



City Council & Board of Adjustment

Workshop & Regular Meeting Minutes January 14, 2020 at 6:00 p.m.

A Workshop and Regular Meeting of the City Council and Board of Adjustment of Dripping Springs, Texas was held Tuesday, January 14, 2020 beginning at 6:00 p.m. in the City Hall Council Chambers located at 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

Mayor/City Council/Board of Adjustment present were:

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Travis Crow
Council Member Wade King
Council Member Taline Manassian

Council Member absent was:

Council Member John Kroll

City Staff/Appointed Officials/Consultants present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Gina Gillis
City Secretary Andrea Cunningham
Building Official Sarah Cole
Planning Director Jason Lutz
Parks & Community Services Director Kelly Schmidt
Communications Coordinator Lisa Sullivan
Planning & Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:00 p.m.

A motion was made by Council Member Manassian to excuse the absence of Council Member Kroll from the meeting. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

II. WORKSHOP

No action will be taken during the Workshop.

The City Council discussed the following items during the Workshop:

Business Agenda Items:

- D. Public hearing and consideration of approval of an Ordinance Amending Article 24.02 Technical Construction Codes and Standards; and providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting.

- E. Public hearing and consideration of approval of an Ordinance of the City of Dripping Springs, Texas amending the current 2020 Fiscal Year Budget; finding municipal purposes; authorizing expenditures; providing for a severability clause; and providing for an effective date.
- F. Discuss and consider of approval of the revised job description, compensation, and benefits of the Events & Programs Specialist, the Dripping Springs Ranch Park Event Center Coordinator, and the Camp Director.

III. RECESS

A motion was made by Mayor Pro Tem Foulds to recess the meeting. Council Member Crow seconded the motion which carried unanimously 4 to 0.

This meeting recessed at 6:26 p.m.

IV. RECONVENE AT 6:30 P.M.

Mayor Purcell reconvened the meeting into Open Session at 6:33 p.m.

V. PLEDGE OF ALLEGIANCE

Mayor Purcell led the Pledge of Allegiance to the Flag.

VI. PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council 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 City Council'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 City Council. It is the request of the City Council 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 Presentations of Citizens.

No one spoke during Presentation of Citizens.

VII. 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 City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council 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 City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

- A. **Approval of the December 10, 2019 City Council Workshop & Regular Meeting Minutes and the December 17, 2019 City Council Regular Meeting Minutes.**
- B. **Approval of the December 2019 City Treasurer Report.**
- C. **Approval of Parkland Dedication requirements for the Forbes Tract Condominiums (Case # SD2019-0015), located at 14300 FM 1826.**
- D. **Approval of Parkland Dedication requirements for Ghost Hill Ranch (Legal Description: 19.927 Acres out of the Charles Wilcox Survey No. 36, Abstract No. 498), located at the southeast intersection of Ranch Road 12 and Fitzhugh Road.**
- E. **Approval of a proposal from Junior Girl Scout Troop 1398 for the construction and installation of a Bird House(s) to be located in Dripping Springs Ranch Park and/or Charro Ranch Park.**
- F. **Approval of revisions to the Parks and Community Services Department Mission Statement.**

A motion was made by Council Member King to approve Consent Agenda Items A – F, with corrections to the minutes as submitted by the City Secretary. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

VIII. BOARD OF ADJUSTMENT

The Board of Adjustment will consider items related to appeals of administrative land use determinations, requests for variances and special exceptions related to land use projects, and other items as provided for in the Dripping Springs Code of Ordinances.

Board of Adjustment Members Present: Travis Crow, Bill Foulds, Wade King, Taline Manassian and Todd Purcell.

Board of Adjustment Members Absent: John Kroll

With a quorum of the Board of Adjustment present, the Board hear the following items.

- A. **Public hearing and consideration of approval regarding VAR2019-0014: a Variance Request to consider variances to Chapter 30, Section 5.6. Parking Based on Use and 5.7.6 Rules for Computing Places, regarding how mixed use structures calculate required parking and required parking for the property located at 330 Mercer St, Dripping Springs, TX 78620, (Legal Description: W T CHAPMAN #1, BLOCK 1, LOT 1-2 & 10, ACRES 0.3644 and W T CHAPMAN #1 LOTS 6-7-8-9 BLK 1 GEO#90403754 Hays County, Texas).**
Applicant: Dean Erickson

1. Presentation

Applicant Dean Erickson and Applicant Representative Jon Thompson were available for questions from the Board.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends approval with the following recommendations:

- 1) Applicant construct/improve existing areas to provide additional parking spaces within one year;
- 2) Additional parking spaces be no less than what is shown on the previous parking plan for areas A, B and C; and
- 3) Applicant pull a site development permit prior to paving the proposed spaces in order to review water quality and drainage.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 5 to 0 with staff recommendations.

4. Public Hearing

No one spoke during the Public Hearing.

5. Variance Request

A motion was made by Board Member King to approve VAR2019-0014: a Variance Request to consider variances to Chapter 30, Section 5.6. Parking Based on Use and 5.7.6 Rules for Computing Places, regarding how mixed use structures calculate required parking and required parking for the property located at 330 Mercer St, Dripping Springs, TX 78620, (Legal Description: W T CHAPMAN #1, BLOCK 1, LOT 1-2 & 10, ACRES 0.3644 and W T CHAPMAN #1 LOTS 6-7-8-9 BLK 1 GEO#90403754 Hays County, Texas) with the condition that the applicant construct/improve existing areas to provide additional parking spaces within one year, additional parking spaces be no less than what is shown on the previous parking plan for areas A, B and C, and the applicant pull a site development permit prior to paving the proposed spaces in order to review water quality and drainage. Board Member Crow seconded the motion which failed 4 to 1, with Board Member Foulds opposed.

A motion was made by Board Member Foulds to reconsider the item. Board Member King seconded the motion which carried 5 to 0.

A motion was made by Board Member Manassian to approve VAR2019-0014: a Variance Request to consider variances to Chapter 30, Section 5.6. Parking Based on Use and 5.7.6 Rules for Computing Places, regarding how mixed use structures calculate required parking and required parking for the property located at 330 Mercer St, Dripping Springs, TX 78620, (Legal Description: W T CHAPMAN #1, BLOCK 1, LOT 1-2 & 10, ACRES 0.3644 and W T CHAPMAN #1 LOTS 6-7-8-9 BLK 1 GEO#90403754 Hays County, Texas) with the condition that the applicant construct/improve existing areas to provide additional parking spaces within one year, additional parking spaces be no less than what is shown on the previous parking plan for areas A, B and C, and the applicant pull a site development permit

prior to paving the proposed spaces in order to review water quality and drainage. Board Member Crow seconded the motion which carried 5 to 0.

IX. BUSINESS

- A. **Public hearing and consideration of approval regarding PDD2019-0001: An Ordinance regarding a proposed Planned Development District to allow General Retail & Multi-Family land uses, up to 4 stories, an excess of 40 feet in height, and reduced parking ratios for property located 27110 Ranch Road 12 (Terry's Mobile Home Park), Dripping Springs, TX (Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 5.34, Hays County, TX) and a portion of property located at 230 Sport Park Road (Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 4.27, Hays County, TX).**

The Planning & Zoning Commission tabled the item "Until Further Notice" at the applicant's request.

Applicant: CRTX Development LLC (Phil Roesel)

1. Staff Report

Jason Lutz presented the staff report which is on file.

2. Parks & Recreation Commission Report

Jason Lutz presented the Parks & Recreation Commission report. The Commission did not provide a recommendation and will hear the item at their next meeting February 3, 2020.

3. Planning & Zoning Commission Report

Chair James: Commission tabled the item until further notice.

4. Public Hearing

Phil Roesel spoke during the Public Hearing.

5. Ordinance

A motion was made by Mayor Pro Tem Foulds to table until further notice PDD2019-0001: An Ordinance regarding a proposed Planned Development District to allow General Retail & Multi-Family land uses, up to 4 stories, an excess of 40 feet in height, and reduced parking ratios for property located 27110 Ranch Road 12 (Terry's Mobile Home Park), Dripping Springs, TX (Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 5.34, Hays County, TX) and a portion of property located at 230 Sport Park Road (Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 4.27, Hays County, TX). Council Member King seconded the motion which carried unanimously 4 to 0.

- B. **Public hearing and consideration of approval regarding ZA2019-0010: a Zoning Ordinance Amending Chapter 30, Exhibit A, Section 3.16 and the Appendix E Zoning Use Regulations (Charts) to allow “Park Accessory Uses”. Park Accessory Uses shall include, but not limited to, Community Centers, Senior Centers, Nature Centers, Dog Off Leash Areas, Parks & Community Services Admin Offices, Playgrounds, Camp sites, Hike and Bike trails, Observatory, Park Maintenance Workshop & Storage Facilities, Community Gardens, and other uses as approved by the City.**

Applicant: City Staff

1. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends approval of the ordinance.

2. Parks & Recreation Commission Report

Jason Lutz presented the Parks & Recreation Commission report. The Commission recommended approval 6 to 0.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 5 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. Ordinance

A motion was made by Council Member King to approve ZA2019-0010: a Zoning Ordinance Amending Chapter 30, Exhibit A, Section 3.16 and the Appendix E Zoning Use Regulations (Charts) to allow “Park Accessory Uses”. Park Accessory Uses shall include, but not limited to, Community Centers, Senior Centers, Nature Centers, Dog Off Leash Areas, Parks & Community Services Admin Offices, Playgrounds, Camp sites, Hike and Bike trails, Observatory, Park Maintenance Workshop & Storage Facilities, Community Gardens, and other uses as approved by the City. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2020-01

- C. **Public hearing and consideration of approval regarding ZA2019-0011: an Ordinance Amending Article 6.04: Alcohol Sales of the Dripping Springs Code of Ordinances, Striking Section 6.04.002: Proximity to Schools, Churches, and Hospitals, and Amending Chapter 30: Zoning, Article 3.17: Conditional Use Permits to Create Section 3.17.18.**

The Planning and Zoning Commission asked that the item be postponed and resubmitted to the Planning and Zoning Commission in February.

Applicant: City Staff

1. Staff Report

Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item.

2. Planning & Zoning Commission Report

Chair James: Commission tabled the item until the February 25, 2020 meeting.

3. Public Hearing

No one spoke during the Public Hearing.

4. Ordinance

A motion was made by Mayor Pro Tem Foulds to table until March, ZA2019-0011: an Ordinance Amending Article 6.04: Alcohol Sales of the Dripping Springs Code of Ordinances, Striking Section 6.04.002: Proximity to Schools, Churches, and Hospitals, and Amending Chapter 30: Zoning, Article 3.17: Conditional Use Permits to Create Section 3.17.18. Council Member King seconded the motion which carried unanimously 4 to 0.

D. Public hearing and consideration of approval of an Ordinance Amending Article 24.02 Technical Construction Codes and Standards; and providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting.

Sponsor: Mayor Purcell

1. Staff Report

Sarah Cole presented the staff report which is on file. Staff recommends approval of the ordinance.

2. Public Hearing

No one spoke during the Public Hearing.

3. Ordinance

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance Amending Article 24.02 Technical Construction Codes and Standards; and providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2020-02

E. Public hearing and consideration of approval of an Ordinance Amending Appendix A: Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending Section 2: Signs; Section 3: Site Development; Section 4: Subdivision; Section 9: Parks & Recreation; and Section 13: Miscellaneous; Providing for the Following: Findings of Fact; Enactment: Repealer; Severability; Publication; Effective Date: and Proper Notice and Meeting.

1. Staff Report

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

2. Public Hearing

No one spoke during the Public Hearing.

3. Ordinance

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance Amending Appendix A: Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending Section 2: Signs; Section 3: Site Development; Section 4: Subdivision; Section 9: Parks & Recreation; and Section 13: Miscellaneous; Providing for the Following: Findings of Fact; Enactment: Repealer; Severability; Publication; Effective Date: and Proper Notice and Meeting, striking section 9.10.1. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2020-03

F. Public hearing and consideration of approval of an Ordinance of the City of Dripping Springs, Texas amending the current 2020 Fiscal Year Budget; finding municipal purposes; authorizing expenditures; providing for a severability clause; and providing for an effective date.

1. Staff Report

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

2. Public Hearing

No one spoke during the Public Hearing.

3. Ordinance

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance of the City of Dripping Springs, Texas amending the current 2020 Fiscal Year Budget; finding municipal purposes; authorizing expenditures; providing for a severability clause; and providing for an

effective date. Council Member Crow seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2020-04

G. Discuss and consider approval of a Use Agreement between the City of Dripping Springs and Tiger Splash regarding Use of the Founders Memorial Park Pool.

Kelly Schmidt presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Mayor Pro Tem Foulds to approve a Use Agreement between the City of Dripping Springs and Tiger Splash regarding Use of the Founders Memorial Park Pool, striking Section II.A.d. Council Member Crow seconded the motion which carried unanimously 4 to 0.

H. Discuss and consider approval of a Request by the Dripping Springs High School Baseball Booster Club to waive the Temporary Street Closure Permit Application Fee of \$250 associated with the City's Approved Co-Sponsorship Agreement for the Dripping Springs High School Baseball Booster Club Washer Tournament.

Kelly Schmidt presented the staff report which is on file. Staff recommends approval of the fee waiver request.

A motion was made by Mayor Pro Tem Foulds to approve a Request by the Dripping Springs High School Baseball Booster Club to waive the Temporary Street Closure Permit Application Fee of \$250 associated with the City's Approved Co-Sponsorship Agreement for the Dripping Springs High School Baseball Booster Club Washer Tournament. Council Member Crow seconded the motion which carried unanimously 4 to 0.

I. Discuss and consider of approval of the job descriptions, compensation, and benefits of Pool Manager, Life Guards and Camp Counselors, and authorization for the City Administrator and Parks & Community Services Director to hire for the positions.

Sponsor: Council Member King

A motion was made by Council Member King to approve the job descriptions, compensation, and benefits of Pool Manager, Life Guards and Camp Counselors, and authorization for the City Administrator and Parks & Community Services Director to hire for the positions. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

J. Discuss and consider of approval of the revised job description, compensation, and benefits of the Events & Programs Specialist, the Dripping Springs Ranch Park Event Center Coordinator, and the Camp Director.

A motion was made by Mayor Pro Tem Foulds to approve the revised job description, compensation, and benefits of the Events & Programs Specialist, the Dripping Springs

Ranch Park Event Center Coordinator, and the Camp Director. Council Member King seconded the motion which carried unanimously 4 to 0.

X. REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request.

A. Parks & Community Services Monthly Report

A motion was made by Council Member Crow to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with City Attorney and regarding Executive Session Agenda Items A and C. Council Member Manassian seconded the motion which carried unanimously 3 to 0. Mayor Pro Tem Foulds was not present in the Council Chambers during the vote.

XI. EXECUTIVE SESSION

The City Council 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 City Council 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.

- A. Consultation with City Attorney regarding legal issues related to the Goode Easement.**
Consultation with City Attorney, 551.071
- B. Deliberation of Personnel Matters regarding the job descriptions, compensation, benefits, and employment of Life Guards, Camp Counselors, Camp Director, Events & Programs Specialist, and Dripping Springs Ranch Park Event Center Coordinator.**
Deliberation of Personnel Matters, 551.074
- C. Consultation with City Attorney regarding legal issues related to the South Regional Water Reclamation Expansion Project Easement Acquisition.**
Consultation with City Attorney, 551.071

The City Council met in Executive Session from 8:20 p.m. – 8:41 p.m.

No vote or action was taken during Executive Session. Mayor Purcell returned the meeting to Open Session at 8:41 p.m.

OPEN SESSION

A motion was made by Council Member Manassian to pull Executive Session Agenda Item A for action in Open Session. Council Member Crow seconded the motion which carried unanimously 4 to 0.

Executive Session Agenda Item A

A. Consultation with City Attorney regarding legal issues related to the Goode Easement.

A motion was made by Council Member Manassian to authorize an expenditure of up to \$5,000.00 to finalize easements related to Item A. Council Member Crow seconded the motion which carried unanimously 4 to 0.

XII. UPCOMING MEETINGS

A. City Council & Board of Adjustment Meetings

January 21, 2020 at 6:00 p.m.

February 11, 2020 at 6:00 p.m. (6:00 Workshop / 6:30 Regular Meeting)

February 18, 2020 at 6:00 p.m.

B. Board, Commission & Committee Meetings

January 16, 2020 Farmers Market Association Board at 10:00 a.m.

January 21, 2020 Emergency Management Commission at 12:00 p.m.

January 22, 2020 Economic Development Committee at 4:00 p.m.

January 27, 2020 Transportation Committee at 3:30 p.m.

January 27, 2020 Founders Day Commission at 6:30 p.m.

January 28, 2020 Planning & Zoning Commission at 6:30 p.m.

XIII. ADJOURN

A motion was made by Council Member Crow to adjourn the meeting. Council Member King seconded the motion which carried unanimously 4 to 0.

This regular meeting adjourned at 8:42 p.m.

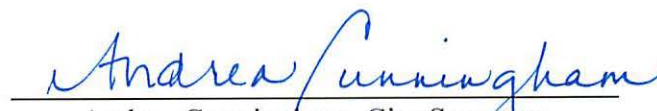
DATE APPROVED: February 11, 2020



Todd Purcell, Mayor

ATTEST:





Andrea Cunningham, City Secretary