



PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Wednesday, November 18, 2020 at 6:30 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

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Meeting ID: 865 5121 6252

Passcode: 327970

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CALL TO ORDER AND ROLL CALL

Commission Members

Mim James, Chair

James Martin, Vice Chair

Christian Bourguignon

John McIntosh

Roger Newman (arrived at 6:35 p.m.)

Commission Members absent were:

Evelyn Strong

Tammie Williamson

Staff, Consultants & Appointed/Elected Officials

Deputy City Administrator Ginger Faught

City Attorney Laura Mueller

City Secretary Andrea Cunningham

Senior Planner Amanda Padilla

City Engineer Chad Gilpin

Planning Consultant Robyn Miga

Mayor Pro Tem Taline Manassian

With a quorum of the Commission present, Chair James called the meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Martin led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

A member of the public who desires to address the Commission regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the Commission's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the Commission. It is the request of the Commission that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentation of Citizens.

No one spoke during Presentation of Citizens.

CONSENT AGENDA

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 Planning & Zoning Commission meetings, it is intended that these items will be acted upon by the Planning & Zoning Commission with a single motion because no public hearing or determination is necessary. However, a Planning & Zoning Commission 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 Planning & Zoning Commission voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the Planning & Zoning Commission may add additional items that are listed elsewhere on the same agenda.

The Commission considered Consent Agenda Items 1 and 2 separately.

1. Approval of the October 27, 2020 Planning & Zoning Commission regular meeting minutes.

A motion was made by Vice Chair Martin to approve the October 27, 2020 Planning & Zoning Commission regular meeting minutes with corrections as submitted to the City Secretary. Commissioner Bourguignon seconded the motion which carried unanimously 4 to 0.

2. Disapproval for the reasons set forth in the item application for a Preliminary Plat (SUB2020-0030), consisting of approximately 64.964 acres out of the Philip A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas, generally located south of U.S. 290, west of RR 12, and north of Hog Hollow Road, to be known as Caliterra Phase 4, Section 12. Applicant: Bill Couch, CBD, Inc.

A motion was made by Vice Chair Martin to deny approval, for reasons set forth in the staff report, of an application for a Preliminary Plat (SUB2020-0030), consisting of approximately 64.964 acres out of the Philip A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas, generally located south of U.S. 290, west of RR 12, and north of Hog Hollow Road, to be known as Caliterra Phase 4, Section 12. Commissioner McIntosh seconded the motion which carried unanimously 4 to 0.

BUSINESS

3. **Public hearing and consideration of a recommendation regarding ZA2020-0008: an application for a Zoning Amendment to consider a proposed zoning map amendment from Agriculture District (AG) to Two Family Residential - Duplex District (SF-4) for an approximately .748 acre tract of land situated in BENJAMIN F. HANNA Survey. This property is located at 102 Rose Drive, Dripping Springs, TX (R15132). Applicant: Dave Merkel and Fred Van Cura**

a) Presentation

Don Merkel and Fred Van Cura were present and available for questions.

b) Staff Report

Robyn Miga presented the staff report. Staff recommends approval of the application for zoning amendment.

c) Public Hearing – No one spoke during the Public Hearing.

d) Zoning Amendment

A motion was made by Vice Chair Martin to recommend City Council approval of ZA2020-0008: an application for a Zoning Amendment to consider a proposed zoning map amendment from Agriculture District (AG) to Two Family Residential - Duplex District (SF-4) for an approximately .748 acre tract of land situated in BENJAMIN F. HANNA Survey. This property is located at 102 Rose Drive, Dripping Springs, TX (R15132). Commissioner McIntosh seconded the motion which carried unanimously 4 to 0.

4. **Public hearing and consideration of a recommendation regarding ZA2020-0010: an application for a Zoning Amendment to consider a proposed zoning map amendment from Two Family Residential - Duplex District (SF-4) to General Retail District (GR) for an approximately 1 acre tract of land situated Phillip A. Smith Survey (Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 1.00). This property is generally located on Ranch Road 12 across from Summit Drive in Dripping Springs, TX. (R17873). Applicant: Jon Thompson**

a) Presentation

Applicant Jon Thompson presented the item.

b) Staff Report

Robyn Miga presented the staff report which is on file. Staff recommends approval of the application for zoning amendment.

c) Public Hearing – No one spoke during the Public Hearing.

d) Zoning Amendment

A motion was made by Vice Chair Martin to recommend City Council approval of ZA2020-0010: an application for a Zoning Amendment to consider a proposed zoning map amendment from Two Family Residential - Duplex District (SF-4) to General Retail District (GR) for an approximately 1 acre tract of land situated Phillip A. Smith Survey (Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 1.00). This property is generally located on Ranch Road 12 across from Summit Drive in Dripping Springs, TX. (R17873). Commissioner Bourguignon seconded the motion which carried unanimously 4 to 0.

- 5. Public Hearing and consideration regarding SUB2020-0026: an application to consider a Replat with a Vacation application for Howard Ranch Commercial for property generally located south of the intersection of Ranch Road 12 and FM 150 (Legal description: Howard Ranch Commercial, Lot 1, Acres 7.5.) Applicant: Bill Couch, Carlson Brigance and Doering, INC.**

a) Presentation

Applicant Bill Couch presented the item and informed the Commission that he has received comments regarding the application is addressing those comments. He will follow up with staff with any issues.

b) Staff Report

Amanda Padilla presented the staff report which is on file. Staff recommends denial of the application based on comments filed in the staff reports.

Chad Gilpin also spoke to the applicant's submittals.

c) Public Hearing – No one spoke during the Public Hearing.

d) Replat with Vacation

A motion was made by Vice Chair Martin to deny approval, as recommended by staff, of SUB2020-0026: an application to consider a Replat with a Vacation application for Howard Ranch Commercial for property generally located south of the intersection of Ranch Road 12 and FM 150 (Legal description: Howard Ranch Commercial, Lot 1, Acres 7.5.). Commissioner Bourguignon seconded the motion which carried unanimously 5 to 0.

- 6. Public hearing and consideration regarding SUB2020-0021: An application to consider a Replat with a Vacation for the Parten Ranch Phase 2 Subdivision for the property**

generally located 1.5 miles southwest of the intersection of Nutty Brown Road and FM 1826 (R167464, R167463). The applicant is proposing to vacate an Open Space/ Drainage Lot and replat two (2) lots. Applicant: HM Parten Ranch Development, INC.

a) Presentation

Dan Ryan with CJA Engineering presented the item.

b) Staff Report

Amanda Padilla presented the staff report which is on file. Staff recommends approval for the application for replat and vacation.

c) Public Hearing – No one spoke during the Public Hearing.

d) Replat with Vacation

A motion was made by Vice Chair Martin to approve SUB2020-0021: An application to consider a Replat with a Vacation for the Parten Ranch Phase 2 Subdivision for the property generally located 1.5 miles southwest of the intersection of Nutty Brown Road and FM 1826 (R167464, R167463). The applicant is proposing to vacate an Open Space/ Drainage Lot and replat two (2) lots. Commissioner McIntosh seconded the motion which carried unanimously 5 to 0.

7. Public hearing and consideration of a recommendation regarding CUP2020-0009: an application to consider a conditional use permit to allow for an accessory dwelling unit at the property located at 101 Woods Loop, Driftwood, Texas 78620. Applicant: Jon Thompson

a) Presentation

Applicant Jon Thompson and property owner Evan Whitenight presented the item.

b) Staff Report

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

1. No more than two driveways permitted on the lot; and
2. The ADU shall be connected to an approved on-site septic system prior to occupancy.

c) Public Hearing – No one spoke during the Public Hearing.

d) Conditional Use Permit

Commissioner Bourguignon recused from this item and did not participate in the discussion or vote.

A motion was made by Vice Chair Martin to recommend City Council approval of CUP2020-0009: an application to consider a conditional use permit to allow for an accessory dwelling unit at the property located at 101 Woods Loop, Driftwood, Texas 78620 with the following conditions: 1) No more than two driveways permitted on the lot, 2) The ADU shall be connected to an approved on-site septic system prior to occupancy, and 3) the structure shall not be used as a short term rental. Due to lack of a second, this motion failed.

A motion was made by Vice Chair Martin to recommend City Council approval of CUP2020-0009: an application to consider a conditional use permit to allow for an accessory dwelling unit at the property located at 101 Woods Loop, Driftwood, Texas 78620 with the following staff conditions: 1) No more than two driveways permitted on the lot, and 2) The ADU shall be connected to an approved on-site septic system prior to occupancy. Commissioner McIntosh seconded the motion which carried 3 to 1 to 1, with Commissioner Bourguignon recused and Chair James opposed.

8. Public hearing and consideration of a recommendation regarding CUP2020-0010: an application to consider a conditional use permit to allow for an accessory dwelling unit at the property located at 693 Blue Ridge Drive, Dripping Springs, TX 78620. Applicant: Josh Haro, Haro Homes LLC.

a) Presentation

Property owner Adrian Golias was available for questions.

b) Staff Report

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

1. No driveway permitted off Lloyd Drive; and
2. The ADU shall be connected to a City approved on-site septic system prior to occupancy.

c) Public Hearing – No one spoke during the Public Hearing.

d) Conditional Use Permit

A motion was made by Vice Chair Martin to recommend City Council approval of CUP2020-0010: an application to consider a conditional use permit to allow for an accessory dwelling unit at the property located at 693 Blue Ridge Drive, Dripping Springs, TX 78620 with staff recommendations that No driveway permitted off Lloyd Drive; and the ADU shall be connected to a City approved on-site septic system prior to occupancy. Commissioner Bourguignon seconded the motion which carried unanimously 5 to 0.

9. Public hearing and consideration of a recommendation regarding ZA2020-0009: an application for a Zoning Amendment to consider a proposed zoning map amendment from Single-Family Residential District - Low Density (SF-1) to Local Retail District

(LR) for an approximately .84 acre tract of land situated Phillip A. Smith Survey. This property is located at 519 Old Fitzhugh Road, Dripping Springs, TX. (R17916). Applicant: Jon Thompson

a) Presentation

Applicant Jon Thompson presented the item.

b) Staff Report

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the application for zoning amendment.

c) Public Hearing – No one spoke during the Public Hearing.

d) Zoning Amendment

A motion was made by Vice Chair James to recommend City Council approval of ZA2020-0009: an application for a Zoning Amendment to consider a proposed zoning map amendment from Single-Family Residential District - Low Density (SF-1) to Local Retail District (LR) for an approximately .84 acre tract of land situated Phillip A. Smith Survey. This property is located at 519 Old Fitzhugh Road, Dripping Springs, TX. (R17916). Commissioner McIntosh seconded the motion which carried unanimously 5 to 0.

10. Presentation on the City's process and goals for the rewrite of the Zoning Ordinance.

Amanda Padilla gave a presentation on the City's process and goals for the rewrite of the Zoning Ordinance, which is on file.

No action was taken on this item.

REPORTS OF STAFF AND AGENCIES

No action to be taken.

11. Planning Project Report

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). The Planning and Zoning Commission 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.

The Commission did not meet in Executive Session.

UPCOMING MEETINGS

Planning & Zoning Commission Meetings

December 16, 2020 at 6:30 p.m.

January 26, 2021 at 6:30 p.m.

February 23, 2021 at 6:30 p.m.

City Council Meetings

December 8, 2020 at 6:00 p.m.

December 15, 2020 at 6:00 p.m.

January 12, 2021 at 6:00 p.m.

ADJOURN

A motion was made by Vice Chair Martin to adjourn the meeting. Commissioner McIntosh seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 8:17 p.m.