

City Council & Board of Adjustment Minutes

Workshop and Regular Meeting

September 11, 2018 at 5:30 p.m. (Workshop) and 6:30 p.m. (Regular Meeting)

A Workshop and Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, September 11, 2018 beginning at 5:30 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

City Council Members present were:

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Travis Crow
Council Member Wade King (*arrived at 5:31 p.m.*)
Council Member John Kroll
Council Member Taline Manassian

City Staff/Appointed Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Treasurer Gina Gillis
City Planner Anjali Naini
Planning Director Jason Lutz
Parks & Community Services Director Mariana Espinoza
Dripping Springs Ranch Park Manager Lynne Dickinson
Communications Coordinator Bonnie Gonzalez
City Engineer Chad Gilpin
Assistant City Attorney Laura Mueller
Planning and Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 5:30 p.m.

II. WORKSHOP

No action to be taken during workshop. Staff Reports regarding Consent, Site Developments, Subdivisions, Zoning, On Site Sewage Facilities, Signs, Variances, Waivers, Special Exceptions, Annexations, Alternate Standards, Business, and Other Agenda Items listed below.

A. Budget

1. Hotel Occupancy Tax Fund

Lynne Dickinson discussed the Dripping Springs Ranch Park events budget.

2. Hotel Occupancy Tax Grant Program

a. Applications – no discussion

b. Funding Recommendation

Current recommendations fund the Visitors Bureau up to \$150,000.00, and other applicants up to their requested amounts. Funds totaling \$15,000.00 were shifted from DSRP to HOT Grant Program, and if there are any leftover funds, those are to be allocated to the Visitors Bureau up to \$185,000.00, which is the requested amount as applied for.

Gina Gillis discussed that City Administration is working on an agreement with MuniServices for audit services regarding Hotel Occupancy Tax and Sales Tax Collection.

3. Dripping Springs Ranch Park – no discussion

4. Proposed Budget Recap – no discussion

B. Review of the Draft Agenda for the Regular City Council Meeting September 18, 2018 and the Draft Agenda for the Regular Planning & Zoning Commission meeting of September 25, 2018

No discussion on this item. City Secretary will forward City Council the Regular City Council Meeting draft agenda for September 18, 2018 and the draft agenda for the Regular Planning & Zoning Commission meeting of September 25, 2018.

Mayor Purcell opened the Workshop to questions regarding the Regular Agenda. The City Council discussed the following items, no decision or action was made.

Consent Agenda

D. Approval Dripping Springs High School Temporary Street Closure from Sportsplex to Mercer St to San Marcos, Old Fitzhugh to Mercer St and Wallace and Bluff to San Marcos October 19, 2018

Mariana Espinoza – item needs to be pulled for individual consideration regarding a date correction. Street Closure is for Wednesday, October 17, 2018.

F. Approval of the following Job Descriptions: DSRP Maintenance Superintendent, DSRP Facility Coordinator, Part-Time Billing Assistant, Administrative Assistant to City Administrators, Planning Director, and Emergency Planning Coordinator

Lynne Dickinson, Ginger Faught and Michelle Fischer discussed the position of DSRP Maintenance Superintendent and its reporting functions.

Subdivision, Site Development, Zoning, Signage, Conditional Use Permits, Variances, Waivers and Special Exceptions

- A. CUP2018-0004: Shady Greens (235 Sports Park Road): An Application for a Conditional Use Permit for a Property Zoned CS-Commercial Services Requesting Sale of Alcohol for a Proposed Beer & Wine Garden for Shady Greens Miniature Golf Course, Located in the Dripping Springs City Limits at 235 Sports Park Road, and Further Described As: 2.5 Acres in the Magic Greens Subdivision, Lot 1 in Dripping Springs, Texas.**

City Council and staff discussed the location of the property and the response from neighbors regarding the operation of a wine and beer garden. Operation of the mini-golf course in conjunction with wine and beer sales was also discussed.

- E. An Ordinance Enacting Appendix G Of The City Of Dripping Springs Code Of Ordinances; Establishing Regulations For A Master Sign Plan For The Headwaters 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**

Staff clarified that the ordinance is a new, and not an amendment, and is establishing standards and procedures.

- F. VAR2018-0005: 221 Ramirez Lane: An Application Requesting a Variance under the City of Dripping Springs Code of Ordinances, Chapter 24- Manufactured Housing, Mobile Homes, and Recreational Vehicles, Article 24.04, Section 24.04.006 and Section 24.04.007 Manufactured Homes Provisions and a Special Exception to the City Code of Ordinances, Chapter 30, Exhibit A-Zoning Ordinance, Section 3.3.5 to Allow Placement and Residential Use of a Manufactured Home on a Property Zoned SF-1, Single-Family Residential, Low Density**

Staff clarified that the property will need septic approval from the City as a condition of the variance.

- G. SUB2018-0014: Parten Ranch Phase 2: A Proposed Preliminary Plat for Parten Ranch Phase 2 Located in the Dripping Springs Extraterritorial Jurisdiction at Kinnikinik Loop and RM 1826 Consisting of 160 Lots, and further Described as: 116.56 Acres of Seaborn J. Whatley A-18 and Lamar Moore A-323**

Staff clarified that the preliminary plat is consistent with the Development Agreement.

- J. VAR2018-0004: 293 Double L Drive: An Application Requesting a Variance to Rear Setback Requirements in the Caliterra Subdivision Development Agreement, Entered into in 2014 between the City of Dripping Springs and Development Solutions CAT, LLC, to Allow for the Construction of a Swimming Pool in the Rear Setback, for a Property Described as: Caliterra Phase 2, Section 7, Block C, Lot 16-0.238 Acres.**

Staff explained that the applicant has requested postponement of consideration due to changes being proposed to the Site Development Ordinance.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.074 (Personnel Matters) and regarding Executive Session Agenda Items A – F. Council Member King seconded the motion which carried unanimously 5 to 0.

EXECUTIVE SESSION

The City Council 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 City Council 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 Allocation of Wastewater Capacities and Potential Alternatives and Options to Currently Planned Wastewater Discharge Permitting Plans, Including Potential Additional Area Needed to Meet Wastewater Service Needs (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease, or Value of Real Property)**
- B. Consultation with City Attorney regarding the Contested Case Hearing, TCEQ Docket No. 2017-1749- MWD, SOAH Docket No. 582-18-3000, Application by the City of Dripping Springs for TPDES Permit No. WQ0014488003 (551.071 Consultation with City Attorney)**
- C. Consultation with City Attorney regarding the proposed Lauren Concrete Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls, Registration No. 152632 (551.071 Consultation with City Attorney)**
- D. Consultation with City Attorney regarding legal issues related to Stephenson Building Lease. (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property).**
- E. Discussion of Personnel Matters related to duties, appointment, pay, and employment of City Administrator-Michelle Fischer, Deputy City Administrator-Ginger Faught, City Secretary-Andrea Cunningham, Receptionist-Angie Tubbs, Maintenance Director, Public Works Director, Parks and Community Services Director-Mariana Espinoza, DSRP Manager-Lynne Dickinson, Administrative Assistant-Rachel Goodnight, Accounting Clerk-Penny Appleman, Communications Coordinator-Bonnie Gonzalez, IT Coordinator-Misty Dean, Development Coordinator-Molly Mulloy, City Planner I-Anjali Naini, City Planner II, Planning Assistant-Amanda Padilla, Emergency Planning Coordinator-Roman Baligad, Code Enforcement & Construction Inspector-Aaron Reed, Building Official & Utility Clerk-Sarah Holden, Building Permit Technician-Megan Chamberlain, City Maintenance Workers-Raoul Asuan, Jim Bass, Cody Kinsey, DSRP Maintenance Director, DSRP Facility**

Coordinator, DSRP Facility Attendant, DSRP Maintenance Workers-Sheri Kapanaka, Chris Fries, Nick Spillar, Farmers Market Manager-Laurel Robertson, (551.074 Personnel Matters).

F. Consultation with City Attorney regarding the status of Development Agreements and Utility Agreements with regards to Big Sky/Scott Ranch, Cannon Residential and Commercial, Arrowhead, and Driftwood 552 (551.071 Consultation with City Attorney)

The City Council met in Executive Session from 6:01 p.m. – 6:31 p.m.

No action or vote was taken in Executive Session.

Mayor Purcell returned the meeting to Open Session at 6:31 p.m.

III. RECESS

The City Council did not recess and proceeded directly to the Regular Meeting Agenda.

IV. RECONVENE AT 6:30 p.m.

Mayor Purcell reconvened the Regular Meeting at 6:31 p.m.

V. PLEDGE OF ALLEGIANCE

A. Dripping Springs Cub Scout Pack 280 Presentation of Color Guard; and Pledge of Allegiance to the Flag and the Pledge to the Texas Flag

Dripping Springs Scout Pack 280 led the Pledge of Allegiance to the Flag and the Salute to the Texas Flag.

Mayor Purcell led the chambers in a moment of silence in remembrance and honor of September 11, 2001.

Mayor Purcell introduced Planning Director Jason Lutz.

VI. PROCLAMATIONS

A. A Proclamation of the City Council proclaiming the week of September 17 - September 23, 2018 as "Constitution Week" in the City of Dripping Springs (Sponsor: Council Member King)

Council Member King read the proclamation and presented it to members of the Sarah Pound Chapter of the Daughters of the American Revolution and members of the American Heritage Girls Troop TX0522.

B. A Proclamation of the City Council proclaiming the month September 2018 as "Hunger Action Month" in the City of Dripping Springs (Sponsor: Council Member Manassian)

Council Member Manassian read the proclamation and presented it to Kathy Martinez-Prather, Board Secretary for the Hays County Food Bank Board of Directors.

VII. 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 Mayor. The Mayor and City Council establish a time limit of two (2) minutes per speaker, for a total of thirty (30) minutes. The Mayor and City Council may extend the session.

No one spoke during Presentation of Citizens.

VIII. CONSENT ITEMS

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

At the request of staff, Consent Agenda Items D and F were pulled for individual consideration.

- A. Approval of the Regular City Council meeting minutes of August 14, 2018 and August 21, 2018**
- B. Approval of the City Treasurer's Report for August 2018**
- C. Approval of a Co-Sponsorship between the City of Dripping Springs and the Dripping Springs Elementary School PTA to Display the Oktoberfest Fall Fair Banner at The Triangle to held October 13, 2018 at Dripping Springs Elementary School (Sponsor: Council Member King)**
- E. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and Springs Veterinary Care regarding "Springs Veterinary Care One Year Anniversary and Drippin' Dog Dip" to be held Saturday, October 13, 2018 at Founders Memorial Park and Pool (Sponsor: Council Member King)**
- G. Postponement of Second Amendment to the Belterra Commercial Development Agreement to October 9, 2018 and referral of Second Amendment to the Planning and Zoning Commission meeting on September 25, 2018.**

A motion was made by Mayor Pro Tem Foulds to approve Consent Agenda Items A-C, E and G. Council Member King seconded the motion. Items B,C,E, and G carried unanimously 5 to 0; and Items A carried 4 to 1 with Council Member Kroll abstained.

- D. Approval Dripping Springs High School Temporary Street Closure from Sportsplex to Mercer St to San Marcos, Old Fitzhugh to Mercer St and Wallace and Bluff to San Marcos October 19, 2018 (Sponsor: Council Member King)**

A motion was made by Council Member Kroll to approve Dripping Springs High School Temporary Street Closure from Sportsplex to Mercer St to San Marcos, Old Fitzhugh to Mercer St and Wallace and Bluff to San Marcos for October 17, 2018. Council Member King seconded the motion which carried unanimously 5 to 0.

F. Approval of the following Job Descriptions: DSRP Maintenance Superintendent, DSRP Facility Coordinator, Part-Time Billing Assistant, Administrative Assistant to City Administrators, Planning Director, and Emergency Planning Coordinator

A motion was made by Council Member Manassian to approve the Job Descriptions: DSRP Maintenance Superintendent, DSRP Facility Coordinator, Part-Time Billing Assistant, Administrative Assistant to City Administrators, Planning Director, and Emergency Planning Coordinator, and to authorize the Mayor and/or City Administration to hire for the positions. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

IX. SUBDIVISION/SITE DEVELOPMENT/ ZONING/SIGNAGE/CONDITIONAL USE PERMITS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS

Discussion and Possible Action on Zoning, Conditional Use Permits, Subdivision, Site Development, Signage, Variances, Special Exceptions, Waivers and other matters:

A. CUP2018-0004: Shady Greens (235 Sports Park Road): An Application for a Conditional Use Permit for a Property Zoned CS-Commercial Services Requesting Sale of Alcohol for a Proposed Beer & Wine Garden for Shady Greens Miniature Golf Course, Located in the Dripping Springs City Limits at 235 Sports Park Road, and Further Described As: 2.5 Acres in the Magic Greens Subdivision, Lot 1 in Dripping Springs, Texas. (Applicant, James George)

1. Presentation

James and Carol George presented the item. The location will be a beer and wine garden with ample seating and parking. There will be a play area and the mini-golf course will be in operation. The location will also have food trucks on premises, but only during operating hours.

2. Staff Report

Anjali Naini presented the staff report which is on file. Staff recommends approval of the item.

3. Planning and Zoning Commission Report

Chair James: Commission recommended approval 6 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. *Conditional Use Permit*

A motion was made by Council Member King to approve CUP2018-0004: Shady Greens (235 Sports Park Road): An Application for a Conditional Use Permit for a Property Zoned CS-Commercial Services Requesting Sale of Alcohol for a Proposed Beer & Wine Garden for Shady Greens Miniature Golf Course, Located in the Dripping Springs City Limits at 235 Sports Park Road, and Further Described As: 2.5 Acres in the Magic Greens Subdivision, Lot 1 in Dripping Springs, Texas, with the condition that the CUP is tied to the operation of the Mini-Golf Course. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

B. McDonald's Sign Variance Request to Allow Two Electronic (digital) Menu Boards, Located at 333 E. Highway 290, Dripping Springs, TX 78620, Applicant Tracey Diehl

1. *Presentation – no presentation was given*
2. *Staff Report*

Michelle Fischer presented the staff report. Staff recommends approval with the following conditions:

1. Documentation and verification that the menu boards comply with the Outdoor Lighting Ordinance;
2. The electronic digital displays shall be static;
3. The menu boards shall be turned off when the drive through service is closed;
4. The applicant shall maintain the vegetative screening between the menu boards and adjacent properties;
5. The menu boards and their electronic displays shall be turned off when the drive through service is closed;
6. The noncompliant parking lot lighting on the property shall be brought into compliance with the Outdoor Lighting Ordinance;
7. The menu shall be static;
8. The menus shall be set automatically to adjust brightness based upon daylight;
9. The menus shall not be used to advertise other businesses;
10. The menus shall not have flashy, bright images or colors; and
11. The menus shall not have additional sound or speakers.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommend approval with staff conditions 6 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Variance to Allow Two Electronic Menu Boards*

A motion was made by Council Member Kroll to approve McDonald's Sign Variance Request to Allow Two Electronic (digital) Menu Boards, Located at 333 E. Highway 290, Dripping Springs, TX 78620 with staff conditions as listed. Council Member King seconded the motion which carried unanimously 5 to 0.

C. Pioneer Plaza Sign Variance Request to Install a Monument Sign for a Multi-Unit Complex Less than Eight Feet Back from Right Of Way, Located at 101 Hays Street, Applicant Bodie Hudson

1. *Presentation – no presentation given*
2. *Staff Report*

Michelle Fischer presented the staff report which is on file. Staff recommends approval with the following conditions:

1. The owner shall be responsible for removing, altering, or relocating the sign should it be necessary for future roadway, utility, or pedestrian amenity related repairs, expansion or construction; and
2. No other monument sign for the multi-unit complex shall be allowed.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommend approval with staff conditions 6 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Variance to Allow a Monument Sign to be Installed Less Than Eight Feet From The Right Of Way*

A motion was made by Mayor Pro Tem Foulds to approve Pioneer Plaza Sign Variance Request to Install a Monument Sign for a Multi-Unit Complex Less than Eight Feet Back from Right Of Way, Located at 101 Hays Street with staff conditions. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

D. Estates at Sawyer Ranch (Burba Ranch Subdivision) Sign Variance Requests for Subdivision Entrance Monument Signs, Located at 110 Gus Dr., Austin, TX 78737, Applicant Evan Caso, David Weekley Homes

1. *Presentation – no presentation was given*
2. *Staff Report*

Michelle Fischer presented the staff report which is on file. Staff recommends approval of all three (3) variance requests.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommended approval of all three (3) variances 6 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Variance to Allow Two Subdivision Entrance Monument Signs*

6. *Variance to Allow a Subdivision Entrance Monument Sign to Exceed the Maximum Signable Area Allowed*

7. *Variance to Allow Subdivision Entrance Monument Signs to Exceed the Maximum Height Allowed*

The City Council took all three (3) variance requests in one motion.

A motion was made by Mayor Pro Tem Foulds to approve Estates at Sawyer Ranch (Burba Ranch Subdivision) Sign Variance Requests for Subdivision Entrance Monument Signs, Located at 110 Gus Dr., Austin, TX 78737, and to include the following variances: Variance to Allow Two Subdivision Entrance Monument Signs, Variance to Allow a Subdivision Entrance Monument Sign to Exceed the Maximum Signable Area Allowed, and Variance to Allow Subdivision Entrance Monument Signs to Exceed the Maximum Height Allowed. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

E. An Ordinance Enacting Appendix G Of The City Of Dripping Springs Code Of Ordinances; Establishing Regulations For A Master Sign Plan For The Headwaters 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

1. *Presentation – no presentation given*

2. *Staff Report*

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the item.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommended approval 6 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. Ordinance

A motion was made by Council Member Kroll to approve An Ordinance Enacting Appendix G Of The City Of Dripping Springs Code Of Ordinances; Establishing Regulations For A Master Sign Plan For The Headwaters 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. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

The City Council directed staff to clarify that the ordinance does not apply to individual realtor signs, which must comply with the City's Sign Ordinance.

Filed as Ordinance No. 2018-20.

F. VAR2018-0005: 221 Ramirez Lane: An Application Requesting a Variance under the City of Dripping Springs Code of Ordinances, Chapter 24-Manufactured Housing, Mobile Homes, and Recreational Vehicles, Article 24.04, Section 24.04.006 and Section 24.04.007 Manufactured Homes Provisions and a Special Exception to the City Code of Ordinances, Chapter 30, Exhibit A-Zoning Ordinance, Section 3.3.5 to Allow Placement and Residential Use of a Manufactured Home on a Property Zoned SF-1, Single-Family Residential, Low Density. (Applicant, Marie Espinosa)

1. Presentation

Applicant Marie Espinosa presented the item. Ms. Espinosa discussed installation of the home and property value.

2. Staff Report

Anjali Naini presented the staff report which is on file. Staff recommends approval of the item with the following conditions:

1. Must comply with all applicable provisions under Chapter 24-Building Regulations; particularly Article 24.04-Manufactured Housing, Mobile Homes and Recreational Vehicles.
2. The manufactured house and property will comply with all city ordinances including the Zoning Ordinance and Outdoor Lighting Ordinance.
3. Must follow setback requirements for the SF-1 zoning district.
4. Must obtain proper permitting for a new on-site septic system.
5. The manufactured home must be owner-occupied for a minimum of two (2) years from the date of City Council approval.
6. Must obtain permission from neighbors to utilize their properties to transport the manufactured home to the subject site; and also must obtain permission

from 221 Ramirez Lane Variance/Special Exception Request Staff Report Page 2 of 9 appropriate entities to cut any tree branches that need to be removed during transit.

7. The manufactured home must be placed on the property within one (1) year of City Council's approval.

3. Planning and Zoning Commission Report

Chair James: Commission recommended approval 6 to 0 with the following conditions which have been incorporated into the staff recommendations:

1. Owner must occupy the manufactured home for two (2) years upon City Council approval.
2. All conditions must be met within one (1) year of City Council approval.

4. Public Hearing

Sheila Cook spoke in favor of the item during the Public Hearing.

5. Special Exception & Variance to Allow Manufactured Home in SF-1 Zoning District

A motion was made by Council Member King to approve VAR2018-0005: 221 Ramirez Lane: An Application Requesting a Variance under the City of Dripping Springs Code of Ordinances, Chapter 24-Manufactured Housing, Mobile Homes, and Recreational Vehicles, Article 24.04, Section 24.04.006 and Section 24.04.007 Manufactured Homes Provisions and a Special Exception to the City Code of Ordinances, Chapter 30, Exhibit A-Zoning Ordinance, Section 3.3.5 to Allow Placement and Residential Use of a Manufactured Home on a Property Zoned SF-1, Single-Family Residential, Low Density with staff recommendations. Council Member Kroll seconded the motion.

After some discussion regarding Condition 5 - The manufactured home must be owner-occupied for a minimum of two (2) years from the date of City Council approval, Council Member King and Council Member Kroll withdrew their motion and seconded respectively.

A motion was made by Council Member King to approve VAR2018-0005: 221 Ramirez Lane: An Application Requesting a Variance under the City of Dripping Springs Code of Ordinances, Chapter 24-Manufactured Housing, Mobile Homes, and Recreational Vehicles, Article 24.04, Section 24.04.006 and Section 24.04.007 Manufactured Homes Provisions and a Special Exception to the City Code of Ordinances, Chapter 30, Exhibit A-Zoning Ordinance, Section 3.3.5 to Allow Placement and Residential Use of a Manufactured Home on a Property Zoned SF-1, Single-Family Residential, Low Density with the following staff recommendations:

1. Must comply with all applicable provisions under Chapter 24-Building Regulations; particularly Article 24.04-Manufactured Housing, Mobile Homes and Recreational Vehicles.
2. The manufactured house and property will comply with all city ordinances including the Zoning Ordinance and Outdoor Lighting Ordinance.
3. Must follow setback requirements for the SF-1 zoning district.
4. Must obtain proper permitting for a new on-site septic system.
5. Must obtain permission from neighbors to utilize their properties to transport the manufactured home to the subject site; and also, must obtain permission from 221 Ramirez Lane Variance/Special Exception Request Staff Report Page 2 of 9 appropriate entities to cut any tree branches that need to be removed during transit.
6. The manufactured home must be placed on the property within one (1) year of City Council's approval.

Council Member Kroll seconded the motion which carried unanimously 5 to 0.

G. SUB2018-0014: Parten Ranch Phase 2: A Proposed Preliminary Plat for Parten Ranch Phase 2 Located in the Dripping Springs Extraterritorial Jurisdiction at Kinnikinik Loop and RM 1826 Consisting of 160 Lots, and further Described as: 116.56 Acres of Seaborn J. Whatley A-18 and Lamar Moore A-323. (Applicant, Daniel Ryan, P.E.)

1. Presentation

Dan Ryan, P.E. with LJA Engineering, Inc. presented the item.

2. Staff Report

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the item with the condition that the applicant obtain 1445 approval for Hays County before receiving City signature for final recordation.

Mr. Gilpin verified that the applicant has received 1445 approval from Hays County.

3. Planning and Zoning Commission Report

Chair James: Commission recommend approval with staff condition 5 to 1, with Commissioner Strong abstaining.

4. Public Hearing

No one spoke during the Public Hearing.

5. Subdivision

A motion was made by Mayor Pro Tem Foulds to approve SUB2018-0014: Parten Ranch Phase 2: A Proposed Preliminary Plat for Parten Ranch Phase 2 Located in the Dripping Springs Extraterritorial Jurisdiction at Kinnikinik Loop and RM 1826 Consisting of 160 Lots, and further Described as: 116.56 Acres of Seaborn J. Whatley A-18 and Lamar Moore A-323. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

H. SUB2018-0022: Caliterra Section 4, Lots 42 & 43 Replat: A Replat of Lot 42 & 43 in Caliterra, Phase One, Section Four Totaling Approximately 1.358 Acres and Located in the Dripping Springs Extraterritorial Jurisdiction at 147 & 173 Waters Edge Cove, Dripping Springs, Texas 78620. (Applicant, Trey Novosad)

1. *Presentation – no presentation was given*

2. *Staff Report*

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the item with the condition that the applicant obtain 1445 approval for Hays County before receiving City signature for final recordation.

Mr. Gilpin verified that the applicant has received 1445 approval from Hays County.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommend approval with staff condition 6 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Replat*

A motion was made by Council Member Kroll to approve SUB2018-0022: Caliterra Section 4, Lots 42 & 43 Replat: A Replat of Lot 42 & 43 in Caliterra, Phase One, Section Four Totaling Approximately 1.358 Acres and Located in the Dripping Springs Extraterritorial Jurisdiction at 147 & 173 Waters Edge Cove, Dripping Springs, Texas 78620. Council Member King seconded the motion which carried unanimously 5 to 0.

I. Springs at Barton Creek - Concept Plan Presentation for The Springs at Barton Creek, a Proposed 316 Acre Single-Family Residential Subdivision Located in the City of Dripping Springs ETJ on RR 12 North of Shelton Ranch Rd and South of Fitzhugh Rd, and Further Described as Follows: 316.88 Acres of Land out of the Anthony G. Davy Survey No. 38, Abstract No. 148 and the Edward W. Brown Survey No. 136, Abstract No. 44 in Hays County, Texas. (Applicant, Jared Jakovich. Presentation only; no action)

Applicant Jared Jakovich presented the item. The applicant has revised the project and reduced the number of lots to 205-210, with about 3 acres of parks/open space that include a pond and activity center. This will be a gated home community with connectivity to existing trails, and extensive rain water collection efforts.

No action was taken on this item.

J. VAR2018-0004: 293 Double L Drive: An Application Requesting a Variance to Rear Setback Requirements in the Caliterra Subdivision Development Agreement, Entered into in 2014 between the City of Dripping Springs and Development Solutions CAT, LLC, to Allow for the Construction of a Swimming Pool in the Rear Setback, for a Property Described as: Caliterra Phase 2, Section 7, Block C, Lot 16-0.238 Acres. (Applicant, Lauren Shorkey & Brady Baird)

1. *Presentation – no presentation was given*
2. *Staff Report*

Anjali Naini presented the staff report which is on file. The applicant has requested postponement of the item.

3. *Public Hearing*

No one spoke during the Public Hearing.

4. *Variance Request to Allow Construction of Swimming Pool in Rear Building Setback*

A motion was made by Mayor Pro Tem Foulds to postpone the item to the Regular City Council meeting of October 16, 2018. Council Member King seconded the motion which carried unanimously 5 to 0.

X. BUDGET

A. First Public Hearing on the Proposed Fiscal Year 2019 Ad Valorem Tax Rate of \$0.19 per \$100 Assessed Valuation of all taxable property within the corporate city limits

Mayor Purcell read the aforementioned caption and opened the Public Hearing.

No one spoke during the Public Hearing.

Mayor Purcell announced that the City Council will hold a second public hearing on the Proposed Fiscal Year 2019 Ad Valorem Tax Rate of \$0.19 per \$100 Assessed Valuation of all taxable property within the corporate city limits at the regular City Council meeting Tuesday, September 18, 2018, scheduled for 6:00 p.m.

B. Public Hearing regarding the proposed Fiscal Year 2019 City of Dripping Springs Budget

Mayor Purcell read the aforementioned caption and opened the Public Hearing.

No one spoke during the Public Hearing.

Mayor Purcell announced that the City Council will hold a second public hearing on the on the Proposed Fiscal Year 2019 City of Dripping Springs Budget at the regular City Council meeting Tuesday, September 18, 2018, scheduled for 6:00 p.m.

A motion was made by Council Member Kroll to postpone consideration of the City of Dripping Springs Municipal Budget for Fiscal Year 2019 to the Special City Council meeting on September 24, 2018. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

XI. BUSINESS

- A. Discuss and Consider Approval of a Request to Rent Veterans Memorial Park "The Triangle" for Frosty's Christmas Tree Sales from November 17-December 22, 2018**
(Sponsor: Council Member King)

A motion was made by Council Member King to approve a Request to Rent Veterans Memorial Park "The Triangle" for Frosty's Christmas Tree Sales from November 17-December 22, 2018. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- B. Discuss and Consider Approval of a Request for Fee Reduction to Rent Veterans Memorial Park "The Triangle" for The Dripping Springs United Methodist Church Pumpkin Patch Pumpkin Sales Fundraiser from October 5th to November 2, 2018 and Request for Permission to display a banner at The Triangle from September 13-October 15, 2018**
(Sponsor: Council Member King)

A motion was made by Council Member King to approve a Request for Fee Reduction to Rent Veterans Memorial Park "The Triangle" for The Dripping Springs United Methodist Church Pumpkin Patch Pumpkin Sales Fundraiser from October 5th to November 2, 2018 and Request for Permission to display a banner at The Triangle from September 13-October 15, 2018. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- C. Discuss and Consider approval of a Professional Services Agreement between the City of Dripping Springs and Mixtape Marketing regarding professional services related to Marketing of Historic Districts**
(Sponsor: Mayor Purcell)

A motion was made by Council Member King to approve a Professional Services Agreement between the City of Dripping Springs and Mixtape Marketing regarding professional services related to Marketing of Historic Districts. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

D. Discuss and Consider the of the Appointment of one (1) individual to the Historic Preservation Commission for a term ending June 30, 2020

A motion was made by Council Member King to approve the appointment of Minnie Glosson Needham to the Historic Preservation Commission for a term ending June 30, 2020. Council Member Crow seconded the motion which carried unanimously 5 to 0.

XII. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

Reports are on file and available for review upon request.

- A. Parks and Community Services Monthly Report**
- B. Dripping Springs Ranch Park Monthly Report**
- C. Transportation Committee Monthly Report**
- D. Economic Development Committee Monthly Report**

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), and 551.072 (Deliberations about Real Property) and regarding Executive Session Agenda Items B - D. Council Member King seconded the motion which carried unanimously 5 to 0.

XIII. EXECUTIVE SESSION

The City Council 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 City Council 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 Allocation of Wastewater Capacities and Potential Alternatives and Options to Currently Planned Wastewater Discharge Permitting Plans, Including Potential Additional Area Needed to Meet Wastewater Service Needs (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease, or Value of Real Property)**
- B. Consultation with City Attorney regarding the Contested Case Hearing, TCEQ Docket No. 2017-1749- MWD, SOAH Docket No. 582-18-3000, Application by the City of Dripping Springs for TPDES Permit No. WQ0014488003 (551.071 Consultation with City Attorney)**
- C. Consultation with City Attorney regarding the proposed Lauren Concrete Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls, Registration No. 152632 (551.071 Consultation with City Attorney)**

- D. Consultation with City Attorney regarding legal issues related to Stephenson Building Lease. (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property).**
- E. Discussion of Personnel Matters related to duties, appointment, pay, and employment of City Administrator-Michelle Fischer, Deputy City Administrator-Ginger Faught, City Secretary-Andrea Cunningham, Receptionist-Angie Tubbs, Maintenance Director, Public Works Director, Parks and Community Services Director-Mariana Espinoza, DSRP Manager-Lynne Dickinson, Administrative Assistant-Rachel Goodnight, Accounting Clerk-Penny Appleman, Communications Coordinator-Bonnie Gonzalez, IT Coordinator-Misty Dean, Development Coordinator-Molly Mulloy, City Planner I-Anjali Naini, City Planner II, Planning Assistant-Amanda Padilla, Emergency Planning Coordinator-Roman Baligad, Code Enforcement & Construction Inspector-Aaron Reed, Building Official & Utility Clerk-Sarah Holden, Building Permit Technician-Megan Chamberlain, City Maintenance Workers-Raoul Asuan, Jim Bass, Cody Kinsey, DSRP Maintenance Director, DSRP Facility Coordinator, DSRP Facility Attendant, DSRP Maintenance Workers-Sheri Kapanaka, Chris Fries, Nick Spillar, Farmers Market Manager-Laurel Robertson, (551.074 Personnel Matters).**
- F. Consultation with City Attorney regarding the status of Development Agreements and Utility Agreements with regards to Big Sky/Scott Ranch, Cannon Residential and Commercial, Arrowhead, and Driftwood 552 (551.071 Consultation with City Attorney)**

The City Council met in Executive Session from 7:41 p.m. – 7:48 p.m.

No action or vote was taken in Executive Session.

Mayor Purcell returned the meeting to Open Session at 7:48 p.m.

XIV. ANNOUNCEMENTS

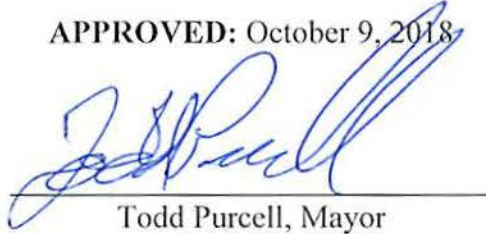
- A. September 18, 2018 - Regular City Council Meeting, 6:00 PM Regular Meeting**
- B. September 24, 2018 - Special City Council Meeting, 6:00 PM**
- C. October 9, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting**
- D. October 16, 2018 - Regular City Council Meeting, 6:00 PM**
- E. September 25, 2018 - Planning & Zoning Commission 6:30 p.m. Meeting**

XV. ADJOURN

Without objection from the City Council, Mayor Purcell adjourned the meeting.

This regular meeting adjourned at 7:50 p.m.

APPROVED: October 9, 2018



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary

