



PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, August 24, 2021 at 6:30 PM

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
Christian Bourguignon
John McIntosh
Doug Crosson
Tammie Williamson

Commission Member absent was:

Evelyn Strong

Staff, Consultants & Appointed/Elected Officials present were:

Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Secretary Andrea Cunningham
City Engineer Chad Gilpin
Senior Planner Tory Carpenter
Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian
Council Member Geoffrey Tahuahua

PLEDGE OF ALLEGIANCE

Chair James 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 1 and 2 separately.

1. Approval of the August 10, 2021, Planning & Zoning Commission regular meeting minutes.

A motion was made by Vice Chair Martin to approve the August 10, 2021, Planning & Zoning Commission regular meeting minutes. Commissioner McIntosh seconded the motion which carried 4 to 0 to 2, with Chair James and Commissioner Bourguignon abstaining.

2. Disapproval 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 Freelove Woody Sur, Abs 20, Hays County, Texas. Applicant: Tony Miller, P.E., Murfee Engineering Company, Inc.

A motion was made by Commissioner Williamson deny 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 Freelove Woody Sur, Abs 20, Hays County, Texas. Commissioner McIntosh seconded the motion which carried 5 to 0 to 1, with Commissioner Crosson abstaining.

BUSINESS

A motion was made by Vice Chair Martin to consider Business Agenda Item 4 out of order. Commissioner Bourguignon seconded the motion which carried unanimously 6 to 0.

4. Public hearing and consideration of recommendation regarding VAR2021-0014: Variance Application to consider a variance to Section D107.2 from the 2018 International Fire Code for remoteness related to fire access to the development at the

Overlook at Bunker Ranch Florio Tract Extension at 2004 Creek Road. Applicant: Cristina Cordoba, Civil & Environmental Consultants, Inc.

a. Presentation – No presentation was given.

b. Staff Report – Tory Carpentar presented the staff report which is on file. Staff recommends denial of the variance application.

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

d. Variance – A motion was made by Commissioner McIntosh to recommend City Council denyapproval of VAR2021-0014: Variance Application to consider a variance to Section D107.2 from the 2018 International Fire Code for remoteness related to fire access to the development at the Overlook at Bunker Ranch Florio Tract Extension at 2004 Creek Road. Commissioner Williamson seconded the motion which carried unanimously 6 to 0.

3. Public hearing and consideration of recommendation regarding DA2020-002: an application for an Amended and Restated Development Agreement for the Anarene/Double L tract as an update to the 2015 Amended and Restated Development Agreement on RR 12 north of 290 including an increase in density, roadways, parks improvements, and related changes. Applicant: Pablo Martinez, BGE, Inc.

a. Presentation – Seth Mearig, PE, with BGE, Inc. gave a presentation which is on file.

b. Staff Report – Laura Mueller presented the staff report which is on file. Staff recommends approval of the amended development agreement.

c. Public Hearing – The following individuals spoke in opposition of the item during the Public Hearing, citing concerns with drainage and flooding, wildlife habitat, impervious cover, setbacks and buffer zones, density and proximity to the Legacy Trails, Founders Ridge and Springlake subdivisions, density, traffic, available greenspace, decrease in home values, Dark Sky regulations and construction in pipeline area.

Rick Adams	Kathy Ramsey
Angie Collins	William Curits
Marshall Seedorf	Rob Hannigan
Wayne Giffin	Robert Warden
Adam Gray	Juan Llerena
Lauren Hannigan	Bill Seitz
Fran Nations	Farrah Trussoni

d. Amended and Restated Development Agreement - A motion was made by Commissioner Bourguignon to recommend City Council approval of DA2020-002: an application for an Amended and Restated Development Agreement for the Anarene/Double L tract as an update to the 2015 Amended and Restated Development Agreement on RR 12 north of 290 including an increase in density, roadways, parks improvements, and related changes with the following conditions:

- (1) A twenty-five foot (25') buffer around the entire perimeter of what use to be the commercial area and is now the west section on the west side of Highway 290, to preserve the existing neighboring communities;
- (2) Relocation of the thirty-five foot (35') lot Patio homes backing up to existing subdivision property boundaries;
- (3) Clarification of landscaping; and
- (4) That the full four-lane section to Wild Ridge is completed prior to final plat of Phase 2 and started as directed in the current Amended Development Agreement.

Commissioner Williamson seconded the motion which carried 5 to 1, with Chair James opposed.

4. **Public hearing and consideration of recommendation regarding VAR2021-0014: Variance Application to consider a variance to Section D107.2 from the 2018 International Fire Code for remoteness related to fire access to the development at the Overlook at Bunker Ranch Florio Tract Extension at 2004 Creek Road. Applicant: Cristina Cordoba, Civil & Environmental Consultants, Inc.**

This item was considered earlier in the agenda.

5. **Discuss and consider the Appointment of two members to the Development Agreement Working Group.**

Vian unanimous consent, Commissioners McIntosh and Crosson were appointed the Sports & Recreation Park Development Agreement Working Group; and Commissioner Williamson and Chair James were appointed the to Roger Hanks Parkway Development Agreement Working Group.

PLANNING & DEVELOPMENT REPORTS

6. **Planning Department Report**

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.

The Commission did not meet in Executive Session.

UPCOMING MEETINGS

Planning & Zoning Commission Meetings

September 14, 2021, at 6:30 p.m.

September 28, 2021, at 6:30 p.m.

City Council & BOA Meetings

September 7, 2021, at 6:00 p.m. (CC & BOA)

September 21, 2021, at 6:00 p.m. October 5, 2021, at 6:00 p.m. (CC & BOA)

October 19, 2021, at 6:00 p.m.

ADJOURN

A motion was made by Vice Chair James to adjourn the meeting. Commissioner Bourguignon seconded the motion which carried unanimously 6 to 0.

This regular meeting adjourned at 8:57 p.m.