



## **CITY OF ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING MINUTES**

**Wednesday, March 04, 2026**

The Planning and Zoning Commission of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on March 4, 2026. Members of the public and the Planning and Zoning Commission were able to participate in the meeting virtually, as long as a quorum of the Planning and Zoning Commission and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

### **CALL ROLLINGWOOD PLANNING AND ZONING COMMISSION MEETING TO ORDER**

1. Roll Call

**Chair Dave Bench called the meeting to order at 6:00 p.m.**

**Present Members:** Chair Dave Bench, Jay van Bavel, Jerry Fleming, Michael Hall, Genie Nyer, and Tony Stein

**Also Present:** City Administrator Alun Thomas, Development Services Manager Nikki Stautzenberger, and City Attorney Natalie Thamm

### **PUBLIC COMMENTS**

There were no public comments.

### **CONSENT AGENDA**

2. Discussion and possible action on the minutes from the January 7, 2026 Planning and Zoning Commission meeting

**Jan van Bavel moved to approve the meeting minutes. Genie Nyer seconded the motion. The motion carried with 6 in favor and 0 against.**

## **REGULAR AGENDA**

3. Discussion regarding Chapter 107 of the Rollingwood Code of Ordinances related to changes initiated by City Council or Commission

Chair Dave Bench introduced the item, noting that the intention of the item is to allow the members of the Commission the opportunity to understand the Commission's role, the Council's role, and the interactions between the two as it relates to matters of planning and zoning.

City Attorney Natalie Thamm said that City Council has the authority to take up an issue and assign the Planning and Zoning Commission work. She explained that Council cannot act on matters alone; for example, text amendments must be considered by the Commission, which then has a statutory obligation to produce a preliminary report and a recommendation to Council on how it should act. The Commission is subservient to Council, but Council cannot act unilaterally. Either the Council or the Commission can initiate items, but the Council cannot act on zoning issues without receiving a recommendation from the Commission after the Commission has held a public hearing on the topic.

Ms. Thamm addressed the question of whether a supermajority of Council is necessary to take no action on a recommendation that it receives from the Commission. She said that Council has the authority to not take action on a recommendation. Additionally, the Commission has the authority to consider an item before it has been through the formal public notice process, as long as that consideration pertains to whether the Commission would like to begin such a process.

With regard to the recent playhouses and playscapes item, the recommendation for which was not formally acted upon by Council, Development Services Manager Nikki Stautzenberger informed the Commission that Mayor Pro Tem Sara Hutson and Councilmember Brook Brown are currently working on whether or how to bring back a recommendation on the topic to Council that could then in turn be sent to the Commission for formal consideration. Ms. Thamm addressed questions from the Commission regarding the issue.

4. Discussion and possible action regarding inconsistencies within Chapter 107 of the Rollingwood Code of Ordinances related to residential fences

Chair Dave Bench said that Commissioner Jerry Fleming found that fence requirements appear in multiple parts of the City's Code of Ordinances, and sought clarification from staff on why that would be the case. City Attorney Natalie Thamm said that sometimes ordinances are placed in what might appear to be an unusual place in the code from a stylistic approach, but said that making changes to correct those stylistic choices by renumbering sections or rearranging text without changing the meaning would still need to go through the formal text amendment process.

Following a brief discussion, it was the consensus of the Commission that a subcommittee or working group should examine the Code for such inconsistencies, with the goal of correcting them.

**Genie Nyer moved to establish a working group to examine the code for any inconsistencies and questionable details found in Code Section 107, to come back to the full Planning and Zoning Commission with recommendations to discuss possible changes to send to Council, with that working group consisting of Jerry Fleming, Genie Nyer, and Dave Bench. Jerry Fleming seconded the motion. The motion carried with 6 in favor and 0 against.**

