

CITY OF LAKEWAY ZONING AND PLANNING COMMISSION MEETING
Action Minutes of Regular Session
Wednesday, October 2, 2013, 9:10 a.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

1. **Establish Quorum and Call to Order.** Present: Commissioners Jack Ford, Jean Hennagin, Don Kotrady, Ron Massa, Dave Point, Bridget Bertram and Chairperson Dwight Haley. Also present: Steve Jones, City Manager; Chessie Zimmerman, Assistant City Manager; Dave Taylor, City Council Liaison; Joseph Deeb, City Attorney; Troy Anderson, BDS Director and Paul Duncan, City Engineer.

CONSENT AGENDA: All items may be approved by one Council vote. Members of the Council may pull items from the consent agenda for discussion.

2. **Approval of Minutes:** Wednesday, September 4, 2013, Regular.

END CONSENT AGENDA

Commissioner Ron Massa moved to approve Consent Agenda item 2 as listed. Commissioner Dave Point seconded the motion, and it passed by unanimous vote, approved 7-0.

3. **PUD Amendment: Tuscan Village.** Consider a request from JH Tuscan Village, LP, the owner of approximately 42.6 acres of land located at 111 Medici Ave , for approval of an amendment to the Planned Unit Development (PUD) Ordinance, Ordinance No. 2004-07-19-1, striking the two-story restriction while maintaining building heights.
 - Staff report by Troy Anderson, BDS Director. Staff recommended approval.
 - Jim Lavendar, applicant representative made a presentation.
 - Citizen participation/public hearing - Don Stevenson spoke against proposed plan. Russell Block spoke against proposed plan. Lynn Lollar spoke in favor of proposed plan. Doug Land spoke in favor of proposed plan. Addom Gentner spoke against proposed plan.
 - Council discussion/action - **After some time of discussion, Commissioner Jack Ford moved to recommend approval of the amendment to the Planned Unit Development (PUD) Ordinance, Ordinance No. 2004-07-19-1, striking the two-story restriction while maintaining building heights. Commissioner Dave Point seconded the motion and by a vote of 5-2 the motion carried with Chairman Dwight Haley and Commissioner Bridget Bertram opposed.**
4. **Permanent Sign: Lake Travis ISD.** Consider a request from Lake Travis ISD, the owner of property located at 3324 Ranch Road 620 South, for approval of an electronic public information sign.
 - **The applicant requested that consideration of this item be postponed until such time as a revised request can be submitted.**

5. **Code Amendment: Zoning.** An amendment to Article 30.03, Lakeway Code of Ordinances, establishing Section 30.03.011.5 C-4 Auto Sales and Service and amending Section 30.04.001 pertaining to uses and acts prohibited by the city.
 - Staff report by Chessie Zimmerman, Assistant City Manager. Staff recommended approval.
 - Citizen participation/public hearing - John Reinschmidt spoke in favor of proposed code amendment. Gary Shoemaker spoke in favor of proposed code amendment. Steve Zbrank spoke in favor of proposed code amendment. Judith Murphy spoke against proposed code amendment. Michael Archuleta spoke in favor of proposed code amendment. Dana Hendrick stated he would not object to it. Jose Garcia spoke in favor of proposed code amendment. Cindy Morphen spoke in favor of proposed code amendment. Steve Swan spoke in favor of proposed code amendment and also said Charles Edwards had to leave but he knew that Mr. Edwards was in favor as well. Monique Threadgill spoke against proposed code amendment. Tiffany McMillan spoke against proposed code amendment and stated she had gathered 100 signatures on a petition in opposition. James Nelson spoke against proposed code amendment. Howard Cooper spoke against proposed code amendment.
 - Council discussion/action - **After some time of discussion, Commissioner Dave Point moved to recommend approval of the amendment to subsection 30.03.011.5 C-4 Auto Sales and Service and amending Section 30.04.001 pertaining to uses and acts prohibited by the city. Commissioner Don Kotrady seconded the motion and by a vote of 4-3 the motion carried with Commissioners Jean Hennagin, Jack Ford and Bridgit Bertram opposed.**

6. **Annexation: Boundary Line Adjustment.** Consider a boundary line adjustment including annexation of a part of Lots 9, 10 and 11, Block A Bella Strada Subdivision, and a part of Lot 1 Block a Lake Travis United Methodist Church subdivision and disannexation of Lot 1 Block A Vineyard Bay Phase 1, parts of Buffalo Gap Road and any and all tracts of land located west of Buffalo Gap Road.
 - Staff report by Troy Anderson, BDS Director. Staff recommended approval.
 - Citizen participation/public hearing - No one spoke.
 - Council discussion/action - **After a brief discussion period, Commissioner Ron Massa moved to recommend approval of the boundary line adjustment including annexation of a part of Lots 9, 10 and 11, Block A Bella Strada Subdivision, and a part of Lot 1 Block A Lake Travis United Methodist Church Subdivision and disannexation of Lot 1 Block A Vineyard Bay Phase 1, parts of Buffalo Gap Road and an and all tracts of land located west of Buffalo Gap Road. Commissioner Jack Ford seconded the motion and by a vote of 7-0 the motion carried unanimously.**

7. **Annexation: Highlands Phase 2 Section 3 GB Tract.** Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 13.5 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for annexation of the subject property.
 - Staff report by Troy Anderson, BDS Director. Staff recommended approval.
 - Applicant representative was not present.
 - Citizen participation/public hearing - No one spoke.
 - Council discussion/action - **Commissioner Jack Ford moved to recommend approval of the request for annexation of the subject property. Commissioner Ron Massa seconded the motion and by a vote of 7-0 the motion carried unanimously.**

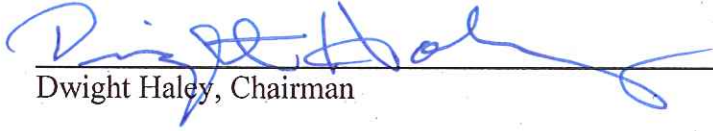
8. **Zoning Request: Lakeway Highlands Phase 2 Section 3 GB Tract.** Consider a request from Las Ventanas Land Partners, Ltd., the owner of approximately 13.5 acres of land located east of Highlands Boulevard between Peninsula Way and Bee Creek Road, for approval of GB Greenbelt zoning of the subject property.
 - Staff report by Troy Anderson, BDS Director. Staff recommended approval.
 - Applicant representative was not present.
 - Citizen participation/public hearing - No one spoke.
 - Council discussion/action - **Commissioner Jean Hennagin moved to recommend approval of the request for Greenbelt zoning of the subject property. Commissioner Don Kotrady seconded the motion and by a vote of 7-0 the motion carried unanimously.**

9. **Special Use Permit: Assisted Living Facility.** Consider a request from Grace services, LLC, the agent for the owner of approximately 1.3 acres of land located at 1501 Lohmans Crossing Road, for approval of a special use permit for assisted living facility.
 - Staff report by Troy Anderson, BDS Director. Staff recommended approval.
 - Applicant representative was not present.
 - Citizen participation/public hearing -Sharon Neal spoke in opposition of the proposed special use permit. Jim Lavendar, partial owner spoke in favor of the proposed special use permit.
 - Council discussion/action - **After a brief discussion, Commissioner Jack Ford moved to recommend approval of the request for a special use permit for assisted living facility. Commissioner Bridget Bertram seconded the motion and by a vote of 6-1 the motion carried with Commissioner Dave Point opposed.**

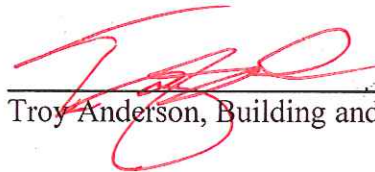
10. **Home Occupation: Educational and Transformational Workshops.** Consider a request from Liliane Desjardins, the owner of approximately 0.2 acres of land located at 115 Golf Crest Cove, for approval of a home occupation for educational and transformational workshops.
 - Staff report by Troy Anderson, BDS Director. Staff recommended disapproval.
 - Julia Nickerson, attorney for the applicant made a presentation. Liliane Desjardins, applicant made a presentation.
 - Citizen participation/public hearing -Tom Rogers spoke in favor of the proposed home occupation. Rev. Steve Bolen spoke in favor of the proposed home occupation.
 - Council discussion/action - **After a brief discussion, Commissioner Dave Point moved to postpone decision of the request for home occupation indefinitely in order to grant the applicant time to provide new collateral (advertising brochures) and resubmit more specific information relating to the business plan. Commissioner Ron Massa seconded the motion and by a vote of 7-0 the motion carried unanimously.**

11. Meeting adjourned.

- Dwight Haley, Chairperson adjourned the meeting at 12:15 p.m.



Dwight Haley, Chairman



Troy Anderson, Building and Development Services Director