

CITY OF LAKEWAY

**MINUTES
ZONING AND PLANNING COMMISSION
REGULAR MEETING**

WEDNESDAY, APRIL 4, 2012 AT 9:10 A.M.

ZAPCO Members Present: Commissioners Phil Brown, Polly Scanlon, Mick Wright, Dave Point and Jack Ford. Dwight Haley and Bridget Bertram were absent.

Also Present: Dennis Wallace, City Council Liaison; Steve Jones, City Manager; Chessie Blanchard, Assistant City Manager; Shannon Burke, Director of Building & Development Services; Paul Duncan, City Engineer; Kristina Dorrheim, Administrative Assistant.

1) *Call to Order: Chairman Dwight Haley.*

The meeting was called to order at 9:10 A.M by Phil Brown, acting chairman. Brown noted that there was a quorum.

2) *Approval of Minutes: Wednesday, March 7, 2012, Regular.*

Scanlon noted a couple of corrections and then moved to approve the minutes as modified. Ford seconded the motion, and it passed by a vote of 5-0.

3) *Permanent Sign: Real del Lago. A request from CraigO's Pizza & Pastaria and Bee Cave Pediatrics for approval of building signs to be located at 2501 RR 620 South.*

Burke presented the agenda item. Staff recommended approval.

No one spoke at the public hearing.

Scanlon made a motion to approve the proposed signs. Point seconded the motion, and it passed by a vote of 5-0.

4) *Sign Variance: Discovery Point II. A request from Hill Country Energy Partners for approval of a variance of the City of Lakeway Code of Ordinances to allow a proposed monument sign to exceed the maximum height allowed by Code at 2951 RR 620 South.*

The agenda item was presented by Burke. Staff recommended approval.

No one spoke at the public hearing.

Nancy Stokes, of Stokes Signs, explained that building the ground up below the sign to gain extra height would make the sign narrower due to the retaining wall that would be required to support the fill beneath the sign.

Scanlon moved to approve the requested variance and the proposed sign. Ford seconded the motion, and it passed by a vote of 5-0.

- 5) *Directory Sign: Discovery Point II. A request from Hill Country Energy Partners for approval of a directory sign to be located at 2951 RR 620 South.***

The agenda item was presented by Burke. Staff recommended approval.

No one spoke at the public hearing.

Ford moved to approve the proposed sign. Point seconded the motion, and it passed by a vote of 5-0.

- 6) *Site Development Variance: Lake Travis Independent School District. A request from Lake Travis Independent School District, the owner of approximately 32.466 acres located at 4918 Bee Creek Road, for approval of a variance of the City of Lakeway Code of Ordinances to exceed the maximum amount of impervious cover allowed by Code for the property.***

The agenda item was presented by Burke. Staff recommended approval.

Greg Armstrong, a neighboring property owner, spoke in support of the variance request at the public hearing.

Jim Ratcliff, representing LTISD, stated that the school would have roughly 1,200 students and was expected to be open in August of 2014.

Wright confirmed with staff that the impervious cover on the site would not exceed 60%.

Point moved to approve the requested variance. Ford seconded the motion, and it passed by a vote of 5-0.

Adjourned to Executive Session at 9:38 AM and reconvened at 10:12 AM.

- 7) *Special Use Permit: Recovery Ways. A request from RW Austin Properties, LLC., for approval of a Special Use Permit to operate an addiction rehabilitation facility at the Lakeway Medical Village campus located at 3000 RR 620 South.***

The agenda item was presented by Burke. Staff recommended approval with the following conditions:

1. Recovery Ways will not operate as a detoxification facility.
2. Recovery Ways will not treat sexual offenders.
3. Recovery Ways will not treat pornography addicts.
4. Recovery Ways will not admit individuals from a group home or halfway house.
5. Recovery Ways will not provide any onsite outpatient services.
6. Recovery Ways will conduct drug testing of clients and staff.
7. Recovery Ways will maintain professional staff onsite 24 hours per day.
8. Recovery Ways will maintain Joint Commission Health Organization accreditation.

Brown asked what would happen if any of the conditions were violated. Burke stated that the Special Use Permit would be revoked.

John Robertson, the CEO of Recovery Ways, made a presentation regarding the application, explaining the nature of the facility and operations.

The following people spoke in opposition of the requested Special Use Permit at the public hearing:

- Karen Bradford (936 Vanguard)
- Bob Schooler (100 Lido Circle)
- Mel Neese (302 Champion Drive)
- John McElroy (418 Dasher Drive)
- Laurie Higginbotham (227 Vailco Lane)
- Jamal Alsaffar (227 Vailco Lane)
- Leslee Smithwick (103 Sebastians Run)
- Katy Blossman (204 Vailco Lane)
- Amy Baird (4201 Hookbilled Kite)
- Rodrigo Vara (108 Whitley Drive)
- Seth Koppel (146 Sebastians Run)
- Lori Barnett (124 Vailco Lane)
- Nina Hagan (3 The Hills Drive)
- Pearl Jones (148 Lakota Pass)
- Betty Williams (127 Vailco Lane)
- Jorge Guerra (133 Sebastians Run)

The following people spoke in support of the requested Special Use Permit at the public hearing:

- Dan Richards (attorney for Recovery Ways)
- Jan Ford Mustin (932 Vanguard)
- Cathy Quinn (7 Grapewood Court)
- Judy Bowen (1 Chandon Lane)
- Cindy Morphew (50 Casa Verde)

Brown noted that this was the first time an application regarding Recovery Ways had come before ZAPCO or City Council.

Ford asked what the staff ratio would be at the facility. Robertson replied that it would be close to 1 to 1. Scanlon asked what the ratio would be at night. Robertson replied that they would have 2 staff people at night, and he explained that they would have an elaborate camera system to help monitor the clients. He stated that no one would leave the facility unattended.

Wright asked how the conditions mentioned by staff would be enforced. Robertson said that they would lose their accreditation if they did not follow those conditions, and he further stated that they could not operate the facility without the accreditation. Burke clarified that staff could verify the accreditation status even though they could not verify who was being accepted into the facility.

Brown asked what was meant by “experimental therapies.” Robertson said that that referred to yoga, exercise, golf, counseling, etc.

Point stated that Lakeway was a bubble and that he did not want to do anything to jeopardize it.

Wright stated that he was concerned about enforcement. He also noted that he did not trust the applicants.

Ford made a motion to recommend that the requested Special Use Permit be disapproved. Scanlon seconded the motion and it passed 5-0.

Brown recessed the meeting at 12:05 PM and reconvened the meeting at 12:15 PM.

- 8) *Preliminary Plan: Lakeway Highlands Phase 1. A request from Las Ventanas Land Partners, Ltd., the owner of approximately 32.033 acres located north of Highlands Boulevard and east of Peninsula Way for approval of a revision to the previously approved Preliminary Plan for Lakeway Highlands Phase 1 to include a revised layout of the property.***

Burke presented the agenda item. Staff recommended approval.

No one spoke at the public hearing.

Scanlon made a motion to recommend approval of the proposed Preliminary Plan. Wright seconded the motion, and it passed by a vote of 5-0.

- 9) **Final Plat: Lakeway Highlands Section 7A.** *A request from Las Ventanas Land Partners, Ltd., the owner of approximately 32.033 acres located north of Highlands Boulevard and east of Peninsula Way for approval of the final plat of the property.*

Burke presented the agenda item. Staff recommended approval.

No one spoke at the public hearing.

Point made a motion to recommend approval of the proposed Final Plat. Scanlon seconded the motion, and it passed by a vote of 5-0.

- 10) **Permanent Zoning: Cardinal Hills Units 4, 4A and 6.** *Proposed permanent zoning of "R-1 (Single Family Residential)" for 27 properties that are currently zoned "R-1 Temporary" on Barrie Drive, Joseph Drive, Dorothy Drive, Warbler Drive, Rail Street, Delsie Drive, and Dave Drive (Cardinal Hills Units 4, 4A and 6).*

Burke presented the agenda item. Staff recommended approval.

No one spoke at the public hearing.

Point asked why these lots were not going to be zoned R-3 since they were smaller than the 15,000 s.f. R-1 minimum. Burke responded that the R-3 would be inconsistent with the existing zoning of the surrounding lots, which is R-1.

Ford made a motion to recommend approval of the proposed zoning. Point seconded the motion, and it passed by a vote of 5-0.

- 11) **Permanent Zoning: Cardinal Hills Unit 6.** *Proposed permanent zoning of "R-6 (Single Family Residential – Rural)" for the four properties that are currently zoned "R-1 Temporary" on Sledge Drive (Cardinal Hills Unit 6).*

Burke presented the agenda item. Staff recommended approval.

No one spoke at the public hearing.

Ford made a motion to recommend approval of the proposed zoning. Scanlon seconded the motion, and it passed by a vote of 5-0.

- 12) **Permanent Zoning: 1111 Delsie Drive.** *Proposed permanent zoning of "R-4 (Duplex)" for 1111 Delsie Drive (Cardinal Hills Unit 6, Lot 18) which is currently zoned "R-1 Temporary".*

Burke presented the agenda item. Staff recommended approval.

No one spoke at the public hearing.

Scanlon made a motion to recommend approval of the proposed zoning. Ford seconded the motion, and it passed by a vote of 5-0.

13) *Subdivision Code Amendment: Parkland.* *A proposed amendment to Section 28.05.003 of the Lakeway Code of Ordinances amending the standards and requirements related to public dedications and improvements of public parks and parkland.*

Blanchard presented the agenda item. Staff recommended approval.

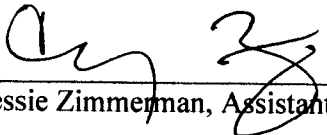
No one spoke at the public hearing.

Brown confirmed with staff that the fees required by this section of code would only be spent on parkland.

Ford made a motion to recommend approval of the proposed amendment. Scanlon seconded the motion, and it passed by a vote of 5-0.

14) *Adjourn.*

The meeting was adjourned at 12:30 P.M. by Brown.



Chessie Zimmerman, Assistant City Manager