

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, August 25, 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	Mim James – Vice Chair	VACANT
Kim Hubbard	Erik Burgeson	Whit Smith
James Martin		

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. Also present is Exterior Design, Architectural & Land Planning Consultant Keenan Smith.

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, July 28, 2015 - Commissioner Erik Burgeson motions to approve the minutes. Commission Vice Chair Mim James seconds. Commissioner James Martin abstains because he was not present at the July 28th meeting. VOTE: 5-0-1 in favor, motion passes.

VI. SUBDIVISIONS

- A. Minor Plat and Parkland Dedication for Twenty Six Doors Subdivision, Located at the Intersection of Purcell Lane and Rose Drive, Mark Lander, Gateway 26 Doors, LLC, Applicant
1. Presentation – Mark Lander is available for questions.
 2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the minor plat as submitted. Regarding the Parkland Dedication, staff recommends waiving the cash in lieu fees, requiring payment of the Ag Facility Fee, and approval of the parkland dedication as presented.

3. Parks and Recreation Commission Report – The Parks and Recreation Commission voted to approve the Parkland Dedication as presented, including waiver of the balance of the cash-in-lieu for parkland dedication, but requiring payment of the Ag Facility Fee of \$945.
4. Public Hearing – No one speaks.
5. Minor Plat
6. Parkland Dedication

Commission Vice Chair Mim James motions to approve the Minor Plat and Parkland Dedication according to staff and Parks and Recreation Commission's recommendations. Commissioner Erik Burgeson seconds. VOTE: 6-0 in favor, motion passes.

B. Replat of A. Benney Subdivision, Lot 6A, Located at southwest intersection of Benney Lane and Mighty Tiger Lane, *Reba Byrd, Blanco 1 Partners, LP, Applicant*

1. Presentation – Mark Lander is available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the Replat as submitted with no conditions.
3. Public Hearing – No one speaks
4. Replat - Commissioner Erik Burgeson motions to approve the Replat. Commissioner Whit Smith seconds. VOTE: 6-0 in favor, motion passes.

C. Preliminary Plat for Section 4, Texas Heritage Village (Meritage Homes), Located at the northern terminus of North Rob Shelton Blvd, east of RR12, and south of Founders Park Road, *Sal Baeza, PE, Pape Dawson Engineering and Matthew Scrivener, Meritage Homes, Applicants*

1. Presentation – Sal Baeza is available for questions.
2. Planning Director's Report – Planning Director Jon Thompson, report on file. Staff recommends approval of the Preliminary Plat.
3. Public Hearing – No one speaks
4. Preliminary Plat – Commissioner Erik Burgeson motions to discuss. Commission Vice Chair Mim James seconds. Commission discusses the improvements to Founders Park Road, related wastewater connections, parking density, and the timeline for the project. Commission Vice Chair Mim James motions to approve the Preliminary Plat as recommended by staff. Commissioner James Martin seconds. VOTE: 5-1 in favor, Commissioner Erik Burgeson votes Nay, motion passes.

D. Discussion of Scenic Greens Subdivision Amended Concept Plan, Master Plan for Parks and Open Space, and Proposed Public Improvement District, Located at northwest intersection of US Hwy 290 West and McGregor Road, *Brett Burke, PE, Bury Engineering, and Russ Allison, Argent Management, Applicants (No action to be taken)*

1. Presentation – Steve Metcalf, Applicant's Development Attorney
2. Scenic Greens Subdivision Conceptual Master Plan for Parks and Open Space
3. Planning Director's Report – Planning Director Jon Thompson, report on file. Commission discusses location, safety and access, and the financial aspects of the proposed Public Improvement District. Mr. Metcalf states that they will provide the Commission with a report that details the impact of the proposed Public Improvement District on the City's finances. Commission Chair Larry McClung requests that the Commission members send

him any feedback, concerns or questions to him prior to the September 8th City Council meeting so they can be discussed. Commission Vice Chair Mim James and Commissioner James Martin will be on the Scenic Greens Development Agreement and Public Improvement District committee. No action was taken.

E. Replat of Walker Springs, Lots 5 & 6, Located at 333 US Hwy 290 East (northern two tracts), *YHYDJ OF DS, LLC, Applicants*

1. Presentation – None
2. Planning Director's Report - Planning Director Jon Thompson, report on file. Staff recommends approval of the Replat as submitted with no conditions.
3. Public Hearing – No one speaks
4. Replat – Commissioner Erik Burgeson motions to approve the Replat. Commission Chair Larry McClung seconds. VOTE: 6-0 in favor, motion passes.

VII. SITE DEVELOPMENTS/ZONING/VARIANCES/WAIVERS/ALTERNATIVE STANDARDS

Consideration and Possible Action On:

A. Exterior Design Alternative Standard for the Holiday Inn Express, located at 333 US Hwy 290 East (the northern two lots behind the Shops @ the Springs and the Keller Williams-Gracy Title Building, *Jay Sinojia, YHYDJ of DS, LLC, Applicant*

1. Presentation – Jay Sinojia, Applicant
2. Staff Report (Prepared by Keenan Smith, AIA, City Architectural Consultant) – Keenan Smith, report on file. Recommends approval with the conditions stated in his report.
3. Public Hearing – No one speaks
4. Alternative Standard – Commissioner Erik Burgeson motions to approve the Exterior Design Alternative Standard according to staff's recommendation. Commissioner James Martin seconds. VOTE: 6-0 in favor, motion passes.

B. Variance Requests from Lighting Ordinance Shielding and Total Outdoor Light Output Standards to Allow the extension of the external louvers or shields to be less than 3 inches from the lowest portion of the light fixture opening and to permit more than 1% of the light emitted by each fixture to project above the horizontal plane, for the Dripping Springs High School Athletic Facility Improvements, Located at 940 US Hwy 290 West, *Jason Andrus, Huckabee Architectural, Applicant*

1. Presentation – Jason Andrus, Applicant
2. Staff Report (Cindy Luongo Cassidy, Lighting Consultant) - Cindy Luongo, report and recommendations for approval with conditions are on file.
3. Public Hearing –

Santos Alba – States that a case went before the US Supreme Court that says the City could enforce all ordinances and regulations, even towards school districts.

Kathy Wrenchstra – Would like to know if the stadium lighting is currently in compliance.

4. Variance Requests - Commissioner Erik Burgeson motions to approve the Variance Request in accordance with the revised staff recommendations pending development of a plan to bring all existing DSISD properties into compliance with the lighting ordinance.

Commissioner James Martin seconds. Commission discusses the lighting ordinance, the stadium lighting, UIL lighting standards, and safety issues. Commissioner Erik Burgeson withdraws his motion. Commission Chair Larry McClung motions to grant the variance request with a recommendation to City Council that they approve a development plan to mitigate the lighting on DSISD properties that need to be brought into compliance. Commission Vice Chair Mim James seconds. VOTE: 6-0 in favor, motion passes.

C. Discussion of Conditional Use Permit Applications and Signage for a Proposed Mobile Food Park and Bar at 26155 Ranch Road 12, *Nico Llai and Steve Gee, Applicants (No action to be taken)*

1. Presentation – Nico Llai, Applicant
2. Planning Director's Report – Planning Director Jon Thompson, report on file.

Commission discusses the location of the bar, the number of food trailers, the layout of the park and bar, ADA Compliance, parking, emergency vehicle access, the amount of time city staff has spent on this plan, signs, operating hours, and the mobile food vendor ordinance. No action taken.

VIII. SIGNS

A. Sign Variance Request to Allow Modification of a Nonconforming Pole Sign for Mercer Street Plaza, located at 330 and 332 Mercer Street, *Marsha Young, Applicant and Linda Carter, Owner*

1. Presentation – Linda Carter, Owner
2. Sign Administrator's Report - City Administrator Michelle Fischer, report on file. Staff recommends approval with the conditions stated in the report.
3. Public Hearing – No one speaks
4. Variance Request to Allow Modification of a Nonconforming Pole Sign – Commission Vice Chair Mim James motions to approve the Sign Variance Request as outlined by City Administrator Michelle Fischer which includes getting a liability waiver on the pole approved by the City Attorney and being subject to administrative review of the revised signage. James Martin clarifies the motion should include the whole pole structure. Commission Chair Larry McClung seconds. Commission discusses the weight of the sign and its structural integrity. Commissioner Whit Smith suggests that the City Attorney review the liability waiver issue. Commissioner Erik Burgeson suggests an engineering study be done on the pole to determine its structural integrity and suggests amending the motion to include getting an engineering study done and any necessary improvements be made before final approval is made. Commission Chair Larry McClung states his concern is about the financial burden on the applicant to have an engineering study performed. Commission Vice Chair Mim James says that it is in the applicant's best interest to ensure structural integrity. Commission discusses whether the burden of liability is on the applicant or the City. Commissioner James Martin states that the applicant's commercial insurance company is already responsible for making sure what they are insuring is a liability. VOTE: 5-1 in favor, Commissioner Erik Burgeson votes Nay, motion passes.

B. Sign and Lighting Variance Requests for AT&T, Located at 1025 Cannon Drive, *Beverly Dippel, Priority Sign*

1. Presentation – Chad Craig, AT&T Representative

2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends denial of both variance requests.
3. Public Hearing – No one speaks
4. Variance Request to Exceed the Number of Signs Allowed
5. Variance Request to Allow More Than 1/3 of the Illuminated Portion of a Sign to be White

Commission Chair Larry McClung motions to deny the Variance Request to Exceed the Number of Signs Allowed. Commission Vice Chair Mim James seconds. Commissioner discusses the location of the store and the signs. VOTE: 6-0 in favor, motion passes.

Commissioner James Martin motions to discuss. Commission Vice Chair Mim James seconds. Commission discusses the brightness and colors of the sign. Commissioner Erik Burgeson motions to approve according to staff's recommendation of limiting fixtures to 3000 Kelvin and that the illumination level be determined by the lighting consultant prior to being presented to City Council for approval. Commission Vice Chair Mim James seconds. VOTE: 6-0 in favor, motion passes.

C. Sign Variance Requests for Sophie's Garden Salon, located at 665 US HWY 290 West, *Lisa Gilliam, Applicant*

1. Presentation – Lisa Gilliam, Applicant
2. Sign Administrator's Report - City Administrator Michelle Fischer, report on file. Staff recommends approval with the conditions stated in the report.
3. Public Hearing – No one speaks
4. Variance Request to Allow a Roof Sign
5. Variance Request to Allow a Nonconforming Pole Sign to Remain

Commissioner Erik Burgeson motions to approve the Variance Requests according to staff's recommendation. Commissioner Kim Hubbard seconds. Commission Chair Larry McClung suggests a friendly amendment that the applicant be given six months to complete the landscaping and given one year to finish the re-facing of the sign, which Commissioner Erik Burgeson approves. VOTE: 6-0 in favor, motion passes.

D. Master Signage Plan for the Medical Towers at Sawyer Ranch, *Sawyer Ranch M.O.B. Partners, LLC, Applicant (no action to be taken)*

1. Presentation – Jake Dotson
2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval of a master signage plan that incorporates regulations for monument signs on all of the lots that are part of the Master Signage Plan, and limits the number of projecting signs on the Medical Towers at Sawyer Ranch building. I recommend that the applicant submit clarifications on the items addressed in this report and that the City Attorney draft a Master Signage Plan Ordinance for the properties. I recommend that the Master Signage Plan Ordinance be considered by the Planning & Zoning Commission at a future meeting.
3. Public Hearing – No one speaks
4. Variance Request to Allow Monument Signs for a Multiunit Complex to Exceed that Maximum Height Allowed

5. Variance Request to Allow a Monument Sign for a Multiunit Complex to be Located Off Premises

No action to be taken

E. Sign Variance Request to Allow a Monument Sign for a Multiunit Complex to Exceed the Maximum Area Allowed for the Dripping Springs Ranch Park and Events Center, located at 1042 Event Center Drive, *Lynne Dickinson, Dripping Springs Ranch Park Manager, Applicant*

1. Presentation - None

2. Sign Administrator's Report – City Administrator Michelle Fischer, report on file. Staff recommends approval of the variance request.

3. Public Hearing – No one speaks

4. Variance Request to Allow a Monument Sign for a Multiunit Complex to Exceed the Maximum Area Allowed – Commission Vice Chair Mim James motions to approve the Variance Request according to staff's recommendations. Commission Chair Larry McClung seconds. VOTE: 6-0 in favor, motion passes.

IX. ANNOUNCEMENTS

A. Regular City Council Meeting, September 8, 2015 at 7:00 p.m.

B. Regular Parks & Recreation Commission Meeting, September 14, 2015, at 6:00 p.m.

C. Regular Historic Preservation Commission Meeting, September 14, 2015 at 7:00 p.m.

D. Regular Planning and Zoning Commission Meeting, September 22, 2015 at 7:00 p.m.

X. **ADJOURN** – Commission Chair Larry McClung motions to adjourn the meeting. Commission Vice Chair Mim James seconds. VOTE: 6-0 in favor, motion passes. Meeting adjourns at 10:22pm.