



Planning & Zoning Commission Regular Meeting

City of Dripping Springs Council Chambers

511 Mercer Street – Dripping Springs, Texas

Tuesday, November 28, 2023, at 6:00 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

Tammie Williamson, Vice Chair

Christian Bourguignon

Doug Crosson

Eugene Foster

Douglas Shumway

Evelyn Strong

Staff, Consultants & Appointed/Elected Officials present were:

Planning Director Tory Carpenter

City Attorney Laura Mueller

City Secretary Andrea Cunningham

IT Director Jason Weinstock

Mayor Pro Tem Taline Manassian

Traffic Engineering Consultant Leslie Pollack P.E., HDR Engineering

PLEDGE OF ALLEGIANCE

Commissioner Shumway 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.

- 1. Approval of the September 26, 2023, Planning & Zoning Commission regular meeting minutes.**
- 2. Approval of the October 24, 2023, Planning & Zoning Commission regular meeting minutes.**

A motion was made by Vice Chair Williamson to approve Consent Agenda Items 1 – 2. Commissioner Shumway seconded the motion which carried 6 to 0 to 1, with Commissioner Bourguignon abstaining.

BUSINESS

- 3. Double L Development Agreement Transportation Options and Recommendation.**
Pablo Martinez, PE, Brown & Gay Engineers

a. Applicant Presentation – Pablo Martinez and Rob Fondren 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 item.

c. Recommendation – A motion was made by Chair James to recommend City Council approval of the Double L Development Agreement Transportation Options subject to:

- (1) Having the right-of-way for the full four lanes around the loop; and
- (2) Being able to have the right-of-way to the southern connection the earlier of the date of the phase two final plat or a date set by staff, and which can be extended at the City's pleasure.

Vice Chair Williamson seconded the motion which carried unanimously 7 to 0.

- 4. Public hearing and recommendation regarding ZA2023-0002: an application for a zoning map amendment from Local Retail (LR) to Commercial Services (CS) for approximately 0.89 acres out of the North 40 subdivision located at 105 Brookside.** *Applicant: Jon Thompson*

a. Applicant Presentation – Applicant was not present.

b. Staff Report – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the zoning amendment.

c. Public Hearing – Nikki Dahlin, adjacent property owner, spoke regarding the map and table outlining zoning district and existing use of the adjacent properties, noting that the applicant and staff failed to reference this lot in the application for zoning amendment and the staff report on file.

d. Recommendation – A motion was made by Commissioner Strong to recommend denial of ZA2023-0002: an application for a zoning map amendment from Local Retail (LR) to Commercial Services (CS) for approximately 0.89 acres out of the North 40 subdivision located at 105 Brookside, with recommendation to City Council to either add an overlay at a later date or approve zoning amendment for General Retail (GR). Commissioner Crosson seconded the motion. Upon further discussion, Commissioner Strong and Crosson withdrew their motion and second respectively.

A motion was made by Commissioner Strong to recommend denial of ZA2023-0002: an application for a zoning map amendment from Local Retail (LR) to Commercial Services (CS) for approximately 0.89 acres out of the North 40 subdivision located at 105 Brookside, with recommendation to City Council to approve zoning amendment for General Retail (GR). Commissioner Crosson seconded the motion which carried unanimously 7 to 0.

5. Public hearing and recommendation regarding an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation including changing procedures, tree preservation requirements, and landscaping changes.

a. Staff Report – Laura Mueller presented the staff report which is on file. Staff recommends approval of the ordinance.

b. Public Hearing – Cathy Ramsey spoke in favor of the ordinance, and the addition of Cedar Elm, Sycamore, Bodark, Osage Orange, and Bromeliad to the Hard Wood List. Cathy also requested the addition of both Texas and Red Mulberry, Hackberry (Sugarberry), Madrone, Carolina Buckthorn, Kidneywood, Rusty Blackhaw Viburnum and Wafer Ash. She also mentioned the idea of protecting legacy trees and removal if dead or dying, and that there may be issues with poisoning trees to get around ordinance. The City should consider a ghost tree ordinance. Make sure hybrid grasses that don't seed are used, so they don't choke out native grasses.

c. Ordinance – A motion was made by Commissioner Strong to recommend City Council approval of an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation including changing procedures, tree preservation requirements, and landscaping with recommendations and updates as provided by the Commission to the City Attorney. Commissioner Shumway seconded the motion which carried 6 to 1, with Chair James opposed.

PLANNING & DEVELOPMENT REPORTS

No reports 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.

- 6. Consultation with Attorney related to legal questions regarding the development agreement with Double L development.** *Consultation with Attorney, 551.071*

The Planning & Zoning Commission did not meet in Executive Session.

UPCOMING MEETINGS

Planning & Zoning Commission Meetings

December 12, 2023, at 6:00 p.m.

January 23, 2024, at 6:00 p.m.

January 20, 2024, at 6:00 p.m.

City Council & Board of Adjustment Meetings

December 5, 2023, at 6:00 p.m. (CC & BOA)

December 19, 2023, at 6:00 p.m. (CC)

January 2, 2024, at 6:00 p.m. (CC & BOA)

January 16, 2024, at 6:00 p.m. (CC)

ADJOURN

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

This regular meeting adjourned at 9:11 p.m.