CITY OF HORSESHOE BAY

PLANNING AND ZONING COMMISSION
NOTICE OF REGULAR PUBLIC MEETING

April 5, 2016

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold a Public Meeting beginning at 3:00 p.m., on Tuesday, February 2, 2016, in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The agenda for the Regular Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (those speaking are asked to limit their comments to three minutes)
3. Approval of Minutes of the February 2, 2016 Regular Meeting
4. Consider, discuss and take action regarding appropriate density in the R-4 Multi-Family Zoning Classification
5. Consider, discuss and take action regarding a recommendation to City Council regarding the preliminary plat and final plat of Hidden Coves, a 22 lot subdivision with 19 garden home lots, 1 R-4 Multi-family lot (for future development) and 2 LA Lake Area lots to be zoned Mixed Use GH Garden Home R-4 Multi-Family LA Lake Area PD Planned Development - MU-GH-R4-LA PD (10.43 acre area on the east side of Faultline Dr., across from Nichola Gay, north and south of Diagonal Dr, and north of Lost Echo).
6. Adjournment

Eric W. Winter

Eric W. Winter, Development Services Dir.

The Planning and Zoning Commission may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Commission that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Commission on any subject or matter while in closed session. Any action, decision or vote will be taken by the Commission only in open meeting.

Item # 3

CITY OF HORSESHOE BAY

PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING

February 2, 2016

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting at City Hall, in the City Council Chambers located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on February 2, 2016, in accordance with duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

1. **Call to Order and Establish a Quorum:** Chairman Norm Long, who was appointed Chairman by City Council on January 19, called the meeting to order at 3:00 p.m. with a quorum of Commission members present as follows:

   Chairman: Norm Long
   Commission Member: Neil Andrew
   Commission Member: Lynette Morrison
   Commission Member: Pat Bouchard
   Commission Member: Wayne Anderson

2. **Public Comments:** Thirty-five members of the public were in attendance in addition to Mayor Steve Jordan, Council member Craig Haydon, Sam Tarbet, Tony Plumlee, and Don Sherman. Norm Long announced he would allow comments regarding Gynergy Villas when the agenda item was up for discussion. There were no public comments.

3. **Approval of the Minutes of the January 5, 2016 Regular Meeting and the January 13, 2016 Special Meeting:** Eric Winter announced a change to the minutes of the January 5 meeting regarding item 1 where it states Teresa Moore, City Secretary swore in the new members. Jessica Noaker, Development Services Technician and Notary swore in the new members. Neil Andrew made a motion to approve both sets of minutes as amended, Wayne Anderson seconded. The motion passed unanimously (5-0).

4. **Election of Vice-Chairman:** Norm Long opened the floor for volunteers or nominations for electing a Vice-Chairman. Wayne Anderson nominated Neil Andrew to serve as Vice-Chairman, Lynette Morrison seconded. The motion passed unanimously (5-0).

5. **Presentation regarding allowable density and appropriate density in the R-4 Multi-Family Zoning Classification by Development Services Director Eric Winter:** Norm Long opened the floor to Eric Winter to give a presentation. Eric Winter presented information regarding the current R-4 projects in the City and what type of densities those projects have in order to look at what might be appropriate for future densities as well. He outlined the current restrictions for R-4 zoning in Horseshoe Bay West and Horseshoe Bay Proper, including maximum lot coverage and parking requirements. He noted that these

restrictions do not specifically provide a maximum density for units per acre. Instead, density is limited based on all the requirements that must be met. Mr. Winter also discussed the R-4 zoned Multi-family Residential areas that have been developed in Horseshoe Bay. He calculated that the average units per acre with the 11 developed R-4 projects is 8.36 units/acre and the proposed Gynergy Villas will be 5.75 units/acre. Mr. Winter noted that he did not include The Cape or Island Drive as these areas are zoned R-6 Multi-family Residential, which allows even higher density development than in the R-4 classification. Mr. Winter provided a comparison of several other cities' multi-family categories and permitted densities. He then discussed the course of action the Commission could consider if they would like to address density for future multi-family projects. Their options for action included to request staff to either prepare a Zoning Ordinance amendment to add a maximum density figure to both the R-4 and R-6 Classifications, or to prepare a Zoning Ordinance amendment that would increase the minimum size for a unit in both classifications, effectively reducing the allowable density in both. Norm Long asked if the current R-4 requirements listed in the Zoning Ordinance were State guidelines. Eric Winter did not know where they originated as they were in the Zoning Ordinance when it was originally adopted. Norm Long asked Mr. Winter if he believes that there should be any changes to the R-4 zoning requirements. Eric stated that he believes that it would facilitate more communication with developers if the City had a density figure that could be given to the developer. Norm Long asked if there were any other projects that had a minimum square footage of 750. Eric Winter was not aware of any. The Commission took no action.

6. **Discussion regarding the role of the Planning and Zoning Commission in the City by Councilmember Jerry Gray and City Manager Stan Farmer:** Stan Farmer stated he had a discussion with Jerry Gray with some questions and answers regarding the role of the P&Z. He felt that it would be a good conversation to repeat in order for the public to better understand the role of the P&Z. He used a question and answer format to present the information. The first question he asked was what establishes the requirement for a developer to submit a Planned Development Ordinance? The answer: A rezoning which gives permission for their specific planned use at that location. In addition, a Planned Development Ordinance is required if there is a request for a mix of residential and commercial uses in a single project. All those cases would require a Planned Development Ordinance. Stan Farmer noted that the proposed Gynergy project is not a Planned Development Ordinance. Next question he asked, what authority does P&Z as well as City Council have regarding content within a development such as the multi-family Gynergy tract that is up for discussion. Answer: The P&Z is an advisory committee to the City Council. A motion can be made to Council from P&Z and the motion can be approved or denied by City Council. The P&Z is considered to provide a first screening and the Council is prone to choose to agree with motions to approve an item based on the P&Z recommendation. The P&Z is only an advisory committee and does not have any approval powers as an advisory committee. Next question, if P&Z votes against an application which has been presented, is it dead? The answer is no, it still goes before City Council, and the Council can consider approving the application over P&Z's recommendation. The final question was if P&Z approves an application and Council votes against it, what happens? The answer was the project is dead because City Council voted against it. This wrapped up the question answer session with Stan Farmer and Jerry Gray. Lynette Morrison then added the question, what authority does the P&Z have regarding content? Jerry Gray answered as long as the content complies with the Zoning Ordinance in effect for that particular property, the answer is none.

7. **Continuation from the January 13 meeting regarding a recommendation to City Council regarding a request for the Preliminary Plat of Gynergy Villas at Horseshoe Bay, a 63 lot R-4 Multi-family zoned townhouse subdivision, with two new streets, a clubhouse, a swimming pool, a water feature and several Common Areas, including a Common Area for a 40,100 cubic foot retention pond on a 10.95 acre tract (On the northwest side of Golden Nugget, southwest of the first lot on the northwest corner of Golden Nugget and Broken Hills, and across from Westgate Loop and Westgate Subdivision):** Chairman Norm Long asked Eric Winter to provide a summary of the project, and then opened the public hearing. Chet Allen the Developer for the Gynergy project was the first to speak. He gave a brief background on his company and stated his desire to be a good neighbor and told the Commission of his meeting with The Hills community the night before. Norm Long then called members of the public to the podium as they had signed in to be heard. Doug Jackson, Hills POA President, along with Vicki Gatza, Cynthia Hughes, Tina Thibodeaux, Kathy Turner, and Ray Bishop, all residents of the Hills spoke against the plan for multifamily residences at that location. Chet Allen addressed questions posed by the public and the Commission.

   Wayne Anderson asked about parking for guests in the proposed subdivision. Chet Allen described his efforts to accommodate different styles of living at different locations around the U.S. He said that upon discussion with a local contact person, he has changed the style of the proposed floor plan slightly to accommodate how Horseshoe Bay residents would prefer to live. Also, he was informed of the issue of how there must be parking for at least two cars onsite and that the driveway has to be at least 20 feet from the street in Horseshoe Bay and has made an adjustment for that as well. He has made the garages 32 feet deep instead of 28 feet deep. Mr. Allen stated that is not sufficient to park two full size cars in the garage at one time but it will accommodate a car and a golf cart or a car and a smart car at one time. Wayne Anderson then asked if both cars are in the driveway, where would one park to come visit somebody. Mr. Allen showed on the overhead projection plat where there were parking spaces available on site. An unidentified audience member asked if there were a fire in the new subdivision, would the fire truck be able to access the site. Mr. Allen said yes, because there are no parking places on the street.

   Neil Andrew then asked Mr. Allen about drainage. He asked if the swale marked on the roadside along Golden Nugget was part of the process to bring the water in and keep it off the street. Tony Plumlee, the engineer for Willis Engineering addressed the question and said that the calculated area going to Mrs. Hughes pond is 32 acres. He said that out of those 32 acres, this development drains 7 acres toward the pond area, and another three will be drained towards the creek. What he proposes to do is use a number of techniques that the LCRA has in their toolbox for them to address water quality issues about this site. He said that at one time, the LCRA controlled storm water but said that since the drought, they have shifted from a desire for cleaner water rather than less water. He stated that they address the phosphorus and the total suspended solids which is the dirt in the water. Tony said that they propose to use either a drainage pond, and allow that water to sit and release over time in order to not inundate Mrs. Hughes's pond with a lot of dirty water. He said that LCRA also manages runoff during construction. Tony described the efforts that the LCRA will take to regulate runoff during construction to comply with their strict standards. Neil Andrew asked if there were still plans to remove a set of units in order to address runoff to the Hughes's pond as Tony had mentioned at the January 19th Council meeting. Tony said yes that was still a possibility to put in a water quality feature. Tony showed the areas they are studying to locate the drainage features needed to comply. Neil Andrew asked about the possibility of

building a wall along the back of the development to obscure the neighbor's view of the development. Tony said that a wall may not be a choice but rather a fence could be used. Mr. Allen mentioned that he wanted to use landscaping to achieve this.

Lynette Morrison began her questions and addressing the audience by apologizing for the communication issues that were brought up. She also thanked Ron Mitchell and Sam Tarbet for their efforts to keep Horseshoe Bay the community that it is today. She said that the area in question is not a typical place for an R-4 project. She spoke to Mr. Allen and said that the concept of an R-4 development is welcome. She explained that she is also on the Long Range Planning Committee and how they hear over and over again the need for this type of product but still try to meet the goals of what Tina Thibodeaux read earlier. She mentioned that she feels those R-4 type of products are more welcome in pedestrian friendly areas of the City. She said that the locations that Eric detailed earlier were found near FM 2147 or near the Resort and their amenities. She asked Mr. Allen if those types of areas were considered for this project. Mr. Allen said that they look for areas with a great enough size to keep the product single story. He also stated that his proposed density would fit the requirements in other cities to be R-2 and that they are actually underusing the space. He said that was because they want it to have a lot of green space and that they don't want it to be downtown. He feels that the parcel proposed fits exactly their product.

Pat Bouchard stated that he agrees with Mr. Jackson that we would not be having this discussion if the proposed area was not nestled up against a low density area. He stated that he thinks that the owner has the right to develop the property as it was zoned. He feels that in his mind, the issues of mitigating the negative impacts are of top priority. He questioned the build out time and asked if it was tied to absorption, if it is phased and when do the amenities get phased in. Pat also stated that he feels that it is important that this project is successful. Mr. Allen said that it is not productive to do the site work in phases and that it's better to do all the sewer and water at one time. He said that sales will determine when the next units will be put in. Pat asked if the market changes such that a lesser product is desired, would it be allowed to build a lesser product. Eric Winter said that if they decided to change the product, they would have to go through the appropriate approval process with the City and the Architectural Control Committee.

Chairman Norm Long asked Sam Tarbet to address the audience's questions and stated he knows that this property was brought in to the City and zoned as R-4 in 2005. He said that there are a lot of areas in the City that are zoned multi-family. He said that what you see often are small tracts that are sold at 1 acre, developed as multifamily, then the area next to it sold and developed as a different multifamily area. Sam feels that there is a value added when a project reaches an identity and a good reputation. He says that they have had very few opportunities where a tract of land is large enough to develop into a village concept. He said that this is a low density project and that he feels the market will dictate and show the desire for this product and that it will do well.

Chairman Norm Long recognized Doug Jackson and he asked if the drainage issues are too much of an impact on financials would it make the project a no go. Mr. Allen said yes it will. At this point, Cynthia Hughes interjected that Horseshoe Bay is a choice and not a "have to" place to move for a job.

Norm Long then asked Eric Winter to describe the process of a preliminary plat. Eric said that this project is considered a preliminary plat and that no notices were required and that no

notices were made. The City Council after this action today will consider the preliminary plat at the February 16 meeting and again no notices will be made because they are not required. If the Council agrees to move forward with the recommendation, then all the items listed would have to be addressed before the final plat would have to come back to P&Z and go again to Council.

Norm Long then asked for a motion on the item. Neil Andrew made a motion to recommend approval to City Council with the items noted by staff to be addressed. Wayne Andrew seconded the motion. The motion carried (4-1), with Lynette Morrison voting no. The meeting adjourned at 4:51 PM.

APPROVED this 5th day of April, 2016.

CITY OF HORSESHOE BAY, TEXAS

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Norm Long, Chairman

ATTEST:

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Eric W. Winter, Development Services Manager

Item # 4

CITY OF HORSESHOE BAY
PLANNING & ZONING COMMISSION
APRIL 5, 2016

To: Planning & Zoning Commission

Thru: Stan R. Farmer, City Manager

From: Eric Winter, Development Services Manager

RE: Consider, discuss and take action regarding appropriate density in the R-4 Multi-family Zoning Classification

The current R-4 multi-Family Residential Zoning Classification for Zones 3 (Horseshoe Bay West) and Zone 4A (Horseshoe Bay Proper) allows multi-family apartments, townhouses and condominiums with a minimum of 750 square feet for each unit. Information on the density of several R-4 zoned projects was presented at the February meeting. I did more research to determine the unit sizes for the projects that are multi-family (rather than those single family in nature like Siena Creek and Palm West Casitas), which are shown below:

1. **The Enclave: units range from 1,835 – 2,288 sq. ft.**
2. **200 Full Moon: units range from 1,171 – 2,200 sq. ft.**
3. **Escape: units range from 957 – 1,243 sq. ft.**
4. **412 Short Circuit: 1,800 sq. ft. for all units**
5. **405 Short Circuit/Courtland Townhouses: units range from 1,443 – 1,732 sq. ft.**
6. **Golf Villas: 1,224 sq. ft for all units**
7. **The Gazebo: units range from 1,176 – 1,530 sq. ft.**
8. **The Highlands: units range from 1,240 – 1,860 sq. ft.**
9. **Escape West – units range from 1,487 – 1,751 sq. ft.**
10. **Proposed Gynergy Villas: units range from 1,259 – 1,536 sq. ft.**
    Average Sq. Ft. Range from 1,359 – 1,716

The range of minimum square footage required for R-4 projects in the City's subdivisions that have R-4 Multi-family classifications varies as follows:

- **Zones 3, 4A, 5 & 6 - Horseshoe Bay West, Horseshoe Bay Proper, Bay Country and Pecan Creek: 750**
- **Zone 2 Applehead: 1,000**
- **Zone 1 Applehead Island: 1,250 (No property is currently zoned R-4)**
- **Zone 10 Siena Creek: 1,500**
- **Zone 12 Summit Rock: 1,200 (1 story) – 1,700 (2 story)**

Based on the above information, staff recommends that the Commission consider increasing the minimum square footage for R-4 classifications in all Zones to between 1,200 and 1,500 square feet. The Commission can take action by requesting staff to prepare an Ordinance Amendment to change the minimum square footage required in the R-4 classification to the number you decide.
Enclosures: None

Item # 5

CITY OF HORSESHOE BAY
PLANNING & ZONING COMMISSION
APRIL 5, 2016

To: Planning & Zoning Commission

Thru: Stan R. Farmer, City Manager

From: Eric W. Winter, Development Services Manager

RE: Consider, discuss and take action regarding a recommendation to City Council regarding the preliminary plat and final plat of Hidden Coves, a 22 lot subdivision with 19 garden home lots, 1 R-4 Multi-family lot (for future development) and 2 LA Lake Area lots to be zoned Mixed Use GH Garden Home R-4 Multi-Family LA Lake Area PD Planned Development - MU-GH-R4-LA PD (10.43 acre area on the east side of Faultline Dr., across from Nichola Gay, north and south of Diagonal Dr, and north of Lost Echo)

This request is for a recommendation to the Council regarding the preliminary plat and final plat of a 21 lot subdivision plat located on the east side of Faultline Dr., across from Nichola Gay, north and south of Diagonal Dr, and north of Lost Echo. The Purpose of the plat is to create 18 garden home lots, 2 lake access lots for boat slips/boat docks and 1 multi-family lot for future development. The property is vacant and is zoned C-2 General Commercial, R-4 Multi-Family Residential, R-2 Duplex and LA Lake Area. The proposed zoning for the Hidden Coves Planned Development is Mixed Use Garden Home Multi-Family Lake Area Planned Development (MU-GH-R4-LAPD). The Planned Development Ordinance was originally scheduled to be on this same agenda, but insufficient legal notice was provided because the map showing the zoning changes for the new lots was not included, so it will be on the May 3 P&Z meeting.

Staff has determined this application to be administratively complete for forwarding to the Planning and Zoning Commission for review and recommendation. Don Sherman has been authorized by the property owner to act on its behalf.

An aerial photograph, a zoning map, the preliminary plat, and the final plat are included in the Commission's agenda packet. Original copies of the preliminary and final plat and all supporting information for this application are available for review in Development Services.

Staff is aware of some possible concerns regarding the Hidden Coves Planned Development, of which the plat is a part, as two area residents contacted staff regarding the public notice and asked for more details about the project. The preliminary and final plats can only be objected to based on technical errors in the plats themselves. Staff's review of both the preliminary and final plat contains some changes that need to be made to the plats in order for staff to recommend that the Commission recommend approval of both the preliminary plat and the final plat to the City Council. As of 3/23/16, these changes have not been made and resubmitted for review.

Enclosures:
- Aerial Photograph
- Zoning Map
- Preliminary Plat
- Final Plat
- Staff Review Comments

Staff Review Comments

Recommendation to the City Council regarding the preliminary plat and final plat of Hidden Coves Planned Development (East side of Faultline Dr., across from Nichola Gay, north and south of Diagonal Dr, and north of Lost Echo)

The following items need to be addressed as part of the Commission's recommendation to City Council for both the preliminary plat and the final plat:

1. **The title of the plat in every reference to it needs to be changed to: Horseshoe Bay West Plat No. W36.3 Hidden Coves Planned Development etc.**
2. **Add a complete list of all lots, tracts, and small portions of properties to be titled Current Zoning with each one's zoning classification (e.g., 85 Sq. Ft. Portion of Tract "LL-4" 2.029 Ac. – LA Lake Area), and call the list now shown on the plat: Hidden Coves PD Zoning.**
3. **Show and better label/identify the extent of the 100 year floodplain on all Sheets.**
4. **Has Ensenada Lane been approved by Llano County 911? If so, is there a reason the ROW is shown as 60', when the ROW needs to only be 50'?**
5. **Add ROWs for all streets surrounding the subdivision.**
6. **C31 information is covered up by the Willis-Sherman stamp on the bottom of Sheet 9 of 10.**
7. **If Faultline Dr. is the front yard setback for Lot 20, then the south side of Ensenada Lane's setback as the side yard should be changed from 15' to 25', as corner lots in the R-4 Classification shall maintain a minimum setback of 25' from all side street lines. If Ensenada Lane is to be the front yard, its setback should be shown as 25'.**
8. **Show accurate reference ties to courses and distances of at least 2 recognized land corners on Sheet 2 of 10.**
9. **Finished floor elevations of 2 feet above the 100 year flood plain elevation shall be shown on the plat, for all waterfront lots and all lots in the 100 year floodplain.**
10. **Add a location and description of all monuments, which shall be placed at each corner of the boundary survey of the subdivision on Sheet 2 of 10.**
11. **Add: City of Horseshoe Bay between County and "FIRM" in the 4th line of the 3rd Note.**
12. **Correct the spelling of Lenght in all places on Sheet 9 of 10.**