



The City of Lago Vista

*To provide and maintain a healthy, safe, vibrant
community, ensuring quality of life.*

**NOTICE OF A REGULAR MEETING
PLANNING AND ZONING COMMISSION
THURSDAY, June 12, 2014, 7:00 PM
COUNCIL CHAMBERS
CITY HALL - 5803 THUNDERBIRD**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission of the City of Lago Vista, Texas will hold a Regular Meeting in the Council Chambers, City Municipal Building, 5803 Thunderbird, on the above date and time for discussion and possible action on the following:

PUBLIC COMMENTS FOR NON-HEARING RELATED ITEMS

CONSIDER THE MAY 8, 2014 MINUTES

PUBLIC HEARING

1. **ZON 1029** – Recommendation to the City Council of a rezoning at 7313 Bar K Ranch Road & 21509 Coyote Trail (Bar K Ranch, Section 3, Lots 3116 & 3117) from Planned Development District (PDD) to Two Family Residential (R-2).
 - A. Staff Presentation
 - B. Applicant Presentation
 - C. Open Public Hearing
 - D. Close Public Hearing
 - E. Discussion
 - F. Consider Recommendation on Item

FUTURE AGENDA ITEMS

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board located in City Hall in said City at _____ on the _____ day of _____, 2014.

Christina Buckner, City Secretary

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

MINUTES
Thursday May 8th, 2014 Regular Meeting
Planning and Zoning Commission
City of Lago Vista

Vice Chair Jim Moss called the meeting to order at 7:00 P.M. at the City Municipal Building, 5803 Thunderbird Lago Vista, Texas. Members present were Jim Moss, Gary Zaleski, Paul Smith, Vernon Reher, Richard Brown, and Andy White. Tara Griffin was absent. Development Services Director David Harrell, City Council Liaison Dale Mitchell, Development Services Secretary Sherry McCurdy and City Engineering Consultant Tim Haynie were also present.

PUBLIC COMMENTS FOR NON-HEARING RELATED ITEMS.

There were no public comments.

1. CONSIDER APPROVAL OF THE FOLLOWING MINUTES.

- A. August 1, 2013 City Council and Planning and Zoning Commission Joint Public Hearing.
- B. September 5, 2013 City Council and Planning and Zoning Commission Joint Public Hearing.
- C. April 10, 2014 Regular Meeting
- D. April 16, 2014 Special Meeting.

On a motion by Richard Brown and seconded by Vernon Reher the Planning and Zoning Commission unanimously approved the above minutes with a correction to change Thursday to Wednesday on the April 16, 2014 minutes .

2. DISCUSSION AND CONSIDERATION OF FUTURE PATHWAY ON BOGGY FORD ROAD, RIBBON CURBS, BIKE/PEDESTRIAN TRAILS, POSSIBILITY OF USING 100 YEAR FLOODPLAIN FOR PARKLAND USE, BACKYARD PARKING, ACCESSORY BUILDING ORDINANCE AND FUTURE LAND USE MAP.

David Harrell presented his staff report.

Tim Haynie reported on issues related to ribbon curbs and sidewalks.

The Planning and Zoning Commission members, David Harrell, Dale Mitchell, and Tim Haynie had a discussion regarding sidewalk and curb ADA requirements, setbacks, clear zones, right of ways, future plans for widening Boggy Ford Road and requiring ribbon curbs specific to new residents. Jim Moss stated a City Council approved comprehensive study needed to be done. He requested ribbon curbs be put on as a future agenda item when City Council has given direction on requirements and cost is known.

David Harrell explained the 100 year flood plain, active passive parkland use and possible development within these areas. Andy White suggested park land use be tabled for the next couple of years until more funding becomes available.

David Harrell provided code requirements relating to back yard parking. There was a brief discussion regarding code enforcement for back yard parking, code enforcement being transferred to the Police Department, and complaints on a particular address. Jim Moss asked David if he could bring ordinance information to the next meeting pertaining to back yard parking.

David Harrell provided information that is in the Accessory Building Ordinance regarding Guest Quarter/Care Taker units. Topics discussed were sidewalks from driveways, consolidated lots and sidewalks from guest quarters to primary structures. Jim Moss asked David if he could work up something for the Commission to look at that would require a sidewalk between an accessory building and a primary structure.

David Harrell asked the Commission if there is anything that they would like to see in regard to the Land Use Map. A discussion followed regarding prioritizing, rezoning for commercial use and forming a sub-committee.

3. AMENDMENTS TO THE CITY'S ZONING ORDINANCE FOR THE CITY OF LAGO VISTA RELATED TO THE AIRPORT OVERLAY DISTRICT TO PROMOTE THE REGULATION OF LAND USES AND HEIGHTS IN THE VICINITY OF THE AIRPORT, AS WELL AS MODIFICATIONS TO LAND USE NEAR THE AIRPORT TO ENSURE THE PROTECTION OF THE AIRPORT, AS WELL AS UPDATES TO THE ZONING DISTRICTS RECOMMENDED FOR EACH FUTURE LAND USE DISTRICT.

Jim Moss opened the Public Hearing.

David Harrell presented a staff report.

Members of the Planning and Zoning Commission, David Harrell, and Dale Mitchell discussed land use, economic development, mixed use, Airport Advisory Committee, airport runway elevation, zoning, height of structures, Overlay District, and visual hazards.

Jim Awalt commended David Harrell and staff for being the forward thinking the city has had toward the airport. He advised that zoning will have to be addressed in the future for areas that are zoned residential within the airport zone.

Jim Moss closed the Public Hearing.

4. AMENDMENTS TO THE CITY'S ZONING ORDINANCE FOR THE CITY OF LAGO VISTA TO MODIFY NOTICE REQUIREMENTS FOR SPECIAL EXCEPTIONS, POSTING DATES OF NOTICE SIGNS AND LOCATIONS OF NOTICE SIGNS.

David Harrell presented a staff report.

There was no public present.

5. RECOMMENDATION OF ORDINANCE 01-11-14, AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, MODIFYING CHAPTER 14, ARTICLE 14.100, SECTION 2.10 CODE OF ORDINANCES; CREATES CHAPTER 14, ARTICLE 14.100, SECTION 4, SUBSECTION 4.11 CODE OF ORDINANCES; CREATES CHAPTER 14, ARTICLE 14.100, SECTION 6, SUBSECTION 6.90 CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY' AND, PROVIDING AN EFFECTIVE DATE.

On a motion by Gary Zaleski and seconded by Andy White the Planning and Zoning Commission voted unanimously to recommend approval to the City Council.

6. RECOMMENDATION OF ORDINANCE 0-12-14, AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, MODIFYING CHAPTER 14, ARTICLE 14.100, SECTION 11, SUBSECTION 11.60 CODE OF ORDINANCES; MODIFIES CHAPTER 14, ARTICLE 14.100, SECTION 13, SUBSECTION 13.40; PROVIDING A SAVINGS CLAUSE; A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

On a motion by Vernon Reher and seconded by Gary Zaleski the Planning and Zoning Commission voted unanimously to recommend approval to the City Council.

7. FUTURE AGENDA ITEMS.

Ordinance information pertaining to back yard parking.

Sidewalks between primary and accessory structure.

Forming a sub-committee in regards to the Land Use Map.

On a motion by Vernon Reher and seconded by Gary Zaleski the Planning and Zoning Commission meeting adjourned at 9:05 P.M.

Tara Griffin, Chairperson

Sherry McCurdy, Development Services Secretary

On a motion by _____, seconded by _____, the above and foregoing instrument was passed and approved this 12th day of June, 2014.

DRAFT



Development Services Department

STAFF REPORT

Application for Rezoning

File Number: ZON 1029

Date: June 5, 2014

Applicant: Shaquanna Starr Lockwood

Representative: SAME

Hearing Dates: Planning & Zoning Commission – June 12, 2014
City Council – June 19, 2014

Location: 21509 Coyote Tr. & 7313 Bar K

APPLICATION SUMMARY

Recommendation to City Council of an Ordinance amending the official zoning map and the zoning classification of an estimated .20 acres of land, described as Bar K Ranch, Section 3, Lots 3116 & 3117, located at 21509 Coyote Tr. & 7313 Bar K, respectively, Lago Vista, Travis County, Texas, from Planned Development District (PDD) to Two-Family Residential (R-2); providing for related matters (Case No. ZON 1029).

HISTORICAL INFORMATION

These lots were originally rezoned from Two Family Residential (R-2) to Planned Development District (PDD) with the passage of Ordinance 98-03-19-01 on March 19, 1998.

TECHNICAL REVIEW

The Development Services Department has reviewed this request and there are no outstanding comments/issues. In the case that the rezoning is approved, all site engineering, drainage and required infrastructure improvements will be reviewed pursuant to the established Development Review Process to ensure that the Development has met all applicable Federal, State and local regulations and permitting requirements. No permits authorizing Development shall be issued prior to compliance with all applicable regulations.

DEVELOPMENT REVIEW DEPARTMENT COMMENTS

The applicant desires to rezone the lots in order to do the following:

- 1) Allow for a wrought iron fence on the property – The current PDD Ordinance only allows for masonry or wooden fence or a landscape hedge. With the rezoning, it will allow the applicant to place a wrought iron fence (See Attachment 3 #27).

- 2) Allow for a zoning that will permit placement of a single family home – The current PDD Ordinance only allows for double and triple wide housing. With the rezoning, the applicant would be allowed to place a single-family home built at that location versus modular brought to the site (See Attachment 3 #1).

The City desires to rezone the lots in order to do the following:

- 1) Allow for the new zoning and land use to be compatible – The current land use is a medium density residential. This does not match current zoning uses within the PDD such as double wide and triple wide because this denotes one dwelling unit (low density residential). A medium density within the City is commensurate with a Two-Family Zoning (R-2) because it not only allows for single family homes but two-family homes (duplex).

The current request is to rezone to Two Family (R-2) to allow for future placement of a single family home and a wrought iron fence. Since the rezoning allows new uses, all these uses must be taken into consideration when determining compatibility with the area. On the next page are a list of all uses within the Planned Development District (PDD) and potential rezoned Two-Family (R-2), with **RED** being a subtracted use and **GREEN** being an added use:

STRUCTURE/USE	PDD	R-2
Accessory Building or Use		v
Churches, Temples		v
Community Home		v
Dwelling-single family		v
Dwelling-two-family		v
Family home facility		v
Fire Station		v
Golf course		v
Home based business or occupation		v
Library		v
Park-passive		v
Playground		v
Police station		v

STRUCTURE/USE	PDD	R-2
Public and municipal treatment plants, pump stations, lift stations, public works and related facilities, and municipal buildings and facilities		v
Realty office-temporary		v
School-public/private		v
Short Term Occupancy		v
Swimming pool-private		v
Telephone exchange		v
Substation-public utility		v
Swimming pool-private		v
Telephone exchange		v
Water tank-surface, subsurface, public		v
Double wide	v	
Triple wide	v	

The rezoning will subtract two (2) uses and add twenty-three (23) potential uses to the site. In analysis of the potential uses, uses such as Churches-Temples, Community Homes, Family Home Facility, Golf Course, Fire Station, Library, Police Station, Public and Municipal Treatment Plants, Pump Stations, Lift Stations, Public Works related facilities, and Municipal Buildings and Facilities, Park –Passive, Playground, Realty Office – Temporary, Schools, Short Term Occupancy, Substations – Public Utility and Water Tanks, or Telephone Exchanges. These would not likely happen on this site due to size constraints of the combined proposed rezoned lot (.22 acres), no plans for the City or other entities to expand utilities/services in that area, or no new development to warrant uses.

Uses that have the best potential on this site are Accessory Buildings or Uses, Dwellings – Single and Two Family, Home Based Businesses or Occupations, and Swimming Pools.

The Lago Vista Comprehensive Master Plan has certain policies that may be used as criteria or guidance for a change in zoning. Following is a staff analysis with objectives in **bold** and staff comments in *italics*:

Objective 4.10: Maintain a mix of housing units ranging from low cost/affordable to the more expensive. *This rezoning will allow for one and two family homes mixed in with existing and potential double and triple wide modular housing. This mixture of housing units will better allow for mix in housing costs from more affordable to more expensive.*

FINDINGS OF FACT

Based on the planning file, staff report, and attachments associated with this packet staff believes this rezoning is not contrary to the public interest as required by Section 13.20(E)(3)(a) because most uses likely to locate on the site are not contrary to the current development patterns of the area, the rezoning makes the land use and zoning compatible, and several comprehensive plan elements have been met in staff's professional opinion based on the documentation provided with the report.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Ordinance
2. Application
3. Existing PDD Ordinance
4. Site Maps

Attachment 1
Ordinance

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. O-??-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY REZONING BAR K RANCH, SECTION 3, LOTS 3116 & 3117 FROM THE PLANNED DEVELOPMENT DISTRICT (PDD) TO TWO-FAMILY RESIDENTIAL (R-2); AND PROVIDING FOR RELATED MATTERS

WHEREAS, after giving ten (10) days written notice to the owners of land within 200-feet of the property, the Planning and Zoning Commission and City Council held a public hearing on the proposed PDD amendment on the Property;

WHEREAS, after publishing notice to the public and posting signs on the premises at least fifteen (15) days prior to the date of such hearing, the Planning and Zoning Commission and the City Council at a public hearing have reviewed the request and the circumstances of the property and finds that there is sufficient evidence to warrant a change in the zoning of the property;

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base; and

WHEREAS, the City desires to control the development standards for the property,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission, City Manager and City Council find that this Ordinance satisfies the requirements of Section 13 of the City of Lago Vista Zoning Ordinance.

Section 2. Amendment of Zoning Ordinance and Zoning Map. The Zoning Ordinance and the Official Zoning Map and other applicable ordinances are hereby modified and amended by rezoning Lots 3116 & 3117, Section 3, Bar K Ranch, more particularly shown on the attached Exhibit "A" which is made a part of this ordinance, from Planned Development District (PDD) to Two-Family Residential (R-2).

Section 3. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

Section 5. Open Meeting. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code*.

PASSED AND APPROVED this 19th day of June, 2014.

Randy Kruger, Mayor

ATTEST:

Christina Buckner, City Secretary

Attachment 2
Application

201-1029

\$250 fee

CITY OF LAGO VISTA BUILDING AND DEVELOPMENT SERVICES

5803 THUNDERBIRD LAGO VISTA, TEXAS 78645
OFFICE 512-267-5259 FAX 512-267-5265

ZONING CHANGE REQUEST APPLICATION (PLEASE PRINT)

Name of Owner(s): Shaquanna Starr Lockwood

Owner's Address: 7313 Bark Ranch Road, Lago Vista, Tx

Contact Person: Starr Lockwood

Email Address: starrlockwood@yahoo.com slockwood@lago-vista.org

Contact Phone Numbers: 512-665-5264 cell 512-267-1155 work
(DAYTIME) (CELL) (FAX)

COMPLETE LEGAL DESCRIPTION OF PROPERTY (PLEASE PRINT)

Subdivision: Bark Ranches Section: 3 Lot No: 3116-3117

Property Address: 7313 Bark Ranch Road & 21509 Coyote Trail

Volume and Page where deed is filed: volume 57, page 15

NATURE OF REQUEST (PLEASE PRINT)

Requests a Zoning Change from the current zoning designation of PDD

To R-2 for the purpose of being able to build a site built home in the event I ever wanted/needed to replace my existing mobile home

In my absence I hereby designate the following person to act in my behalf as my designated agent. (PLEASE PRINT).

Name of Agent: _____

Address: _____

Phone Numbers: _____

(DAYTIME) (CELL) (FAX)

Signature of Applicant: Shaquanna Starr Lockwood Date: 5/12/2014

Attachment 3
Existing PDD Ordinance

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. 98-03-19-01

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ZONING ORDINANCE 93-03-18-01, CHANGING FROM R-2 ZONING TO PLANNED DEVELOPMENT DISTRICT, LOTS 3116 THROUGH 3126, BAR-K RANCHES SUBDIVISION, SECTION 3. THE AMENDMENT PROVIDES FOR A SAVINGS CLAUSE, SEVERABILITY CLAUSE AND EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

THAT, the City Council of the City of Lago Vista, Texas hereby amends Zoning Ordinance No. 93-03-18-01, changing from R-2 zoning to Planned Development District, Lots 3116 through 3126, Bar-K Ranches Subdivision, Section 3, as outlined on Exhibit A, attached and made a part of this ordinance.

SECTION 1
AMENDING ZONING ORDINANCE

Exhibit A, which is attached and made a part of this ordinance.

SECTION 2
SAVINGS CLAUSE

THAT, any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

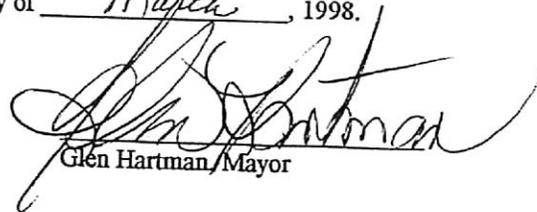
SECTION 3
SEVERABILITY CLAUSE

THAT, if any word, phrase, sentence, paragraph or section is found to be illegal, invalid or unconstitutional, the remaining portion of this ordinance shall remain in full force and effect.

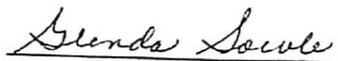
SECTION 4
EFFECTIVE CLAUSE

THAT, this ordinance shall take effect and be in full force immediately upon its final passage and approval.

PASSED AND APPROVED this 19th day of March, 1998.


Glen Hartman, Mayor

ATTEST:


Glenda Sowle, City Secretary

On a motion by Alderman T. Martin, seconded by Alderman H. Hoffman, the above and foregoing instrument was passed and approved.

TABLE A
TABLE OF DEVELOPMENT STANDARDS (continued)

PLANNED DEVELOPMENT DISTRICT (PDD)	Lot Area %	Min. Living Area Sq Ft	Front Setback Feet	Rear Setback Feet	Min. Side Yard Setback Fet	Total Side Yard Interior Feet	Corner Setback Feet	Building Height Feet
PDD #4								
<u>Covote Trail Homes Estates</u>	R-1M, Mobile/Manufactured Home Residences. Eleven (11) lots, each located on Coyote Trail, Bar-K Ranches Subdivision, Section 3. PDD #4 will adhere to all policies of Lago Vista Ordinances with exceptions listed below and on attached Exhibit PDD #4 Exh. A.							
Lots 3116 thru 3126	Homes shall be <u>Double-Wide or Triple-Wide Mobile/Manufactured Housing.</u>							
	50%	1100	20	25	5	15	15	15

PDD #4 Approved: March 19, 1998 See City Ordinance No. 98-03-19-01

**PLANNED DEVELOPMENT DISTRICT
PDD #4
COYOTE TRAIL HOMES ESTATES**

LOCATION: Lots 3116 through 3126, Bar-K Ranches Subdivision, Section 3, Lago Vista, Texas.
All lots are on Coyote Trail.

"Dwellings" mean single-family residences constructed of manufactured housing. This PDD will adhere to all policies of Lago Vista Ordinances with exceptions listed below.

1. Permitted dwellings shall be double-wide or triple-wide manufactured housing as defined by the U.S. Department of Housing and Urban Development.
2. The maximum building height shall be fifteen (15) feet.
3. The minimum front setback shall be twenty (20) feet.
4. The minimum rear setback shall be twenty-five (25) feet.
5. The minimum side yard setback shall be five (5) feet and the total side yard setback shall not exceed fifteen (15) feet.
6. The minimum setback for corner lots shall be fifteen (15) feet.
7. The maximum lot coverage shall be fifty percent (50%).
8. All home shall be at least one thousand one hundred (1100) square feet of living space.
9. All dwellings shall have an attached garage of at least four hundred (400) square feet (or attached by a breezeway).
10. All dwellings shall be placed on a lot as approved by the City Manager or his/her designee.
11. Every dwelling must have been built within five (5) years of installation date and must be at least twenty-two (22) feet wide.
12. All dwellings must have a paved parking area constructed of concrete that consists of two (2) off-street parking spaces for dwellings.
13. Roofs on all dwellings must be composition, sloping, and have a minimum of ten (10) inch overhang.
14. The rear property line will be landscaped with a living hedge, which shall be maintained at a height of six (6) foot, or, alternatively, with a six (6) foot privacy fence.
15. Tongues, wheels and axles must be removed from dwellings when they are placed on the property.
16. All dwellings must have a front porch, deck or patio of one hundred (100) square feet or more built out of new materials.

17. All dwellings must be vented, underpinned and skirted out of native stone, brick, stucco, stonecoat or a similar manufactured material within 60 days after dwelling is placed on property
18. All dwellings must have a seeded, sodded or xeriscaped yard installed within 60 days after the dwelling is placed on the property.
19. All dwellings must be built by a commercial manufacturer and must comply with all standards required by the United States Government and the State of Texas.
20. A five-foot public utility easement will be located on the front, side and rear of all lots.
21. A storage shed of no more than one hundred (100) square feet of floor area may be placed on each lot.
22. No lot may be resubdivided.
23. No guest homes may be constructed on the lot.
24. All structures must be painted and maintained in a reasonably neat manner. No unsightly or unsanitary conditions shall be allowed to exist on any lot.
25. No junk or junk yards of any kind or character shall be permitted, nor shall accumulation of scrap, used materials, machinery, or other unsightly storage of personal property be permitted.
26. The existing hard wood trees, especially native oaks, shall be preserved to the extent reasonable and feasible.
27. All fencing shall be either hedges or wooden or masonry material.

The 400 square foot garage and 100 square foot porch, deck or patio must be finished prior to issuing of the Certificate of Occupancy.

Except for those conditions specifically set forth above, the Zoning Ordinance and other City ordinances shall additionally apply to this Planned Development District and in interpreting any conflicting requirements between the same, the more stringent shall prevail.

Attachment 4

Site Maps



Legend

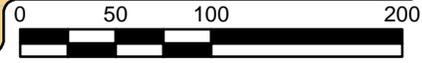
- Area of Interest
- Tax Parcels
- City Limits

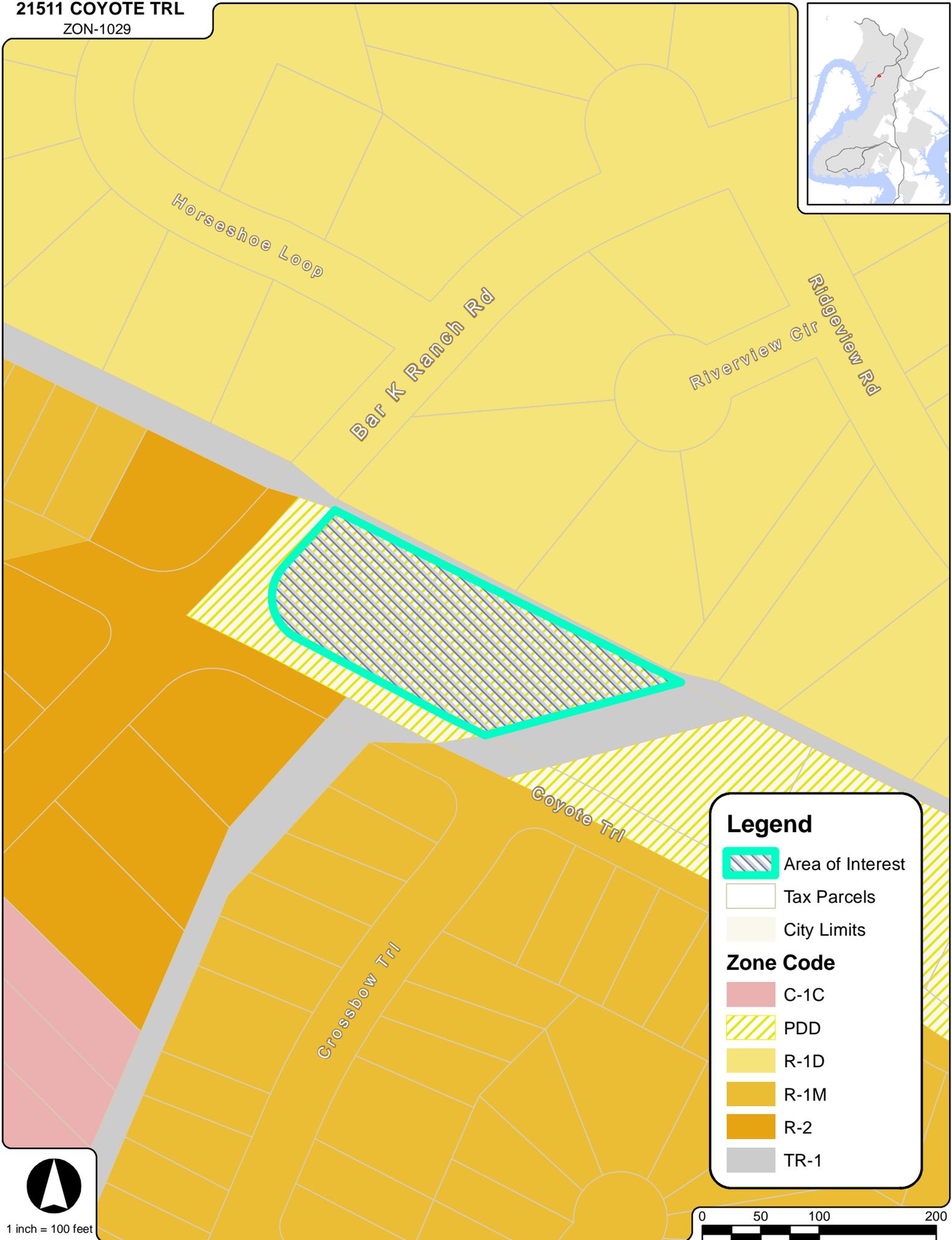
Land Use Code

- Low Density Residential
- Med Density Residential



1 inch = 100 feet



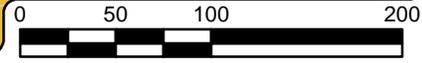


Legend

-  Area of Interest
-  Tax Parcels
-  City Limits
- Zone Code**
-  C-1C
-  PDD
-  R-1D
-  R-1M
-  R-2
-  TR-1



1 inch = 100 feet



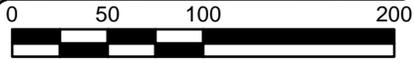


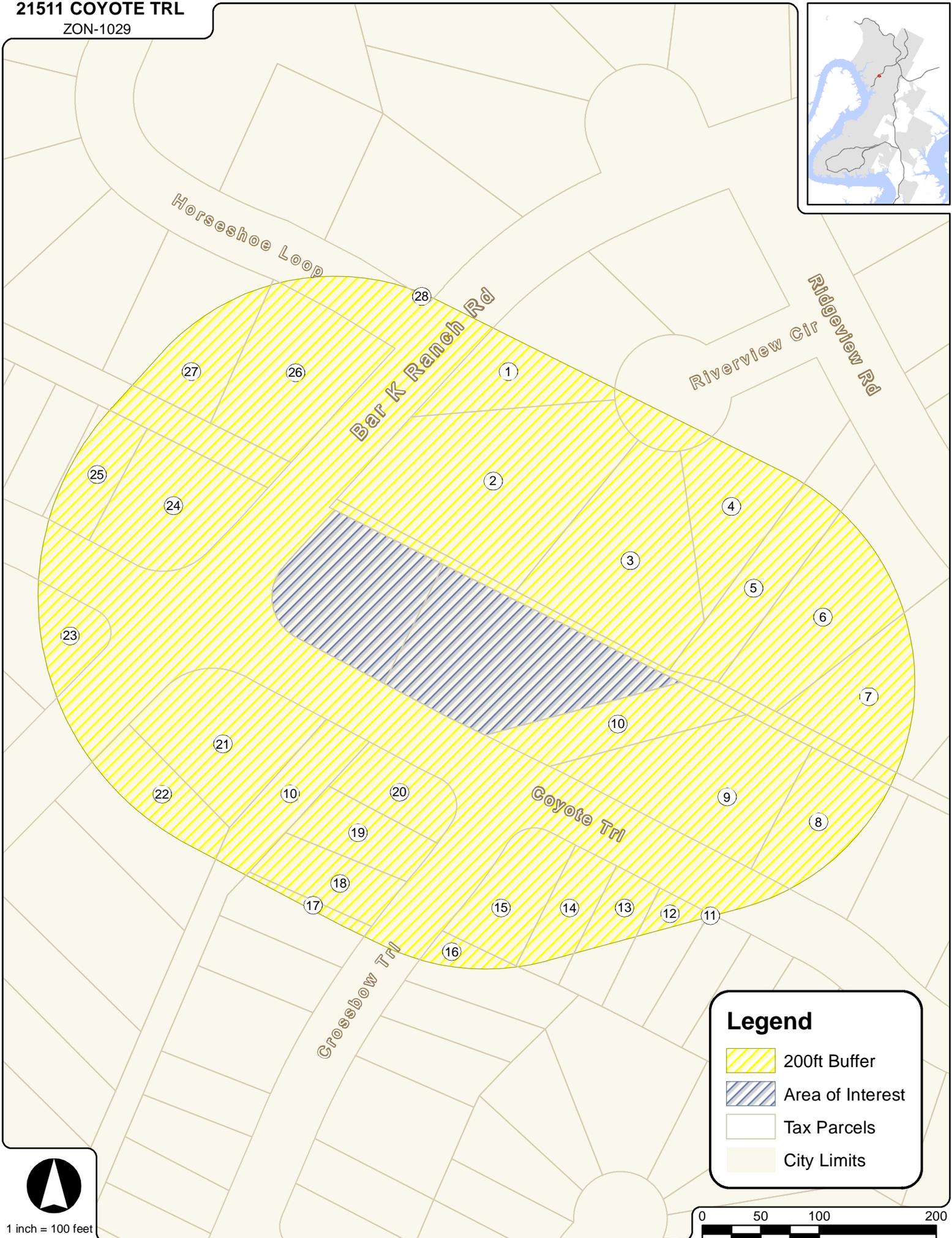
Legend

-  Area of Interest
-  Tax Parcels



1 inch = 100 feet





Legend

-  200ft Buffer
-  Area of Interest
-  Tax Parcels
-  City Limits



1 inch = 100 feet

