubbard	Erik Burgeson	John McIntosh
Michael Lavengco		

### City Staff/Appointed Officials

City Administrator Michelle Fischer  
Director of Public Works and Development Rick Coneway  
City Secretary Kerri Craig  
City Attorney Alan Bojorquez  
Planning Consultant Anjali Naini

Commission Chair Mim James calls the meeting to order at 7:00pm. All members present except Commissioners Whit Smith, Kim Hubbard and Erik Burgeson.

## **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** – Commission Vice Chair James Martin 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, March 22, 2016 – Commission Vice Chair James Martin motions to approve the minutes. Commissioner Michael Lavengco seconds. VOTE: 4-0 in favor, motion passes.

## **VI. ZONING**

*Consideration and possible action on:*

A. Ordinance No. 1220.123: An Ordinance of the City of Dripping Springs changing the zoning classification of the following property upon completion of annexation: Approximately 213 acres out of BF Hanna League, Abstract No. 222, situated in Hays County, Texas, located at 2751 Highway 290 West, commonly known as Bunker Ranch, approximately 31.25 acres of which will rezoned from Agriculture (AG) to General Retail (GR), and 182.08 acres of which will be rezoned from Agriculture (AG) to Single-Family Residential Moderate Density (SF-2), *Bunker Ranch LLC, Applicant*

1. Presentation – Brian Estes, Applicant’s Representative, is available for questions.
2. Staff Report (Anjali Naini) – Planning Consultant Anjali Naini, report on file. Staff recommends approval.
3. Public Hearing – DorRae Stevens states her concerns about the impact of this development on the surrounding area (lighting, noise, water issues, and buffers) specifically the lots that will be adjacent to her property. Kyle Florio proposes a vegetative easement related to the building setback and states his concerns regarding lighting and lot size.
4. Ordinance No. 1220.123 - Zoning Amendment – Commission Vice Chair James Martin motions to discuss. Commission Chair Mim James seconds. Commission Chair and Vice Chair explain that the development of this property will still be reviewed throughout the site development process and that this agenda item is simply related to zoning classification. Commission Vice Chair James Martin motions to approve Ordinance 1220 123. Commissioner John McIntosh seconds. VOTE: 4-0 in favor, motion passes.

B. Ordinance No. 1220.122: An Ordinance of the City of Dripping Springs Changing the Zoning Classification of the following property: 731 Old Fitzhugh Road (A0415 PHILIP A SMITH SURVEY, ACRES 3.59; R 17913, HaysCAD) and 507 Old Fitzhugh Road (A0415 PHILIP A SMITH SURVEY, ACRES 1; R#17911, HaysCAD) from Local Retail (LR ) to Single-Family Residential, Town Center (SF-3), *Rick Hardy, Hardy Realty, Inc., Employees Profit Sharing Plan, Applicant*

1. Presentation – Rick Hardy, Applicant
2. Staff Report (Anjali Naini) - Planning Consultant Anjali Naini, report on file. Staff recommends approval.
3. Public Hearing – No one speaks.
4. Ordinance No. 1220.122 – Commission Vice Chair James Martin motions to approve Ordinance 1220.122. Commissioner Michael Lavengco seconds. VOTE: 4-0 in favor, motion passes.

## VII. SUBDIVISIONS

*Consideration and possible action on:*

- A. Bunker Ranch-Preliminary Plat of 213 acre tract out of BF Hanna League, Abstract No. 222, situated in Hays County, Texas, located at 2751 Highway 290 West. *Brian Estes, PE, Representative of Applicant, Bunker Ranch LLC*
1. Presentation – Brian Estes, Applicant’s Representative, is available for questions.
  2. Staff Report (Rick Coneway) – Director of Public Works and Development Rick Coneway, report on file. Staff recommends approval.
  3. Parks and Recreation Commission Report – The Commission approved the parkland dedication cash-in-lieu in the amount of \$606,394.70.
  4. Public Hearing – No one speaks.
  5. Cash In Lieu of Parkland Dedication
  6. Preliminary Plat – Commission Vice Chair James Martin motion to consider both the Cash In Lieu of Parkland Dedication and the Preliminary Plat. Commissioner Michael Lavengco seconds. Commission Chair Mim James discusses the item and encourages citizens to discuss the project with the applicant’s representative, and notes that the property will be within the city limits and subject to city ordinances, including lighting.

Commission Vice Chair James Martin motion to approve both the Cash In Lieu of Parkland Dedication and the Preliminary Plat. Commissioner Michael Lavengco seconds. VOTE: 4-0 in favor, motion passes.

- B. Replat Lot 13, Block A, Hidden Springs Ranch Subdivision - A replat of a 4.38 acre lot into two lots located in the City of Dripping Springs, Texas fronting Shadywood Lane to the west, Broken Lance Drive to the east, and Old Hwy 290 to the south. *Judy Kemp Amonett, as Trustee of the John Thomas Amonett Trust U/T/A and the Robert Cardwell Amonett Trust U/T/A, Owner*
1. Presentation – Mike Stempsky
  2. Staff Report (Rick Coneway) - Director of Public Works and Development Rick Coneway, report on file. Staff recommends approval.
  3. Public Hearing – Danny Rothe states his concern regarding the access into and out of the property. Jacquelyn Glenn states she is concerned about this development.
  4. Replat-Hidden Springs Ranch, Lot 13, Block A - Commissioner Michael Lavengco motions to approve the replat. Commissioner John McIntosh seconds. VOTE: 4-0 in favor, motion passes.

## VIII. SIGNS

*Consideration and possible action on:*

- A. Ordinance No.1251.03: An Ordinance Enacting Chapter 26, Appendix “C”, Of The Dripping Springs Code Of Ordinances; Establishing Regulations For A 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, *Sawyer Ranch M.OB. Partners, LLC, Applicant*
1. Presentation – Jake Dodson, Executive Signs
  2. Sign Administrator's Report (Michelle Fischer) – City Administrator Michelle Fischer, report on file. Staff recommends approval with the condition that the Master Signage Plan Ordinance is also approved.
  3. Public Hearing – No one speaks.
  4. Variance Request to Allow Monument Signs for a Multiunit Complex to Exceed the Maximum Height Allowed
  5. Variance Request to Allow Monument Signs for a Multiunit Complex to be Located Off Premises
  6. Variance Request to Allow a Projecting Sign to Exceed the Maximum Height Allowed
  7. Ordinance No.1251.03 - Commissioner Michael Lavengco motions to approve the three variance requests. Commissioner John McIntosh seconds. VOTE: 4-0 in favor, motion passes. Commission Vice Chair James Martin motions to approve Ordinance 1251.03. Commissioner John McIntosh seconds. VOTE: 4-0 in favor, motion passes.

## IX. DEVELOPMENT AGREEMENTS

*Consideration and possible action on:*

- A. Carter Ranch Development Agreement – Carter Ranch Subdivision, between the City of Dripping Springs and Development Solutions Carter LLC, approximately 196 acres located

near the intersection of Creek Road and Roger Hanks Parkway in Hays County, Texas, approximately 72 acres of which are located in the extraterritorial jurisdiction (ETJ) of the City of Dripping Springs. *Development Solutions Carter LLC, Applicant.*

1. Presentation – Andy Barrett, Development Solutions
2. Staff Report (Michelle Fischer) – City Administrator Michelle Fischer, report on file. Staff recommends approval with landscape alternative standards being included in the agreement.
3. Public Hearing – Perry Gordon states his concern regarding access to and out of this property without encumbering the adjacent property owners. John Gordon states he is also concerned about roadway and access, and would like to have more details regarding this development. Ben Sorrell, Transportation Committee member, states that he thinks this is a good development and that Mt. Gainor and Creek Road should be restricted to Emergency Services until a traffic plan for this development has been developed. Kyle Florio states his concern about the access via Mt. Gainor between now and when the traffic plan has been completed, and he would like the transportation/traffic impact study to look at the back half of Caliterra, Holder Lane, and Creek Road. Will the impact on Creek Road and Mt. Gainor be included specifically in the study?
4. Project Approvals, including Variances, Exceptions, Alternative Standards
5. Carter Ranch Development Agreement-Recommendation – Commission Chair Mim James motions to consider. Commission Vice Chair James Martin seconds. Commission discusses the traffic impact analysis, wastewater, and landscaping. Commission Vice Chair James Martin points out that the *Pistachia chinensis* tree is listed under the Approved Trees list, but it is labeled as an invasive species according to the Austin GoGreen initiative. Since the City has agreed to use the Austin GoGreen initiative as a standard, it should be removed from the Approved Tree list. Commission Vice Chair James Martin motions to approve the Project Approvals and the Development Agreement per staff recommendations, with the exception that the *Pistachia chinensis* tree be removed from the Approved Tree list. Commissioner Michael Lavengco seconds. VOTE: 4-0 in favor, motion passes.

## X. ANNOUNCEMENTS

- A. Regular Historic Preservation Commission Meeting, May 2, 2016 at 6:30 p.m.
- B. Regular City Council Meeting, May 10, 2016 at 7:00 p.m.
- C. Transportation Committee Meeting, May 23, 2016 at 3:30 p.m.
- D. Regular Planning and Zoning Commission Meeting, May 24, 2016 at 7:00 p.m.

- XI. **ADJOURN** - Commissioner Michael Lavengco motions to adjourn the meeting. Commission Chair Mim James seconds. VOTE: 4-0 in favor, motion passes. Meeting adjourns at 8:20pm.