



DRIPPING SPRINGS  
Texas

# PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, June 28, 2022 at 6:00 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 6:01 p.m.

**Commission Members present were:**

Mim James, Chair  
James Martin, Vice Chair  
Christian Bourguignon  
Doug Crosson (arrived at 6:16 p.m.)  
John McIntosh

**Commission Members absent were:**

Evelyn Strong  
Tammie Williamson

**Staff, Consultants & Appointed/Elected Officials**

Deputy City Administrator Ginger Faught  
Senior Planner Tory Carpenter  
City Engineer Chad Gilpin  
Planning Assistant Warlan Rivera  
Public Works Director Aaron Reed  
IT Coordinator Jason Weinstock  
Transportation Consultant Leslie Pollack

### 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 Item 1 separately, items 2 – 3 and 6 – 8 together and Items 4 and 5 together.

**1. Approval of the June 14, 2022, Planning & Zoning Commission regular meeting minutes.**

A motion was made by Vice Chair Martin to approve the June 14, 2022, Planning & Zoning Commission regular meeting minutes. Commissioner McIntosh seconded the motion which carried 3 to 0 to 1, with Commissioner Bourguignon recused.

A motion was made by Vice Chair Martin to approve Consent Agenda Items 2, 3, and 6 – 8, as recommend by staff. Commissioner Bourguignon seconded the motion which carried unanimously 4 to 0.

The Commission continued with Consent Agenda, considering items 4 and 5 together.

**2. Conditional approval of SUB2022-0006: an application for the CRTX Preliminary Plat for a 8.59 acre tract out of the P.A. Smith Survey located at 27110 Ranch Road 12. Applicant: Chet Manning, Allen Harrison Company, LLC**

**3. Conditional approval of SUB2022-0007: an application for the CRTX Final Plat for a 8.59 acre tract out of the P.A. Smith Survey located at 27110 Ranch Road 12. Applicant: Chet Manning, Allen Harrison Company, LLC**

**4. Denial of SUB2022-0012: an application for the Driftwood Phase 3 Section 1 Final Plat for a 9.070 acre tract out of the Freelove Woody survey located at 17901 FM 1826. Applicant: John Blake, P.E., Murfee Engineering Company, Inc.**

Tory Carpenter presented the staff report which is on file. Staff recommends conditional approval, as the applicant has addressed staff comments. Conditional approval is based on the applicant submitting the Hays County 1445 approval letter and that the 20-foot public utility easement along FM 1826.

5. **Denial of SUB2022-0013: an application for the Driftwood Phase 3 Section 2 Final Plat for a 34.665 acre tract out of the Freelove Woody survey located at 17901 FM 1826.** *Applicant: John Blake, P.E., Murfee Engineering Company, Inc.*

Tory Carpenter presented the staff report which is on file. Staff recommends conditional approval, as the applicant has addressed staff comments. Conditional approval is based on the applicant submitting the Hays County 1445 approval letter.

A motion was made by Vice Chair Martin to approve Consent Agenda Items 4 and 5 with conditions as presented by staff. Commissioner McIntosh seconded the motion which carried unanimously 4 to 0.

6. **Conditional approval of SUB2022-0020: an application for the Caliterra Phase 4 Section 14 Final Plat for a 50.947 acre tract of land out of the Philip A. Smith Survey near the intersection of Caliterra Parkway and Crosswater Lane.** *Applicant: Bill Couch, Carlson Brigrance and Doering, Inc.*
7. **Denial of SUB2022-0028: an application for the Parten Ranch Phase 8 Preliminary Plat for a 81.03 acre tract out of the Seaborn J. Whately and Lamar Moore Surveys located in the northwest corner of the Parten Ranch development.** *Applicant: Lauren Crone, LJA Engineering, Inc.*
8. **Approval of SUB2022-0032: an application for the Headwaters Commercial East Phase 1 Final Plat for a 5.824 acre tract of land out of the William Walker Survey located on Headwaters Blvd.** *Applicant: Blake Rue, Oryx Land Holdings, LLC*

## **BUSINESS**

9. **Public hearing and consideration of possible action regarding VAR2022-0004: an application for a variance to Ordinance 30, Section 14 Standards and Specification Section J (5) Lot Frontage. The property is located at 449 Twin Oaks.** *Applicant: Ignacio Gonzales, Jr.*

**a. Applicant Presentation** – Applicant Ignacio Gonzales presented the item and is requesting a variance for flag lot for one of the lots.

**b. Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the variance request.

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

**d. Variance** – A motion was made by Vice Chair Martin to approve VAR2022-0004: an application for a variance to Ordinance 30, Section 14 Standards and Specification Section J (5) Lot Frontage. The property is located at 449 Twin Oaks. Commissioner McIntosh seconded the motion which carried unanimously 4 to 0.

- 10. Public hearing and consideration of SUB2022-0014: an application for the Driftwood Golf and Ranch Club, Phase 1 Replat for a 10.8649 acre tract located on Driftwood Ranch Drive. Applicant: John Blake, P.E., Murfee Engineering Company, Inc.**
- a. Applicant Presentation** – No presentation was given.
  - b. Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the subdivision application.
  - c. Public Hearing** – No one spoke during the Public Hearing.
  - d. Replat** – A motion was made by Vice Chair Martin to approve SUB2022-0014: an application for the Driftwood Golf and Ranch Club, Phase 1 Replat for a 10.8649 acre tract located on Driftwood Ranch Drive. Commissioner Bourguignon seconded the motion which carried unanimously 4 to 0 to 1, with Commissioner Crosson recused.
- 11. Public hearing and consideration of SUB2022-0026: an application for the Blue Ridge Section 1 Replat for a 2.00 acre tract located at 101 Bob White Cove. Applicant: Jordan Russell, Keepers Land Planning.**
- a. Applicant Presentation** – No presentation was given.
  - b. Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends denial of the application.
  - c. Public Hearing** – No one spoke during the Public Hearing.
  - d. Replat** – A motion was made by Vice Chair Martin to deny approval of SUB2022-0026: an application for the Blue Ridge Section 1 Replat for a 2.00 acre tract located at 101 Bob White Cove. Commissioner Bourguignon seconded the motion which carried unanimously
- 12. Public hearing and consideration of SUB2022-0029: an application for the Vitolich Plaza Lot 1 Replat for a 7.26 acre tract located on Bell Springs Road north of Daisy Lane. Applicant: Jon Thompson.**
- a. Applicant Presentation** – No presentation was given.
  - b. Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends denial for outstanding comments.
  - c. Public Hearing** – Pat Lyle spoke in opposition to the application expressing concerns regarding easements and utilities in the right-of-way of Daisy Lane.
  - d. Replat** – A motion was made by Vice Chair Martin to deny approval of SUB2022-0029: an application for the Vitolich Plaza Lot 1 Replat for a 7.26 acre tract located on Bell Springs Road north of Daisy Lane. Commissioner Crosson seconded the motion which carried unanimously 5 to 0.

13. **Public hearing and consideration of SUB2022-0030: an application for the Burke Subdivision Lot 1A Replat for a 14.54 acre tract located at 20650 FM 150. Applicant: Jon Thompson.**
- a. **Applicant Presentation** – No presentation was given.
  - b. **Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends denial for outstanding comments.
  - c. **Public Hearing** – No one spoke during the Public Hearing.
  - d. **Replat** – A motion was made by Vice Chair Martin to deny approval of SUB2022-0030: an application for the Burke Subdivision Lot 1A Replat for a 14.54 acre tract located at 20650 FM 150. Commissioner Bourguignon seconded the motion which carried unanimously 5 to 0.
14. **Public hearing and consideration of a recommendation regarding ZA2022-0001: an application to consider a proposed zoning map amendment from Agriculture (AG) to Single Family Residential - Moderate Density (SF-2) for approximately 38.068 acres out of the Benjamin F. Hannah Survey, located at 2901 W US 290 for approximately half of the property known as the Hardy Tract. Applicant: Brian Estes, P.E., Civil and Environmental Consultants Inc.**
- a. **Applicant Presentation** – Applicant Brian Estes was present and available for questions.
  - b. **Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the zoning amendment.
  - c. **Public Hearing** – Milton Martin spoke expressing concerns regarding the proximity of the project to his back fence line which shows his fence line as the project lot line and would like to see more space between the new project and existing homes and preservation of wildlife within those areas.
  - d. **Zoning Amendment** – A motion was made by Vice Chair Martin to approve ZA2022-0001: an application to consider a proposed zoning map amendment from Agriculture (AG) to Single Family Residential - Moderate Density (SF-2) for approximately 38.068 acres out of the Benjamin F. Hannah Survey, located at 2901 W US 290 for approximately half of the property known as the Hardy Tract. Commissioner Crosson seconded the motion which carried unanimously 5 to 0.
15. **Public Hearing and Recommendation related to an Ordinance rezoning a 36.28-acre property from Commercial Services (CS) to Planned Development District with a base zoning of CS, with 25.38-acres of residential uses and approximately 5.8-acres of commercial uses, and approximately 5.1-acres of utility spaces, as amended by the ordinance language herein, for property located at the southwest corner of U.S. 290 and Roger Hanks Blvd., in the City of Dripping Springs, Texas, and commonly known as “New Growth”. Applicant: Isaac Karpay, New Growth Living**

Commissioner McIntosh recused from the item.

**a. Applicant Presentation** – Applicant Attorney Rex Baker gave a presentation which is on file.

**b. Staff Report** – Tory Carpenter and Leslie Pollack presented the staff report which is on file. Staff recommends approval of the zoning ordinance.

**c. Public Hearing** – Keely Odell spoke regarding the project and expressed concerns regarding the proximity of the project to her property line, increase in traffic density and the availability of wastewater for the project.

**d. Recommendation** – A motion was made by Vice Chair Martin to recommend City Council approval of an Ordinance rezoning a 36.28-acre property from Commercial Services (CS) to Planned Development District with a base zoning of CS, with 25.38-acres of residential uses and approximately 5.8-acres of commercial uses, and approximately 5.1-acres of utility spaces, as amended by the ordinance language herein, for property located at the southwest corner of U.S. 290 and Roger Hanks Blvd., in the City of Dripping Springs, Texas, and commonly known as “New Growth” with the following recommendations to be completed before City Council approval:

- 1) Ancillary agreements – Offsite Road Agreement and Wastewater Agreement are completed; and
- 2) Layout Modification – Move the two units located to adjacent existing residential on near the Precinct 4 Office so there is less of an impact on existing residences.

Commissioner Crosson seconded the motion which carried unanimously 4 to 0 to 1, with Commissioner McIntosh recused.

**16. Discuss and consider possible action regarding the appointment of Officers to the Planning & Zoning Commission.**

Chair Mim James presented the item.

**a. Vice Chair**

**b. Transportation Committee Representative**

A motion was made by Chair James to appoint Commissioner Tammie Williamson as Vice Chair of the Commission, and Commissioner Crosson as the Transportation Committee Representative. Vice Chair Martin seconded the motion which carried unanimously 5 to 0.

**PLANNING & DEVELOPMENT REPORTS**

No updates at this time.

**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**

July 12, 2022, at 6:00 p.m.

July 19, 2022, at 6:00 p.m.

August 9, 2022, at 6:00 p.m.

August 23, 2022, at 6:00 p.m.

### **City Council & Board of Adjustment Meetings**

July 5, 2022, at 6:00 p.m. (CC & BOA)

July 12, 2022, at 5:30 p.m. (Moratorium & Workshop)

July 19, 2022, at 6:00 p.m. (CC)

July 26, 2022, at 5:30 p.m. (Moratorium & Workshop)

## **ADJOURN**

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

This regular meeting adjourned at 8:27 p.m.