

CITY OF LAKEWAY ZONING AND PLANNING COMMISSION MEETING
Action Minutes of Regular Session
August 09, 2021 9:00 a.m.
Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

- 1) **Establish Quorum and Call to Order. Commission Members Present:** Commissioners Scott Olson, Nick Boyle, Judy Donahue, Mary Lynn Gibbs, Dan Vardell, Alternate member Don Kotrady and Chairman Chris Forton.

Also present: City Council Representative, Sanjeev Kumar.

- 2) **Pledge of Allegiance.**
- 3) **Citizens Participation for items not on the agenda.**

- No one spoke.

- 4) **Citizens Participation for the consent agenda.**

- 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.*

- 5) **Approval of Minutes:** July 12, 2021, Regular Meeting.

- Determination: **Motion to approve the consent agenda by Commissioner Olson and seconded by Commissioner Kotrady. Motion carried by a vote of 7-0.**

END CONSENT AGENDA

- 6) **Additional Building Sign: 1008 RR 620 S.** Consider a request from Tenet Designs, agent for the new tenant Guaranty Bank & Trust, for an additional building sign for their new bank.
- Staff report and presentation by Erin Carr
 - Applicant Zane Smith present.
 - Public Hearing: No one spoke.
 - Commission discussion/action – **A motion was made by Commissioner Vardell to approve** the request for a building sign for the property located at 100 RR 620 South. **The motion was seconded by Commissioner Donahue. The motion carried by a vote of 7-0.**

- 7) **Cut and Fill Variance: 20120 HWY 71 W.** Consider a request from HWY 71 Investments LLC., the owner of approximately 3.05 acres of land located at 20120 W. State HWY 71 in the City of Lakeway's extraterritorial jurisdiction, for approval of a variance to Section 28.09.013 of the Lakeway Code of Ordinances regarding cut and fill requirements during land development.
- Staff report and presentation by Erin Carr
 - Applicant was not present
 - Public Hearing: Jonathan Kaplan spoke in opposition to the request and pointed out some discrepancies.
 - Commission discussion/action – **A motion was made by Commissioner Donahue to postpone** the request until the applicant can be present. **The motion was seconded by Commissioner Boyle. The motion carried** by a vote of 7-0.
- 8) **Special Use Permit-Short Term Rental: 1819 Lakeway Blvd.** Consider a request from Timothy Donohue, the owner of the property located at 1819 Lakeway Boulevard (Lakeway Section 22-C, Lot 2867), for a Special Use Permit to allow for a short-term rental use at this location.
- Staff report and presentation by Erin Carr
 - Applicant's Representative, Brandy Boswell with Turnkey Vacation Rentals was present
 - Public Hearing: Al Marwick spoke in opposition to the request.
 - Commission discussion/action – **A motion was made by Commissioner Olson to recommend approval** of a Special Use Permit to allow a short term rental use at 1819 Lakeway Boulevard **to City Council. The motion was seconded by Commissioner Vardell. The motion carried** by a vote of 7-0.
- 9) **Zoning Request: Nightingale Project.** Consider a request from Conine Residential Group, on behalf of JNY LLC, owner of approximately 3.85 acres of land located at 309 Ranch Road 620 North (Holly Lane Subdivision, Lot 1, Block A) and on behalf of William and Mary Kay Pope, owners of approximately 3.81 acres of land located at 15404 and 15400 Nightingale Lane (Holly Lane Subdivision, Lots 2 and 3, Block A) for a change to the Future Land Use Map (FLUM), approval of a reduction in size requirement for a PUD (Planned Unit Development) district, and a zoning change from C-1 (Office/Retail) and AG (Agricultural) to PUD (Planned Unit Development).
- Staff report and presentation by Erin Carr
 - Applicant **Meg and Kent Conine** were present to share an overview of the project.
 - ❖ The commission took a break from 10:25 am to 10:37 am.
 - Public Hearing: **Lane Frazier** spoke in opposition of the project expressing concerns regarding light, noise, and traffic. **Jay Henson** also expressed his opposition to the request and shared concerns about safety. **Nancy Clayton** expressed concerns about construction of multi-family units in suburban neighborhoods.

- Public Hearing (continued): **Laura Mitchell** is supportive of the project and expressed the need for workforce housing. **Maryann Carmichael** is opposed to the request and expressed belief that this is not the correct location for high density housing. **Bubba Breazeale** spoke in support of the request. **Andrew Keller** is opposed to the request; he expressed that the project is way too dense. **William Anderson** expressed his opposition and shared concerns about traffic. **Craig Gilson** also expressed opposition to the request. **Brian Chavez**, Cardinal Hills HOA President, believes it to be the wrong location for the project.
- Commission discussion/action:
 - Motion 1: **Commissioner Vardell moved to recommend City Council deny** the request for a change to the Future Land Use Map (FLUM). **The motion was seconded by Commissioner Kotrady. The motion carried** by a vote of 7-0.
 - Motion 2 - **Commissioner Olson moved to recommend City Council deny** the request for a reduction in size requirement for a PUD from 8 acres to approximately 7.76 acres. **The motion was seconded by Commissioner Donahue. The motion was opposed by Commissioners Forton and Vardell. The motion carried** by a vote of 5-2.
 - Motion 3 - **Commissioner Olson moved to recommend City Council deny** the request for a zoning change from C-1 (Office/Retail) and AG (Agricultural) to PUD (Planned Unit Development). **The motion was seconded by Commissioner Kotrady. The motion carried** by a vote of 7-0.

10) Adjourn.

- Motion to adjourn by **Commissioner Olson, seconded by Commissioner Vardell. Motion carried** by a vote of 7-0.
- Chairman Chris Forton adjourned the meeting at 12:00 p.m.

Minutes approved on September 8, 2021, by a vote of 7-0.



 Erin Carr, BDS Director