

**OFFICIAL MINUTES OF THE CITY COUNCIL  
LAGO VISTA, TEXAS  
JUNE 6, 2013**

**BE IT REMEMBERED** that on the 6<sup>th</sup> day of June, 2013 the City Council and the Planning and Zoning Commission held a Joint Public Hearing at 6:30 P.M., at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

Randy Kruger	Mayor	Dennis Jones	Interim City Manager
Richard Bohn	Mayor Pro Tem	Frank Robbins	Assistant City Manager
Dale Mitchell	Council Member	Danny Smith	Police Chief
Darrel Hunt	Council Member	Christina Buckner	City Secretary
D'Anne Gloris	Council Member	Paige Saenz	City Attorney
Ron Smith	Council Member		

Mayor Kruger called the Joint Public Hearing to order and recognized that all Council Members were present except Ed Tidwell.

Tara Griffin  
Jim Moss  
Paul Smith  
Lisa Marie Contaldi  
Gary Zaleski  
Vernon Reher  
Richard Brown

Tara Griffin recognized that all members of the Planning and Zoning Commission were present except Bob Besett and a quorum exists.

**PUBLIC HEARING:**

1. Mayor Kruger stated the purpose of the public hearing is to receive citizen input concerning the rezoning of 7800, 7801 and 7802 Bronco Lane, at the eastern end of Bronco Lane and adjacent to RM 1431 from C-1C to C-2.

Mayor Kruger stated they received one response opposed to and one response in favor of the request.

Mayor Kruger opened the floor for comments from the Council and Commission.

Jim Moss questioned how this rezoning was being done as a package since it is for three different owners on three lots.

Frank Robbins stated there are three different applications on three different lots from three different owners for the requesting the same zoning change and the properties are all contiguous. He stated they could be dealt with as three separate cases if desired.

D'Anne Gloris questioned whether the same notification applies for the three requests.

Frank Robbins stated yes.

Lisa Marie Contaldi questioned whether there was a reason for doing them all at the same time.

Gene Hammonds, owner of 7802 Bronco Lane, stated two of the lots belong to the church and they are one entity but they have the two parcels in two different names within the church. He stated these lots are under contract and are both for one development. He stated the other lot belongs to him and he is working on getting a hotel there but the first step is to have zoning that will accommodate that land use.

Jim Moss referred to the two lots owned by the church, stating it was his understanding that there are two separate entities who are legally and financially independent of one another, but there is a connection between the two.

Gene Hammonds stated the lots were donated to the church several years ago, and at some point since then they were put in two different names, but they have the same Board of Directors, the same address and operate out of the the same office. He stated he didn't know why they have it in two names. He stated these are the sellers applying to rezone the property because the buyer can't build his building unless it's rezoned to C-2.

Jim Moss questioned whether it was their intention to use one of those lots as office and the other as manufacturing and whether they will have to consolidate the lots.

Gene Hammonds stated he didn't know whether it is their intention to consolidate the lots. He stated their initial building is 9,600 square feet but their plans and site development is for additional office space within that plat. He stated he did not know what their plans were in each building.

Richard Brown questioned whether the applicants for the zoning change on the two lots are the sellers and whether they will be the end users.

Gene Hammonds stated the buyer cannot apply for a zoning change, only the owner can. He stated the buyers that have it under contract are moving their business here from Round Rock.

Jim Moss questioned the nature of the manufacturing.

Gene Hammonds stated he didn't know the details. He stated he represents the owners of the lots. He stated he can provide a photo of the existing building and the first page of their website which explains a little about what they do. He stated it's connected to water and corrosion. He stated he visited their Round Rock location and it looks high tech and is clean as a whistle. He stated it is light manufacturing and they told him they test water and test corrosion and manufacture some things. He stated it looks like an office but they do have a warehouse and storage and overhead doors. He stated they have five employees and their initial staff here will be eight and it will all be high tech employment.

Richard Brown asked what the name of the company is.

Gene Hammonds stated the name is Anodamine. He stated their worldwide office is in Round Rock and they have offices in South Africa and Columbia, and several throughout the world. He stated it's not start up or fly by night and it's a clean good looking industry. He stated the President recently closed on a lot in Waterford to build a home, so they're pretty committed.

Mayor Kruger stated he noticed one of the applications refers to a hotel.

Gene Hammonds stated the EDA has been trying to get a hotel. He stated the request is for the land next to his office building that he owns and he is working with a few different hotel operators in an attempt to do a joint venture for that particular piece of land. He stated they have a preliminary plat for a 50 acre hotel which is what the feasibility study done under the EDA dictated this market would support. He stated they are not ready to build and they do not have a commitment but they are talking to people that were interested in Lago Vista before as well as some new contacts. He stated he is not trying to operate or build a hotel but he is trying to do a joint venture. He stated in order to do this they somehow have to have the land ready so they are trying to take the first step and make it available to have a hotel.

Mayor Kruger stated the question regarding ownership is pertinent but questioned why they couldn't be considered together since they are contiguous.

Ron Smith questioned whether this is for a hotel or a high tech manufacturing company.

Mayor Kruger stated it is for both and that the C-2 zoning would allow both.

Ron Smith stated the Council considered a request for a hotel previously and zoned it C-1C.

Tara Griffin stated it would appear that the decision made by the Planning and Zoning Commission would be made separately since they are separate lots.

Mayor Kruger stated this is just a public hearing and no decision will be made tonight.

D'Anne Gloris stated they are just determining the appropriateness of the zoning and the use, not whether or not the end user is appropriate or who it is or what it's going to be.

Dale Mitchell questioned the fact that one of the church lots abuts R-1 zoning, stating they do not normally have C-2 abutting R-1, therefore, they would need to have some knowledge as to how the property will be used.

Mayor Kruger stated there is information in their packets as to the differences in the zonings.

Matt Ridgeway stated the R-1 lots are vacant and there are no houses in that area. He stated there has been discussion at EDA meetings that the city should consider rezoning these properties since there is such a small amount of commercially zoned property in the city.

D'Anne Gloris asked what the Village Center is zoned.

Frank Robbins stated PDD.

D'Anne Gloris questioned whether it allowed a 28' height.

Frank Robbins stated probably.

D'Anne Gloris stated the PDD and C-2 would appear to be similar usages and have similar gradients going straight up the hill to those back lots.

Frank Robbins stated the uses between C-2 and PDD are different, largely because that PDD doesn't allow industry. He stated he did not remember the details of the height, but it was essentially for that retail establishment.

Richard Brown stated lot 5006 is the only one that abuts R-1A therefore the other two would be very straight forward and probably would have no objection to them. He stated they could acknowledge that 5006 & 5007 might be combined, in which case they would both abut R-1A, but the lot being considered for a hotel should be straight forward because it doesn't abut residential at all.

Frank Robbins stated the issue regarding residential adjacency in the zoning ordinance only applies to lot 5006.

Bob Eckert stated there are 200 residential lots that have good views that overlook that area and there is potential growth for that area. He stated he represents about 40 lot owners. He expressed concern with regard to rezoning

the property to C-2, stating there is no guarantee that this particular industry will be coming in and it could pave the way for an industry that is less friendly to residential lot owners. He suggested they make it a PDD and specify exactly what they're doing.

Lisa Marie Contaldi questioned whether there were any environmental concerns with regard to the manufacturing.

Gene Hammonds stated the city controls what can and can't be done. He stated his observation is limited but it appears, and they say, you'd never know they manufacture and it's more like an office building. He stated it's clean and nothing that people would be objectionable to. He stated there would be some control by the city when they apply for permits and that even if they get the C-2 zoning, they will still have to take the next step.

Mayor Kruger questioned whether there is a contract on those two pieces of property and whether they are pending the zoning change.

Gene Hammonds stated yes, pending the C-2 zoning. He stated they are in the feasibility period and if the property is rezoned to C-2 then they will do environmental studies and determine what it will take to build there. He stated their preliminary estimate for site development is \$300,000 due to the terrain.

Richard Brown questioned whether the lots have enough room to build the size building they want as well as an appropriately sized detention pond if necessary.

Gene Hammonds stated their engineers have done preliminary studies and the site will accommodate a 15,000 square foot building. He stated the preliminary site development plan includes current plans versus potential and the 9,600 square foot proposed building will only be on lot 5007.

Ron Smith questioned whether the hotel is being proposed on lot 5008 and the manufacturing on lots 5006 and 5007.

Dale Mitchell questioned Gene Hammond's reference to a Site Development sketch stating the Council did not have that in their packet.

Gene Hammonds stated the Planning and Zoning Commission has it as well as a picture of their existing building and a preliminary of the hotel site.

Dale Mitchell questioned whether the initial building will be on lot 5007.

Gene Hammonds stated that is their initial plan.

D'Anne Gloris questioned whether lot 5008 is Mr. Hammond's.

Gene Hammonds stated yes, and clarified it is the lot they are trying to get rezoned for purposes of a hotel.

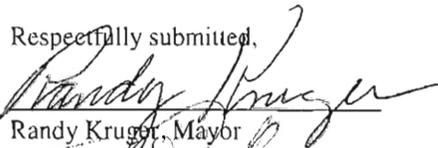
Ron Smith questioned whether lots 5006 and 5007 would be consolidated at some point.

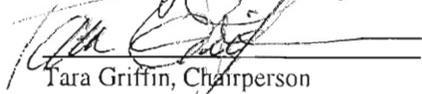
Gene Hammonds stated he's assuming so but they are not that far along and they'll have to get with the city once they get the zoning approved.

Frank Robbins stated this item will be considered by the Planning and Zoning Commission's next week and the Council may get it on June 20<sup>th</sup>.

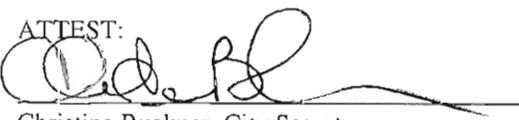
There being no further comments, Mayor Kruger closed the Public Hearing and adjourned the meeting at 6:55 p.m.

Respectfully submitted,

  
Randy Kruger, Mayor

  
Tara Griffin, Chairperson  
Planning and Zoning Commission

ATTEST:

  
Christina Buckner, City Secretary

On a motion by Council Member Darrel Hunt, seconded by Council Member Richard Bohn, the above and foregoing instrument was passed and approved this 20<sup>th</sup> day of June, 2013.

The above and foregoing instrument was passed and approved by the Planning and Zoning Commission on the 11 day of July, 2013.

