

**CITY OF LAKEWAY CITY COUNCIL MEETING**  
**Action Minutes of Regular Session**  
**Monday, September 19, 2011, 6:30 p.m.**  
**Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas**

1. **Establish Quorum and Call to Order.** Present: Mayor Dave DeOme, Mayor Pro Tem Bruce Harris, Councilmembers Joe Bain, Dee Ann Burns-Farrell, Dave Taylor, Alan Tye, and Dennis Wallace.
2. **Pledge of Allegiance** was led by Mayor DeOme.
3. **Citizens Participation** – No one spoke.
4. **Financial Report.**
  - Staff report by Al Tyson, City Treasurer.

At this point in the meeting, Mayor DeOme announced for those in the audience who might be waiting specifically for agenda item #17, that this item had been withdrawn by the owner of Rough Hollow Yacht Club and Grill.

5. **Proclamation by Mayor DeOme**, proclaiming October 4, 2011, as National Night Out in Lakeway.
6. **Subdivision and Site Development Amendment: Flood Plain.** Consider approving a proposed amendment to Chapter 28, Subdivisions and Site Development, of the Lakeway Code of Ordinances, creating Section 28.10.0065, “Residential Construction Within the Lake Travis Buffer Zone”.
  - Staff report by Chessie Blanchard, Deputy City Manager.
  - Citizen participation/public hearing – No one spoke.
  - Council discussion/action – **Councilmember Wallace moved to approve a proposed amendment to Chapter 28, Subdivisions and Site Development, of the Lakeway Code of Ordinances, creating Section 28.10.0065, “Residential Construction Within the Lake Travis Buffer Zone”. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**
7. **Zoning Code Amendment: Single-Family Residential – Rural.** Consider approving a proposed amendment to Section 30.03.006 of the Lakeway Code of Ordinances to amend the R-6 (Single-Family Residential-Rural) zoning district.
  - Staff report by Chessie Blanchard, Deputy City Manager.
  - Citizen participation/public hearing – The following people spoke in opposition to the proposed amendment: Roger Borgelt, an attorney representing Tom and Patty Keel who reside in the North Brooks Hollow area and Doug Strubar, 815 Brooks Hollow Road. Mayor DeOme asked Deputy City Manager Blanchard to read the motion regarding this matter that was made at the June 20, 2011 Regular City Council Meeting. After Mayor DeOme closed “citizen participation”, a third person approached the lectern but did not have the opportunity to speak.
  - Council discussion/action – After a few Councilmembers gave their opinions on the proposed zoning code amendment, **Councilmember Burns-Farrell moved to approve the proposed amendment to Section 30.03.006 of the Lakeway Code of Ordinances**

**to amend the R-6 (Single-Family Residential-Rural) zoning district. Councilmember Taylor seconded the motion, and it passed by a vote of 4-3, with Mayor Pro Tem Harris, and Councilmembers Tye and Wallace opposing.**

8. **Annexation:** Consider approving a proposed annexation by the City of Lakeway of the area known as North Brooks Hollow Road, located along Brooks Hollow Road, north of the intersection of Brooks Hollow Road and Robin Dale Drive.
- Staff report by Chessie Blanchard, Deputy City Manager.
  - Citizen participation/public hearing – The following people spoke in opposition to the proposed annexation of the North Brooks Hollow Road area: Roger Borgelt, an attorney representing Tom and Patty Keel, who reside in the North Brooks Hollow area; Erik Eastburn, 1205 Brooks Hollow Road; Kim McGee, 1205 Brooks Hollow Road; Leonard Smith, an attorney representing Anita and Steve Cokins of 805 Brooks Hollow Road, Amber Cokins, a Lakeway resident; Anita Cokins, 805 Brooks Hollow Road; Eric Schwarz, 202 Finn in Lakeway; Guy Eastburn, 1205 Brooks Hollow Road.
  - Council discussion/action – After several Councilmembers expressed their positions on the proposed annexation, **Councilmember Burns-Farrell moved to approve the proposed annexation by the City of Lakeway of the area known as North Brooks Hollow Road, located along Brooks Hollow Road, north of the intersection of Brooks Hollow Road and Robin Dale Drive. Councilmember Taylor seconded the motion, and it passed by a vote of 5-2, with Mayor Pro Tem Harris and Councilmember Tye opposing.**
9. **Annexation.** Consider approving a proposed annexation by the City of Lakeway of the following areas:
- a) Laws Addition No. 2, located east of RR 620 and north of Far Vela Lane;
  - b) The subdivision known as Travis Oak Trails, located east of Kohler’s Trail and south of Gebron Drive;
  - c) A portion of the subdivision known as The Preserve at Lakeway, located along Gebron Drive;
  - d) Portions of the subdivisions known as Cardinal Hills No. 6 and No. 7, located along Gebron Drive, Hawk Street, Farris Drive, Warbler Drive, Sparrow Lane, and Barrie Drive;
  - e) The subdivision known as Lochan Ora, located east of Hurst Creek Road and north of Lakeway City Park;
  - f) Three adjacent tracts of land totaling 14.228 acres, including the subdivision known as Lago Acres, located west of Hurst Creek Road and north of and adjacent to the Coves at Lakeway.
- Staff report by Chessie Blanchard, Deputy City Manager.
  - Citizen participation/public hearing – The following residents of the Travis Oak Trails subdivision spoke in opposition to the proposed annexation: Robyn Young, 1500 Parker Bend; Kay Sconci, 15005 Mettle Drive; Kurt Carson, 1401 Parker Bend; Jose Garcia, 15105 Strader Circle; Dennis Hogan, 1407 Parker Bend Trail; Kerry Henson, 1402 Parker Bend; Camilla Bolch, 1503 Parker Bend; John Bergman, 803 Casablanca; Richard Hammer, Lochan Ora subdivision; Mick Frichler, 1501 Parker Bend; Diane Cosby, 1504 Parker Bend; Tom Burgess, 15107 Mettle Drive; Margaret Ryan, 1204 Brooks Hollow; Scott Trimm, 1113 and 1234 Brooks Hollow Road.
  - Council discussion – No action was taken.

**10. Consider adopting Fiscal Year 2012 Budget.**

- Staff report by Steve Jones, City Manager.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – Council commended City staff for their hard work on the budget and concerted effort to adhere to the budget while continuing to maintain a high level of service to City residents. **Councilmember Burns-Farrell moved to adopt the Fiscal Year 2012 Budget, as proposed. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.**

**11. Consider adopting 2011 Property Tax Rate.**

- Staff report by Steve Jones, City Manager
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Tye moved to adopt the 2011 Property Tax Rate, as proposed. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.**

**12. Consider approving an ordinance, amending FY2011 Budget.**

- Staff report by Chessie Blanchard, Deputy City Manager.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Bain moved to approve an ordinance, amending the FY2011 Budget. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.**

**13. Special Use Permit: B&B Body and Paint.** Consider approving a request from B&B Body and Paint, the owner of the property located at 1403 RR 620 North (Cardinal Hills Unit 12, Lots 5, 6, 22 and 23), for a Special Use Permit to operate a vehicle repair shop.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – Council wanted to know if ZAPCO had looked at the proposed signage and if the lot could accommodate the layout of metal. Allison Crawford, a representative of B&B Body and Paint, responded to a question asked by Mayor DeOme about B&B Body and Paint having a new owner, by stating that Service King is buying out B&B Body and Paint, and the business would assume the Service King name. **Councilmember Burns-Farrell moved to approve a request from B&B Body and Paint, the owner of the property located at 1403 RR 620 North (Cardinal Hills Unit 12, Lots 5, 6, 22 and 23), for a Special Use Permit to operate a vehicle repair shop. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.**

**14. Special Use Permit: Lakeway Commons Farmers Market.** Consider approving a request from Lakeway 900, Ltd., the owner of the Lakeway Commons Shopping Center located at 900 RR 620 South (Lakeway Section 36, Block A, Lot 1), for a Special Use Permit to operate a weekly farmers market at the shopping center.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – Developer Buck Debree gave a presentation on the concept of farmers markets, which included a site layout of the proposed market, and answered Council's questions about the hours of operation, signage, and traffic flow; Richie Romero, an organizer of the market, provided information on requirements of being a

“certified” farmers market. **Councilmember Taylor moved to approve a request from Lakeway 900, Ltd., the owner of the Lakeway Commons Shopping Center located at 900 RR 620 South (Lakeway Section 36, Block A, Lot 1), for a Special Use Permit to operate a weekly farmers market at the shopping center. Councilmember Burns-Farrell seconded the motion, and it passed by unanimous vote, approved, 7-0.**

**15. Zoning Code Amendment: Major Medical Center.** Consider adopting a proposed amendment to Section 30.03.022 of the Lakeway Code of Ordinances to amend the architectural controls section of the MMC (Major Medical Center) zoning district.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – After assurance that this amendment only applied to the MMC and that the equipment to be placed on the rooftop would be covered and out of view, **Councilmember Burns-Farrell moved to adopt a proposed amendment to Section 30.03.022 of the Lakeway Code of Ordinances to amend the architectural controls section of the MMC (Major Medical Center) zoning district. Councilmember Bain seconded the motion, and it passed by unanimous vote, approved 7-0.**

**16. Discuss and consider directing City staff to research City’s noise regulations and report findings and recommendations to City Council.** After some discussion of noise and nuisance issues that Councilmembers would like to have included in this type of regulation, they directed staff to draw up an ordinance which deals with amplified sound.

**17. Special Use Permit: Rough Hollow Yacht Club.** Consider approving a request from Rough Hollow Yacht Club, Ltd., the owner of the Rough Hollow Yacht Club located at 108 Yacht Club Cove (Rough Hollow, Section 11, Lot 1), for a Special Use Permit to conduct weddings and similar events at that location. ***THIS ITEM WAS WITHDRAWN AT THE REQUEST OF THE OWNER OF ROUGH HOLLOW YACHT CLUB.***

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing.
- Council discussion/action.

**18. Preliminary Plan: Lakeway Highlands, Phase 1, Sections 5 and 6.** Consider approving a request from Las Ventanas Land Partners, Ltd., the owner of approximately 52.5 acres located on the north side of Highlands Boulevard west of Peninsula Way, for approval of a revision to the previously approved Preliminary Plan for Lakeway Highlands Phase 1 to include the 52.5-acre tract.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Burns-Farrell moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 52.5 acres located on the north side of Highlands Boulevard west of Peninsula Way, for approval of a revision to the previously approved Preliminary Plan for Lakeway Highlands Phase 1 to include the 52.5-acre tract. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**

**19. Final Plat: Lakeway Highlands, Phase 1, Section 5.** Consider approving a request from Las Ventanas Land Partners, Ltd., the owner of approximately 24.743 acres located on the

north side of Highlands Boulevard west of Peninsula Way, for approval of a Final Plat of the property to include 44 single-family lots and associated landscape lots and right-of-way.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – After a question about the location of the landscape lots, **Councilmember Taylor moved to approve a request from Las Ventanas Land Partners, Ltd., the owner of approximately 24.743 acres located on the north side of Highlands Boulevard west of Peninsula Way, for approval of a Final Plat of the property to include 44 single-family lots and associated landscape lots and right-of-way. Councilmember Tye seconded the motion, and it passed by unanimous vote, approved 7-0.**

**20. Final Plat: Lakeway Highlands, Phase 1, Section 6.** Consider approving a request from Las Ventanas Land Partners, Ltd, the owner of an approximately 27.76 acres located on the north side of Highlands Boulevard west of Peninsula Way, for approval of a Final Plat for Lakeway Highlands, Phase 1, Section 6 to include 64 single-family lots and associated landscape lots and right-of-way.

- Staff report by Shannon Burke, Director of Building and Development Services.
- Citizen participation/public hearing – No one spoke.
- Council discussion/action – **Councilmember Bain moved to approve a request from Las Ventanas Land Partners, Ltd, the owner of an approximately 27.76 acres located on the north side of Highlands Boulevard west of Peninsula Way, for approval of a Final Plat for Lakeway Highlands, Phase 1, Section 6 to include 64 single-family lots and associated landscape lots and right-of-way. Councilmember Taylor seconded the motion, and it passed by unanimous vote, approved 7-0.**

**21. Special Use Permit: Lakeway Airpark South.** A request from East El Paso Medical Group, the owner of the property located at 2910 Lakeway Boulevard (Lakeway Airpark South, Lot 1), for approval of a Special Use Permit to construct, maintain and use five aircraft hangar buildings to be located on the west side of the property. ***THIS ITEM WAS POSTPONED.***

**22. Zoning Change: Lakeway Airpark South.** A request from East El Paso Medical Group, the owner of the property located at 2910 Lakeway Boulevard (Lakeway Airpark South, Lot 1), for approval of a change in zoning for approximately 2.6 acres on the east side of the property from “AV (Aviation)” zoning to “R-1 (Single Family).” ***THIS ITEM WAS POSTPONED.***

**23. Preliminary Plan: Lakeway Airpark South.** A request from East El Paso Medical Group, the owner of the property located at 2910 Lakeway Boulevard (Lakeway Airpark South, Lot 1), for approval of a Preliminary Plan that includes the subdivision of approximately 2.6 acres on the east side of the property into 5 residential lots. ***THIS ITEM WAS POSTPONED.***

**24. Annexation: Lakeway Highlands Multifamily Tract.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 9.264 acres located on the south side of Highlands Boulevard west of Tavish Trail for annexation of the property. ***THIS ITEM WAS POSTPONED.***

25. **Original Zoning: Lakeway Highlands Multifamily Tract.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 9.264 acres located on the south side of Highlands Boulevard west of Tavish Trail for original zoning of R-8 (Multifamily Residential) for the property. ***THIS ITEM WAS POSTPONED.***
26. **Zoning Change: Lakeway Highlands Multifamily Tract.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 20.059 acres located on the south side of Highlands Boulevard west of Tavish Trail for a change of zoning from GUI (Government, Utility and Institutional) to R-8 (Multifamily Residential) for the property. ***THIS ITEM WAS POSTPONED.***
27. **Preliminary Plan: Lakeway Highlands, Phase 1, Multifamily Tract.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 29.323 acres located on the south side of Highlands Boulevard west of Tavish Trail for approval of a revision to the previously approved Preliminary Plan for Lakeway Highlands Phase 1 to include the 29.323-acre tract. ***THIS ITEM WAS POSTPONED.***
28. **Final Plat: Lakeway Highlands Multifamily Tract.** A request from Las Ventanas Land Partners, Ltd., the owner of approximately 29.323 acres located on the south side of Highlands Boulevard west of Tavish Trail for approval of one-lot final plat of the property. ***THIS ITEM WAS POSTPONED.***

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

29. **Adopt an ordinance,** imposing an additional fee for collection of Court fines and fees.
30. **Approve Quarterly Investment Report** for the third quarter of Fiscal Year 2011 submitted by Julie Oakley, Finance Director.
31. **Approve Resolution 2011-09-19-01,** appointing Don Stevenson as Emergency Management Coordinator.
32. **Approve Minutes:** Regular Council Meeting of August 15, 2011.
33. **Approve Minutes:** Special Council Meeting of August 29, 2011.
34. **Approve Minutes:** Special Council Meeting of September 12, 2011.

**END CONSENT AGENDA**

**Mayor DeOme pulled item 31 from the Consent Agenda before the vote was taken to allow Don Stevenson more time to consider the responsibilities involved with the position of Emergency Management Coordinator. Councilmember Tye moved to approve the Consent Agenda items 29, 30, 32, 33, and 34 as listed above. Mayor pro Tem Harris seconded the motion, and it passed by a unanimous vote, approved 7-0.**

**Meeting adjourned at 9:27 p.m.**

David P. DeOme  
David P. DeOme, Mayor

Donna Boyle  
Donna Boyle, City Secretary

