

MINUTES
Thursday, October 1st, 2015 Regular Meeting
Planning and Zoning Commission
City of Lago Vista

Chair Tara Griffin called the meeting to order at 7:00 P.M. in the Council Chambers at the City Municipal Building, 5803 Thunderbird St., Lago Vista, Texas. Members present were Tara Griffin, Paul Smith, Andy White and Vernon Reher. Gary Zaleski, Richard Brown and Jim Moss were absent. City Manager Melissa Byrne-Vossmer, City Attorney Barbara Boulware-Wells, City Council Liaison Dale Mitchell, Development Services Director David Harrell and Development Services Secretary Sherry McCurdy were also present.

PUBLIC COMMENTS FOR NON-HEARING RELATED ITEMS.

There were no comments from the public for Non-Hearing Related Items.

CONSIDERATION OF MINUTES:

- A. September 10, 2015 Planning and Zoning Commission Regular Meeting.**
- B. September 14, 2015 Planning and Zoning Commission and Comprehensive Plan Advisory Committee Joint Special Meeting.**

On a motion by Vernon Reher, seconded by Paul Smith, the Planning and Zoning Commission voted unanimously to table the minutes until the next Planning and Zoning Commission Meeting.

PUBLIC HEARING

- 1. ZON 1045 – Recommendation of the Planning & Zoning Commission of a PDD Modification to Ordinance 13-06-06-02 (Montechino PDD) to allow for a name change; modify maximum lot coverage in Area 4 (Garden Homes); add permitted Uses to Area 5 (Commercial Parcels) and allow restaurants to have outdoor areas and restricting entertainment and/or musical groups performing to requirements of the noise ordinance; add permitted Uses to Area 6 (Residential Community Center); add a permitted Use in Area 7 (Open Space); and require improvements on specific sites in accordance with an approved Water Quality Master Plan.**

David Harrell gave a staff report from the material that had been previously provided to the Planning and Zoning Commission. The staff recommends approval of the modification request.

Applicant, Brian Atlas, gave explanation to the changes being requested. He explained some of the requests were a cleanup of verbiage in the original PDD. He expressed that he thought he had submitted more detail that was left out of the presentation.

David Harrell responded that anything the applicant had submitted was presented to the Commission. The items Mr. Atlas was referring to were presented after public notice had been made for the Public Hearing.

The Public Hearing was opened at 7:14 PM.

Dorothy Gudgell, property owner in Lakeshore Ranch and Marshalls Harbor spoke in opposition of the PDD Amendment.

The Public Hearing was closed at 7:16 PM.

The members of the Planning and Zoning Commission, David Harrell, Brian Atlas and Dale Mitchell discussed live music, previous developer, past history of Montechino, green space, and impervious cover.

Paul Smith had a question from materials that Dorothy Gudgell provided to the City before the meeting, which the City had passed out to the Commission, regarding an agreement between the applicant and herself.

Tara Griffin asked that the question be directed to the City Attorney, Barbara Boulware-Wells.

Barbara Boulware-Wells stated that the Planning and Zoning Commission is not the forum for the underlying legal issues to be judged. The Planning and Zoning Commission is tasked with deciding if the PDD meets the requirements and/or the guidance documents and does anything run outside of the requirements. The Planning and Zoning Commission decision needs to be based on these facts of the PDD Amendment request and not on legal issues. The City Council members are the ones that ultimately make the decisions on the legal issues.

The Public Hearing was closed at 7:18 PM.

On a motion by Tara Griffin and seconded by Andy White, the Planning & Zoning Commission voted unanimously to recommend to City Council a PDD Modification to Ordinance 13-06-06-02 (Montechino PDD) to allow for a name change and modify maximum lot coverage in Area 4 (Garden Homes); add permitted Uses to Area 5 (Commercial Parcels) and allow restaurants to have outdoor areas and restricting entertainment and/or musical groups performing to requirements of the noise ordinance; add permitted Uses to Area 6 (Residential Community Center); add a permitted Use in Area 7 (Open Space); require improvements on specific sites in accordance with an approved Water Quality Master Plan.

WORKSHOP

1. Discussion of Code Changes to Chapter 10 (Subdivision Ordinance).

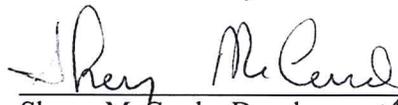
Tara Griffin stated a special meeting is going to be scheduled to discuss the Subdivision Ordinance.

FUTURE AGENDA ITEMS

There were no Future Agenda Items,

On a motion by Vernon Reher and seconded by Paul Smith, the Planning & Zoning Commission meeting adjourned at 7:32 PM.


Tara Griffin, Chair


Sherry McCurdy, Development Services Secretary

On a motion by Paul Smith, seconded by Vernon Reher, the foregoing instrument was passed and approved this 28th day of January, 2016.