

CITY OF LAKEWAY ZONING AND PLANNING COMMISSION MEETING
Action Minutes of Regular Session
May 1, 2019 9:15 a.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

- 1) **Establish Quorum and Call to Order. Present:** Commissioners Dave Taylor, Don Kotrady, Dave Point, Bruce Harris, Chris Forton, Carolyn Nichols, and Scott Olson.
- 2) **Pledge of Allegiance.**
- 3) **Citizens Participation.** No one spoke.

CONSENT AGENDA - *All items listed under the consent agenda may be approved by one motion. Members of the Commission may pull items from the consent agenda for discussion.*

- 4) **Approval of Minutes:** April 3, 2019, Regular Meeting.
 - Determination: **Motion to approve minutes as written by Commissioner Forton and seconded by Commissioner Point. Carolyn Nichols abstained. Motion carried by a vote of 6-0.**

END CONSENT AGENDA

- 5) **Annexation Request.** A request from Carlson, Brigance & Doering, Inc., on behalf of RH Lakeway Development LTD., owner of approx. 33.061 acres of land located south of the Crosswind Drive and Hornsby Lane intersection for annexation into the City of Lakeway with proposed zoning of R-1 (Single-Family Residential).
 - **This item was postponed at the last meeting on April 3, 2019.**
 - Staff report and presentation by Charlotte Hodges.
 - Applicant's Representative, Bill Hayes, was present.
 - Public Hearing: Kelly Tronzo sought clarification on lot sizes as outlined in the Highlands Development agreement. Christie Muse stated that she does not want to be annexed into city limits and spoke of promises made by the developer. Tom Kilgore wants to make sure that since the annexation being requested is under the 1997 Developer Agreement that "we" are operating under the exact same legal terms
 - Discussion: **A motion was made by Commissioner Forton to discuss the item. Motion seconded by Commissioner Kotrady.**
 - Recommendation to City Council: **Motion to recommend approval of the annexation and for R-1* zoning request with a recommendation that the following conditions be documented made by Commissioner Point:**
 1. No mass grading behind the row of lots that back up to Hornsby and Crosswind
 2. Installation of 2 trees in the backyard on the lots that back up to Hornsby and Crosswind
 3. No construction access from Crosswinds or Hornsby except as needed to build the emergency access

4. Construct a wall along the back line

Motion was seconded by Commissioner Kotrady. Motion carried by a vote of carried by a vote of 7-0.

6) **Final Plat.** A request from Carlson, Brigance & Doering, Inc., on behalf of RH Lakeway Development LTD., owner of approx. 33.061 acres of land located south of the Crosswind Dr. and Hornsby Ln. intersection for approval of Final Plat- Lakeway Highlands Ph. 3, Sec. 6B.

○ **This item was postponed at the last meeting on April 3, 2019.**

- Staff report and presentation by Charlotte Hodges.
- Applicant's Representative, Bill Hayes, was present.
- Public Hearing: Norma Laird expressed drainage and water quality concerns and the impact on Lake Travis. Miguel Suazo, attorney representing Donald Trees and Nancy Williamson, stated that he believed that there was confusion regarding the rules and requested that the item be postponed for a month.

◆ At 10:18 am, pursuant to Section 551.071 of the Texas Government Code, the Commission adjourned into an executive session for consultation with the City Attorney and reconvened in open session at 10:35 am. No action was taken during the executive session.

- Public Hearing continued: Guy Rowland spoke regarding the lake park in Crosswind community which is a valuable asset and the reasoning that water quality is so important. Request that a determination on the request be delayed. Kristi Stogo expressed concerns regarding drainage concerns once construction begins and the impact to her property. Tom Kilgore reminded the commission that in accordance with the Developers Agreement, the developer is obligated to complete the parkland improvements within 3 years of approval of each section. Julie Reichert stated that operating under the 1997 Ordinance is antiquated. Marvin Mead expressed pollution concerns to Lake Travis.
- Discussion: **A motion was made by Commissioner Forton to discuss the item. Motion seconded by Commissioner Olsen.**
- Recommendation to City Council: **Motion to recommend approval made by Commissioner Olsen and seconded by Commissioner Point. Motion carried by a vote of 7-0.**

7) **Special Use Permit (Home Occupation) – 418 Morning Cloud.** A request from Paula Kasabri, residing at 418 Morning Cloud, for a Special Use Permit for a Home Occupation to allow cooking and meal preparation for off-site catering services.

- Staff report and presentation by Charlotte Hodges.
- Public Hearing: No one spoke.
- Motion to **postpone**: **Motion to postpone made by Commissioner Forton and seconded by Commissioner Nichols. Motion carried by a vote of 7-0.**

- 8) **Ordinance Amendment** – An amendment to Section 30.02.002 of the City of Lakeway Code of Ordinances clarifying language regarding the official zoning map of the city.
- Staff report and presentation by Charlotte Hodges.
 - Public Hearing: No one spoke.
 - Discussion: **A motion was made by Commissioner Point to discuss the item. Motion seconded by Commissioner Kotrady.**
 - Recommendation to City Council: **Motion to recommend approval made by Commissioner Point and seconded by Commissioner Kotrady. Motion carried by a vote of 7-0.**
- 9) **Wall Sign Variance – 1110 RR 620 North.** A request from Akbar Bhaidani, owner of Suds Deluxe Car Wash and Lube, located at 1110 RR 620 N, for a variance to Section 26.04.005 (b) regarding a wall sign.
- Staff report and presentation by Charlotte Hodges.
 - Applicant, Akbar Bhaidani, was present.
 - Public Hearing: No one spoke.
 - Discussion: **A motion was made by Commissioner Point to discuss the item. Motion seconded by Commissioner Kotrady.**
 - Determination: **Commissioner Point made a motion to deny the request** because there are too many colors, the letters are not attached directly to the building, it appears to contain descriptive text and it is too big. **Commissioner Kotrady seconded the motion. Motion carried by a vote of 6-0. (Commissioner Forton recused himself).**
- 10) **Monument Sign – 1110 RR 620 North.** A request from Akbar Bhaidani, owner of Suds Deluxe Car Wash and Lube, located at 1110 RR 620 N, for approval of a monument sign.
- Staff report and presentation by Charlotte Hodges.
 - Applicant, Akbar Bhaidani, was present.
 - Public Hearing: Tom Kilgore pointed out that the City of Lakeway’s sign is larger than current code allows and stated that the City should not be imposing one standard on applicant that they do not impose upon themselves.
 - Determination: **Commissioner Point made a motion to deny the request Commissioner Kotrady seconded the motion. Motion carried by a vote of 6-0. (Commissioner Forton recused himself).**
- 11) **Monument Sign – 211 RR 620 South.** A request from Tillman Enterprises for a monument sign alteration at 211 Ranch Road 620.
- Staff report and presentation by Charlotte Hodges.
 - Applicant’s Representative, Mark Prellop, was present.
 - Public Hearing: No one spoke.
 - Determination: **Commissioner Harris made a motion to approve the request. Commissioner Forton seconded the motion. Motion carried by a vote of 7-0.**

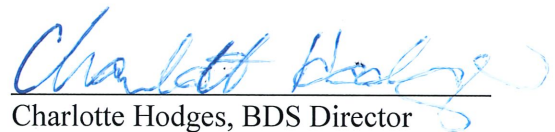
12) Wall Sign Variance – 2114 Lakeway Boulevard. A request from Raj Monin, owner of Lakeway Market, located at 2114 Lakeway Boulevard for a variance to Section 26.04.005 (b) regarding a wall sign.

- Staff report and presentation by Charlotte Hodges.
- Applicant's Representative, Mark Prellop, with Lakeside Signs, was present.
- Public Hearing: No one spoke.
- Determination 1: **Commissioner Nichols made a motion to deny the request. Commissioner Kotrady seconded the motion. The motion was opposed by Commissioners Taylor, Olsen, Forton and Point. Motion failed by a vote of 3-4.**
- Determination 1: **Motion to approve the request made by Commissioner Point. Commissioner Olsen seconded the motion. The motion was opposed by Commissioner Point, Nicholas and Harris. Motion carried 4-3.**

13) Adjourn.

- Motion to adjourn by **Commissioner Olsen and seconded by Commissioner Kotrady.**
- Chairman Dave Taylor adjourned the meeting at 11:35 am.

Minutes approved on June 5th, 2019, by a vote of 7-0.


Charlotte Hodges, BDS Director