



PLANNING & ZONING COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, January 26, 2021 at 6:30 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

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CALL TO ORDER AND ROLL CALL

Commission Members present were:

Mim James, Chair

James Martin, Vice Chair

Christian Bourguignon

John McIntosh

Roger Newman

Evelyn Strong

Tammie Williamson

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer

City Attorney Laura Mueller

City Secretary Andrea Cunningham

Senior Planner Amanda Padilla

Planning Consultant Robyn Miga

Architectural Consultant Keenan Smith

Mayor Bill Foulds

Mayor Pro Tem Taline Manassian

Historic Preservation Commission Chair Bruce Lewis

With a quorum of the Commission present, Chair James called the meeting to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Bourguignon led the Pledge of Allegiance.

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, Consent Agenda Item 1 was taken up individually.

1. Approval of the December 16, 2020 Planning & Zoning Commission regular meeting minutes.

A motion was made by Vice Chair Martin to approve the December 16, 2020 Planning & Zoning Commission regular meeting minutes. Commissioner Newman seconded the motion which carried unanimously 7 to 0.

A motion as made by Vice Chair Martin to move Consent Agenda Item 4 to the Business Agenda. Commissioner Williamson seconded the motion which carried unanimously 7 to 0.

2. Approval of SUB2020-0041: a Final Plat for Bunker Ranch Subdivision Phase 3 an approximately 40.20 acre tract of land generally located at the end of Bunker Ranch Boulevard, Dripping Springs, Hays County, Texas. Applicant: Mario Castillo, Civil & Environmental Consultants, Inc.

3. **Disapproval of a plat for the reasons set forth in the item SUB2020-0040: a Final Plat for Esperanza Subdivision Phase 2 an approximately 52.40 acre tract of land located at 4900 Bell Springs Road, Dripping Springs, Hays County, Texas. Applicant: Adrian Rosas, PE**
5. **Approval with conditions set forth in the item SUB2020-0049: a Final Plat for Headwaters at Barton Creek Subdivision Phase 5 Section 1 an approximately 20.92 acre tract of land generally located at the end of Headwaters Boulevard, Dripping Springs, Hays County, Texas within the City's Extraterritorial Jurisdiction. Applicant: WFC Headwaters Owner VII, L.P c/o Freehold Communities**

A motion was made by Vice Chair Martin to approve Consent Agenda Items 2, 3 and 5. Commissioner Bourguignon seconded the motion which carried unanimously 7 to 0.

BUSINESS

The following item was moved from the Consent Agenda to the Business Agenda.

Disapproval of a plat for the reasons set forth in the item SUB2020-0044: a Preliminary Plat for Parten Ranch Subdivision Phase 4 an approximately 73.84 acre tract of land located off FM 1826 and Parten Ranch Parkway, Hays County, Texas. Applicant: HM Parten Ranch Development, Inc.

Amanda Padilla presented the staff report which is on file. The applicant has properly addressed city comments since this agenda was posted and staff is changing their recommendation from denial to approval.

Chair James opened a Public Hearing on the item – no one spoke during the Public Hearing.

A motion was made by Vice Chair Martin to approve SUB2020-0044: a Preliminary Plat for Parten Ranch Subdivision Phase 4 an approximately 73.84 acre tract of land located off FM 1826 and Parten Ranch Parkway, Hays County, Texas. Commissioner Bourguignon seconded the motion which carried unanimously 7 to 0.

6. **Discuss and consider possible action regarding an Appeal of the Historic Preservation Commission's Denial of an Application for a Certificate of Appropriateness for a Mobile Food Vendor for property located at 211 Mercer Street, Dripping Springs, TX, also know as Aconon Brewery Co. Applicant: John McIntosh**

Commissioner McIntosh recused from this item, and disabled his camera and microphone.

1. Presentation

Aconon Brewery Owner Dave Niemeyer presented the item.

2. Staff Report

Keenan Smith presented the staff report which is on file. Staff recommends approval of the COA with the condition that the applicant obtain any necessary permits from the city.

3. Historic Preservation Commission Report

Chair Lewis: Commission denied the COA by a vote of 3 to 2, with Commissioner Erickson and Vice Chair Kopp opposed.

4. Public Hearing

Pam Owens, Susan Kimball, Chris Pesek, and Jon Thompson spoke in favor of approving the COA.

5. COA2020-0009 211 Mercer St Mobile Food Vendor

A motion was made by Vice Chair Martin to approve an Application for a Certificate of Appropriateness for a Mobile Food Vendor for property located at 211 Mercer Street, Dripping Springs, TX, also known as Acopon Brewery Co. Commissioner Bourguignon seconded the motion which carried 5 to 1 to 1, with Commissioner Williamson opposed and Commissioner McIntosh recused.

- 7. Public Hearing and consideration of possible action regarding VAR2020-0027: an application for a Variance to Chapter 28, Subdivision, Section 14.2 Frontage which requires that all lots front onto a public or private drive. The property is located at 340 Horse Trail Drive, Dripping Springs, TX within the City's Extraterritorial Jurisdiction.(R132491). Applicant: Jon Thompson, J Thompson Professional Consulting**

1. Presentation

Joh Thompson gave a presentation which is on file.

2. Staff Report

Robyn Miga presented the staff report which is on file. Staff recommends denial of the variance.

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

4. Variance

A motion was made by Vice Chair Martin to approve VAR2020-0027: an application for a Variance to Chapter 28, Subdivision, Section 14.2 Frontage which requires that all lots front onto a public or private drive. The property is located at 340 Horse Trail Drive, Dripping Springs, TX within the City's Extraterritorial Jurisdiction.(R132491) as proposed by the applicant. Commissioner McIntosh seconded the motion which carried 5 to 2, with Commissioners Bourguignon and Strong opposed.

- 8. Public hearing and consideration of a recommendation regarding VAR2020-0028: an application for a Special Exception to Chapter 30 Exhibit A Sec 5.7.6 and 5.7.7 regarding parking calculation requirements for mixed use buildings. The property is**

located at 100 Commons Suite 9, Dripping Springs, TX (R138851).*Applicant: Jon Thompson, J Thompson Professional Consulting*

1. Presentation

Applicant Jon Thompson and Owner Erik Turcotte presented the item.

2. Staff Report

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the special exception.

3. Public Hearing

Evan Edmiston, Ashely Tullis, Peter Jackson and Chris Pesek spoke in favor of approving the special exception.

4. Special Exception

A motion was made by Vice Chair Martin to recommend City Council approval of VAR2020-0028: an application for a Special Exception to Chapter 30 Exhibit A Sec 5.7.6 and 5.7.7 regarding parking calculation requirements for mixed use buildings, and located at 100 Commons Suite 9, Dripping Springs, TX (R138851). Commissioner McIntosh seconded the motion which carried unanimously 7 to 0.

- 9. Public hearing and consideration of a recommendation regarding ZA2020-0007: an application for a Zoning Amendment to consider a proposed zoning map amendment from General Retail (GR) to Agriculture (AG) for an approximately 6.84 acre tract of land situated in Benjamin F. Hanna, Abstract No. 222. This property is located at 2303 W Highway 290, Dripping Springs, TX.(R15059).***Applicant: Jon Thompson, J Thompson Professional Consulting*

Amanda Padilla announced that there is an error in the acreage on the posted agenda. The acreage should be 5.6 acres, and not 6.84 acres. City Attorney Laura Mueller verified that the Planning & Zoning Commission may proceed with consideration of the item.

1. Presentation

Jon Thompson gave a presentation which is on file.

2. Staff Report

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

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

4. Zoning Amendment

A motion was made by Commissioner Williamson to recommend City Council denial of ZA2020-0007: an application for a Zoning Amendment to consider a proposed zoning map amendment from General Retail (GR) to Agriculture (AG) for an approximately 6.84 acre tract of land situated in Benjamin F. Hanna, Abstract No. 222, and located at 2303 W Highway 290, Dripping Springs, TX.(R15059). Commissioner McIntosh seconded the motion which carried unanimously 7 to 0.

- 10. Public Hearing and consideration of possible action regarding SUB2020-0026: an application to consider a Final Plat and a Plat 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 Brigrance and Doering, Inc.**

1. Presentation

Applicant Bill Couch was present and available for questions from the Commission.

2. Staff Report

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the final plat and plat vacation.

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

4. Final Plat and Plat Vacation

A motion was made by Commissioner Strong to approve SUB2020-0026: an application to consider a Final Plat and a Plat 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 Williamson seconded the motion which carried unanimously 7 to 0.

- 11. Public hearing and consideration of a recommendation regarding ZA2020-0011: an application for a Zoning Amendment to consider a proposed zoning map amendment from Two Family Residential - Duplex District (SF-4) to Multi-Family (MF) for an approximately 4.003 acre tract of land situated in Phillip A. Smith Survey, NO. 26, Abstract No. 415. This property is located at 210 Creek Road, Dripping Springs, TX.(R18047 and R18045).Applicant: Jon Thompson**

1. Presentation

Applicant Jon Thompson and Owners Tony and Steve Koinis were available for questions from the Commission.

2. Staff Report

Robyn Miga presented the staff report which is on file. Staff recommends approval of the zoning amendment with a conditional overlay.

3. Public Hearing

Tony Koinis spoke in favor of the zoning amendment.

4. Zoning Amendment

A motion was made by Commissioner McIntosh to recommend City Council approval of ZA2020-0011: an application for a Zoning Amendment to consider a proposed zoning map amendment from Two Family Residential - Duplex District (SF-4) to Multi-Family (MF) for an approximately 4.003 acre tract of land situated in Phillip A. Smith Survey, NO. 26, Abstract No. 415, and located at 210 Creek Road, Dripping Springs, TX.(R18047 and R18045), and with the condition that a conditional overly as recommended by staff is also applied to the subject property. Commissioner Bourguignon seconded the motion which carried 6 to 1, with Commissioner Strong opposed.

12. Public Hearing and consideration of possible action regarding SUB2020-0043: an application to consider a Replat for Lots 9 and 10 of the Fieldstone Subdivision for property located 13125 Fieldstone Loop, Austin, Texas 78620. The applicant is proposing to subdivide two (2) lots into three (3) lots. Applicant: Jon Thompson, J Thompson Professional Consulting.

1. Presentation

Applicant Jon Thompson was available for questions from the Commission.

2. Staff Report

Amanda Padilla presented the staff report which is on file. The applicant has properly addressed city comments since this agenda was posted and staff is changing their recommendation from denial to approval.

3. Public Hearing

Jonathan Steinberg spoke in favor of the replat.

4. Replat

A motion was made by Vice Chair Martin to approve Public Hearing and consideration of possible action regarding SUB2020-0043: an application to consider a Replat for Lots 9 and 10 of the Fieldstone Subdivision for property located 13125 Fieldstone Loop, Austin, Texas 78620. Commissioner McIntosh seconded the motion which carried unanimously 7 to 0.

13. Public Hearing and consideration of possible action regarding SUB2020-0042: an application to consider a Final Plat and a Plat Vacation application for Tractor Supply Subdivision Lot 2 for property located at 1711-A Highway 290, Dripping Springs Texas (Tax ID: R15135) Applicant: Jon Thompson, J Thompson Professional Consulting

1. Presentation

Applicant Jon Thompson was available for questions from the Commission.

2. Staff Report

Robyn Miga presented the staff report which is on file. Staff recommends denial of the final plat and plat vacation due to lack of owner signatures as addressed in the staff report.

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

4. Final Plat and Plat Vacation

A motion was made by Vice Chair Martin to deny SUB2020-0042: an application to consider a Final Plat and a Plat Vacation application for Tractor Supply Subdivision Lot 2 for property located at 1711-A Highway 290, Dripping Springs Texas (Tax ID: R15135). Commissioner Williamson seconded the motion which carried unanimously 7 to 0.

PLANNING & DEVELOPMENT REPORTS

14. Planning Project Report

Report is on file and available for review upon request.

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

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

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

April 27, 2021 at 6:30 p.m.

City Council Meetings

February 9, 2021 at 6:00 p.m.

February 16, 2021 at 6:00 p.m.

March 9, 2021 at 6:00 p.m.

March 16, 2021 at 6:00 p.m.

ADJOURN

A motion was made by Vice Chair Martin to adjourn the meeting. Commissioner Strong seconded the motion which carried unanimously 7 to 0.

This regular meeting adjourned at 10:08 p.m.