

Planning and Zoning Commission Regular Meeting Minutes

A Regular Meeting of the City of Dripping Springs Planning and Zoning Commission was held Tuesday, April 28, 2015, 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

Commission Chair Larry McClung calls the meeting to order at 7:00pm. All members present except Commissioner Josef Martin.

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

A. Pledge of Allegiance – Planning Director Jon Thompson 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 24, 2015 – Commission Vice Chair Mim James motions to approve the minutes. Commissioner Erik Burgeson seconds. VOTE: 4-0-2 in favor, Commissioners Whit Smith and Kim Hubbard abstain because they were not present at the March 24, 2015 meeting, motion passes.

VI. SIGNS

A. Sign Variance Requests for Sonic Drive In #65, located at 400 East Highway 290, John F. Patton, Director of Development, Austin Sonics, Inc., Applicant

1. Presentation - None

2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval of the Variance Request to Allow Electrical Menu Boards with the following conditions: 1) The applicant removes all signs stated to

be removed in the Variance Application; 2) The applicant brings all exterior lighting into compliance as stated in the Variance Application; 3) The applicant complies with the Lighting Ordinance Lighting Curfews and the property does not exceed 100,000 lumens per net acre; 4) The applicant dims the order confirmation monitors when the business is closed, if possible; and 5) The applicant removes the signage on the back sides of the menu boards that are visible from the highway, with the exception that a small Sonic logo be allowed as approved by the Sign Administrator. Staff recommends approval of the Variance Request to Allow a Monument Sign to be Located within the Setback from Right-of-Way with the following conditions: 1) The applicant removes all signs stated to be removed in the Variance Application; 2) The applicant brings all exterior lighting into compliance as stated in the Variance Application; 3) The applicant complies with the Lighting Ordinance Lighting Curfews and the property does not exceed 100,000 lumens per net acre; and 4) Should the sign need to be removed, altered or relocated in the future due to road, drainage, sidewalk, or utility maintenance, installation, or expansion, it will be done so at the applicant's expense.

3. Public Hearing – No one speaks
4. Variance Request to Allow Electrical Menu Boards
5. Variance Request to Allow a Monument Sign to be Located within the Setback from Right-of-Way

Commissioner Erik Burgeson motions to approve both sign variance requests according to staff's recommendations. Commissioner Whit Smith seconds. Commissioner James Martin asks the applicant's representative if the lighting can be dimmed or turned off during the nightly software updates. The applicant states that they don't have the capability to dim the boards during the updates at this time, but hope to have that ability in the future. VOTE: 6-0 in favor, motion passes.

VII. SITE DEVELOPMENTS

Consideration and Possible Action On:

A. Dripping Springs Independent School District Stadium Improvements, 940 Hwy 290 W, Sean Friend, PE, Cunningham Allen, Applicant

1. Presentation - None
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends that this Site Development be approved with the following condition: The lighting plans are not considered approved with this site plan, but will be approved administratively.

3. Public Hearing –

Peter Durkin, 128 Fox Court - concerned about traffic, noise, parking and light issues near Hidden Springs Ranch area.

Micky Bowers – lives in this area and is concerned about parking issues.

4. Site Development Plan – Commission Vice Chair Mim James motions to consider the plan. Commission Chair Larry McClung seconds. Commission discusses potential parking, lighting and noise issues. Commission Vice Chair

Mim James motions to approve the Site Development Plan according to staff's recommendation with the condition that it must comply with the City's lighting ordinance, that the parking regulations be clearly communicated with an enforceable mechanism in place, and that the noise issue be considered and dealt with as best as we can. Commissioner James Martin seconds. VOTE: 6-0 in favor, motion passes.

VIII. ZONING

- A. Ordinance No. 1220.111: An Ordinance Amending the Zoning Classification of 310 Old Fitzhugh Road (Legal Description: 0.63 acre, Philip A. Smith Survey, ABS 415) from Commercial Services (CS) to General Retail (GR), *Tasha Nikora, Applicant*
1. Presentation - None
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the ordinance.
 3. Public Hearing – No one speaks
 4. Ordinance No. 1220.111 - Commissioner Erik Burgeson motions to approve Ordinance 1220.111. Commission Chair Larry McClung seconds. VOTE: 6-0 in favor, motion passes.
- B. Ordinance No. 1220.112: An Ordinance Amending the Zoning Classification of 251 Old Fitzhugh Road (Legal Description: 0.37 acres, Philip A. Smith Survey, Abs. 415) and 275 Old Fitzhugh Road (Legal Description: 1.165 acres, Philip A. Smith Survey, Abs, 415, 9-2316-02-16 and W.T. Chapman, 2nd Addition, Part of Block 4) from Single-Family Residential District - Low Density (SF-1) to General Retail (GR), *Maureen Casedy Shanklin (251 Old Fitzhugh Road) and Dennis Dement (275 Old Fitzhugh Road), Owners*
1. Presentation - None
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the ordinance.
 3. Public Hearing – No one speaks
 4. Ordinance No. 1220.112 – Commission Vice Chair Mim James motions to approve Ordinance 1220.112. Commissioner Whit Smith seconds. VOTE: 6-0 in favor, motion passes.
- C. Conditional Use Permit Application for Rolling in Thyme and Dough to Allow the Operation of an Outdoor Kitchen from a Mobile Food Trailer, Located at 333 West Highway 290, *Fabienne Bollom, Applicant*
1. Presentation – Jerome Bollom, Applicant's son provides an overview of the request.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the Conditional Use Permit. Conditions attached would be to apply for and obtain approval from the Historic Preservation Commission of the Certificate of Appropriateness (May 4th), and to work with the City's Architectural Consultant, Keenan Smith, on the color scheme and potential screening of the trailer.
 3. Public Hearing – No one speaks.

4. Conditional Use Permit - Commissioner Whit Smith motions to approve the conditional use permit according to staff's recommendation. Commission Chair Larry McClung seconds. Commission discusses how long the permit will be valid, the location of the trailer, notice to the public, and the historic district regulations. Commission also directs staff to review the mobile food vendor ordinance in expectation of an increasing number of these requests in the future, and to research potential issues not currently addressed by the existing ordinance. VOTE: 5-1 in favor, Commissioner Kim Hubbard votes Nay, motion passes.

IX. ANNOUNCEMENTS

- A. Regular Historic Preservation Commission Meeting, May 4, 2015 at 5:30 p.m.
 - B. Regular Parks & Recreation Commission Meeting, May 11, 2015, at 6:00 p.m.
 - C. Regular City Council Meeting, May 12, 2015 at 5:30 p.m.
 - D. Regular Planning and Zoning Commission Meeting, May 26, 2015 at 7:00 p.m.
- X. **ADJOURN** – Commissioner Whit Smith motions to adjourn the meeting. Commissioner Kim Hubbard seconds. VOTE: 6-0 in favor, motion passes. Meeting adjourns at 8:09pm.