



PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
October 17, 2023 at 6:30 PM
City Council Chamber/Municipal Court Room
2801 Ranch RD 1869
Liberty Hill, Texas
78642

Commissioners Present:

Steve Messana, Chair
Chad Cormack, Vice Chair
Diane Williams, Secretary
Bryan Rivera
Sarah Novo

City Staff Present:

Mayor Liz Branigan
Paul Brandenburg, City Manager
McKenzi Hicks, Interim Planning Director
Elaine Simpson, City Secretary
Shelby Claridge, Planning Technician
Jonathan Sosebee, Kimley-Horn

1) CALL TO ORDER

The Planning and Zoning Commission meeting was called to order by Chair Steve Messana at 6:33 PM on Tuesday, October 17, 2023, at 2801 Ranch Road 1869, Liberty Hill, Texas. Quorum was established and all members were present, except Commissioner Sarah Novo, who joined at 6:35 PM.

Chair Steve Messana led the invocation, and led the pledges of allegiance to US and Texas flags, respectively.

2) PUBLIC COMMENTS

Public Comments are welcome. You may submit Public Comments in person, or you may submit to the City Secretary at esimpson@libertyhilltx.gov before 3:00 PM the day of the meeting.

There were no citizen comments.

3) CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion of those items unless requested by the Commission, in which event the item(s) will be removed from the Consent Agenda and considered under the Regular Agenda.

- a) Consider approving the minutes for the October 3, 2023 Planning and Zoning Commission Regular Called Meeting. (Secretary Williams)
- b) Consider approving the minutes for the October 10, 2023 Planning and Zoning Commission and City Council Joint Special Meeting. (Secretary Williams)
- c) Consider disapproving the Mansions at Liberty Hill Preliminary Plat, consisting of approximately 251.34 acres of land, generally located along County Road 277 and Falon Lane, more particularly described by Williamson Central Appraisal District Parcel R023031, and legally described as part of and out of the Richard West Survey, Abstract No. 643, Liberty Hill, Williamson County, Texas. (M. Hicks)
- d) Consider disapproving the Murugan Subdivision Preliminary Plat (Minor Plat), consisting of approximately 5.33 acres of land, addressed as 775 Stubblefield Lane, more particularly described by Williamson Central Appraisal District Parcel R021979, and legally described as part of and out of the Henry Field Survey, Abstract No. 233, Liberty Hill Extraterritorial Jurisdiction (ETJ), Williamson County, Texas. (M. Hicks)
- e) Consider approving the monthly update to the Planning and Zoning Commission Annual Work Plan. (M. Hicks/Secretary Williams)

Motion: Secretary Diane Williams moved, and Commissioner Sarah Novo seconded, to approve the Consent Agenda. **Motion carried unanimously by a vote of 5-0.** Ayes: Messana, Cormack, Williams, Rivera, and Novo. Nays: 0. Abstentions: 0.

4) PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Liberty Hill has been asked to review and approve the following application(s), to wit:

- a) Discussion, consideration, and recommendation to the City Council on a request for a conditional use permit (CUP) in the Downtown Commercial/Retail (C2) zoning district for the property at 1900 Main Street, Liberty Hill, TX 78642.

i) Introduction and staff report.

Chair Messana asked staff when the public hearing for the City Council would be held, to which Interim Planning Director McKenzi Hicks advised it would be held on October 26, 2023.

Interim Director Hicks addressed the Commission and presented the staff report, which included the criteria in the Unified Development Code (UDC) for approval of a CUP, and advised that the application was submitted prior to the approval of the new Comprehensive Plan. Interim Director Hicks further advised that no comprehensive plan amendment was needed because this property is already zoned as C2. Interim Director Hicks noted that 13 notices to surrounding property owners had been sent out and that there were no responses at the time of the staff report. Interim Director Hicks provided additional reference to UDC 4.10.02 as guidance.

Staff recommends approval of the CUP for a "Medical Facilities" use with the following conditions:

1. The scope of the medical facility is limited to those typical of an office or clinic facility.
2. No overnight accommodation of patients is permitted.
3. The site is brought into conformance with all standards for a non-residential site required by UDC Part 3.00 through Part 6.00 and other applicable standards.

ii) Hold a Public Hearing.

Chair Messana opened the Public Hearing at 6:42 PM.

There were no citizen comments.

Chair Messana closed the Public Hearing at 6:42 PM.

iii) Recommendation regarding requested variance

Chair Messana inquired if there were any other properties along Main Street that are medical and confirmed with Interim Director Hicks that this property was C2. Vice-Chair Chad Cormack asked if the CUP was tied to it being for medical, which Interim Director Hicks confirmed. Secretary Williams advised that there is a chiropractor on Main Street on the other side of the loop.

Vice-Chair Cormack asked if the intent was to tear down the building. Ms. Jennifer Jensen, Pohl Partners, agent for the property owners, advised that the building was not going to be torn down, nor have significant changes, but as the listing agent, chiropractors and others had shown interest. Vice-Chair Cormack asked if it had been checked for adequate parking. Ms. Jensen advised that parking had not been checked yet as it depends on the use, and it would be checked closer to site permit time; and advising that, at this point, they were just taking this step prior to negotiating any leases.

Chair Messana asked if the property had to use the CUP to which Interim Director Hicks responded no, it just helps with marketability.

Commissioner Novo asked if any responses to the public notices were received after the staff report was written, and Interim Director Hicks advised that none had been received.

Motion: Secretary Diane Williams moved, and Commissioner Sarah Novo seconded, to recommend approval of the Conditional Use Permit for a “Medical Facilities” use with the following conditions: 1. The scope of the medical facility is limited to those typical of an office or clinic facility; 2. No overnight accommodation of patients is permitted; and 3. The site is brought into conformance with all standards for a non-residential site required by UDC Part 3.00 through Part 6.00 and other applicable standards. **Motion carried unanimously by a vote of 5-0.** Ayes: Messina, Cormack, Williams, Rivera, and Novo. Nays: 0. Abstentions: 0.

5) REGULAR AGENDA

- a) Receive presentation and update regarding the Downtown Master Plan. (Ylda Capriccioso from Halff & Associates)

Ms. Ylda Capriccioso from Halff & Associates joined via zoom and provided a presentation to the Commissioners regarding the Downtown Master Plan, which included the following:

- Overview
- Objectives
- Historic Preservation Review
- Project Schedule with phases and tasks outlined - highlighting that the effort was to be completed in May 2024, and noting that a Downtown Day was scheduled for October 26th.
- Outreach, Updates, and Activities
- 2030 Vision
- Downtown Day on October 26th which includes:
 - Learning in the morning with invited stakeholders
 - Walking tour
 - Workshop with larger stakeholder group

Ms. Capriccioso facilitated survey responses from the Commissioners for answers to the following questions:

1. What makes a healthy downtown?
2. What does downtown do best?
3. What can downtown improve upon?

Ms. Capriccioso concluded with the principles of healthy and vibrant downtowns and asked the Commissioners to spread the word about the Master Plan.

There was a brief recess at 7:09 PM and the meeting resumed at 7:11 PM.

- b) Discussion, consideration, and possible direction on the proposed changes to Ordinance 22-O-03.02-02 - Sign Ordinance Modification as codified in Chapter 9 of City Code of Ordinances. (M. Hicks, S. Claridge, and Secretary Williams)

Interim Director Hicks introduced the topic, and advised that following discussion at this meeting, the ordinance would be brought back at the next meeting for a public hearing.

Secretary Williams and Planning Technician Ms. Shelby Claridge gave additional background, with Secretary Williams pointing out that the original intent was to correct the misaligned table, but in review she had discovered that items F-N were missing, and then staff asked about inserting booster signs. Secretary Williams advised that Ms. Claridge had raised concerns that the City could not specify materials and that she had asked staff to get the opinion of the City Attorney since the concerns referenced were related to materials for monument signs which had been included in the last modification. Secretary Williams also pointed out the concerns she and staff had regarding the need to specify sizes and locations for any booster signs. Chair Messina also pointed out concerns regarding the duration and maintenance aspects for these signs.

Commissioner Bryan Rivera inquired on the inclusion of political signs and there was discussion if that was needed given state law. Interim Director Hicks advised that she would check into it because given it is election code, maybe only a reference to that code would be needed with a statement it cannot be in the right-of-way. City Attorney Marianella 'Nella' Joseph, who was observing the meeting online, communicated through Interim Director Hicks that there is no need to repeat it if it is in the statute and further advised that the City can regulate the materials for the signs because the House Bill referenced is for buildings.

Secretary Williams pointed out a couple of changes that were highlighted as being made by Ms. Claridge and asked Ms. Claridge to expand upon the changes, one being in item G. #2 to enable two (2) signs in the permit and the other related to off-premise signs in item I. Ms. Claridge elaborated that she had provided for two (2) signs per permit since there were requests to have these signs on each side of the driveway, noting that currently each sign is a permit, and how it affects renewal. Chair Messina elaborated on this issue with an example, and following discussion the Chair questioned it being added. There was further discussion on the various options to address concerns, which concluded with Chair Messina stating he didn't want to change it at this time. Vice-Chair Cormack and Commissioner Novo asked what the enforcement mechanism was now. Secretary Williams expressed concerns that the temporary signs were in effect permanent ones now, and that right now, the stated requirements for permits doesn't align with the current ordinance because of the table alignment issues and missing information. Chair Messina stated that he has a problem with the inclusion of two (2) signs per permit, as inserted, because there can be a sign every other month forever. Ms. Claridge stated that there are challenges for holiday signs that cause concern for businesses.

Vice-Chair Cormack asked if Verdunity would do this ordinance revision and Interim Director Hicks advised that it could be covered but it depends on how much time it will take. Vice-Chair Cormack confirmed that the more time this ordinance takes, the less time the Consultant would have for other things. Chair Messana stated that he felt like more time needed to be spent on it. Secretary Williams stated that one option was to stick with only correcting the misaligned table, and Chair Messana stated that the current change could be for the table and the missing information to get the ordinance back to where it was before on those. Secretary Williams asked to confirm that the remainder would then wait on the Consultant to address, to which Chair Messana indicated yes.

Action to staff was to reinstate Items F-N only, without the changes to item G. #2, and include the changes to I given it was stated by Ms. Claridge it was to align it with previous modified ordinance, and then let Verdunity address the bigger gap. Secretary Williams advised that she wanted to check on the off-premise aspect in the modification. Chair Messana advised that he recalled something on the off-premise not being allowed.

Commissioner Novo asked about the need to change City Administrator to City Manager. Secretary Williams responded that she recalled from the bylaw discussion that there was going to be a revision that made the change across all ordinances given it would have gotten it out of sync with other code to change in only one place. Interim Director Hicks advised that she would check.

- c) Discussion, consideration, and possible direction on establishing a workgroup or plan of action regarding ordinances that need to be rewritten that will not be covered in the upcoming UDC update. (M. Hicks, Chair Messana, and Secretary Williams)

Interim Director Hicks introduced the topic and reviewed the Annual Work Plan pending stop-gap action items. Following discussions, the following items were listed as needing a Commission work group because the Consultant would not be addressing them in the rewrite:

1. Street Name changes
2. Easement abandonment
3. Right-of-Way abandonment
4. Right-of-Way Management (a new gap identified by Interim Director Hicks).

Furthermore, Interim Director Hicks advised that it was not in the scope of Verdunity to do the Drainage Design, which would be addressed by staff with assistance from another Consultant. Interim Director Hicks also advised that the TABC gap would not be covered by Verdunity and would be discussed with the City Secretary who handles it. Based on discussions, it was noted there were no more stop-gap measures anticipated as being needed for brewery/distillery, parkland, and game rooms. Secretary Williams pointed out that Verdunity would be submitting a diagnostic report.

There were discussions on how the item came about on the homeless stop-gap and it was highlighted that there appears to already be local government code addressing it.

Secretary Williams asked if it would be the Downtown Master Plan Consultant that would address Heritage Preservation and Downtown Regulations, to which Interim Director Hicks advised that it would be Verdunity in coordination with Halff & Associates.

Secretary Williams requested that the Work Plan be updated accordingly.

For the work groups, Interim Director Hicks advised that there were currently two (2) work groups for the rewrite, namely 1) Chair Messana and Secretary Williams, and 2) Vice-Chair Cormack. For the remaining items, Vice-Chair Cormack pointed out the items could mostly likely be consolidated under one (1) work group. Commissioners Rivera and Novo volunteered to be on the work group to address the four (4) stop-gap items noted that would not be covered by Verdunity.

- d) Discussion, consideration, and possible direction on the implementation of the Planning & Zoning Commission Bylaws. (M. Hicks/Secretary Williams)
1. What are the bylaws changes that require process changes or a new process?
 2. What processes would we like to implement?
 3. What is the plan forward for implementation?

Interim Director Hicks introduced the topic and covered the three (3) questions that were to be discussed for each of the roles and responsibilities in Chart 2. Secretary Williams provided a refresher on the background of this chart and advised that, for the purpose of aiding discussions, she had put notes on it relative to the three (3) questions. Vice-Chair Cormack stated that he believed a retreat in January was needed.

Secretary Williams facilitated a discussion on each of the items in Chart 2 and based on discussions, it was determined that only the following needed to have a new process or revised process:

1. Comprehensive Plan update process, which would not be a high priority given it is not anticipated to be until next year.
2. Opening, vacating, narrowing, abandoning or changing the scope etc. of streets, roads and alleyways, which does not have an existing process and may be a gap in the ordinances (Interim Director Hicks will check but thinks it could be covered as part of the Capital Improvement Program (CIP)), and this would be a high priority.
3. Development Agreement Process, which will be discussed in the planned workshop.

Further items for action included the following:

1. The Commission will act as the Advisory Committee for the impact fees to make recommendations to Council per Interim Director Hicks, who also pointed out that while representatives from the extraterritorial jurisdiction (ETJ) were required, there was no need to appoint any because the Commission already has members from the ETJ.
2. Staff will work with the County to resolve the issue with the subdivision variances and when that would occur, now based on the recently codified ordinances or after the UDC rewrite in February 2024.

3. Staff noted areas that may need updates to existing checklists.
4. Other items were listed to be placed on a Commission Calendar as a reminder.

6) REPORTS/UPDATES

- a) Receive the Projects in Motion report, as provided by the Development Services department.
(M. Hicks)

Interim Director Hicks advised that this was the first report as a sample format that will be improved upon, noting it outlines everything on the planning and building departments lists. Interim Director Hicks went through the report.

Chair Messana asked what was on the minor plat for Margarita's and Interim Director Hicks advised it was to split the property into two (2) lots and that the previous concerns related to easements had been addressed. Chair Messana inquired as to location of the Open Door Baptist, which was provided by Interim Director Hicks. Chair Messana advised that the information he was seeking in the report was, for example, a church is going in here, and then why is a piece of property being subdivided, summarizing it as what, why and location.

No action was taken

- b) Receive an update on the progress of seeking Dark Skies designation. (S. Claridge)

Ms. Claridge addressed the Commission and advised that she did get a progress report and invoice for \$301 from the Consultant today. Ms. Claridge advised that there would be a meeting with Donna from Dark Skies in November to discuss some activities, and that Ms. Claridge had given the Consultant some information for the application, along with the Community support letters.

No action was taken.

7) PLANNING DEPARTMENT COMMENTS:

Items for a future agenda may be identified and scheduled. There can be no deliberation or action taken on these items.

Interim Director Hicks highlighted the following points under this agenda item.

- City Council Update - P&Z Items
 - LHTX 2040 Comprehensive Plan Adoption - plan was adopted on October 11th.
 - The final version of the plan was received today and the Geographic Information System (GIS) data has been received so it is now on the interactive map. There are layers and the new transportation plan is there too. Chair Messana inquired as to the discussion relative to the Transportation Plan in the Comprehensive Plan because there had been discussions that the plan included was incomplete. Interim Director Hicks concurred and went through the associated wording included for the thoroughfare plan in the Comprehensive Plan.

- Downtown Day (in support of the Downtown Master Plan)
 - Thursday, October 26th from 6-8 pm at the Old VFW (102 W. Myrtle St.)
 - 9am-noon is for stakeholders, including the Commission
 - 6-8 PM is for the public.

8) FUTURE ITEMS

Interim Director Hicks updated the Commission as follows:

1. Coordination of Comprehensive Plan Joint Meetings/Workshops - being coordinated with the City Manager, Economic Development Corporation (EDC) Director, and the Council for scheduling.
2. Parks & Recreation Board Signage - for later.
3. Impact Fee Discussion/Development Matrix Update – Staff met last Friday with the City Manager and City Attorney, and following completion of the write-up, the topic is anticipated for discussion at the November 7th Commission Meeting.
4. Fee Schedule Update – Staff plans to bring this to the Commission on November 7th and anticipates having the fee schedule from buildings in early November.
5. Development Agreement Workshop – the plan is to address this item following the Impact Fee item, but the items are being coordinated concurrently so the items will be close together.

Secretary Williams reminded that the work session for the Annual Work Plan is to be done in November per the bylaws, which is in preparation for the joint session with other boards and commissions scheduled for December. Following discussions, it was decided that the session would be held on November 7th and for that session, the draft 2024 goals would be prepared by Chair Messana and accomplishments would be prepared by Commissioner Rivera, with Secretary Williams preparing the December presentation following the session.

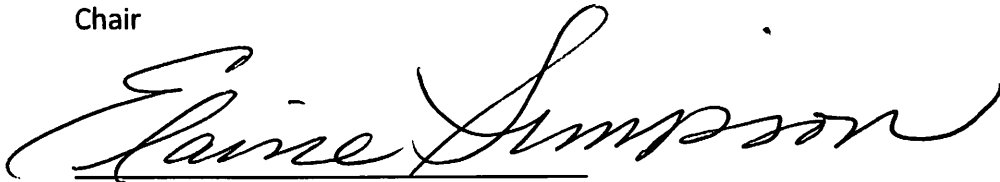
9) ADJOURNMENT

Given there were no further agenda items and hearing no objections from the members, Chair Messana adjourned the meeting 9:03 PM.

PASSED AND APPROVED by the Planning and Zoning of the City of Liberty Hill, Texas on Nov,
7, 2023, on vote of 5 ayes, 0 nays, and 0 abstentions.



Steve Messana
Chair



City Secretary

