

MINUTES
CITY OF JOHNSON CITY, TEXAS
PLANNING AND ZONING COMMISSION

The City of Johnson City Planning and Zoning Commission will met for a Regular Meeting on Tuesday, May 24, 2022 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. The scheduled workshop was canceled. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Suree Birck
James Whitfill
Kevin Tully
Kenneth Bible
Stephanie Bass

Staff Present: Rick Schroder, CAO/City Secretary
Whitney Walston, Deputy City Secretary

Citizens: Adam Welch
Kenneth Bowker

1. **Call to order.**

Chairperson Birck called the meeting to order at 6:00 pm.

WORKSHOP:

2. **Presentation by Chris Holtkamp, PhD, AICP, on and discussion of Texas Local Government Code Chapter 213 *Municipal Comprehensive Plans* and updates to the City of Johnson City Comprehensive Plan (2009 / 2016 update). (Staff)**

This item was canceled

PUBLIC HEARINGS:

3. **Public Hearing to give all interested persons the right to appear and be heard on an Ordinance amending Municipal Code of Ordinances Chapter 4 *Business Regulations*, Article 4.07 *Hotel Permit Registration* by adding regulations regarding the operation of hotels, including, but not limited to, short-term rental units, in the City; prohibiting the operation of hotels within multi-family dwelling units; requiring notice of Countywide burn bans; declaring a misdemeanor violation with penalties not to exceed \$2,000; and setting an effective date.**

The public hearing opened at 6:01 pm and Closed at 6:05 pm. Adam Welch spoke about needing clarification about the proposed ordinance. Kenneth Bowker spoke about requiring a property owner to have some on call that can respond to the address.

4. Public Hearing to give all interested persons the right to appear and be heard on an Ordinance amending Municipal Code of Ordinances Chapter 14 *Zoning*, Article 14.02 *Zoning Ordinance* by providing definitions related to and amending the permitted chart of uses for the prohibition of hotels, including, but not limited to, short-term rental units, within multi-family dwelling units located within zoning districts in the City; and providing for an effective date.

The public hearing opened at 6:06 and closed at closed at 6:07. There were no comments.

OPEN SESSION:

5. **Citizens to be heard. The Planning and Zoning Commission may not discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). Comments are limited to three (3) minutes, and this time is not transferable. Each person may only speak once. No profanity or threats will be tolerated.**

There were no public comments.

ITEMS FOR INDIVIDUAL CONSIDERATION:

6. **Discussion of and action on the minutes of the Regular Meeting of the Planning and Zoning Commission dated April 26, 2022. (Staff; Approval Item)**

Commissioner Whitfield made a motion to accept the minutes. Commissioner Bible seconded the motion. All were in favor and the minutes were approved.

7. **Discussion of and action on a request by Blanco County for approval of a conceptual design plan for the Blanco County Historic Jailhouse located within the Historic Overlay District at 105 N. Ave. G, Johnson City, Texas 78636, more particularly described as BCAD Prop. ID No. 1726, including, but not limited to, the following:**

- **Site plan;**
- **Building design;**
- **Exterior lighting; and**
- **Signage. (Applicant; Recommendation Item)**

Commissioner Whitfield made a motion to approve the item. Commissioner Bass seconded the motion. All were in favor and the item was approved.

8. **Discussion of and action on an Ordinance amending Municipal Code of Ordinances Chapter 4 *Business Regulations*, Article 4.07 *Hotel Permit Registration* by adding regulations regarding the operation of hotels, including, but not limited to, short-term rental units, in the City; prohibiting the operation of hotels within multi-family dwelling units; requiring notice of Countywide burn bans; declaring a misdemeanor**

violation with penalties not to exceed \$2,000; and setting an effective date. (City Council; Recommendation Item)

9. **Discussion of and action on an Ordinance amending Municipal Code of Ordinances Chapter 14 Zoning, Article 14.02 Zoning Ordinance by providing definitions related to and amending the permitted chart of uses for the prohibition of hotels, including, but not limited to, short-term rental units, within multi-family dwelling units located within zoning districts in the City; and providing for an effective date. (City Council; Recommendation Item)**

Commissioner Whitfield made a motion to approve the item 8 and 9. Commissioner Tully seconded the motion. All were in favor and the items were approved.

10. **Discussion of and action on a Final Plat Application from Legacy Capital Funding, LLC establishing Phase One of the Homesteads at Deer Creek consisting of seventy-three (73) lots, three (3) blocks, and five (5) tracts out of the Joseph Duel Survey, Abstract No. 147 and Elijah Marshall Survey Abstract No. 393, Blanco County, Texas, more particularly described as 217 281 Loop Rd., Johnson City, Texas 78636 and BCAD Prop. ID No. 8609. (Applicant; Recommendation Item)**

Commissioner Bible made the motion to recommend approval of the proposed final plat, excluding the submitted construction documents, for the Homesteads at Deer Creek, Phase One, Subdivision, subject to the the following items being completed, reviewed and approved by the City Engineer and/or City Staff, and attached to the final plat prior to City Council review of this item on or after June 7, 2022:

1) Plat

- a. Add 10' utility easement identifier across the front boundary lines of all lots on plat map.
- b. Amend Block 3, Lots 34, 41, & 68 20' building setback lines on sides of property to 15'.
- c. Amend Block 4, Lots 1, 12, 13 & 24 20' building setback lines on sides of property to 15'.
- d. Add drainage area / easement identifier to Tract B on plat map.
- e. Add common area identifiers to Tracts A & E on plat map.
- f. Submit required plat fees.
- g. Submit required letter of certification from PEC.
- h. Submit current property tax certificate.
- i. Submit survey / metes and bounds description per Note No. 5.
- j. Remove last sentence from Note No. 9: "In subdivision entirely containing "Acreage Tracts" of five (5) acres or more in size, an easement will be accepted."
- k. Add verbiage to Mehul Patel signatory block (last sentence) - ...shown hereon, subject to a Dedication Instrument executed on _____ and recorded as Document No. _____ with this Plat at the Blanco County Deed Records."
- l. Remove dates from the County Clerk signatory block.

- m. Add missing property line length to Block 4, Lot 24.
- n. Add identifier to Block 1, Lots 2 & 3 indicating 7.5' drainage easements on either side of common lot line.
- o. Address whether additional drainage easements / channels / interceptors are required for offsite drainage entering property from the South.

2) Documents Accompanying Plat

a. Dedication Instrument

- i. Submit survey / metes and bounds description to dedication instrument.
 - ii. Reword last sentence of paragraph two to read as follows: "The subdivision's Homeowner's Association (HOA) shall maintain dedicated drainage areas, easements, and detention ponds; however, the City shall be granted authority to maintain said areas should the HOA fail to do so."
- b. Provide a separate easement for the portion of the sewerline crossing future phases of development to the manhole in Deer Creek and determine whether the ductile iron crossing proposed in Deer Creek may be exposed.
 - c. Provide a development agreement establishing the timing of impact / tap fee payments, the installation of a third pump at the Gonzalez lift station, the maintenance of drainage easements / ponds, and the requirement for documents establishing the HOA and its authority over common areas and drainage areas, easements, and detention ponds.
 - d. Address, as a part of the required floodplain development permit, whether the developer shall be required to further evaluate FEMA flood hazard "A" limits adjacent to the phased development.

As a part of this motion, the developer shall respond to the City Engineer's comments, questions, and directives and correct, if necessary, all related construction documents and permit applications, as all such documents shall be reviewed and approved by the City Engineer.

This motion is based on the Municipal Code of Ordinances Chapter 3 Building Regulations, Division 9 Fire Code and Article 3.04 Flood Damage Prevention; Chapter 5 Fire Prevention and Protection; Chapter 10 Subdivision Regulation; Chapter 13 Utilities; and Chapter 14 Zoning.

Commissioner Tully seconded the motion. All were in favor and the item was approved.

With no further business before the commission, the meeting was adjourned at 7:10 pm.

Chairperson

ATTEST:

Whitney Walston, City Secretary