

## Draft Minutes for the July 5, 2022 Planning Commission Regular Meeting

**A) SUP22-217 Public hearing and recommendation to City Council regarding the proposed rezoning to apply a Special Use Permit in “R-2” Single-family and Two-family District to allow a resort property with related development standards on approximately 19.96 acres of Ingram Acres Subdivision, Lot 2B addressed at 1251 Sleepy Hollow Lane. (Applicant: Schumann Consulting; TJ Grossi; Owner: Zero Rivers; Case Manager: Laure Middleton)**

Mrs. Middleton presented and recommended approval with conditions as stated in staff report.

Chair Edwards invited the applicant to speak.

TJ Grossi, 1301 Amanda, elaborated on the type 1 SUP request, and clarified the proposed development was intended to be a resort condominium style development with cabins, cottages, condominiums, and RVs, and discussed the proposed design of these structures. Mr. Grossi then discussed the proposed conditions for approval and development standards.

Discussion followed on communication efforts with neighbors, the location of the proposed RV park, and efforts to work with city staff on the conditions of approval and development standards prior to going before City Council.

Chair Edwards opened the public hearing and asked if anyone wished to speak.

Scott Retzlöff, 1368 Sleepy Hollow, spoke in opposition citing concerns for large portions of the subject property that lie within the floodway, stating that significant development there could put neighbors at risk in the event of a flood. Mr. Retzlöff stated the Planning Commission meeting was the first time he heard about the placement of any buildings and emphasized that no specifics had been provided to the neighbors or the City yet despite requests made by the residents. Mr. Retzlöff then discussed efforts by the applicant to communicate with residents and efforts made by the City to mitigate the potential for severe damage as a result of flooding by purchasing a number of properties in the floodway. Mr. Retzlöff then stated that this request should be made as a type 2 SUP with more specifics provided.

Commissioner Sonier left the dais at 7:12pm.

Ted Meadows, 1330 Sleepy Hollow Ln, stated that the protections offered by a type 2 SUP were what was originally desired as a neighbor of the subject property and discussed past severe flooding events in the area and the potential for severe damage as a result of flash floods. Mr. Meadows spoke in opposition citing concerns in line with the previous speaker.

Sonier returned to the dais at 7:17pm.

Thomas Meadows, 1330 Sleepy Hollow Ln, spoke in opposition citing concerns in line with the previous speakers, and discussed a history of family owning property, intense flooding events, and requested that nothing be built across from Sleepy Hollow that would put residents or visitors in harm's way.

Shane Wolf, 1405 Gruene Rd, stated his business Rockin' R has invested in early warning detection systems since a high-water event in 2010 that have helped to quickly move things off his property and out of the floodway. Mr. Wolf also stated water could be deterred into the large pond located on the subject property and further discussed efforts to work with neighbors to mitigate any negative impacts.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were further discussion or a motion.

Discussion followed on the conditions proposed for approval of the type 1 SUP included in the staff report, including outdoor fires and hours for large outdoor activities.

Commissioner Miedema, stated he held no objection to the usage of the land, but rather with the placement of permanent structures there and specified that they present a significant potential for damage in the event of a flood.

Motion by Commissioner Sonier, seconded by Commissioner Reaves, to accept the proposed rezoning to apply a Type 1 Special Use Permit in "R-2" Single-family and Two-family District to allow a resort property on approximately 19.96 acres of Ingram Acres Subdivision, Lot 2B addressed at 1251 Sleepy Hollow Lane. Motion carried (7-1-0) with Commissioner Miedema in opposition.

Further discussion followed on the proposed conditions for approval for the type 1 SUP included in the staff report.

Mr. Grossi requested condition 8 not be included with the recommendation and discussed how the total designation of floodway as a drainage easement would severely inhibit the development potential of the property as intended, including the development of primary and secondary access points. Mr. Grossi stated they were willing to implement alternative drainage easements throughout the property as an alternative.

Discussion followed on primary access, the floodway and condition of approval #8.

Chair Edwards recognized that the applicant did not want condition #8 included in the recommendation but stated that the Commission would like to see something regarding drainage and detention be included.

Mr. Grossi discussed a 9-acre pond on a neighboring property that may have the ability and capacity to help mitigate drainage if improved. Mr. Grossi stated a vegetative buffer had been included as part of report to create more separation between residential and commercial properties and stated that single ownership and low impact development could create opportunities for rain collection, water detention, and risk mitigation. Mr. Grossi asked that a drainage easement not be required upon approval of the request.

Discussion followed regarding the designation of the floodway as a drainage easement and floodway development and requirements of the platting ordinance.

Motion by Commissioner Tubb, Seconded by Commissioner Sonier, to accept conditions of approval #1-7 as discussed regarding the proposed rezoning to apply a Type 1 Special Use Permit in "R-2" Single-family and Two-family District to allow a resort property on approximately 19.96 acres of Ingram Acres Subdivision, Lot 2B addressed at 1251 Sleepy Hollow Lane. Motion carried (8-0-0).

Motion by Commissioner Reaves, Seconded by Commissioner Sonier, recommending appropriate modifications be made by city staff to condition #8 concerning the drainage easement and discussion with the developer take place prior to the July 25<sup>th</sup> City Council meeting regarding the proposed rezoning to apply a Type 1 Special Use Permit in "R-2" Single-family and Two-family District to allow a resort property on approximately 19.96 acres of Ingram Acres Subdivision, Lot 2B addressed at 1251 Sleepy Hollow Lane. (Motion carried (8-0-0).

Chair Edwards called a recess at 7:53pm.

Chair Edwards returned the meeting to order at 7:58pm.