



# PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, September 28, 2021 at 6:30 PM

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## MINUTES

### CALL TO ORDER AND ROLL CALL

With a quorum of the Commission present, Chair James called the meeting to order at 6:00 p.m.

**Commission Members present were:**

Mim James, Chair  
James Martin, Vice Chair  
John McIntosh  
Doug Crosson  
Evelyn Strong

**Commission Members absent were:**

Christian Bourguignon  
Tammie Williamson

**Staff, Consultants & Appointed/Elected Officials present were:**

City Attorney Laura Mueller  
City Secretary Andrea Cunningham  
Planning Director Howard Koontz  
Senior Planner Tory Carpenter  
Mayor Pro Tem Taline Manassian

### PLEDGE OF ALLEGIANCE

Commissioner Crosson 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.*

Via unanimous consent, the Commission considered Consent Agenda Items individually.

- 1. Discuss and consider approval of the September 28, 2021, Planning & Zoning Commission regular meeting minutes.**

Chair James noted that the caption should read, "September 14, 2021".

A motion was made by Commissioner Crosson to approve the September 14, 2021, Planning & Zoning Commission minutes. Commissioner Strong seconded the motion which carried 3 to 0 to 2, with Vice Chair Martin and Commissioner McIntosh abstaining.

- 2. Approval of SUB2021-0044: an application for a final plat for Driftwood Phase 1 Section 3 Final Plat for a 42.17 acre tract located along the west side of Thurman Roberts Way north of its intersection with RM 1826 of Driftwood 967 Phase 2, 42.17 acres out of Frelove Woody Sur, Abs 20, Hays County, Texas. Applicant: Tony Miller, P.E., Murfee Engineering Company, Inc.**

A motion was made by Commissioner Strong to approve SUB2021-0044: an application for a final plat for Driftwood Phase 1 Section 3 Final Plat for a 42.17 acre tract located along the west side of Thurman Roberts Way north of its intersection with RM 1826 of Driftwood 967 Phase 2, 42.17 acres out of Frelove Woody Sur, Abs 20, Hays County, Texas, with the condition that the applicant submit a 1445 approval statement from Hays County. Vice Chair Martin seconded the motion which carried 4 to 0 to 1, with Commissioner Crosson abstaining.

- 3. Disapproval of SUB2021-0051: an application for a preliminary plat for the Hardy T Subdivision for a 79.61 acre tract out of the Benjamin F Hannah Survey, Hays County, Texas. Applicant: Brian Estes, Civil and Environmental Consultants, Inc.**

A motion was made by Vice Chair Martin to deny approval of SUB2021-0051: an application for a preliminary plat for the Hardy T Subdivision for a 79.61 acre tract out of the Benjamin F Hannah Survey, Hays County, Texas, due to outstanding comments. Commissioner Crosson seconded the motion which carried unanimously 5 to 0.

## BUSINESS

4. **Public hearing and recommendation regarding VAR2021-0012: a Variance Application to consider a variance to Section 14.7 Minimum lot or unit sizes in city limits of Chapter 28, Exhibit A Subdivision Ordinance to allow a smaller lot than authorized at the 709 Business Park Subdivision at 711 W Hwy 290, Dripping Springs, Texas. Applicant: Randy Hutto.**

Chair James noted that the Planning & Zoning Commission is the approving body for this item, and that it is not required to go to City Council.

**a. Presentation** – Applicant Randy Hutto was available for questions from the Commission.

**b. Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the variance with the condition that the variance only applies to the property in its current configuration and will cease to be valid if the parcel is further divided by sale or other means as this will require replatting and connection to a public wastewater system.

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

**d. Variance** – A motion was made by Vice Chair Martin to approve VAR2021-0012: a Variance Application to consider a variance to Section 14.7 Minimum lot or unit sizes in city limits of Chapter 28, Exhibit A Subdivision Ordinance to allow a smaller lot than authorized at the 709 Business Park Subdivision at 711 W Hwy 290, Dripping Springs, Texas, with the condition that the variance only applies to the property in its current configuration and will cease to be valid if the parcel is further divided by sale or other means as this will require replatting and connection to a public wastewater system. Commissioner McIntosh seconded the motion which carried unanimously 5 to 0.

## PLANNING & DEVELOPMENT REPORTS

5. **Planning Department Report**

Tory Carpenter and Laura Mueller presented the report which is on file.

6. **Presentation on separation of properties by condominium or other means as it relates to Subdivision and related ordinances. Presenter: Laura Mueller, City Attorney**

Laura Mueller gave a presentation on the item which is on file.

## EXECUTIVE SESSION

*The Planning & 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 & 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.*

- 7. Consultation with City Attorney on legal issues related to subdivision requirements, property separations, and condominium regimes. Consultation with Attorney, 551.071**

The Commission did not meet in Executive Session.

## **UPCOMING MEETINGS**

### **Planning & Zoning Commission Meetings**

October 12, 2021, at 6:30 p.m.

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

### **City Council & BOA Meetings**

October 5, 2021, at 6:00 p.m. (CC & BOA)

October 19, 2021, at 6:00 p.m. (CC)

November 2, 2021, at 6:00 p.m. (CC & BOA)

November 16, 2021, at 6:00 p.m. (CC)

## **ADJOURN**

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

This regular meeting adjourned at 7:17 p.m.