

Minutes of the Planning and Zoning Commission Regular Meeting

A Regular Meeting of the City of Dripping Springs Planning and Zoning Commission was held Tuesday, June 28, 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
Planning Consultant Anjali Naini
City Secretary Kerri Craig

Commission Chair Mim James calls the meeting to order at 7:00pm. All members present except Commissioners Erik Burgeson and John McIntosh. Also present is External Design and Architectural Standards Consultant Keenan Smith.

Commission Chair Mim James recognizes and thanks out-going Commissioner Whit Smith on his service to the Planning and Zoning Commission since 2009.

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** - Commissioner Whit Smith 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, May 24, 2016 – Commission Vice Chair James Martin motions to approve the minutes. Commission Chair Mim James seconds. VOTE: 5-0 in favor, motion passes.

VI. DEVELOPMENT AGREEMENTS

Consideration and possible action on:

A. First Amendment to The Belterra Commercial Development Agreement between the City of Dripping Springs and Crescent Belterra TX, LLC amending the Belterra Commercial Development Agreement entered into in 2009 between the City of Dripping Springs and MAK Foster Ranch, L.P. The affected area is approximately 92.88 acres, located south of Highway 290 between Belterra Drive and Nutty Brown Road, and north of Trinity Hills Drive. *Crescent Belterra TX, LLC, and Endeavor, Applicants*

1. Presentation – Crescent Belterra TX, LLC
2. Staff Report (Anjali Naini) – Planning Consultant Anjali Naini, report on file. Staff recommends approval of the amended agreement.
3. Public Hearing –

Wade Lintz – Belterra resident. States his support for the commercial development but expresses concern over the height of the buildings and requests the increased height variances not be approved.

David Jedynah – Belterra resident. States his support for the commercial development but expresses concern over the potential light pollution and the views that may be affected by the increased building heights, particularly the hotel and senior center, and the possibility of those being located on the west side of the development.

Marc Tinsley – Dripping Springs resident. States his support for the commercial development but expresses concern over the height of the buildings.

Ron Rice – Belterra resident. States his support for the commercial development but expresses concern over the height of the buildings and the removal of too many trees.

Angie Montesinos – Belterra resident. States her support for the commercial development but expresses concern over the height of the buildings and the removal of too many trees.

Barbara Temple – Belterra resident. States her support for the commercial development but expresses concern over the height of the buildings and size of the signs, particularly for the hotel.

Diana Lord – Belterra resident. States her support for the commercial development but expresses concern over the size of the homes, number of anticipated visitors, and would like a better illustration of what the view will be like from Belterra.

Debbie Rothchild – Lives in Sunset Canyon. She states her opposition to this development at all because this area needs to remain small and rural, with the country environment. She is also concerned about the traffic impact of the development.

Dan O'Brien – Belterra resident. States his support for the commercial development but expresses concern over the commercial traffic that will be on Trinity Hills, adequate landscaping and the building heights.

Tommy Machin – Belterra resident. States his concern over the height of the buildings and the potentially inadequate buffer on Trinity Hills, including increased traffic.

Farah Linyer – Belterra resident. States her support for the commercial development but expresses concern over the density of the development, traffic issues, the increased access

to the neighborhood, and the amount of pedestrian and visitor numbers that will be in this area.

4. Project Approvals, Including Variances, Exceptions, Clarifications, and Alternative Standards
 - a. Maximum Gross Floor Area of 60,000 to 100,000 Square Feet
 - b. Maximum Building Height for Hotel, Multi-family and Architectural Element
 - c. Parking Requirements for Hotel
 - d. Master Sign Plan and Ordinance
 - e. Landscape and Tree Preservation Plan
 - f. Maximum Cut and Fill
 - g. Allow Administrative Approvals of Preliminary Plats that Conform with the Master Parcel Plan
5. First Amendment to Belterra Commercial Development Agreement

Commission Chair Mim James motions to consider. Commission Vice Chair James Martin seconds. VOTE: 5-0 in favor, motion passes. Commission discusses the process followed during the review process, traffic issues, compliance with the lighting ordinance, cut and fill requirements, storm water drainage and run-off considerations, changes and approvals potentially made by the ADRC and the City's review of those changes, the street connecting the commercial and residential areas, the height of the buildings, impervious cover, construction materials and finishes, noise issues particularly from the outdoor theater, emergency services access, the potential hotel brand, and landscaping.

Commission Chair Mim James asks the applicant to meet with the Belterra HOA President at some point to discuss the plans and concerns of the Belterra residents. Commission Vice Chair James Martin motions to approve according to staff's recommendation, and with the review and approval of the City Attorney, with the following conditions: changes in wording for cut and fill to state the City Engineer will consultant with a member of the Planning and Zoning Commission if over 8 feet, the development will comply with the City's Outdoor Lighting Ordinance in effect at the time of the site development, building permit ,and sign permit applications, any building constructed that is over 40 feet tall must be constructed with light steel and not to exceed 65 feet in height, and to revise the amendment so that it doesn't include the tower element on the theater, since it was withdrawn by the applicant. Commissioner Michael Lavengco seconds. VOTE: 4-1 in favor, Commissioner Whit Smith votes nay, motion passes.

VII. SIGNS

Consideration and Possible Action On:

- A. Presentation on Ordinance No. 1251.04: Belterra Commercial Master Sign Plan Ordinance: An Ordinance Enacting Chapter 26, Appendix "D", Of The Dripping Springs Code Of Ordinances; Establishing Regulations For A Master Sign Plan For Belterra Commercial; Providing For The Following: Rules; Standards; Procedures; And Findings Of Fact; Codification; Repealer; Severability; Proper Notice And Meeting; Enforcement Including Criminal Penalties, *Crescent Belterra TX, LLC, and Endeavor, Applicants (Discussion only; no action to be taken at this time)* – Presentation provided by Crescent Belterra TX, LLC. Commission discusses the sign plan including their locations, number of signs and lights, the fact that they do not want it to look like Cedar Valley or I35 or to be offensive to the

residents, that it should be pleasing in appearance, and that they hope the applicant will take careful consideration to ensure no more signs or lights are planned than necessary. Commission Chair Mim James reiterates the Commission's request that the applicant meet with the Belterra HOA President and residents throughout the process. No action taken.

- B. Holiday Inn Sign Variance Requests, located at 333 E US Highway 290, Building 5, *Shelly Mitchell, P.E., Pape Dawson Engineers, Project Applicant, and Jay Sinioia, Owner*
1. Presentation – Jay Sinioia, Owner
 2. Sign Administrator's Report (Michelle Fischer) – City Administrator Michelle Fischer, report on file. Staff recommends approval of the variance requests with the following conditions: The illuminated signs shall not exceed 3,000 kelvin; and The City's Exterior Design and Architectural Standards Consultant shall approve the monument sign for compliance with the Planned Development District #5 Ordinance.
 3. Public Hearing – No one speaks
 4. Variance Request to Allow a Projecting Sign to Exceed the Maximum Height Allowed
 5. Variance Request to Allow a Projecting Sign to Exceed the Maximum Signable Area Allowed
 6. Variance Request to Allow the Total Cumulative Signable Area to Exceed the Maximum Allowed - Commission Vice Chair James Martin motions to approve all three variance requests according to staff's recommendation. Commissioner Michael Lavengco seconds. VOTE: 5-0 in favor, motion passes.

VIII. BUSINESS

Consideration and Possible Action On:

- A. Recommendation to City Council for Appointment of Planning and Zoning Commissioners to Fill Two Vacancies – Commission Vice Chair James Martin motions to recommend the appointment of Erich Oswald and Evelyn Strong to the Commission. Commissioner Michael Lavengco seconds. VOTE: 5-0 in favor, motion passes.
- B. Appointment of Planning and Zoning Commission Vice Chair - Commissioner Michael Lavengco motions to re-appoint James Martin as the Commission's Vice Chair. Commission Chair Mim James seconds. VOTE: 5-0 in favor, motion passes.
- C. Appointment of Planning and Zoning Commission Representative on the City's Transportation Committee – Commission Chair Mim James motions to appoint James Martin to the Transportation Committee as the Planning and Zoning Commission representative. Commissioner Kim Hubbard seconds. VOTE: 5-0 in favor, motion passes.

IX. ANNOUNCEMENTS

- A. Regular Historic Preservation Commission Meeting, July 5, 2016 at 5:30 p.m.
 - B. Regular City Council Meeting, July 12, 2016 at 7:00 p.m.
 - C. Transportation Committee Meeting, July 25, 2016 at 3:30 p.m.
 - D. Regular Planning and Zoning Commission Meeting, July 26, 2016 at 7:00 p.m.
- X. **ADJOURN** - Commissioner Michael Lavengco motions to adjourn the meeting. Commissioner Kim Hubbard seconds. VOTE: 5-0 in favor, motion passes. Meeting adjourns at 9:30pm.