

CITY OF HORSESHOE BAY
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING

April 7, 2020

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting in the City Council Chambers located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on April 7, 2020 in accordance with the duly posted notice of said meeting. This meeting was closed to in-person attendance by the public, but the public was able to participate by telephone.

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 the Meeting to Order and Establish a Quorum

Chairman Brent Lane called the meeting to order at 3:01 P.M. with a quorum of all members present either at the meeting or by telephone, as follows:

Commission Members present in person:
Commission Member Beverly Graham
Commission Member Greg Waldron

Commission Members present via telephone:
Chairman Brent Lane
Vice-Chairman Scooter Lofton
Commission Member Mark Bloschock

Public connected to the meeting by telephone included applicant J.J. Wagner, Lisa Spalla and Tom Yantis.

2. Approval of Minutes of the March 3, 2020 Regular Meeting

The motion to approve the Minutes was made by Beverly Graham and seconded by Mark Bloschock. The motion passed unanimously (5-0).

3. Public Hearing and recommendation to City Council on a request to approve an Ordinance Rezoning Tract E of Escondido Plat No. 1.1 in Zone 9 Escondido from R-1 Single Family Residential to C-2 General Commercial to allow for the construction of a boat storage facility as an attendant golf club facility principally serving club members / Escondido Golf & Lake Club, JJ Wagner, Applicant

Chairman Brent Lane opened the Public Hearing at 3:10 PM. He then turned the Public Hearing over to Commissioner Greg Waldron as Chairman Pro Tem. Eric Winter presented an overview of the rezoning request. JJ Wagner discussed the need for the boat

storage facility by club members. He stated they have 3 options for a site for the boat storage facility and he was requesting rezoning of this tract in case the other 2 sites do not work out. If they use this site, they will build a berm higher than the existing one and add landscaping to screen the facility. If the berm is not high enough they will build a stucco wall similar to the wall on the adjacent commercial property. Vice Chairman Lofton asked how many boats would be stored at the facility. JJ Wagner said it would hold between 20-40 boats. Vice Chairman Lofton asked what it would look like and if it will be enclosed. JJ Wagner said it will be covered but not enclosed. Chairman Lane asked how they will meet ACC standards without enclosing the facility. JJ Wagner responded they are not that far along in the project. Chairman Pro Tem Waldron asked about the size of the boats that would be stored at the facility. JJ Wagner responded that the largest boat would be a pontoon boat. Commissioner Graham asked about plans for ingress and egress for bringing boats in and out of storage. JJ Wagner said their member services would manage the facility and boat owners would only drop their boat off once, and Escondido staff would bring the boats to the lake for the members. They will not access the facility from Tori Lane, as access will be entirely internal to Escondido. Vice Chairman Lofton asked if it would be visible from the Pecan Creek subdivision. JJ Wagner stated they have not looked at that. They will have a berm in that area as well. Vice Chairman Lofton expressed concerns about screening a pontoon boat and that it will be visible from the Pecan Creek subdivision. JJ Wagner responded that he thought only the access road would be visible from Pecan Creek and did not think the storage area would be visible from Pecan Creek.

Chairman Pro Tem Waldron expressed concerns that there is not a final decision by Escondido that this will be the site for the facility and there are other alternatives and they are obtaining the zoning for flexibility. JJ Wagner said that is correct. Eric Winter asked if they do not use it for boat storage do they have any other plans for the site. JJ Wagner said if they put the facility on another property, they have no use for the lot. Chairman Lane asked if there were other commercial properties in Escondido that are zoned commercial. JJ Wagner was not sure what the other HOA properties are zoned. Chairman Lane asked if JJ Wagner had heard from any neighbors. JJ Wagner responded yes, he heard from a few and addressed their concerns. Chairman Lane expressed concern about setting a precedent in Horseshoe Bay to create open zoning for a tract they may not use for the original intended use and then convert to another use in the future. Eric Winter said two neighbors called and expressed opposition to the request and another sent an email asking if a site plan is required with zoning. He stated a site plan is not required for rezoning.

Two citizens spoke at the Public Hearing via telephone. Lisa Spalla owns the lot across the street from the tract and asked about a wall behind the proposed berm. JJ Wagner stated it is their intent to screen the facility using only a berm and landscaping but will build a stucco wall on the side of the storage building if the berm does not adequately screen the storage area. Tom Yantis asked what will happen to the property if the boat storage facility is not built there. JJ Wagner said if the property is not used for boat storage, they would probably not do anything with the site. There are no other plans for the property. Eric Winter said they can use it for any other commercial use that is permitted under C-2 zoning. Chairman Pro Tem Waldron asked about the internal review with Club members if the

Club decided to do a different use. JJ Wagner said if they have a different plan, they will bring it to the members. Vice Chairman Lofton asked if the property is used for a different use would that have to go to City Council. Eric Winter said a different use would not go to City Council if it is a permitted use under C-2 zoning. JJ Wagner said if the Board of Directors decides a different use, they would take it to the Club members for their approval. Vice Chairman Lofton asked if the Commission could recommend conditional approval with a condition that the rezoning revert back to the original zoning if the site is not used for a boat storage facility. Eric Winter informed the Commission that conditions cannot be put on zoning approval, as conditional zoning has been held to be illegal.

Chairman Pro Tem Waldron closed the Public Hearing at 3:30 PM. Chairman Lane expressed concern about rezoning on speculation. He felt Escondido should explore the other options and come back if the other options don't work out. Commissioner Bloschock expressed the same concerns. Vice Chairman Lofton had concerns about the homeowners across the street if the site is developed for a different use. Chairman Pro Tem Waldron said he felt they should come back if this location becomes their first choice. Commissioner Graham stated concerns about future property values of the impacted properties.

Vice Chairman Lofton made a motion to recommend City Council deny the rezoning application, seconded by Chairman Lane. The motion passed unanimously (5-0).

4. **Adjournment**

The motion to adjourn the meeting was made by Beverly Graham and seconded by Greg Waldron. The motion was approved unanimously (5-0). The meeting was adjourned at 3:40 P.M.

APPROVED this 11th day of August 2020.

CITY OF HORSESHOE BAY, TEXAS


Brent Lane, Chairman

ATTEST:


Eric W. Winter, Development Services Director